

RISING GOAT LIMITED



Office: 798 Lighthouse Ave Box 330;
Monterey, CA 93940
831-601-1220
Facsimile: 855-631-4401
risinggoatlimited@gmail.com

March 5, 2021

-Mr. John Ford, Planning Director
-Humboldt County Counsel
FACSIMILE and Electronic Mail ONLY

in re: Rising Goat / Overland Subdivision Appeal

Dear Mr. Ford:

This letter is written in reference to an Appeal of the decision by the Planning Commission to approve the Cannabis Permit for 1400 Ross Road in Garberville, CA. The Appeal was filed by Mr. Eric Kirk purporting to represent an entity named, "Overland Subdivision," which is a non-existent entity. Mr. Kirk is allegedly not an owner of property in the Ross Road area and is attempting to represent a non-existent entity.


Applicant, Rising Goat Limited, requests that the County of Humboldt deny accept the appeal on multiple grounds:

- (1) The Appeal is not timely filed; and,
- (2) In violation of the ethics requirements of the California State Bar, Mr. Kirk filed an appeal on behalf of a non-existent entity; and,
- (3) The date to properly file an appeal on behalf of an existing person or entity has passed.

We believe that the appeal is meritless, frivolous and filed simply to harass and interfere in the business operations of Rising Goat Limited. The interference endangers the planting, production and sale of a crop with substantial value. **The Appeal filed by Mr. Kirk must be denied on its face and not put on any calendar.**

I am available to discuss the matter further with County Counsel, if you would like to call or otherwise communicate.

Sincerely,
Rising Goat Limited



Paul F. Soares, Chief Financial Officer

cc John Ford
Cliff Johnson
Natural Resources Management
California State Bar Complaint Intake Unit
Humboldt County Counsel



PLANNING APPLICATION FORM
Humboldt County Planning Department
 Current Planning Division 3015 H Street Eureka, CA 95501-4424
 Phone (707) 445-7541 Fax (707) 269-3793

RECEIVED

MAR 04 2021

INSTRUCTIONS:

1. Applicant/Agent complete Sections I, II and III below.
2. It is recommended that the Applicant/Agent schedule an Application Assistance meeting with the Assigned Planner. Meeting with the Assigned Planner will answer questions regarding application submittal requirements and help avoid processing delays. A small fee is required for this meeting.
3. Applicant/Agent needs to submit all items marked on the reverse side of this form.

BOARD OF SUPERVISORS

SECTION I

APPLICANT (Project will be processed under Business name if applicable.)		APPLICANT (Comments from Department will be directed to agent)	
Business Name: <u>RISING COAST LLC</u>		Business Name: <u>THE OVERLAND SUBDIVISION</u>	
Contact Person: <u>PAUL BOARDS</u>		Contact Person: <u>SHEAN JACOBSEN</u>	
Mailing Address: <u>PO BOX 624</u>		Mailing Address: <u>PO BOX 3457</u>	
City, St, Zip: <u>GARBERVILLE CA 95542</u>		City, St, Zip: <u>REDWAY CA 95560</u>	
Telephone: _____ Alt. Tel: _____		Telephone: <u>(707) 923-1495</u> Tel: <u>(707) 223-1495</u>	
Email: _____		Email: <u>coyolchub@espnmail.com</u>	
OWNER(S) OF RECORD (if different from applicant)			
Owner's Name: <u>PAUL BOARDS</u>		Owner's Name: _____	
Mailing Address: <u>798 LIGHTHOUSE AVE</u>		Mailing Address: _____	
City, St, Zip: <u>MONTREY CA 93940</u>		City, St, Zip: _____	
Telephone: _____ Alt. Tel: _____		Telephone: _____ Alt. Tel: _____	
LOCATION OF PROJECT			
Site Address: <u>1400 ROSS ROAD</u>		Assessor's Parcel No(s): <u>220-101-004</u>	
Community Area: <u>GARBERVILLE CA</u>		Parcel Size (acres or sq. ft.): _____	
Is the proposed building or structure designed to be used for designing, producing, launching, maintaining, or storing nuclear weapons or the components of nuclear weapons? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			



SECTION II

PROJECT DESCRIPTION
 Describe the proposed project (attach additional sheets if necessary):

SEE ATTACHMENT

SECTION III

OWNER'S AUTHORIZATION & ACKNOWLEDGEMENT

I hereby authorize the County of Humboldt to process this application for a development permit and further authorize the County of Humboldt and employees of the California Department of Fish and Wildlife to enter upon the property described above as reasonably necessary to evaluate the project. I also acknowledge that processing of applications that are not complete or do not contain truthful and accurate information will be delayed and may result in denial or revocation of approvals.

APPLICANT Signature: [Signature] Date: 3/14/21

If the applicant is not the owner of record: I authorize the applicant/agent to file this application for a development permit and to represent me in all matters concerning the application.

Owner of Record Signature: _____ Date: _____

Owner of Record Signature: _____ Date: _____

CHRIS JOHNSON HAMER
ERIC V. KIRK
JASON J. EADS
JOSHUA KAUFMAN
JEFFREY W. MCNSELL

STOKES, HAMER, KIRK & EADS, LLP
ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

AREA CODE 707

381 BAYSIDE ROAD, STE. A
ARCATA, CALIFORNIA
95521

TELEPHONE
822-1771

JOHN R. STOKES, III *RETIRED

FAX 822-1901

THOMAS D. ROWE (1948-2011)
JOHN R. STOKES (1917-2001)
DOROTHY L. STEEVES (1926-1996)

March 4, 2021

County of Humboldt
Planning and Building Dept.
Attn: John Ford
3015 H Street
Eureka, CA 95501

Re: RISING GOAT LLC/WATER RIGHTS HOLDERS OF THE OVERLAND
SUBDIVISION;

Dear Mr. Ford:

Enclosed please find an appeal filed on behalf of the Water Rights Holders of the Overland Subdivision pertaining to the Rising Goat LLC project. My clients are primarily concerned about the impact of the water diversion on their own supply as they are convinced that a competent hydrogeology report will reveal a connection between the well and their source.

I understand that a hydrogeology study is pending, but this appeal is filed to preserve my clients' rights as the potential impact of a lack of a summer forbearance could be devastating to them if all of the water is from a single source. We would have no objection to the hearing being held after the hydrogeology report is available.

Please do not hesitate to call me to discuss the matter further and thank you for your attention to it.

Very truly yours,

STOKES, HAMER, KIRK & EADS, LLP

Eric V. Kirk

EVK/dw
encl.
cc: Client

RISINGGOAT LIMITED



Office: 798 Lighthouse Ave Box 330;
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risinggoatlimited@gmail.com

March 16, 2021

Mr. Eric V. Kirk, Attorney
ALL PARTNERS OF STOKES, HAMER KIRK & EADS LLP

FACSIMILE ONLY

in re: Rising Goat / Water Rights Holders of the Overland Subdivision

Dear Mr. Kirk:

I received a facsimile from you at 12:38:12. If a lawyer in a credible and ethical law firm wishes to represent the mystery clients and disclose who we are working with, I am more than willing to work with that person.

Your Point 1 – During each of the last 4 years including the Summer of 2020, there were varying sizes of plantings of marijuana including crops using far more water than we honestly projected. 100% of that water was from the existing well. The mysterious client group, not the Overland Subdivision, saw no water decreases and have submitted no declarations that their water and or pressure and quantity was ever diminished. Each of the neighbors saw the well being drilled, had notice of it being drilled and passed by the drill rig every single day. There was not one complaint.

Your clients draw from a Spring that is 350' away from our County permitted well of 200' deep and they are now concerned about a well that they never complained about previously. These people who are now complaining sat on their hands for more than 7 years (approximate date that the well was drilled), likely for more than 50 years, and never complained, because there is nothing to complain about. A good judge would have concerns about laches.

In this paragraph, you state, "...the Overland Subdivision should have been notified..." The Overland Subdivision Homeowners Association is NOT your client.

Your Point 2 – have at it. Litigation is timely and costly. We have the time and the money all the way to a petition certiorari, if we deem it necessary.

Your Point 3 – Your clients have every intention to harm the business, the property and the project all owned by Rising Goat Limited. I don't own 1 cent of any of it as you have incorrectly alleged in your writings. Rising Goat intends to collect every cent of its costs, actual damages

and punitive damages from the mystery group or your firm. Your clients water source and their fears and actions are causing intentional, unnecessary and outrageous costs and damages, that they will have to pay back one way or another. *The hydro expert cost is approximately \$20,000 – do your clients want to share the cost and speed it up? You pay \$10,000 plus any rush costs and we pay \$10,000. You are the ones in a rush. The meeting is on April 6, 2021. We choose the hydrogeologist from outside of Humboldt County and with zero connections to any Humboldt business. Humboldt individuals or the County of Humboldt.*

Whatever timeline you have to do your work and when your mystery clients did or did not contact you and bring the matter to your attention is your issue, and not an issue for Rising Goat Limited nor the County.

Your clients have been notified of the Permit process, three (3) times, and the applications for even more square footage of canopy by prior owners and lessees. Not once did they file any complaint. This entire issue is intentionally prejudicial to Rising Goat Limited and its owners.

Your Point 4 – There is a very serious timeline, if your mystery clients wish to cut the costs that they are liable for. Your clients had nothing to say in past years, when they could have if there was a problem with water. You wrote:

“...It would seem to...that the immense draws...”

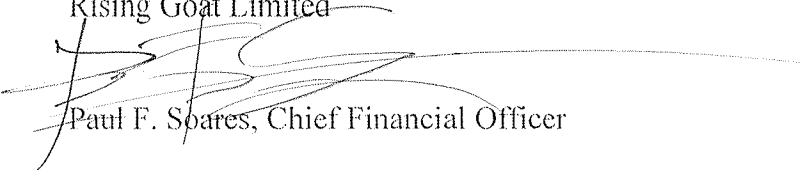
Supposition is not fact. The well has been used for years for bigger crops than we plan...in fact, the immense draws of the past are being cut nearly in half with the legal cultivation plan.

