

## Board of Supervisors

J. Merced Corona, District I  
John D. Loudon, District II  
Kent S. Boes, District III  
Gary J. Evans, District IV, Vice Chair  
Denise J. Carter, District V, Chair



## County of Colusa

Wendy G. Tyler, CAO/Clerk to the Board of Supervisors/Risk Manager  
Ann Nordyke, Chief Deputy Clerk to the Board of Supervisors  
Patricia Rodriguez, Deputy Clerk  
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**Board Chambers**  
**546 Jay Street, Suite 108**  
**Colusa, CA 95932**

## Special Meeting Minutes

May 27, 2020

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 27<sup>th</sup> day of May 2020 at the hour of 12:00 p.m. Present: Supervisors Kent S. Boes, John D. Loudon, Gary J. Evans, J. Merced Corona, and Denise J. Carter.

Present: Marcos Kropf, County Counsel.  
Wendy G. Tyler, CAO, Clerk of the Board/Risk Manager.  
Ann Nordyke, Patricia Rodriguez, Board Clerks.  
Michael Azevedo, Public Works Department.  
Joe Garofalo, Sheriff's Office.  
Elizabeth Kelly, Bonnie Davies, Health and Human Services Department.  
Robert Zunino, Auditor-Controller's Office.  
Stacey Costello, Colusa Library.  
Stephen Dieves, Williams citizen.  
Janes Smart, Arbuckle citizen.  
DeeDee Cardoso, Dale Thompson, Colusa citizens.  
Susan Meeker, Pioneer Review.

Present via teleconference: Cristy Edwards, Leesville citizen.  
Greg Plucker, Community Development Department.

Opening Prayer - Pledge of Allegiance

### PERIOD OF PUBLIC COMMENT

None.

### BOARD OF SUPERVISORS

Chair Carter makes time for discussion and/or possible action concerning the COVID-19 Pandemic response and addressing community needs.

Comments received by Ms. Kelly, Ms. Tyler, and Ms. Davies, Ms. Edwards and Ms. Smart.

Supervisor Evans reads the following into the record:

"The U.S. Constitution Amendment XIV states "no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law."

The State Constitution Article XI Section 7 reads "a county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general law."

Colusa County, Ord. 559 states "the purpose of the Civil Rights Act 18 U.S.C. 241 is to protect the citizens of the United States from acts which "injure, oppress, threaten or intimidate" any citizen in the free exercise of enjoyment of any right or privilege secured to them by the Constitution or laws of the United States, and the US Supreme Court has ruled that rights in property are basic civil rights and the Board of Supervisors of Colusa County endorse the protections, rights or privileges afforded by the U.S. Constitution and the Civil Rights Act and desire to ensure that those protections, rights, or privileges are afforded to the citizens of Colusa County."

On May 18 Governor Newsom stated: We recognize the conditions across the State are unique and distinctive depending on where you are. The bottom line is people can go at their own pace and we are empowering our local Health Directors and County Officials that understand their local communities and conditions better than any of us.

I move that the Colusa County Board of Supervisors support all citizens, businesses, schools, churches and organizations to exercise their Constitutional and Civil Rights afforded to them by the rule of law in a manner as they see fit and ask that the Sheriff, District Attorney, Cities of Colusa and Williams and their respective Police Chiefs support this motion."

Supervisor Loudon request the Clerk to read his statement dated May 27, 2020 into the record:

"Yes, the Supervisor and staff did overstep their authority when they changed the letter that was sent and I do not condone their decision. However, under the circumstances including the time constraints for posting the agenda for another Special Board meeting, what was happening in surrounding counties and the threat from the State of withholding \$2 million in emergency funding, they decided to take what they believed to be the best course of action and had the interest of the County in mind.

California is a very diverse state and each county and even individual cities should be treated according to their own circumstances and population. By following the Governor's orders with no adjustment for our county we are destroying many of small businesses, some of which will never recover and will have to close for good.

In addition, I feel the State's threat to withhold funding as a punishment for not marching in lock step with the Governor's orders is an empty threat and will not be enforced as evidenced by the State's actions with Yuba, Sutter, Modoc and other counties.

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I understand that Covid-19 is a real threat and should be taken seriously but our county's statistics reflect a situation that doesn't align with the Governor's orders that should apply to more populated areas and our economy cannot wait.

So, I propose that we move to open the County while following common sense guidelines such as cleaning/disinfecting protocols, wearing masks, social distancing and avoiding crowds. Any person or businesses who are uneasy about this can use their own judgement and take their own precautions. We should continue to do contact tracing and if we see a spike in cases we can evaluate the need for further action at that time."

Comments received by Ms. Kelly, Mr. Kropf, Sheriff Garofalo and Mr. Selover.

1. The Colusa County Board of Supervisors support all citizens, businesses, schools, churches and organizations to exercise their Constitutional and Civil Rights afforded to them by the rule of law in a manner as they see fit.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Evans
<b>SECONDER:</b>	Boes
<b>AYES:</b>	Boes, Loudon, Evans, Corona, Carter

Chair Carter adjourned the meeting at 12:36 p.m. to reconvene in Regular Session on June 2, 2020 at the hour of 9:00 a.m.

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Denise J. Carter, Chair

Attest: Wendy G. Tyler,  
Clerk to the Board of Supervisors

BY \_\_\_\_\_  
Patricia Rodriguez, Deputy Clerk