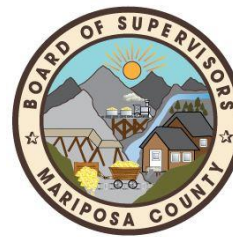


# MARIPOSA COUNTY

P.O. Box 784 Mariposa, CA 95338 (209) 966-3222  
5100 Bullion Street  
<http://www.mariposacounty.org/>



**ROSEMARIE SMALLCOMBE, CHAIR**  
**MILES MENETREY, VICE-CHAIR**  
**VACANT**  
**MARSHALL LONG**  
**WAYNE FORSYTHE**

**DISTRICT I**  
**DISTRICT V**  
**DISTRICT II**  
**DISTRICT III**  
**DISTRICT IV**

## ACTION SUMMARY MINUTES

**October 5, 2022**

### SPECIAL MEETING

#### A. 9:02 AM Called to Order

| Attendee Name        | Title                   | Status  | Arrived |
|----------------------|-------------------------|---------|---------|
| Rosemarie Smallcombe | District I Supervisor   | Present | 9:02 AM |
| Marshall Long        | District III Supervisor | Present | 9:02 AM |
| Wayne Forsythe       | District IV Supervisor  | Present | 9:02 AM |
| Miles Menetrey       | District V Supervisor   | Absent  |         |

#### B. Pledge of Allegiance

Chair Smallcombe led the pledge.

#### C. Regular Agenda

**9:03 AM** the Board moved from the dais to join the workshop where Walter Wall/District Attorney, Pete Judy/Chief Probation Officer, Monica Nielsen/Agriculture Commissioner, Steve Ward/Cal Fire/Mariposa Fire Division Chief, Dallin Kimble/County Administrative Officer, Steve Dahlem/County Counsel, Sarah Williams/Planning Director, Corrina Miranda/Code Enforcement Technician, Dr. Eric Sergienko/County Health Officer, Joe Lynch/Health and Human Services Director and Michael Charmin/Sheriff's Department participated in the study session.

##### 1. **Administration (ID # 13428)**

##### **Conduct a Study Session on Illegal Cannabis Grows in Mariposa County**

Chair Smallcombe introduced Robert Bendorff/Roundtable facilitator who introduced the topics.

Public comment was received from Lori Kinslow/Royal Oak Estates Resident and Colleen Rhodes/Community member who both expressed concern and the need to tamp down on illegal marijuana grows in a way that protects the legal growers.

**10:00 AM** the roundtable was recessed for a brief break and reconvened at 10:11 AM.

The roundtable continued their discussion on solutions.

**11:11 AM** the roundtable was recessed for a brief break and reconvened at 11:25 AM.

***DIRECTION: Staff is to bring a resolution that notates what staff needs, changing the current code and an overall concurrent plan for illegal marijuana grows, by the end of the year. The Board also directed staff to communicate with one another to pursue existing ways to mitigate illegal marijuana grows with measures already in place.***

**RESULT:                      WORKSHOP HELD**

## **D. Adjournment**

**12:56 PM** Chair Smallcombe adjourned the meeting.

Respectfully submitted,

Danielle Bondshu  
Clerk of the Board

Rosemarie Smallcombe  
Chair, Board of Supervisors



# MARIPOSA COUNTY

Administration • 966-3222



C.1

MEETING: October 5, 2022

TO: The Board of Supervisors

FROM: Dallin Kimble, County Administrative Officer

RE: Cannabis Roundtable

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## RECOMMENDATION AND JUSTIFICATION:

Conduct a Study Session on Illegal Cannabis Grows in Mariposa County.

Cannabis is legal in California and residential cultivation of cannabis, within provided guidelines, is permitted in Mariposa County. Commercial cultivation is not permitted and illegal cannabis grows can have significant impacts on neighborhood quality, safety and character.

The Board of Supervisors has expressed interest in pursuing administrative and other solutions for illegal cannabis grows to complement the law enforcement actions the sheriff's office has taken and will continue to take. This study session is intended as a discussion of those options. An agenda for the session is attached.

## BACKGROUND AND HISTORY OF BOARD ACTIONS:

**May 2022** - Staff held a facilitated roundtable to prepare options for this study sessions

**April 2022** - Sheriff Briese presented the sheriff's office approach to enforce illegal marijuana grows.

**October 2021** - Supervisor Long brought a discussion and direction item to ask for board direction to develop a plan to address illegal marijuana grows.

**October 2017** - Mariposa County Ordinance 1129 adopted, amending the Zoning Ordinance to prohibit commercial cultivation, processing, manufacture, wholesale or retail sale and public consumption of marijuana (uses requiring a license pursuant to the Adult Use of Marijuana Act)

**November 2016** - CA voters approved Proposition 64 entitled "Control, Regulate, and Tax Adult Use of Marijuana Act". Local jurisdictions given choice to adopt local ordinances to regulate commercial marijuana businesses or to completely prohibit these businesses.