The tone of my letter as you interpret is correct. We don't do business nor negotiate with anyone lacking ethics and lying about who he may or may not represent. It should be perfectly clear to you that the Overland Subdivision Association and all of its members have claims against you and your law firm for fraud and misrepresentation, at a minimum. Our business losses as you are well aware are nearly \$90,000 per month. We intend to collect every cent.

Don't expect any calls from Rising Goat Limited. We have a position and approved Permit and we see nothing that we wish to have changed as approved. We intend to aggressively defend the approval by the Planning Commission of Humboldt County at the Board of Supervisors meeting in April and beyond, if necessary.

Under California Law, your cc to Michelle Bushnell qualifies as ex parte communication. None of us should cc any of the Supervisors on any of our correspondence of any sort prior to a Staff Report and proper procedure to bring the correspondence to each member of the Board. Your attempt to influence a Supervisor is not going without notice, govern your future actions accordingly.

Sincerely,
Rising Goat Limited



Paul F. Soares, Chief Financial Officer

cc John Ford
Cliff Johnson
Natural Resources Management
100% of the Owners comprising Overland Subdivision
100% of the Officers and Directors of Overland Subdivision

CHRIS JOHNSON HAMER
ERIC V. KIRK
JASON J. EADS
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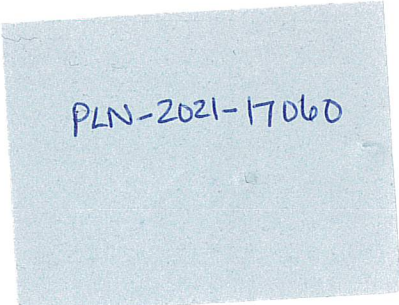
FAX 822-1901

THOMAS D. ROWE (1948-2011)
JOHN R. STOKES (1917-2001)
DOROTHY L. STEEVER (1926-1996)

March 22, 2021

Sent via facsimile (707)268-3792 & U.S. Mail

County of Humboldt
Planning and Building Dept.
Attn: John Ford and
Cliff Johnson
3015 H Street
Eureka, CA 95501



Re: Appeal of Planning Commission decision re Rising Goat, LLC

Dear Mr. Ford and Mr. Johnson:

My clients forwarded the enclosed copies of a letter which drew signatures from most of the Water Rights Holders in the Overland Subdivision. They have asked me to forward them to you as well as the Board of Supervisors as all of them intend to attend the hearing on April 6, 2021. They have informed me that there will probably be additional signatures in the days to come.

Please do not hesitate to contact me to discuss the letter or anything pertaining to the protection of my clients' water right. Thank you for your attention to this matter.

Very truly yours,

STOKES, HAMER, KIRK & EADS, LLP

Eric V. Kirk

EVK/dw
encl.

cc: Paul F. Soares (by facsimile and mail), Clients

Overland Subdivision
March 18, 2021

Water Rights Holders in the Overland Subdivision

To Whom It May Concern:

We are all Water Rights Holders in the Overland Subdivision. Because of the time frame we had Sue Jacobsen submit an appeal of the Rising Goat project Planning Commission decision on our behalf. None of us was notified when the Rising Goat Limited began their permit process which includes using a well which is about 350 ft from our water sources to pump large amounts of water during the driest months of the year. Because of the elevation and proximity we believe this endangers our springs and creeks which emerge as surface water nearby.

Since we were not notified of the comment period for the EIR, our concerns and interests were not factored in to the final decision even though we wrote letters in December, January, and February requesting such consideration. The requirement of a hydro geological report was added as a condition of approval and we await those results.

We had hoped that the appeal would lead to a discussion in which our concerns could be addressed this late in the process. Instead the agent of Rising Goat has seen fit to send bullying and largely incomprehensible letters intended to silence us. Should any legal action be taken against any of us, we will regard it as a Strategic Lawsuit Against Public Participation (SLAPP) and we will seek the appropriate remedies.

In the meantime, we assume that the failure to notify us of the comment period to the EIR was mere oversight and not by conscious design and we hope that both the Applicant and County will treat us fairly and take reasonable steps to protect our water supply. Thank you for your consideration and please contact our attorney to discuss the matter further.

Stefan E. Kellar

Stefan E. Kellar

Alle Rose

Alle Rose

Bonnie Blackberry

Pamela Carson

Shirley M. Hillman
Shirley M. Hillman

Dennis McInerney

Wendy Williams

Overland Subdivision
March 18, 2021

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Michael Eldridge

Ben Karp

Susan Jacobsen

Sue

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Facsimile: 855-631-4401
risinggoatlimited@gmail.com

March 22, 2021

in re: Rising Goat / Some of the property owners in the Overland Subdivision

Gentlepersons:

I am responding to a letter that a handful of neighbors wrote to the Planning Department of the County of Humboldt. See attached. None of those signing have verified their addresses within the purported neighbor group as being remotely close to the Applicant's property.

First of all, the tiny group of signatures is not representative of the position of the Overland Subdivision Association of nearly 30 members. The Association *has not held any executive nor any other meeting authorizing the purported appeal, nor the retention of legal counsel*, nor the submission of any position letters to the County Planning Department nor the Board of Supervisors of Humboldt County. The question of legality of the representation of the Association by a law firm is under investigation by the State Bar of California.

Secondarily, no one is threatening anyone else in any way. If you cause monetary damages, then it follows that there are costs associated with those damages. Rising Goat Limited will not be bearing the burden of the costs of all damages caused by tortious interference and misrepresentation by a small group of neighbors who refuse to respect the decision of the Humboldt County Planning Commission and the authority of the Planning Department. Litigation to recover damages foisted upon the Applicant by this small group have nothing to do with the libelous and slanderous SLAPP provisions incorrectly referenced by the small group.

All of the correspondence from the "group" consistently mentions *displeasure with the process of notification of neighbors of the applications for Cannabis culture*, all of which is not the responsibility of Rising Goat Limited, the Applicant. Odd enough, three (3) prior applications by former owners and lessee's were noticed to neighbors and no complaints were filed and the group has not mentioned the notice and lack of complaints in the past.

During the past ten (10) years, none of the individuals involved writes of any decrease in water pressure nor quantity during Summer and Fall months. During that time period more illegal marijuana was grown on the property using only the well and or springs on property for irrigation of crops often larger than the legal tax paying crops proposed on the property.

Someone(s) has fanned the flames of fear and is responsible for what appears to be a very big misunderstanding. IF you had zero water pressure nor quantity problems during the past five (5)

to ten (10) years, have taken no water readings and submitted no verifiable complaints and the proposed crops are smaller, then what will change going forward.

Massive draws of water during 2017-2020 from the well that does not use spring nor surface water has not affected a single one of the neighbors complaining. None of those individuals has submitted any declaration concerning past water draws. Where is the physical proof that the well has drawn water from surface or spring waters.

Simply put, this is the situation as seen from the Applicants property:

-Planning Commission approved the Cannabis project conversion from illegal to tax paying legal growing subject to approval of a Hydrogeologic Report by a licensed firm or individual approved by both Planning Department and Applicant and paid by applicant.

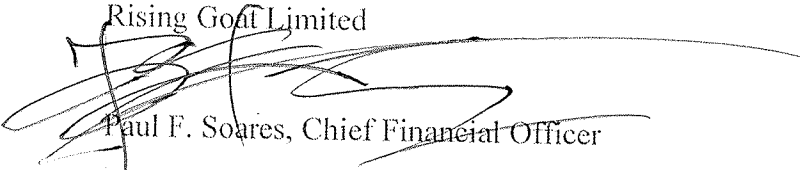
-The "group" does not want the Planning Department to have approval authority on the final expert report from the Hydrogeologist and prefers a report provided by Applicant so that they can challenge the report at the Supervisor's meeting.

-Rising Goat Limited will not pay for a report that is not final and is subject to further argument or challenge. Rising Goat Limited is willing to cooperate in an independent third party report by a company far from Humboldt County without any ties to Humboldt County nor its residents. The group is more than welcome to pay 50% of the costs of the report and cooperate with the Hydrogeologist.

-Rising Goat Limited has not accepted the only Hydrogeologist suggested by Cliff Johnson of the Planning Department for a fee of \$17,000. That company was found to have substantial conflicts of interest with the County and with residents in the area. Other companies in San Francisco, Oakland and Los Angeles are currently being interviewed to provide the required report after the Board of Supervisors meeting if a process for its approval by Planning Department is approved once again.

As of today, neither Rising Goat Limited nor any of its advisors have been noticed of placement of this matter on any agenda for any Board of Supervisors meeting, nor has the County Counsel's office yet responded to demand for evaluation of standing, timeliness of the notice of appeal, and its obvious legality in the Ninth Circuit.

Sincerely,
Rising Goat Limited



Paul F. Soares, Chief Financial Officer

cc John Ford
Cliff Johnson
Natural Resources Management

Water Rights Holders in the Overland Subdivision

To Whom It May Concern:

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Since we were not notified of the comment period for the EIR, our concerns and interests were not factored in to the final decision even though we wrote letters in December, January, and February requesting such consideration. The requirement of a hydro geological report was added as a condition of approval and we await those results.

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Stefan E. Kellar

owner
Stefan Kellar

Stefan E. Kellar

Alle Rose

Bonnie Blackberry

owner

Alle Rose

Patricia Carson

Shirley M. Hillman

Shirley M. Hillman

Wendy [unclear]

Dawn Mc [unclear]

Water Rights Holders in the Overland Subdivision

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Michael Eldridge

Erin Hays

Susan Jacobsen

Sue [Signature]

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March 22, 2021

Sent via facsimile (707)268-3792 & U.S. Mail

County of Humboldt
Planning and Building Dept.
Attn: John Ford and
Cliff Johnson
3015 H Street
Eureka, CA 95501

Re: Appeal of Planning Commission decision re Rising Goat,
LLC

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Please do not hesitate to contact me to discuss the letter or anything pertaining to the protection of my clients' water right. Thank you for your attention to this matter.

