I. ROLL CALL: Meeting called to order at 6:00 p.m.
   Present: Chair Jim Poore, Allen Layman and Mickey C. Peabody, Public Member-At-Large

   Absent:

   Staff Present: Tom Boze, Deputy County Counsel; Michael Newton, Code Enforcement Manager; Ginny Thomas, Zoning Enforcement Officer; Janice McClendon, Zoning Enforcement Officer; Stefanie Voortman, Zoning Enforcement Officer; Tod Woodward, Zoning Enforcement Officer; and Jan Simpson, Department of Environmental Resources Administrative Secretary

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES
   A. December 14, 2006
      Peabody/Layman, (3-0), APPROVED

IV. MATTERS OF INTEREST FROM THE CODE ENFORCEMENT MANAGER

   The following cases were forwarded to the Board of Supervisors on January 16, 2007: 5348 Avenue D, Modesto, 120 Barozzi Avenue, Modesto, 1501 Crawford Road, Modesto and 1949 Crows Landing Road, Modesto.

   Remove Item H., CE06-448 at 5354 Avenue D, Modesto. The owner is in compliance. Item B., CE06-696 at 901 S. West Avenue, Turlock, Item C., CE06-697 at 1000 S. West Avenue, Turlock, Item D., CE06-698 at 1100 S. West Avenue, Turlock, Item E., CE06-694 at 1101 S. West Avenue, Turlock and Item F., CE06-699 at 1148 S. West Avenue, Turlock to be pulled from the consent calendar for a public hearing and will be heard collectively.

V. CORRESPONDENCE
   None

VI. CONFLICT OF INTEREST DECLARATION
   None
VII. PUBLIC HEARINGS ( *NON-CONSENT)
Chair Jim Poore informed the public of the consent items and procedure.
Public hearing opened.
Public hearing closed.

CONSENT ITEMS

A. ABATEMENT HEARING REGARDING CE NO. 06-705 AT 5570 8TH STREET, KEYES
   Layman/Peabody, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

*B. ABATEMENT HEARING REGARDING CE NO. 06-696 AT 901 S. WEST AVENUE, TURLOCK
   Removed for public hearing.
   Staff report: Ginny Thomas Recommends APPROVAL.
   Public hearing opened.
   OPPOSITION: None
   FAVOR: None.
   Public hearing closed.
   Peabody/Layman, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

*C. ABATEMENT HEARING REGARDING CE NO. 06-697 AT 1000 S. WEST AVENUE, TURLOCK
   Removed for public hearing.
   Staff report: Ginny Thomas Recommends APPROVAL.
   Public hearing opened.
   OPPOSITION: None
   FAVOR: None.
   Public hearing closed.
   Peabody/Layman, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

*D. ABATEMENT HEARING REGARDING CE NO. 06-698 AT 1100 S. WEST AVENUE, TURLOCK
   Removed for public hearing.
   Staff report: Ginny Thomas Recommends APPROVAL.
   Public hearing opened.
   OPPOSITION: Martin Franco, 1100 S. West Avenue (Exhibit A thru A-4).
   Steve Talkington, 1100, 1156 and 1108 Mae Street.
   Mike Summerlot, 634 Williams Avenue.
   FAVOR: None.
   Public hearing closed.
   Peabody, Layman, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.
*E. ABATEMENT HEARING REGARDING CE NO. 06-694 AT 1101 S. WEST AVENUE, TURLOCK
Removed for public hearing.
Staff report: Ginny Thomas Recommends APPROVAL.
Public hearing opened.
OPPOSITION: Francisco Lopez, 1101 West Avenue South.
FAVOR: None.
Public hearing closed.
Peabody/Layman, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

*F. ABATEMENT HEARING REGARDING CE NO. 06-699 AT 1148 S. WEST AVENUE, TURLOCK
Removed for public hearing.
Staff report: Ginny Thomas Recommends APPROVAL.
Public hearing opened.
OPPOSITION: None
FAVOR: None.
Public hearing closed.
Peabody/Layman, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

G. ABATEMENT HEARING REGARDING CE NO. 04-1689 AT 722 S. 1ST STREET, TURLOCK
Layman/Peabody, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

H. ABATEMENT HEARING REGARDING CE NO. 06-448 AT 5354 AVENUE D, MODESTO
Removed from the calendar at the request of Michael Newton, Code Enforcement Manager, owner complied with the ordinance.

I. ABATEMENT HEARING REGARDING CE NO. 06-485 AT 5345 CLARK STREET, KEYES
Layman/Peabody, Unanimous (3-0), RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

*J. ABATEMENT HEARING REGARDING CE NO. 06-249 AT 105 ORCHARD ROAD, VERNALIS
Removed for public hearing.
Staff report: Ginny Thomas Recommends APPROVAL.
Public hearing opened.
OPPOSITION: Billy Lopez, 105 Orchard Road.
FAVOR: None.
Public hearing closed.
Peabody/Layman, Unanimous (3-0), AMENDED THE DECISION AND FOUND ITEM 4. (2, 5 AND 7) IN VIOLATION AND ITEMS 1, 2. AND 3. IN COMPLIANCE AND RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.
*K. APPEAL OF ADMINISTRATIVE CITATION REGARDING CE NO. 06-249 AT 105 ORCHARD ROAD, VERNALIS
Removed for public hearing.
Staff report: Ginny Thomas Recommends APPROVAL.
Public hearing opened.
OPPOSITION:
FAVOR: None.
Public hearing closed.
Layman/Peabody, Unanimous (3-0), DENIED THE APPEAL.

*L. APPEAL OF ADMINISTRATIVE CITATION REGARDING CE NO. 06-667 AT 10866 CLEVELAND AVENUE, OAKDALE
Removed for public hearing.
Staff report: Janice McClendon Recommends APPROVAL.
Public hearing opened.
OPPOSITION: Dennis Wilson, 909 14th Street, Modesto.
FAVOR: None.
Public hearing closed.
Layman/Peabody, Unanimous (3-0), CASE CONTINUED UNTIL THE NEXT NUISANCE ABATEMENT HEARING ON FEBRUARY 22, 2007.

*M. BILLING HEARING REGARDING CE NO. 04-323 AT 201 COWAN STREET, MODESTO
Removed for public hearing.
Staff report: Stefanie Voortman Recommends APPROVAL.
Public hearing opened.
OPPOSITION: None.
FAVOR: None.
Public hearing closed.
Layman/Peabody, Unanimous (3-0), BILLING APPROVED AS REASONABLE, RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.

VIII. ADDITIONAL MATTERS AT DISCRETION OF ACTING CHAIRPERSON
None

IX. MEETING ADJOURNED AT 7:42 P.M.

Michael Newton, Code Enforcement Manager

(The above is a summary of the minutes of the Nuisance Abatement Hearing Board. Complete tape(s) of the meeting are available from the Department of Environmental Resources Director).