

Board of Supervisors

Kim Dolbow Vann, District I,
Vice-chair
John D. Loudon, District II
Kent S. Boes, District III,
Gary J. Evans, District IV,
Chairman
Denise J. Carter, District V



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
Melissa Kitts, Deputy Clerk
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Board Chambers
546 Jay Street, Suite 108
Colusa, CA 95932

Minutes

October 31, 2017

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 31st day of October 2017 at the hour of 9:00 a.m. Present: Denise J. Carter, John D. Loudon, Kim Dolbow Vann, Kent S. Boes, and Gary J. Evans.

Present: Marcos Kropf, County Counsel.
Wendy Tyler, CAO/Risk Manager/Clerk of the Board.
Greg Hinton, Ag Commissioner.
Greg Plucker, Director, Community Development
Department.
Cindy Lovelace, Serena Morrow, Human Resources.
Scott Lanphier, Michael Azevedo, Public Works.
Elizabeth Kelly, Director, Health and Human Services.
John Contreras, Director, Child Support.
Bill Fenton, Chief Probation Officer.
Terence Rooney, Director, Behavioral Health.
Debbie Hickel, Purchasing and Procurement.
Kaline Moore, CAO Budget Analyst.
Ed Hulbert, Colusa Industrial Properties.
Mike West, Colusa Superintendent of Schools.
Mary Winters, Colusa citizen.
Marcos Guizar, Sacramento citizen.
Ben Goldman, Clear Blue Commercial.
Dave Markss, Colusa City Councilman.
Jesse Cain, Colusa City Manager.
Brian Pearson, Williams Pioneer Review.
Ann Nordyke, Melissa Kitts, Board Clerks.

Opening Prayer - Pledge of Allegiance

MINUTES APPROVAL

1. Minutes Approval
Board of Supervisors – Regular Meeting – October 17, 2017.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John D. Loudon, Supervisor
SECONDER:	Kent S. Boes, Supervisor
AYES:	Carter, Loudon, Vann, Boes, Evans

PERIOD OF PUBLIC COMMENT

None.

ANNOUNCEMENT OF CLOSED SESSION

Mr. Kropf announces the Board members will consider Closed Session matters as follows:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code Section 54956.9(a), *County of Colusa v. City of Colusa*, Colusa County Superior Court case No. CV24258.
2. REAL PROPERTY NEGOTIATIONS
California Government Code section 54956.8
Property: A .98 acre partially improved parcel of land in the Arbuckle area of Colusa County, adjacent to 5th Street, bordered on the north by Hall Street, next to a railway, and within an Assessor parcel numbered 020-024-007-000.
Negotiator: Marcos Kropf, County Counsel
Property Owner: Union Pacific Railroad
Under negotiation: Purchase Terms.

I. STAFF REPORTS

Mr. Hinton updates the Board members on items pertaining to the airport taxiway construction project.

Ms. Tyler provides an update regarding interviews for the new HR Director position and recent hospital inspections.

Ms. Tyler announces the November 14, 2017 Regularly scheduled Board of Supervisors meeting will begin at 1:30 p.m. to allow time for the Supervisors to attend the Farm Bureau 2017 Annual Meeting/Farm City Breakfast being held that same morning. Noting, Supervisor Vann will be speaking at the Annual meeting.

Chairman Evans asks if there are any additional staff reports. Hearing none, Chairman Evans makes time for additional Public Comment.

PERIOD OF PUBLIC COMMENT

Mr. Huerta informs the Board members that he continues to find resistance regarding an issue surrounding an illegally issued dog license. He states that he has spoken to several government agencies and will continue to fight for his issue.

II. HUMAN RESOURCES

1. Approve addition of up to 10 Extra Help Licensed Vocational Nurse (LVN) positions, to the Department of Health and Human Services (DHHS) temporary part-

time, Range PFA 26, \$21.07 per hour, effective November 1, 2017 as funding allows to assist in the various Flu Clinics.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Supervisor
SECONDER:	John D. Loudon, Supervisor
AYES:	Carter, Loudon, Vann, Boes, Evans

III. AUDITOR

1. Consider approving Special Claims.

Claim #	Fund/Department	Vendor	Amount
603324	Jail	Charlie's Electric	\$3,295.14
603325	Road	David M. McCullough Excavating	\$81,372.68
603326	HR	Madeira Group International	\$495.00

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Supervisor
SECONDER:	John D. Loudon, Supervisor
AYES:	Carter, Loudon, Vann, Boes, Evans

IV. PUBLIC WORKS/ROAD DEPARTMENT

Chairman Evans makes time for discussion to Grant Pacific Gas & Electric Company (PG&E) 2 utility easements over county-owned properties along Bridge Street for equipment placement related to the Bridge Street Underground Utility District and Bridge Street Reconstruction Project.