Very truly yours,

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Eric V. Kirk

EVK/dw
encl.

cc: Paul F. Soares (by facsimile and mail), Clients

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March 23, 2021

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County of Humboldt
Planning and Building Dept.
Attn: John Ford and
Cliff Johnson
3015 H Street
Eureka, CA 95501

Re: Appeal of Planning Commission decision re Rising Goat,
LLC

Dear Mr. Ford and Mr. Johnson:

Thank you for the clarifying discussions of last week. I relayed the substance of the conversation to my clients. As you know, my clients had suggested a solution which would involve the Applicant drawing from a spring located elsewhere on the property as an alternative under a variance since drawing from that spring would have less potential impact. You both informed me that such a variance is not possible and that if the water basically moves as a stream then there can be no draws for cannabis purposes. You informed me further that if the subject well water is moving that it cannot be a source for cannabis either.

When I relayed this information to my clients they were surprised, because they have reviewed the Applicant's plan and copied the attached provision of their copy of the plan. As indicated in paragraph 5 which is apparently on page 11 of Attachment 4A, "the well is taking shallow jurisdictional subsurface stream flows from an unconfined aquifer." The paragraph then goes on to identify the intake screen involved. The well itself is described in the prior paragraph.

March 23, 2021

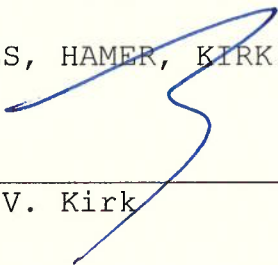
Page 2

I would think that this would be definitive of the issue, though I am not certain how the applicant arrived at the conclusion. But if there can be no variance for streaming water, it would seem that this portion of the plan would be deemed disqualified until such a time as the applicant's information is proven incorrect.

Please clarify the issue so that I can properly advise my clients and thank you for your attention to this matter.

Very truly yours,

STOKES, HAMER, KIRK & EADS, LLP



Eric V. Kirk

EVK/dw

encl.

cc: Paul F. Soares (by facsimile and mail), Clients

Operations Plan for Rising Goat Attachment 4A p. 11

F. WATER

34. Water is supplied by a well that is permitted, #DEH 16/17-0123, and is two hundred foot (200') deep, has a depth to the first water at fifty feet (50') below the surface, and has an estimated yield of twenty five gallons per minute (25 gpm). It is drilled through multiple layers of gravel, sand, clay, and the Franciscan sandstone with screens at different levels.

→ 35. The well is taking shallow jurisdictional subsurface stream flows from an unconfined aquifer at fifty feet (50') due to the forty feet (40') to seventy feet (70') intake screen.

36. Water storage for the cultivation site is accomplished as follows:

- (a) 5,000 gallon tank dedicated to fire fighting *to be installed*; and,
- (b) *Existing water storage tanks*⁸ holding a total of 12,500 gallons:

- three (3) 2,500 gal tanks

- one (1) 5,000 gal tank

Total on site storage of water today:	12,500 gallons
After installation of the new fire tank	17,500 gallons

The stored water (without counting the fire fighting water) can support up to one (1) week of water needs for the entire cultivation site (12,500 gal) in peak water use season.

37. The cultivation utilizes a permitted well (#16/17-122), which is two hundred feet (200') deep and has an output of twenty five gallons per minute (25 gpm). The well water services both the cultivation and any seasonal residents.

38. All existing new roofs will be on a singular slant of approximately 45 degrees thereby pouring all roof rain water and melting snow into gutters that collect water and store it in plastic tanks for irrigation use.

39. The five thousand gallon (5,000 gal) tank required by CDF will also be filled by well

⁸ Water is pumped up hill from the permitted well into storage tanks located at the 2,920' contour line approximately at the northwest intersection of Bass Road and Duenilla Loop

RISING GOAT LIMITED



Office: 798 Lighthouse Ave Box 330;
Monterey, CA 93940
831-601-1220
Facsimile: 855-631-4401
risinggoatlimited@gmail.com

March 25, 2021

in re: 1400 Ross Road – Damages Mitigation – Crop Production

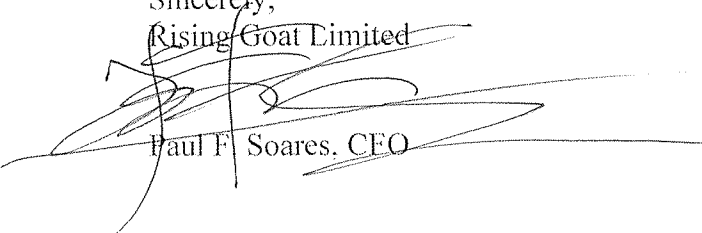
Gentlepersons:

Each of you is aware that the monetary damages are increasing daily owing to the delay in planting and the ability to move forward on Cannabis production for 2021. We are attempting to mitigate some of the monetary damages by gathering applications for rental of the property for agricultural crop production in 2021.

Neighbors should be pleased to note that many individuals and companies have applied to lease the premises for *farm to table* for high end San Francisco bay area restaurants and other specialty crop(s) production that maximize the use of the site and the hoop houses for late Spring through early winter crop production.

We certainly hope to resolve all issues related to growing Cannabis this year, and now have Plan B in place given the unexpected and recurring delays caused in this permit process.

Sincerely,
Rising Goat Limited



Paul F. Soares, CEO

CL

humboldt > housing > apartments / housing for rent

favorite

hide

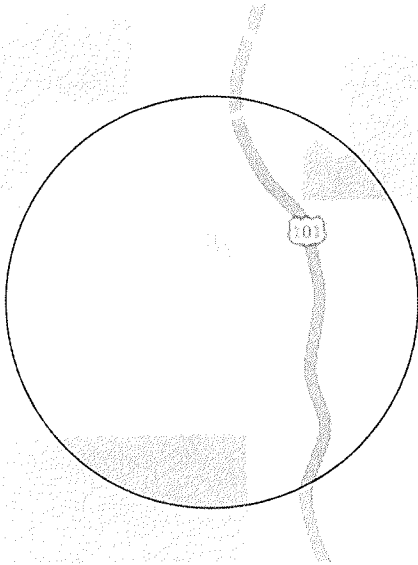


Posted less than a minute ago on: 2021-03-25 08:40

Contact Information:

\$2,000 / 3br - 2400ft² - Country Home w Farm to Table Hoop Tents (Garberville)

1400 Ross Road near Dyerville Loop



cats are OK - purrr

3BR / 1Ba 2400ft² available mar 26

dogs are OK - woof

flooring: **wood**

apartment

w/d in unit

off-street parking

rent period: **monthly**

22 acre farm for rent. 3 bed 1 bath home. Up to 12,000 square feet of hoop tents available for specialty produce and farm to table production. Great location for pick your own business. Plenty of water and south facing property. At least 3-4 turns of specialty crops between now, spring, and early winter.

ABSOLUTELY NO CANNABIS CAN BE GROWN ON PROPERTY. THIS SITE IS UNDER SATELLITE AND DRONE SURVEILLANCE AND IS NOT A LEGAL CANNABIS PRODUCTION SITE.

200' good agricultural and residential water well with 25 gpm rating. Rent is \$2,000 per month plus 1/3 of gross sales of crops. Books and records are subject to review. Site inspections by Landlord at least once each month.

The residence is partially furnished. This is off grid. Cooking is with propane plumbed to kitchen. Wood stove for heat.

QR Code Link to This Post



CHRIS JOHNSON HAMER
ERIC V. KIRK
JASON J. EADS
JOSHUA KAUFMAN
JEFFREY W. MONSELL

JOHN R. STOKES, III *RETIRED

THOMAS D. ROWE (1948-2011)
JOHN R. STOKES (1917-2001)
DOROTHY L. STEEVES (1926-1996)

STOKES, HAMER, KIRK & EADS, LLP
ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

381 BAYSIDE ROAD, STE. A
ARCATA, CALIFORNIA
95521

AREA CODE 707

TELEPHONE
822-1771

FAX 822-1901

March 25, 2021

By facsimile: (855) 631-4401
(Hard copy to follow)

Paul F. Soares
Rising Goat Limited, LLC
798 Lighthouse Ave, Box 330
Monterey, CA 93940

Re: Overland Subdivision Water Supply

Dear Mr. Soares:

My clients are encouraged by your letter of this morning, which is solutions-oriented. We are a bit confused as to the claim of damages as the County has informed us that even absent the appeal no cultivation can take place until the well issue is clarified by a hydrogeological test. Moreover, there are a number of other issues which, according to the Decision, must be resolved prior to any cultivation. Certainly, the appeal is not prohibiting you from addressing those issues. I assume that you have been working diligently on all of the conditions since the Decision was issued, if not before. But it is difficult to see how this appeal could have any practical consequences for you other than having to take the time to address my clients' concerns.

I am aware that the County has suggested the best way to mitigate, which is to have direct conversations with your neighbors to arrive at a solution which might result in the dropping of the appeal altogether. We concur that it would be the most effective mitigation. I am aware that the County has offered to facilitate such a discussion. As you know, my clients were deprived of their opportunity to comment while the EIR was still pending.

If you give them the opportunity, you will find that all of my clients are very reasonable and very neighborly. If you were to

March 25, 2021

Page 2

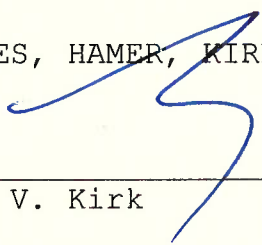
invite the discussion today, the issue could potentially be resolved within days.

Of note, while I am not aware of any ex parte rules which apply to communication with elected officials, I am not copying my correspondence to Supervisor Bushnell. I am however copying this letter to Mr. Ford and Mr. Johnson in the hope that you will follow their advice and allow them to work towards a solution where you can devote your time to your project and my clients can be assured that their water rights are protected.

