

Sharp, Ryan

From: Moriah Miranda <mmiranda@cusdebackschool.org>
Sent: Monday, August 17, 2020 10:46 AM
To: COB
Subject: Dinsmore Property

To: Humboldt County Board of Supervisors

RE: Dinsmore Junk Yard

Attached is an invoice for decades of service for Bob Marks, for decades of voluntary service to Humboldt County. In response to Humboldt County Code Enforcement's abatement for AP#208-341-024. Also attached is an alternative Bid Proposal for clean up assistance from a local company. We are requesting that Humboldt County Code Enforcement Pay for the clean up and restoration of this property, without attaching a lien to the property of our honorable elder. We believe that it is time for the County to "give back" in Bob's time of need...without the typical "what's in it for me" tactic. How is it ok for Bob to literally offer \$100 million dollars of service, without expectation, and then when he needs help...

1. Demand a clean up
2. Imply he is dead to Hudspeth, and state his land is Eminent Domain
3. Approve a \$308,000 bid (the highest bid of all) to an out of the area company
4. Attach a lien afterward and basically steal his land because he doesn't have the money to pay it (because he has been helping for free for so long!!)

How is this in any way an honorable approach? Please reconsider your approach and plan, and be kind to Bob.

Respectfully,

Moriah Miranda & Phillip Viveiros

Note: I am also attaching his OES ID cards issued by Sheriff Downey.

**HUMBOLDT COUNTY
SHERIFF'S OFFICE**



**Bobby M.
Marks**
OES Deputy Coordinator

ID #: 0691
Issued: 01/29/15
Expires: 01/08/19

Michael T. Downey
Michael T. Downey,
Sheriff

Sex: M Height: 5-10
Hair: Brown Weight: 195
Eyes: Blue, D.O.B.: 07/21/40

If this card is found, please return
to the
Humboldt County Sheriff's Office
826 Fourth Street, Eureka, CA
95501

Thrifty Auto

Thrifty Auto
 46280 State Highway 36
 Bridgeville, CA 95526
 574-6521
 Dismantler License #53529
 Auto Sales License #04749

INVOICE

DATE 8/08/2020
INVOICE NO 1988-2012

INVOICE TO
 Humboldt County Risk
 Management
 825 5th Street, Room 100
 Eureka, CA 95501
 (707) 268-3669
 (707) 268-2546
 Kkovac1@co.humboldt.ca.us

BOBBY MARKS	1988-2012	PAYMENT TERMS	DUE DATE
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Due on Receipt

QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
24 years	"On call" Sheriff	\$21,696	\$520,704
24 years	"Volunteer" Fire Chief	\$20,928	\$502,272
24 years	Towing Fees for 200 cars	\$189,00	\$37,800
24 years	Housing the houseless	\$500.00	\$144,000

Subtotal	\$1,204,776
Sales Tax	\$87,346.26
Total	\$1,292,122.26

Thrifty Auto

Thrifty Auto
46280 State Highway 36
Bridgeville, CA 95526
(707) 574-6521
Vehicle Dealer License #04749
Vehicle Dismantler License
#53529

INVOICE

DATE 8/08/2020
INVOICE NO 1988-2012

INVOICE TO
County of Humboldt
Risk Management Services
825 5th Street, Room 100
Eureka, CA 95501
(707) 268-3669
(707) 268-2546
kkovacs@co.humboldt.ca.us

BOB MARKS	STORAGE FEES	PAYMENT TERMS	IMMEDIATELY
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Due on Receipt

QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
200	Abandoned Vehicle Storage	\$53.00 daily	(\$10,600.00)
200	Monthly Vehicle Storage	\$10,600/30	(\$322,483.33)
200	Annual Vehicle Storage	\$322,483.33/12	(\$3,869,800.00)
200	24 years of Vehicle Storage	\$3,869,800/24	\$92,875,200.00

Subtotal	\$92,875,200.00
Sales Tax	\$6,733,452.00
Total	\$99,608,652.00

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From: Moriah Miranda <mmiranda@cusdebackschool.org>
Sent: Monday, August 17, 2020 10:54 AM
To: COB
Subject: Dinsmore Junk Yard

Part 2...