Mr. Lanphier states that there is a typographical error in the agenda item, and states that there are actually three (3) utility easements that will be included in the project and not two (2). Brief discussion is held.

1. Grant Pacific Gas & Electric Company (PG&E) 2 3 utility easements over county-owned properties along Bridge Street for equipment placement related to the Bridge Street Underground Utility District and Bridge Street Reconstruction Project, and authorize the Director of Public Works to execute the easement deeds when prepared and record with the County Clerk Recorder.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Dolbow Vann, Supervisor
SECONDER:	Denise J. Carter, Supervisor
AYES:	Carter, Loudon, Vann, Boes, Evans

CONSENT AGENDA

Approve Consent Agenda Item No.'s 1 through 13.

1. HEALTH AND HUMAN SERVICES

Adopt Resolution No. **17-052** Of The Colusa County Board Of Supervisors Requesting The State Department Of Health Care Services (DHCS) Allow Colusa County To Leave The Regional Expansion Model And Pursue Membership In Partnership Health

Plan Of California Through The County Organized Health System (COHS), and authorize the Chair to sign.

2. CHILD SUPPORT

Approve Contract No. **C17-206**, Plan of Cooperation with the **State Department of Child Support Services** for federal fiscal year October 1, 2017 through September 30, 2018, and authorize the Director of Child Support Services to sign on behalf of the County.

3. PURCHASING AND PROCUREMENT/ AG COMMISSIONER/AIR POLLUTION CONTROL

Approve the purchase of two Ford F-150 Regular Cab Pickups with Downtown Ford utilizing California Multiple Award Schedules (CMAS) Contract Number 1-16-23-20A in an amount not to exceed \$44,635.36 and one Chevy Silverado 1500 Regular Cab with Winner Chevrolet utilizing CMAS Contract Number 1-16-23-20D in an amount not to exceed \$22,128.03 and authorize the Purchasing Coordinator to issue a purchase order.

4. PURCHASING AND PROCUREMENT/ BEHAVIORAL HEALTH

Approve Contract No. **C17-207**, Third Modification to Contract No. C13-087 with **Auburn Counseling Services, Inc.**, for after-hours crisis services, extending the termination date through June 30, 2019 and authorize the Chair to sign.

5. PURCHASING AND PROCUREMENT/ BEHAVIORAL HEALTH

Approve Contract No. **C17-208**, Third Modification to Contract C13-086 with **Auburn Counseling Services, Inc.** for Medi-Cal compliance services, extending the termination date through June 30, 2019 and authorize the Chair to sign.

6. COMMUNITY DEVELOPMENT

Authorize the Colusa County Community Development Director and Surveyor to complete and record the necessary lot line adjustments, certificate of compliance(s), and any other applicable documents to merge existing County property and abandoned City of Colusa right-of-way into a single parcel to facilitate the construction of the new County jail.

7. PURCHASING AND PROCUREMENT/ PROBATION, BEHAVIORAL HEALTH AND SHERIFF'S

Declare a 2000 Chevrolet Ventura, 1999 Ford Taurus, 2001 Acura MDX and 1997 Ford Taurus as surplus and authorize the Purchasing Agent to remove the vehicles from inventory and dispose of same utilizing the most cost efficient manner.

8. APPOINTMENT/RECLAMATION 108 ELECTION BOARD

Appoint Rose Ann Ellis, Steve Beckley, Donald Kitamura, and Roger Moore as the Election Board for Reclamation District 108.

9. PURCHASING AND PROCUREMENT/ HEALTH DEPARTMENT

Approve the purchase of one 2018 Ford F150 XLT 4x4 super crew pickup from Elk Grove Ford, using California Multiple Award Schedules (CMAS) Contract #: 1-16-23-20F, in an amount not to exceed \$37,668.79 and authorize the Purchasing Coordinator to issue a purchase order.

10. TREASURER
Accept Treasurer's Monthly Investment Report for September 2017 as presented.
11. AG COMMISSIONER
Approve Contract No. **C17-209**, (Standard Agreement Number 17-0137) with the **California Department of Food and Agriculture** for Exotic Pest Detection, effective July 1, 2017 through June 30, 2018, in the amount of \$12,959.00 and authorize Chair to sign.
12. HEALTH AND HUMAN SERVICES
Approve Contract No. **C17-210**, (Agreement number 201706) with the **California Department of Public Health**, Maternal, Child and Adolescent Health (MCAH) Division, for funding agreement period FY 2017-2018, in the amount of \$93,143, effective July 1, 2017 through June 30, 2018 and authorize the Chair to sign. Further, authorize the Department of Health and Human Services Public Health and Fiscal staff to sign related documents required by CDPH.
13. HEALTH AND HUMAN SERVICES
The Department of Health and Human Services (DHHS) requests designation of the County Administrative Officer, via official county letter, as the alternate signature authority for contracts and other documents related to the implementation of the Emergency Solutions Grants Program and authorize the Chair to sign the letter.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kim Dolbow Vann, Supervisor
SECONDER:	John D. Loudon, Supervisor
AYES:	Carter, Loudon, Vann, Boes, Evans

VI. BOARD OF SUPERVISORS

1. Chairman Evans makes time to discuss and provide direction regarding further consideration of commercial cannabis operations in the unincorporated areas of Colusa County.