**March 2015** - Mariposa County Ordinance 1104 adopted, establishing Mariposa County Code Chapter 8.56 Medical Marijuana Cultivation to allow limited cultivation of medical marijuana

## Agenda Item - No Resolution Requested

for personal consumption.

**December 2011** - Mariposa County Ordinance 1086 adopted, amending the Zoning Ordinance to establish the following as prohibited uses in all zones: medical marijuana dispensaries, the collective or cooperative cultivation of marijuana and the cultivation of marijuana for medical purposes by persons not residing on the property on a permanent basis.

**January 2011** - Assembly Bill 2650 enacted, affirming that local jurisdictions can adopt ordinances that restrict the location and establishment of medical marijuana collectives.

**January 2004** - Senate Bill 420 enacted establishing the “Medical Marijuana Program Act” to clarify the scope of the Compassionate Use Act of 1996. This allowed counties to adopt and enforce regulations consistent with the law.

**November 1996** - CA voters approved Proposition 215 entitled the “Compassionate Use Act of 1996”, enabling persons in need of marijuana for medical purposes to obtain and use it without fear of criminal prosecution.

### ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A

### ATTACHMENTS:

**Agenda for posting 10-5-22 (DOCX)**

**Lori Kinslow(PDF)**

**Malisch, A - C.1 - Public Comment Cannabis Roundtable\_Redacted (PDF)**

**RESULT: WORKSHOP HELD**

**MARIPOSA COUNTY**  
***ILLEGAL CANNABIS GROWS - WORKSHOP***

Wednesday, October 6, 2022

9 a.m. – 1 p.m.

- |                                            |                   |
|--------------------------------------------|-------------------|
| ➤ Welcome and Introductions                | Board Chair / CAO |
| ○ Public Comment                           |                   |
| ➤ Workshop Outline                         | Robert Bendorf    |
| ➤ Local and State Law History to Present   | Staff             |
| ➤ Local Enforcement Data                   | Staff             |
| ➤ Staff Workshop Review                    | Robert Bendorf    |
| ➤ BREAK                                    |                   |
| ➤ Discussion of Board Priorities & Options | Robert Bendorf    |
| ➤ Next Steps / Direction to staff          | Robert Bendorf    |
| ➤ Adjourn                                  | Board             |

Attachment: Agenda for posting 10-5-22 (13428 : Cannabis Roundtable)



October 5, 2022

To: Mariposa County Board of Supervisors:

**Subject:** BOS Special Meeting

1. The Sheriff's Office effort this summer in our subdivision was very effective. The bad guys got the message and are pissed. Thank you!
2. Illegal pot grows in Mariposa County are like a silent cancer spreading throughout our County. If you wait too long to apply a cure it will be tragically too late.
3. Please keep in mind that Mom and Pop growing some pot in their backyard is not the issue. Organized crime from out of the County is the Issue.
4. Illegal pot grows contribute nothing to Mariposa County. Bad guys' come in to run these operations, and bring crime, guns, illegal non-taxed cash, and leave pollution, scared residents, water theft, real-estate depreciation and the potential to cause catastrophic wildfires.
5. Please keep up the effort! Our County is at stake!

Thank you,

Residents of Royal Oaks Estates

Attachment: Lori Kinslow (13428 : Cannabis Roundtable)

## PUBLIC COMMENT ITEM #C.1 Cannabis Roundtable

Adam Malisch &lt;[REDACTED]&gt;

Tue 10/4/2022 7:54 PM

To: Board Clerk &lt;[REDACTED]&gt;; Dallin Kimble &lt;[REDACTED]&gt;

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

To Whom It May Concern,

It's my understanding that illegal marijuana grows have been prevalent in my Mariposa neighborhood for years but that citizens have worked with the Sheriff's Office this year to eradicate the illegal grows. This progress is very much appreciated. Hopefully we have the momentum to keep this cooperation going into future years so that illegal grows that are reported are responded to and eradicated again. Additionally, it seems that some action towards the land owners may be appropriate. From what I can tell, all of the illegal grows in our neighborhood occur on vacant land rented to out-of-county individuals conducting this illegal activity. Fines levied on the land owners may help prevent future such occurrences. Information could be mailed to all land owners, or possibly all land owners without structures on the land, warning about this enforcement. Fines might scale up for repeat offenses, possibly starting at zero to allow for immediate correction of violations and then increasing sharply for those who ignore the law.

Additional information to law-abiding land owners on what to do and how to report illegal grows in the County may be a good idea as well.

Thanks very much for your time and attention to this matter.

Adam Malisch

[REDACTED]  
Mariposa, CA 95338