Thank you for your attention to this matter.

Very truly yours,

STOKES, HAMER, KIRK & EADS, LLP



Eric V. Kirk

EVK/dw

cc: Cliff Johnson, John Ford, Clients

RISING GOAT LIMITED



Office: 798 Lighthouse Ave Box 330;
Monterey, CA 93940
831-601-1220
Facsimile: 855-631-4401
risinggoatlimited@gmail.com

March 25, 2021

in re: 1400 Ross Road – Damages Mitigation – Crop Production

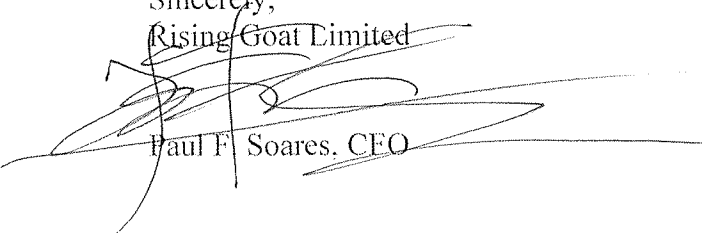
Gentlepersons:

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We certainly hope to resolve all issues related to growing Cannabis this year, and now have Plan B in place given the unexpected and recurring delays caused in this permit process.

Sincerely,
Rising Goat Limited



Paul F. Soares, CEO

CL

humboldt > housing > apartments / housing for rent

favorite

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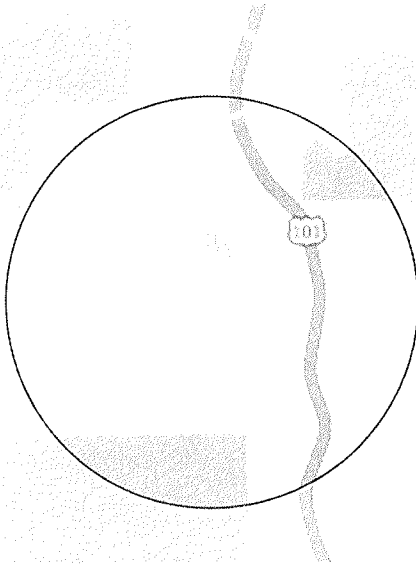


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risinggoatlimited@gmail.com

March 5, 2021

-Mr. John Ford, Planning Director
-Humboldt County Counsel
FACSIMILE and Electronic Mail ONLY

in re: Rising Goat / Overland Subdivision Appeal

Dear Mr. Ford:

This letter is written in reference to an Appeal of the decision by the Planning Commission to approve the Cannabis Permit for 1400 Ross Road in Garberville, CA. The Appeal was filed by Mr. Eric Kirk purporting to represent an entity named, "Overland Subdivision," which is a non-existent entity. Mr. Kirk is allegedly not an owner of property in the Ross Road area and is attempting to represent a non-existent entity.


Applicant, Rising Goat Limited, requests that the County of Humboldt deny accept the appeal on multiple grounds:

- (1) The Appeal is not timely filed; and,
- (2) In violation of the ethics requirements of the California State Bar, Mr. Kirk filed an appeal on behalf of a non-existent entity; and,
- (3) The date to properly file an appeal on behalf of an existing person or entity has passed.

We believe that the appeal is meritless, frivolous and filed simply to harass and interfere in the business operations of Rising Goat Limited. The interference endangers the planting, production and sale of a crop with substantial value. **The Appeal filed by Mr. Kirk must be denied on its face and not put on any calendar.**

I am available to discuss the matter further with County Counsel, if you would like to call or otherwise communicate.

Sincerely,
Rising Goat Limited



Paul F. Soares, Chief Financial Officer

cc John Ford
Cliff Johnson
Natural Resources Management
California State Bar Complaint Intake Unit
Humboldt County Counsel

From: [Rising Goat Limited a California Corporation](#)
To: [Johnson, Cliff](#)
Subject: Re: Hydrogeologists
Date: Wednesday, March 10, 2021 11:15:37 AM

Get it on the earliest agenda. If it is April - not March, then sad, but get it on the first possible. We have zero plans to hire and pay for the Hydrogeologist until such time as this permit is approved.

On Tue, Mar 9, 2021 at 12:21 PM Johnson, Cliff <CJohnson@co.humboldt.ca.us> wrote:

Hi Paul, We have located two certified hydrogeologists (CHg) so far and are requesting bids. If you have anyone that you have located that you would like us to reach out to please let me know.

Cliff

From: [Rising Goat Limited a California Corporation](#)
To: [Johnson, Cliff](#)
Cc: [Ford, John](#)
Subject: Re: Rising Goat Limited
Date: Friday, March 12, 2021 5:25:48 PM

Ok, thanks for the update. That is all information that I will pass along and will let you know what decision will be made. What time and date is the meeting of the Board of Supervisors?

On Fri, Mar 12, 2021 at 1:53 PM Johnson, Cliff <CJohnson@co.humboldt.ca.us> wrote:

Paul, We are working to schedule this for the next available agenda which is April 6th. We have provided you all the materials filed by the appellant.

I have received feedback from two hydrogeologists so far. One is with LACO Associates, and that estimate is \$17,000. The other is from ICF and they have not provided an estimate yet but stated that they do think the screen above the clay layer would be difficult to demonstrate as not connected and that their estimate to perform all of the analysis is likely to exceed the costs of drilling a new well which can be confirmed to be screened below an aquitard layer. You may want to consider lining up a well driller to install a new well as well as to then coordinate with a hydrogeologist who can work with the well driller to ensure a non-connection.

From: Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com>
Sent: Tuesday, March 9, 2021 8:36 AM
To: Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Ford, John <JFord@co.humboldt.ca.us>
Subject: Rising Goat Limited

Gentlepersons:

At your earliest convenience today or tomorrow:

Please provide update on status of your acceptance of appeal.

Please provide update on meeting calendered if one has been.

Please provide copy of all documents submitted to the County by the unknown group of people possibly all represented by Kirk.

Please provide names and addresses of all appellant(s).

Please provide name of County Counsel associate involved in this alleged appeal matter.

There is scarce evidence provided of who is appealing, who has a right to appeal and what specifically it is that was appealed prior to the expiration date of the appeal period. The County Codes and State Codes on what is the process and procedure for appeals is not being followed and this opinion is based upon the documents that you have provided to date: a letter from a Mr. Kirk stating that some Overland group, unregistered association or business, has appealed.

Paul F. Soares

831-601-1220

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To: [Johnson, Cliff](#)
Cc: [Ford, John](#)
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Paul F. Soares

831-601-1220

From: [Rising Goat Limited a California Corporation](#)
To: [Johnson, Cliff](#)
Cc: [Ford, John](#)
Subject: Re: Rising Goat Limited
Date: Monday, March 15, 2021 9:49:14 AM

Cliff - I disagree that all of the correspondence concerning neighbors and their lawyer has been forwarded to Rising Goat Limited. The simple fact is that the letter from Eric Kirk to you and John Ford, personally, as well as to Planning Department, was not disclosed by the County. The letter dated March 5, 2021 was sent directly to me by Mr. Kirk. That letter contains some very concerning allegations against Planning Department and John Ford, personally. Your office(s) have not disclosed that letter as of today. Why not?

Is there additional correspondence on this matter that has not been forwarded to Rising Goat Limited?

On Fri, Mar 12, 2021 at 5:25 PM Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com> wrote:

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Paul F. Soares

831-601-1220



PLANNING APPLICATION FORM
Humboldt County Planning Department
 Current Planning Division 3015 H Street Eureka, CA 95501-4484
 Phone (707) 445-7541 Fax (707) 268-3792

RECEIVED

MAR 04 2021

BOARD OF SUPERVISORS

INSTRUCTIONS:

1. Applicant/Agent complete Sections I, II and III below.
2. It is recommended that the Applicant/Agent schedule an Application Assistance meeting with the Assigned Planner. Meeting with the Assigned Planner will answer questions regarding application submittal requirements and help avoid processing delays. A small fee is required for this meeting.
3. Applicant/Agent needs to submit all items marked on the reverse side of this form.

SECTION I

APPLICANT (Project will be processed under Business name, if applicable.)

Business Name: RISING GOAT LLC
 Contact Person: PAUL SOARES
 Mailing Address: PO BOX 624
 City, St, Zip: GARBERVILLE CA 95542
 Telephone: _____ Alt. Tel: _____
 Email: _____

AGENT (Communications from Department will be directed to agent)

Business Name: THE OVERLAND SUBDIVISION
 Contact Person: SUSAN JACOBSEN
 Mailing Address: PO BOX 3457
 City, St, Zip: REDWAY CA 95560
 Telephone: (707) 923-1495 Alt. Tel: (707) 223-1495
 Email: coyotebuttes@gmail.com

OWNER(S) OF RECORD (If different from applicant)

Owner's Name: PAUL SOARES
 Mailing Address: 798 LIGHTHOUSE AVE
 City, St, Zip: MONTEREY CA 93940
 Telephone: _____ Alt. Tel: _____

Owner's Name: _____
 Mailing Address: _____
 City, St, Zip: _____
 Telephone: _____ Alt. Tel: _____

LOCATION OF PROJECT

Site Address: 1400 ROSS ROAD
 Community Area: GARBERVILLE CA

Assessor's Parcel No(s): 223-101-004
 Parcel Size (acres or sq. ft.): _____

Is the proposed building or structure designed to be used for designing, producing, launching, maintaining, or storing nuclear weapons or the components of nuclear weapons?
 YES NO

SECTION II

PROJECT DESCRIPTION

Describe the proposed project (attach additional sheets as necessary):

SEE ATTACHMENT

SECTION III

OWNER'S AUTHORIZATION & ACKNOWLEDGEMENT

I hereby authorize the County of Humboldt to process this application for a development permit and further authorize the County of Humboldt and employees of the California Department of Fish and Wildlife to enter upon the property described above as reasonably necessary to evaluate the project. I also acknowledge that processing of applications that are not complete or do not contain truthful and accurate information will be delayed and may result in denial or revocation of approvals.