In reference to the email just sent moments ago regarding AP# 208-341-024, attached is the bid proposal.

Respectfully,

Moriah Miranda

EEL RIVER TRANSPORTATION & SALVAGE

August 11, 2020

Phillip Viveiros
Bob Marks

PROPOSAL

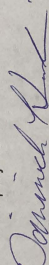
The following is a proposal for the property clean up in Dinsmore.

Eel River Transportation and Salvage, Inc., is able to remove all 230 vehicles for the price of \$130,000.00. This total includes transportation and equipment costs needed for this project.

We are also able to provide 30 yard and 40 yard bins at approximately \$1,865.00 per bin for construction debris as long as the weight doesn't exceed 6,000 lbs. per bin.

If you agree upon this proposal, a deposit of \$65,000.00 would be required prior to beginning work on the project.

Thank you,



Dominick Hardin
Operations Manager

I agree to the above proposal. I agree to pay the stated deposit amount before work begins.

Print Name _____

Date: _____

Sign Name _____



850 Riverwalk Dr.
P.O. Box 322
Fortuna, CA 95540

PHONE 707.725.6530
FAX 707.726.9025
EMAIL ertands@sbcglobal.net

From: [Eugene Denson](#)
To: [Bohn, Rex](#); [Fennell, Estelle](#); [Wilson, Mike](#); [Bass, Virginia](#); [Madrone, Steve](#); [COB](#)
Cc: [Eugene Denson](#); [Kym Kemp](#); [KMUD News](#); [Kelley Lincoln](#)
Subject: Proposed Amendment to HCC 314-55.2 (can't find on Agenda)
Date: Saturday, August 15, 2020 6:00:37 PM

EUGENE C DENSON, ATTORNEY AT LAW
POB 158, Alderpoint, Ca 95511 USA
707-923-4764, Fax 707-926-5250
edenson95511@gmail.com

14 August 2020

To the Humboldt County Board of Supervisors
rbohn@co.humboldt.ca.us, efennell@co.humboldt.ca.us, mike.wilson@co.humboldt.ca.us
, vbass@co.humboldt.ca.us, smadrone@co.humboldt.ca.us, cob@co.humboldt.ca.us

Hello, these are my comments on the proposed amendment to Section 314-55.2 of the County ordinances (which comes before you on 18 August 2020? Could not find it there). Please consider them and place them in the public record. The present code places no size limit for medical cannabis cultivation on parcels larger than 5 acres. The present code places no size limit on the cultivation of personal recreational cannabis on parcels larger than 5 acres. The amendment proposes to lump personal recreational cannabis in with medical cannabis and place a combined limit on the space that may be used to cultivate either or both on those parcels. I oppose it for the reasons below.

Here are my points in summary:

- A. Personal medical cannabis is not also personal recreational cannabis. They have separate purposes and are governed by separate laws.
- B. The amount of medical cannabis a patient needs is determined by the patient and their doctor without input from the county or state.
- C. A medical cannabis plant presents no more danger to public health and safety than does a commercially permitted plant.
- D. Restricting the amount of cannabis that can be grown by the small number of patients who need more than 200 ft² is medically indefensible, commercially purposeless, and fails to provide patients equal protection under the law.

Here are more developed arguments making those points.

1. Proposition 64 does not pertain to medical cannabis. See Health and Safety Code section 11018 where it cites the Proposition to state it applies to “nonmedical cannabis.”
2. Health and Safety Code section 11362.1 was contained in Prop. 64 and it allows 6 plants. As the Prop did not apply to medical cannabis, neither does this code section.
3. Proposition 215 (Health and Safety Code 11362.5) remains the law in California. Much of the interpretation of this brief law has been in Court decisions handed down since 1996 when it became law. It is a bit complicated, but it comes to this:
 - a. A “qualified patient” becomes qualified by having the recommendation or approval of a California doctor for the use of medical cannabis.