ATDNEY FOR Applicant Signature

3/4/21 Date

If the applicant is not the owner of record: I authorize the applicant/agent to file this application for a development permit and to represent me in all matters concerning the application.

 Owner of Record Signature

 Date

 Owner of Record Signature

 Date

This side completed by Planning Staff

Checklist Completed by: _____ Date: _____

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS APPLICATION

Item	Received	Item	Received
<input type="checkbox"/> Filing Fee of \$ _____	<input type="checkbox"/>	<input type="checkbox"/> Architectural Elevations	<input type="checkbox"/>
<input type="checkbox"/> Fee Schedule (see attached, please return completed fee schedule with application)	<input type="checkbox"/>	<input type="checkbox"/> Design Review Committee Approval	<input type="checkbox"/>
<input type="checkbox"/> Plot Plan 12 copies (folded if > 8½" x 14")	<input type="checkbox"/>	<input type="checkbox"/> CEQA Initial Study	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map 12 folded copies (Minor Subd)	<input type="checkbox"/>	<input type="checkbox"/> Exception Request Justification	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map 18 folded copies (Major Subd) [Note: Additional plot plans/maps may be required]	<input type="checkbox"/>	<input type="checkbox"/> Joint Timber Management Plan	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map/Plot Plan Checklist (complete & return with application)	<input type="checkbox"/>	<input type="checkbox"/> Lot Size Modification Request Justification	<input type="checkbox"/>
<input type="checkbox"/> Floor Plan	<input type="checkbox"/>	<input type="checkbox"/> Military Training Route (see County GIS)	<input type="checkbox"/>
<input type="checkbox"/> Division of Environmental Health Questionnaire	<input type="checkbox"/>	<input type="checkbox"/> Parking Plan	<input type="checkbox"/>
<input type="checkbox"/> On-site sewage testing (if applicable)	<input type="checkbox"/>	<input type="checkbox"/> Plan of Operation	<input type="checkbox"/>
<input type="checkbox"/> On-site water information (if applicable)	<input type="checkbox"/>	<input type="checkbox"/> Preliminary Hydraulic & Drainage Plan	<input type="checkbox"/>
<input type="checkbox"/> Solar design information	<input type="checkbox"/>	<input type="checkbox"/> R1 / R2 Report (Geologic/Soils Report, 3 copies with original signatures)	<input type="checkbox"/>
<input type="checkbox"/> Chain of Title	<input type="checkbox"/>	<input type="checkbox"/> Reclamation Plan, including engineered cost estimate for completing reclamation	<input type="checkbox"/>
<input type="checkbox"/> Grant Deed <input type="checkbox"/> Current <input type="checkbox"/> Creation	<input type="checkbox"/>	<input type="checkbox"/> Accessory Dwelling Unit Fact Sheet	<input type="checkbox"/>
<input type="checkbox"/> Preliminary Title Report (two copies, prepared within the last six months prior to application)	<input type="checkbox"/>	<input type="checkbox"/> Variance Request Justification	<input type="checkbox"/>
		<input type="checkbox"/> Vested Right Documentation/Evidence	<input type="checkbox"/>
		<input type="checkbox"/> Other _____	<input type="checkbox"/>
		<input type="checkbox"/> Other _____	<input type="checkbox"/>
		<input type="checkbox"/> Other _____	<input type="checkbox"/>

FOR INTERNAL USE

<input type="checkbox"/> Ag. Preserve Contract <input type="checkbox"/> Certificate of Compliance <input type="checkbox"/> Coastal Development Permit <input type="checkbox"/> Administrative <input type="checkbox"/> Planning Commission <input type="checkbox"/> Design Review <input type="checkbox"/> Inland <input type="checkbox"/> Coastal <input type="checkbox"/> Determination of Legal Status <input type="checkbox"/> Determination of Substantial Conformance <input type="checkbox"/> Extension of _____ <input type="checkbox"/> Fire Safe Exception Request	<input type="checkbox"/> General Plan Amendment <input type="checkbox"/> General Plan Petition <input type="checkbox"/> Information Request <input type="checkbox"/> Modification to _____ <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Preliminary Project Review <input type="checkbox"/> Special Permit <input type="checkbox"/> Administrative <input type="checkbox"/> Planning Commission H.C.C. § _____ <input type="checkbox"/> Subdivision <input type="checkbox"/> Parcel Map <input type="checkbox"/> Final Map <input type="checkbox"/> Exception to the Subdivision Requirements	<input type="checkbox"/> Reclamation Plan <input type="checkbox"/> Surface Mining Permit <input type="checkbox"/> Surface Mining Vested Right Determination <input type="checkbox"/> Timber Harvest Plan Information Request <input type="checkbox"/> Use Permit H.C.C. § _____ <input type="checkbox"/> Variance H.C.C. § _____ <input type="checkbox"/> Zone Reclassification <input type="checkbox"/> Other _____ <input type="checkbox"/> Other _____
---	---	---

Application Received By: _____ Date: _____ Receipt Number: _____

General Plan Designation: _____

Plan Document: _____

Land Use Density: _____

Zone Designation: _____

Coastal Jurisdiction Appeal Status: Appealable Not Appealable

Preliminary CEQA Status:

Environmental Review Required

Categorically Exempt From Environmental Review: Class _____ Section _____

Statutory Exemption: Class _____ Section _____

Not a Project

Other

By and through their spokesperson Sue Jacobsen, the Water Rights Holders of the Overland Subdivision hereby appeal portions of the Decision and Conditions of Approval pertaining to the Rising Goat Limited permit number PLN-2020-16188 dated February 19, 2021 following the Humboldt County Planning Commission hearing of February 18, 2021 which generated Resolution 21-30 upon which the Decision and Conditions of Approval is supposed to be based, because they will be directly affected by potential negative impact should the Conditions of Approval be inadequately clear and effective.

The appeal pertains to the "permitted well" mentioned in the Notice of Planning Commission Decision Description, and which appellants are certain is connected to their own downstream water supply which has senior priority. Applicants request mandatory forbearance of draws from the well from May 15 to October 31 of each year in order to protect their water supply, and to reduce the size of the area allowed for cultivation to address drought and low flow conditions which will be aggravated by diversions for irrigation as reserved by the County of Humboldt in Section 28 of the Revised Recommended Conditions of Approval - Attachment 1 to the above-mentioned Notice. Appellants dispute the Decision's consistency with the State Water Resources Control Board Cannabis Cultivation Policy, dated October 17, 2017 for which the ascertaining of the project's aquatic base flow is required under the Policy's Groundwater Requirements (Pages 11 and 12). Seasonal forbearance is required in watersheds in which there is high surface water-groundwater connectivity or close proximity to streams. Appellants request that the County exercise its authority pursuant to section 55.4.5.10 of the Cannabis Ordinance revisions passed on May 8, 2018

The appeal further seeks clarification in the Conditions of Approval for compliance with section 55.4.6.3.2 of the Cannabis Ordinance revisions passed on May 8, 2018.

Additionally, appeal is sought for the lack of clarity with regard to compliance with section 55.4.6.3.1 of the Cannabis Ordinance revisions passed on May 8, 2018 requiring that "electricity (for the project) must be exclusively provided by a Renewable Energy Source, meeting the Performance Standard for

Energy Use." Appellants are concerned about noise pollution from frequent use of a fuel-based generator and the potential for mishandling of diesel fuel and oil impacting appellants' water supply and other environmental interests.

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PROOF OF SERVICE

I am employed in the County of Humboldt, State of California. I am over the age of 18 and not a party to the within action. My business address is 381 Bayside Road, Arcata, California 95521.

On March 4, 2021, I served the **PLANNING APPLICATION FORM/APPEAL** on the below-named individual(s) by serving in the following manner:

- [BY MAIL]** By placing said envelope(s) for collection and mailing with the United States Postal Service.
- [BY PERSONAL SERVICE]** By causing said documents to be hand-delivered this same date.
- [BY FAX & U.S. MAIL]** By electronic mail to the fax numbers listed below and then placing said envelopes for collection and mailing with the United States Postal Service.

County of Humboldt
Planning and Building Dept.
Attn: John Ford
3015 H Street
Eureka, CA 95501

Humboldt County Board of Supervisors
825 Fifth Street
Rm. 111
Eureka, CA 95501

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 4, 2021, at Arcata, California.


DONNA WEISSE

From: [Rising Goat Limited a California Corporation](#)
To: [Johnson, Cliff](#); [Ford, John](#)
Subject: Rising Goat Limited
Date: Tuesday, March 9, 2021 8:36:28 AM

Gentlepersons:

At your earliest convenience today or tomorrow:

Please provide update on status of your acceptance of appeal.

Please provide update on meeting calendered if one has been.

Please provide copy of all documents submitted to the County by the unknown group of people possibly all represented by Kirk.

Please provide names and addresses of all appellant(s).

Please provide name of County Counsel associate involved in this alleged appeal matter.

There is scarce evidence provided of who is appealing, who has a right to appeal and what specifically it is that was appealed prior to the expiration date of the appeal period. The County Codes and State Codes on what is the process and procedure for appeals is not being followed and this opinion is based upon the documents that you have provided to date: a letter from a Mr. Kirk stating that some Overland group, unregistered association or business, has appealed.

Paul F. Soares
831-601-1220

From: [Rising Goat Limited a California Corporation](#)
To: [Ford, John](#)
Cc: [Johnson, Cliff](#); [Alicia Heitzman](#)
Subject: Rising Goat Limited request for County Counsel review.
Date: Friday, March 5, 2021 9:40:11 AM

Mr. John Ford:

I am requesting that you **require County Counsel to issue opinion** on denial of the Appeal on its face. You have copy of my letters to Mr. Eric Kirk.

Our position to take to County Counsel is as stated in the most recent email to each of you:

- 1- the time to properly file an appeal has passed
- 2- the appeal filed by Mr. Kirk is not timely and frivolous for two reasons:
 - (a) the notice does not specify what he is appealing (or is it the entire decision)
 - (b) the notice is filed on behalf of a non-existent entity

There is not any way to cure the defect, because Mr. Kirk waited until the last minute to file on behalf of the non-existent client and the time to cure or re-file has passed.

More than ever, it appears that this application and the neighbors are headed for substantial litigation. I believe that it is time for all of us to realize that this entire matter is not going in a good positive direction for anyone involved and Rising Goat Limited is facing substantial losses in 2021 without the ability to obtain interim permit.

Is a variance or use permit process available for 2021 crop production so that everyone can continue to argue without driving Rising Goat Limited into bankruptcy, losing property and what will be nasty litigation. Is there another temporary (emergency) process? We have 45-60 days to straighten out the Planning process and permit. WE CANNOT UNDERTAKE REQUIRED PREREQUISITES TO PLANTING CAUSING MORE COSTS WITHOUT AN APPROVED PERMIT. SO, BOTTOM LINE IS DELAY IN APPROVAL = DELAY IN COMPLETING PRE-CONDITIONS = NO 2021 CROP...

Please get this matter into the hands of County Counsel for opinion asap. I do not believe that you can accept the appeal as it was written.

Paul F. Soares

From: [Rising Goat Limited a California Corporation](#)
To: [Ford, John](#)
Cc: [Johnson, Cliff](#); [Alicia Heitzman](#)
Subject: Rising Goat Limited URGENT
Date: Monday, March 15, 2021 9:08:24 AM

Dear Mr. Ford;

Would you please explain why you have not returned any phone calls and no emails? I am very concerned about accusations made against you, personally, and the Planning Department by the lawyers for Sue Jacobson and unknown other neighbors. There is a lack of direct communication from you and from your staff.

An agreement was reached and voted upon at the Planning Commission meeting. Rising Goat Limited expects Planning Department and the County of Humboldt to follow through. We don't plan on waivering from the decision made.

Think on why we are here. Cliff Johnson and I reached a settlement on an application that was nearly a major lawsuit. Perhaps we should have followed through and hired the Pillsbury law firm in San Francisco and sued the County and prior owners as I had planned one year ago. I fully plan to carefully detail the settlement made with Planning to the Board of Supervisors generally as follows:

Review: a prior owner who had applied and assigned the 01 application to Rising Goat wrote to the County months after assignment of the application and withdrew an "assignment already made months earlier to Rising Goat..." The settlement reached with Cliff Johnson simply was to file a new application under 02 and avoid litigation. We walked from all the fees paid and incurred during 01 process, withdrew rights and intent to litigate the 01 permit. However, neither Cliff nor you nor anyone in Planning Department (nor in County Counsel office) disclosed that settling on refiling as an 02 would cause substantial costs because of the possibility that the well could not be used. The well was permitted and all of the information concerning the well and its use or otherwise was in Planning Department files and well known to Planning Staff at the time of the negotiation.

Planning staff made a huge mistake. You accepted the permit withdrawal from someone who had assigned the permit months earlier, with County approval, and failed to disclose that the 02 application would make the project financially impossible owing to the well issue which was not an issue in the 01 application. It is obvious that the Planning Department hoodwinked Rising Goat Limited.

I am sorry, but if you continue to fail at communication, then after 3 pm today, there is little choice but to make report to County Counsel and the Supervisor for the Garberville area.

This project is a mess and I have very little faith that you have the ability to straighten it out and follow through on representations made. 100% of the problem is lack of communication by you and by your staff.

If you don't get on the phone and work with me and the neighbors, then I can assure you that there will be a race to the Courthouse by either side of this mess and Planning Department will be right in the middle of it.

Last but not least, I have asked you on multiple occasions to refer this matter to a lawyer in County Counsel's office for us to work with. To date, you have not done so. **Therefore, I am demanding that County Counsel be assigned today. This is a legal mess.**

Paul F. Soares
831-601-1220

From: [Rising Goat Limited a California Corporation](#)
To: [Johnson, Cliff](#); [Ford, John](#)
Subject: Rising Goat Limited
Date: Monday, March 15, 2021 4:06:46 PM

Gentlemen:

I apologize, but it appears that there is little choice, but to request and demand that you elevate this entire appeal to County Counsel and please advise me or have the attorney advise me as to who is assigned the matter.

County counsel and I need to discuss the 01 and the 02 applications and the various reasons that we settled with the County and agreed not to prosecute the 01 and whether or not the previous applicants had the right to withdraw that application and assignment after it was assigned to Rising Goat needs to be resolved. There has never been until planning commission meeting any disclosure that the settlement involved making the property uneconomical by prohibiting the well, although the County was well aware in its own files of the depth and perforation points as well as Bentonite seals at top to 75' of the well.

Gentlemen - we have a problem and I want it elevated to the legal department prior to the Board of Supervisors meeting.

cc Mr. Erik Kirk, Attorney

From: mrypresid@aol.com
To: [Johnson, Cliff](#); mryan2@co.humboldt.ca.us; [Ford, John](#)
Subject: Watson Well Drilling and Demand for County Counsel
Date: Monday, March 15, 2021 6:37:50 PM

Gentlepersons:

We are demanding an investigation by County Counsel into very serious allegations that we received today concerning someone in County staff and a member of the Planning Commission.

Besides the serious accusations made against John Ford, Cliff Johnson and the Planning Department in Mr. Kirk's letter of March 5, 2021, I was advised 1 hour ago by Mr. Don Watson, driller of the well, "that he is extremely angry, because someone from Planning Department called him and he feels that the attempt in that call was to pressure him to say that we are using spring/surface water in the well...."

Would one of you please explain this very serious second allegation?

Once again, we demand that Megan Ryan be removed from anything to do with this application by Rising Goat Limited. If the allegations by Don Watson are found to be correct, we demand immediate termination of that County employee. I am very upset.

There is a third attempt by County to thwart the application by Rising Goat Limited, and, if true, is the most serious to date:

Mr. Watson had yet another call with what he feels was even more pressure to misrepresent that the well is drawing from surface and spring water, than the prior call referenced above. The call was from a Planning Commissioner. You are more than likely good at guessing which Commissioner. If the facts prove Mr. Watson correct, then we demand that the Planning Commissioner involved immediately resign or be removed.

Get this investigated. Get it prosecuted or put to bed and adequately explained. I am appalled that a simple application to take an illegal cannabis operation and make it legal and pay taxes has become such a mess. If the allegations prove to be true, from what I have read concerning appeals and complaints on other 02 applications, the County of Humboldt has a Class Action issue in violations against thousands of applicants.

Gentlepersons: the basic costs *without any punitive damages* are adding up at \$2,850 per day and, if any above is found to be true, someone is going to spend jail time.

Rising Goat Limited
by Paul F. Soares, CFO

Johnson, Cliff

From: Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com>
Sent: Tuesday, March 16, 2021 7:33 PM
To: coyotebuttes@gmail.com; lichen@humboldt.net; catahennsj@yahoo.com; shirley2376@gmail.com; Johnson, Cliff; Ford, John
Subject: Complaint re Ex Parte Communication by lawyer Eric Kirk
Attachments: SCAN0050.PDF

Rising Goat Limited demands that lawyer, Eric Kirk, and each of the homeowners involved with him and the Appeal before the Board of Supervisors of Humboldt County on April 6, 2021, cease and desist from Ex Parte communications with any member of the Board of Supervisors prior to the meeting that is scheduled. California Law and Humboldt County Codes are very clear on ex parte communication and attempts to influence the meeting and voting process by direct self serving communication with the Supervisors.

Johnson, Cliff

From: Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com>
Sent: Tuesday, March 16, 2021 1:38 PM
To: Eric Kirk
Cc: Ford, John; Johnson, Cliff; catahennsj@yahoo.com; lichen@humboldt.net; coyotebuttes@gmail.com; l-nwhatley@asis.com; rzkellar@gmail.com; ditchdiggerdave@hotmail.com; generousmatt@yahoo.com; pamnmanuel@asis.com; carolyneldridge5@gmail.com; solarbrian1@gmail.com; gerteit@gmail.com; harpelharp@gmail.com; shirley2376@gmail.com; Robert@robertmay.us; aolson@redwoodcoast.net; Laurisp58@gmail.com; jay.peltz@gmail.com; bradepranian@gmail.com; devilishinsohum@gmail.com
Subject: Re: DEMAND FOR PROOF OF REPRESENTATION
Attachments: SCAN0048.PDF

With all due respect, Sir, you are a liar. You and your law firm are in some fairly deep feces.

The attached document is proof in black and white over your signature that your clients are: "The Overland Subdivision" and Sue Jacobsen is merely the contact person, all of which is a fraud upon the County of Humboldt and the Jacobsen's neighbors. You are quite daring to misrepresent who your clients are. You are putting other people into positions of liability for your misdeeds, misrepresentation and fraud and you don't even represent them.

IF ANYONE COPIED ON THIS DOES NOT GET THE COPIES OF WHAT ERIC KIRK FILED AT THE DIRECTION OF SUE AND PAUL JACOBSEN, PLEASE LET ME KNOW ASAP. I WILL GET COPIES TO YOU.

On Tue, Mar 16, 2021 at 11:23 AM Eric Kirk <Eric@shkklaw.com> wrote:

Mr. Soares:

To clarify, I do not represent the property owners association. Nor is that stated on the application for appeal.

Eric V. Kirk, Esq.