- b. The amount of cannabis a qualified patient may grow and/or possess is “an amount reasonably related to their then current medical needs” (*People v Trippet*, 56 Cal. App. 4th 1532).
- c. The standard time period for the amount is a one-year supply (which assumes outdoor cultivation).
- d. This amount varies from individual to individual depending upon a variety of factors, most of which are not well understood scientifically. The person most likely to know the amount is the patient.
- e. To prevent endless numbers of jury trials to see if the patient is believed, some basic rules of thumb regarding limits were enacted into state and local law. Patients whose cultivation and/or possession does not exceed these rules were presumed to be within the legal amounts.
 - i. State: 12 immature or 6 mature plants. One-half pound of bud, unless county limits are higher.
 - ii. Humboldt County: 100 ft² of canopy and three pounds of bud.
- f. Both county and state limits are subject to higher limits set by the doctor qualifying them as medical patients. The law sets no upper limit on doctor set amounts, and the patient is legally entitled to rely upon them. The doctor’s word is beyond the reach of the law. Disputes are settled by the medical board, not local authorities or courts.
- g. A small number of patients have, after consultation with a doctor, been given documented limits (215’s) which are higher than the local or state limits. These limits are sometimes expressed in terms of plant numbers rather than canopy size and are usually coupled with amounts of processed cannabis (“bud”) expressed in pounds. At least one doctor recommends in terms of weight of CBD in the bud per pound of body weight.
- h. These 215s in some cases cannot be satisfied by the amount a patient can grow in a space such as is proposed: 200 ft² of canopy. Therefore, placing a canopy limit per patient without providing for exceptions is not sound regulation.
- i. Multiple patient gardens are still legal, also, although quite restricted by relationship to the cultivator, and number of patients. I believe the upper limit is 5. These also may require more than 200 ft² of canopy.
- j. Setting an arbitrary canopy or garden size limit will result in denying some patients sufficient medicine. Cannabis is expensive on the market and the very patients who have the greatest need are likely to have the least ability to buy it. The result would be needless suffering, and in a few cases possibly death by suicide.

4. There is nothing inherent in the cultivation of cannabis that requires non-commercial cultivation to be limited to 200 square feet on parcels larger than 5 acres. Indeed, the county encourages commercial cultivation and has permitted many operations 50, 100, even 1000 times larger than the medical limit sought. In fact, the county is presently contemplating an ordinance with concessions for “small farmers” who will restrict themselves to operations 10 times larger than the proposed limit on non-commercial gardens. If 201 ft² of cannabis threatens the health and safety of the county’s residents, those dangers must be nothing compared with the dangers 10,000 ft² or 100,000 ft² create.

5. There being no legal or medical purpose in restricting the size of medical gardens, it seems apparent that the ordinance's purpose is to bolster the county's failing commercial licensing system by driving more people to have to buy their medicine rather than grow it. Or, to put it more kindly, the Board believes that the doctors, despite their years of demanding education and their years of experience in practice, are mistaken about their patient's needs; and the amendment's purpose is to correct these medical professionals by replacing their medical opinions with the medical opinions of a majority of the Board of Supervisors.

6. If the Board believes that, driven by need or greed, that medical patients might sell their medicine, society has a way to handle that: criminal laws enforced by the Sheriff. Rather than reduce legal medicine available to sick people, increase the Sheriff's budget and leave the crime-stopping to people trained to do it. Using civil law to preemptively prevent crime is a perversion of good government. In the justice system "It is better that 10 guilty people go free than that 1 innocent person be convicted." I believe that is the proper standard for the Board to use, also. Why should the people trust a government that doesn't trust them?

7. The US and State Constitutions guarantee the people equal treatment under the law. This goes for medical patients growing their cannabis as well as large scale commercial enterprises. You might be able to justify being stricter with commercial growers than with sick individuals, but I don't think you can justify the opposite.