Attorney at Law

Stokes, Hamer, Kirk & Eads, LLP

381 Bayside Road

Arcata, California 95521

707.822.1771

707.822.1901 (FAX)

eric@shkklaw.com

From: Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com>

Sent: Tuesday, March 16, 2021 10:51 AM

To: Eric Kirk <Eric@shkklaw.com>; Ford, John <jford@co.humboldt.ca.us>; Johnson, Cliff <CJohnson@co.humboldt.ca.us>; coyotebuttesk@gmail.com; catahennsj@yahoo.com; lichen@humboldt.net

Subject: DEMAND FOR PROOF OF REPRESENTATION

Mr. Kirk:

I am advised by other property owners and members of the Overland Subdivision Property Owners Association that you have no authority to represent them.

I am sending additional complaint to the State Bar. Your position that you represent the Association is fraudulent, a stain on your law firm and the State Bar Code of Ethics.

If you have proof that you were retained by the Association to represent their interests, please immediately provide it.

You have stirred a hornets nest on Ross Road. A lot of people are very angry with you and your law firm. Trouble between neighbors who have been existing on that road and in the area for decades should not have happened but for your firm, Paul and Sue Jacobsen tortious interference in the business of Rising Goat Limited.

I have emailed every member of the Board of Directors of the Association and every resident member of the Association. I have sent demand for immediate Emergency Meeting of the Association.

Best of luck to you.

Johnson, Cliff

From: Eric Kirk <Eric@shkklaw.com>
Sent: Tuesday, March 16, 2021 2:53 PM
To: Rising Goat Limited a California Corporation
Cc: Ford, John; Johnson, Cliff; catahennsj@yahoo.com; lichen@humboldt.net; coyotebuttes@gmail.com; l-nwhatley@asis.com; rzkellar@gmail.com; ditchdiggerdave@hotmail.com; generousmatt@yahoo.com; pamnmanuel@asis.com; carolyneldridge5@gmail.com; solarbrian1@gmail.com; gerteit@gmail.com; harpelharp@gmail.com; shirley2376@gmail.com; Robert@robertmay.us; aolson@redwoodcoast.net; Laurisp58@gmail.com; jay.peltz@gmail.com; bradepranian@gmail.com; devilishinsohum@gmail.com
Subject: RE: DEMAND FOR PROOF OF REPRESENTATION

Mr. Soares:

The organization you are referring to is a road association. I do not represent a road association.

Please stay focused and thank you for your attention to the matter at hand.

Eric V. Kirk, Esq.
Attorney at Law
Stokes, Hamer, Kirk & Eads, LLP
381 Bayside Road
Arcata, California 95521
707.822.1771
707.822.1901 (FAX)
eric@shkklaw.com

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Cc: Ford, John <jford@co.humboldt.ca.us>; Johnson, Cliff <CJohnson@co.humboldt.ca.us>; catahennsj@yahoo.com; lichen@humboldt.net; coyotebuttes@gmail.com; l-nwhatley@asis.com; rzkellar@gmail.com; ditchdiggerdave@hotmail.com; generousmatt@yahoo.com; pamnmanuel@asis.com; carolyneldridge5@gmail.com; solarbrian1@gmail.com; gerteit@gmail.com; harpelharp@gmail.com; shirley2376@gmail.com; Robert@robertmay.us; aolson@redwoodcoast.net; Laurisp58@gmail.com; jay.peltz@gmail.com; bradepranian@gmail.com; devilishinsohum@gmail.com
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Attorney at Law

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707.822.1901 (FAX)

eric@shkklaw.com

From: Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com>

Sent: Tuesday, March 16, 2021 10:51 AM

To: Eric Kirk <Eric@shkklaw.com>; Ford, John <jford@co.humboldt.ca.us>; Johnson, Cliff <CJohnson@co.humboldt.ca.us>; coyotebuttesk@gmail.com; catahennsj@yahoo.com; lichen@humboldt.net

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I have emailed every member of the Board of Directors of the Association and every resident member of the Association. I have sent demand for immediate Emergency Meeting of the Association.

Best of luck to you.

Johnson, Cliff

From: Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com>
Sent: Tuesday, March 23, 2021 2:03 PM
To: Ford, John
Cc: Johnson, Cliff; Alicia Heitzman; County Counsel; Gridley, Teri; Duke, Natalie; Freeman, Amanda
Subject: Re: Demand for Notice

Please make certain that this reply is in the Supervisors packet.

First, we all agree that an appeal was filed by someone on March 4, 2021. The party who filed is not a party at all and no specific item of approval was specifically appealed. Please immediately define who the Appellant is and provide the document that was provided to you by the Appellant.

I have written to both you and Cliff Johnson on this matter *numerous times over the past 4 years that this application has been in process* and have put in writing our request that if Planning Department has any proposal that it wishes to relay for our consideration that you do so asap.

We are totally satisfied with the approval and its conditions that were made by the Planning Commission on February 18, 2021. As you must recall and the transcript of the meeting will show, that approval was a settlement that addressed all of the issues raised by those residents in attendance. We have been very cooperative with neighbors in reaching that settlement. We have been equally cooperative in reaching numerous settlements of issues with Planning Department including but not limited to the conversion of the contentious 01 Permit to an 02 application/Permit in order to avoid litigation, without any disclosures to Applicant by County of any potential issues with well water. We believe that the Board of Supervisors should hear our positions and those of the neighborhood. This is America.

Otherwise, it is our intention to defend the approval as made by the Planning Commission on February 18, 2021. As you must recall and the transcript of the meeting will show, that approval at Planning Commission was a settlement that addressed all of the issues raised by those residents in attendance. We don't have a good taste for being the only ones settling for the last 4 years of this process. At the time of the Planning Meeting we were not informed of the Bentonite seals on the well at the upper levels that prevents spring and surface water draws.

With regard to the Hydrogeologist, the County has had nearly 6 weeks to come up with suggested independent 3rd party unrelated companies or individuals to do the work and so far only one suggestion has been made demanding \$17,000 and careful investigation has shown considerable conflicts of interest with the County and with some of the residents complaining. This is certainly not a cooperative effort by the County.

Paul F. Soares, CFO
Rising Goat Limited, a California corporation, Applicant

cc all members of the Overland Homeowners Association

On Tue, Mar 23, 2021 at 9:30 AM Ford, John <JFord@co.humboldt.ca.us> wrote:

Mr. Soares:

The appeal filed is a valid appeal. The Planning Commission action was on February 18, 2021 and the appeal was filed on March 4, 2021. Thus the appeal was filed within 10 working days of the Planning Commission approval as provided in Humboldt County Code section 312-13.1:

Except as otherwise stated in this Code, any person, as defined in this Code, aggrieved by an action taken by the Hearing Officer on any completed application, may appeal such action to the Board of Supervisors by filing a notice of appeal with the Department within ten (10) working days of said action.

As you are aware we are currently looking at a public hearing on April 6, 2021. Consistent with processing of all appeals, the Department has been attempting to discuss the concerns of the appellants to see if there are actions to take that could resolve the concerns expressed in the appeal. The Board of Supervisors encourages efforts to resolve issues resulting in the appeal if at all possible. It is my understanding that you have resisted all attempts to have this discussion. We have engaged in discussions with the appellants and found that they are interested in resolving this without the need for a public hearing. At this point you are forcing a contentious public hearing when there could be resolution without going to hearing if you were willing to explore options to address the neighbor's concerns.

Please let me know if you want to pursue a different approach to this appeal.



John H. Ford
Director
[Planning and Building Department](#)
707.268.3738

From: Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com>

Sent: Tuesday, March 23, 2021 7:44 AM

To: Ford, John <JFord@co.humboldt.ca.us>; Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Alicia Heitzman <aheitzman@nrmcorp.com>; County Counsel <countycounsel@co.humboldt.ca.us>; Gridley, Teri <TGridley@co.humboldt.ca.us>

Subject: Demand for Notice

Gentlepersons:

Rising Goat Limited requests notification by the Planning Department of Humboldt County if a defective appeal has been determined by County Counsel to be timely filed; OR,

if County Counsel is not going to calendar the defective appeal.

We have a right to know and right to know timely and right to file interpleader with the Court if we disagree with the decision by County Counsel.

A decision must be made and advised asap.

Thank you.

Paul F. Soares

CFO

Rising Goat Limited

Johnson, Cliff

From: Ford, John
Sent: Tuesday, March 23, 2021 9:30 AM
To: Rising Goat Limited a California Corporation; Johnson, Cliff; Alicia Heitzman; County Counsel; Gridley, Teri
Cc: Duke, Natalie; Freeman, Amanda
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A decision must be made and advised asap.

Thank you.

Paul F. Soares
CFO
Rising Goat Limited

From: [Johnson, Cliff](#)
To: [Rising Goat Limited a California Corporation](#)
Subject: RE: DEMAND FOR PROOF OF REPRESENTATION
Date: Tuesday, March 16, 2021 2:44:00 PM

Paul,

I've tried calling a few times to discuss the appeal but you did not pick up and your voice mail is full. I'd like to chat with you regarding the appeal and the concerns from the appellant.

Cliff

From: Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com>
Sent: Tuesday, March 16, 2021 1:38 PM
To: Eric Kirk <Eric@shkklaw.com>
Cc: Ford, John <JFord@co.humboldt.ca.us>; Johnson, Cliff <CJohnson@co.humboldt.ca.us>; catahennsj@yahoo.com; lichen@humboldt.net; coyotebuttes@gmail.com; l-nwhatley@asis.com; rzkellar@gmail.com; ditchdiggerdave@hotmail.com; generousmatt@yahoo.com; pamnmanuel@asis.com; carolyneldridge5@gmail.com; solarbrian1@gmail.com; gerteit@gmail.com; harpelharp@gmail.com; shirley2376@gmail.com; Robert@robertmay.us; aolson@redwoodcoast.net; Laurisp58@gmail.com; jay.peltz@gmail.com; bradepranian@gmail.com; devilishinsohum@gmail.com
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Mr. Soares:

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If you have proof that you were retained by the Association to represent their interests, please immediately provide it.

You have stirred a hornets nest on Ross Road. A lot of people are very angry with you and your law firm. Trouble between neighbors who have been existing on that road and in the area for decades should not have happened but for your firm, Paul and Sue Jacobsen tortious interference in the business of Rising Goat Limited.

I have emailed every member of the Board of Directors of the Association and every resident member of the Association. I have sent demand for immediate Emergency Meeting of the Association.

Best of luck to you.

From: mrvpresid@aol.com
To: [Johnson, Cliff](#); [Ford, John](#)
Subject: Rising Goat Limited
Date: Wednesday, March 17, 2021 8:00:38 PM

Cliff -

Reception is horrible out on my oil and gas properties in Kentucky and there is an ice storm on the way and 5 of the homes that are supplied with natural gas have broken lines from the cold. In fact, this is written on a field computer connected today I heard part of your telephone message but not all. Valve broke on my main line feeding the EQT lines to Pittsburgh...likely not home for a few days.

-Rising Goat Limited can no longer continue to pay all the costs of delays and well inspections. At time of meeting we were unaware of the Bentonite seal on well. Costs of delay now caused by Jacobsens. We need a Temporary Use Permit to allow growing of marijuana for 2021 or we lose the ranch. The Jacobsen's were directly notified of the costs of delay in the letter. The appeal was not properly filed. They allege fault of John Ford. We have no idea what took place between County and the lawyer for Jacobsens. That lawyer was negligent in his filing of appeal and equally incorrect. My letter of today was totally appropriate and I am sorry that it was not well received by the Jacobsens nor their attorney. If anyone wants to cause costs to Rising Goat Limited, then they should pay the penalty and I respect that this is not information that would be well received, but appropriately defined and disclosed.

We reject the bid by the County suggested Hydrogeology Company. They have a conflict of interest with the County. We prefer a company from outside of Humboldt County with no ties to anyone there.

Cliff, me and the rest of the company are very grateful for every minute that you have spent to make this project get to this stage. If you have a proposal or idea please forward by email as there is so much distrust and unhappiness that it will take me some time to sell your idea regardless of good or otherwise.

Any lawyer who listens to the tape of the Planning Commission meeting and how people are treated and talked about to their faces as if they are low class uneducated cheats is truly beyond anything that I have witnessed in 50 years of Planning and City Council meetings all over the US.. Cliff, it is not just us. I heard horrible things said about applicants as though they were criminals. I remain in shock over the questions asked and the totally inappropriate time spent on Workmens Compensation Insurance. The owners here are gay. Why did a Commissioner find it necessary to use Workmens Comp Insurance to question if we were married and had children. Cliff - you need County Counsel at every one of the Planning Commission meetings.

I am advised by Don Watson that one of the Planning Commissioners pressured him prior to the Planning Commission meeting to say that we were using surface and spring water. We have two (2) issues:

(1) The ex parte communication prior to the Planning Meeting, allegedly initiated by the Planning Commission member, was not disclosed.

(2) A Planning Commissioner admitted going to the property ex parte, taking pictures and not disclosing those photographs to Staff, applicant nor the public until the evening of the meeting. Several of the photographs were described but not even shown at the meeting.

Done or not done - County Counsel needs to investigate. And if all of the above craziness from neighbors is not enough, **their lawyer decided to send ex parte correspondence to a Supervisor in an effort to taint the well.** And a Supervisor conducts ex parte calls to Don Watson at his well drilling office with zero disclosure. Said many times during the last 4 years: I am totally shocked by all of it.

As the situation stand today, my bet is we lose this years crop, the property and, thereafter we will sue Jacobsens and unfortunately, Jacobsens lose their assets and County stays in middle of all of themess.

Our current interest is the Agenda for the April meeting. We expect County Counsel to review the validity of the Appeal and schedule for the April meeting or deny it as not timely and filed on behalf of non-existent appellant. We need copy of Agenda and Staff Report for that date at your earliest convenience. We are interviewing legal counsel in San Francisco and Los Angeles to represent us at the meeting and proceed with whatever actions that they deem necessary and appropriate.

Thank you.

From: [Ford, John](#)
To: [Rising Goat Limited a California Corporation](#); [County Counsel](#); [Johnson, Cliff](#); [Duke, Natalie](#); [Gridley, Teri](#)
Cc: [Eric Kirk](#)
Subject: RE: Rising Goat Limited/Overland Subdivision Appeal
Date: Friday, April 2, 2021 8:06:49 AM
Attachments: [image001.png](#)

Mr. Soares:

I have nixed nothing. My goal has been to see if a resolution could be reached prior to needing a public hearing for the appeal and to that end, determine if there is common ground with the appellant. If you and Mr. Kirk are working out a solution please let us know the outcome. A negotiated settlement would be a great outcome.



John H. Ford
Director
[Planning and Building Department](#)
707.268.3738

From: Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com>
Sent: Thursday, April 01, 2021 6:30 PM
To: Ford, John <JFord@co.humboldt.ca.us>; County Counsel <countycounsel@co.humboldt.ca.us>; Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Duke, Natalie <NDuke@co.humboldt.ca.us>; Gridley, Teri <TGridley@co.humboldt.ca.us>
Subject: Re: Rising Goat Limited/Overland Subdivision Appeal

Thank you for your offer to involve yourself and Planning Department in a mediation. Mr. Kirk and I are working together on this matter and not in need of your assistance at this time.

With all due respect, your recent emails are self serving and Planning has done absolutely nothing to resolve the issues. In fact, I am told that you, personally, "...nixed neighbors attempts to settle and allow Susan Jacobsen to propose a settlement to Rising Goat Limited..." We have seen only sparks flying between you and the Appellant and her legal Counsel. With all due respect, we don't want any part of the Planning Department fight with the Appellant and neighbors. We have not ever had any dispute with any one of the neighbors and not any one of the neighbors has ever complained to us about water nor the project proposed.

There is only one Appellant, who filed an Appeal: Sue Jacobsen. We have heard nothing from any other neighbor. Nothing has been provided to the County of Humboldt *that shows any authority whatsoever for the Appellant to act on behalf of any other person(s) or entity ies).*

The Overland Subdivision, **which is not an Appellant** consists of nearly 40 homeowners. You must certainly have a complete list of the Association members. Do you need a list with names, addresses, telephone numbers and email addresses? The Appellant represents less than 2% of

residents of the Overland Homeowners Association. To our knowledge as members of the Association, Sue Jacobsen is not an Officer nor a Director of the Association. No Association meeting was held appointing Sue Jacobsen to appear for anything on behalf the Association nor any other member.

I am sorry that you feel that I am 'demanding'. With all due respect, this project has been in process for nearly 4 years, application fees paid twice, one of your staff members sat on it for 5 months and did nothing, didn't return any emails, calls nor letters. I should not have to be in the position of making demands. Perhaps you should be making some serious demands and inquiries of the Cannabis Application process as it was handled by your staff. Absolutely no one is pleased with how Planning Department has handled this project at 1400 Ross Road. I have no faith in your promises as a minuscule number have been fulfilled during the last four (4) years.

I am pleased to have the Board of Supervisors look very closely at the proposal being made by Sue Jacobsen. It appears all of the stockholders at Rising Goat Limited that you don't want the Board of Supervisor's to hear our plight, the neighbors issues and hopefully reasons why Planning Department put all of us into this position.

Paul F. Soares

On Wed, Mar 31, 2021 at 2:54 PM Ford, John <JFord@co.humboldt.ca.us> wrote:

Mr. Soares:

We reached out to the concerned neighbors who indicated a willingness to attempt to settle this without having to go to the Board of Supervisors on appeal. We reached out to you in the same manner and have not received an in-kind willingness to discuss how to resolve concerns. Your demanding emails which dictate what you will settle for do not address our understanding of the concerns of the neighborhood. If you have seen the elements of the neighbors proposal and agree them, then I encourage you to settle. I am not standing in the way of that. Short of that this item will be on the Board of Supervisors Agenda for April 6, 2021. As I mentioned in my last email, if you would like to meet and discuss how to resolve this, we stand ready to facilitate a discussion.



John H. Ford
Director
[Planning and Building Department](#)
707.268.3738

From: Rising Goat Limited a California Corporation <risinggoatlimited@gmail.com>

Sent: Wednesday, March 31, 2021 2:05 PM

To: Eric Kirk <eric@shkklaw.com>; Ford, John <JFord@co.humboldt.ca.us>; County Counsel <countycounsel@co.humboldt.ca.us>; Johnson, Cliff <CJohnson@co.humboldt.ca.us>

Subject: Rising Goat Limited/Overland Subdivision Appeal

Gentlepersons:

Today, would you please confirm placement of this matter on the April 6 agenda today. There are only 6 days if you have put it on the Agenda. I have requested confirmation several times and none has been provided.

My estimate of time needed is 2-3 hours. Mr. Ford has suggested that the matter will be highly contentious. We agree and believe that every neighbor who has input to provide should appear and exercise their rights to be heard. Mr. Don Watson, the well driller, and others will appear on behalf of Rising Goat Limited, the applicant.

I am told that neighbors have a proposal that Planning Department has refused to endorse. We agree with the basic elements of the neighbors proposal and *only John Ford stands in the way of resolution.*

I AM REQUESTING THAT AN ATTORNEY IN THE COUNTY COUNSEL'S OFFICE BE ASSIGNED TO THIS MATTER SO THAT MR. KIRK AND I HAVE A PERSON IN AUTHORITY TO ADDRESS ANY SETTLEMENT THAT WE MIGHT REACH PRIOR TO THE MEETING.

We should all agree that IF an Ordinance exists that prevents all of the body politic on Ross Road - nearly 40 neighbors and the Applicant - from reaching an agreement for anything, then County Government has a problem. Ordinances are supposed to work for the residents of the County and if it doesn't agree with what 100% of the people involved want, then change the Ordinance, provide a Use Permit or issue a Variance.

This is one of the many reasons that an Attorney for the County must be assigned sooner rather than later.

PLEASE BE CERTAIN THAT THIS CORRESPONDENCE IS IN THE SUPERVISORS PACKET.