Ms. Tyler states the only concerns and questions received were from Supervisor Carter and speaks briefly to same.

Supervisor Vann states that she has received several phone calls and most are concerned about how the information is being distributed to the public. She suggests holding community meetings to get feedback and to answer questions citizens may have. She further notes that the community meetings held during the formation of the General Plan were successful, and suggests proceeding in a similar fashion.

Lengthy discussion is held regarding the following topics:

- The creation of an advisory committee
- Dispensaries within the county
- Methods of taxation and revenue sources
- Public input i.e. public meetings, workshops, poll taking
- Housing availability and competitive wage
- Track and Trace
- Code enforcement

- 218 Process
- Ag Related Concerns
- Indoor vs. Outdoor grows
- School Proximity
- Federal enforcement

Mr. Hinton speaks to pesticide use issues and provides information pertaining to allowable chemicals that can be used on cannabis, CDFA requirements, odor issues, and worker protection. **(Handout on file in the Clerk of the Board's Office).**

Mr. Plucker states that a lot will be determined depending on which direction the Board members choose to go. He further states that outdoor cultivation has the potential to cause more issues. He also states that the appropriate review process should be put into place and the Planning Commission can also have a role in assisting with land use, licensing and permitting.

Chairman Evans calls for public comment.

Mr. Tumber from Golden Roots Nursery states that he thinks it would be more effective for the County to focus on each individual project, rather than instituting a general one-size-fits-all approach. He states that Yolo County has a track and trace program that could be helpful in Colusa County. He notes that cannabis is similar to growing strawberries and his company uses organic antifungal treatments which will not cause wastewater issues.

Ms. Ortiz states that she is a 5th generation farmer from Colusa and has been looking into cannabis cultivation. She states that she is also on the School Board and is concerned about community and child welfare, and hopes that the County doesn't allow dispensaries. She further states that she does not think decisions should be made on a case by case basis and believes the Board members should establish ordinances, licensing and permit systems. She notes that indoor grow operations are the best option for the County and that established Colusa farmers would handle it respectfully.

Supervisor Boes inquires further about Ms. Ortiz's opinions on retail dispensaries and if she'd support a delivery system. Ms. Ortiz states that she would not support any retail within the County.

Mr. West states that he does not support bringing the cannabis industry to Colusa County and we shouldn't be promoting drug use. He states that it will take significant resources to enforce and control and it will bring people to the County that won't be respectful to County values. He further states that this is wrong and the community shouldn't be promoting drug use.

Mr. Guizar states that he thinks the Board members should start with a clear vision to help decision making and to help determine if cannabis will be an asset to the County. He believes the cannabis industry will bring innovation to the area and states that he thinks that it will help keep the County productive for future generations. He notes that the farmers in Colusa County are the best in the State and they would bring a lot of funding to the area.

Chairman Evans calls for any further public comment. Hearing none, Chairman Evans opens up discussion for the Board members.

Supervisor Loudon states that he believes they should focus on specific license types. He further states that there are certain types of licensing that are easier to restrict and control, and notes that the County needs to protect its farmers.

Supervisor Boes states that he also supports public outreach efforts, and would also be interested in conducting surveys within the County for feedback. He further states that he feels the Board members should control the regulations rather than handle projects on a case by case basis. He states that he believes the Board members should focus on specific licenses for nurseries, indoor cultivation, manufacturing, distribution, and testing, because they would provide less of an impact to the community than outdoor growing operations.

Supervisor Carter states she believes Colusa is a "right to farm" community. She states that if there is a possibility of success within this industry, local farmers should be given the opportunity to grow. She further states that revenue could strengthen the County's financial reserves. She further states that she supports the creation of an advisory committee, and has mixed feelings about dispensaries due to the fact people would need to travel out of the County to purchase products.

Chairman Evans states that they should have a meeting for the community and provides direction to consult with DeNovo for assistance with the public outreach, in efforts to manage the process properly.

Ms. Tyler clarifies direction in regards to the specific license types the Board members requested further information on.

Discussion is held; with the Board members concurring the types of licenses that should be investigated further include Indoor cultivation, nursery, manufacturing, testing, and distribution.

VII. SUPERVISORS' REPORTS OR COMMENTS

Supervisor Carter

Meetings/functions attended:

LAFCo Conference

Pumpkin Village Volunteer

Colusa Groundwater Authority Executive Committee
Meeting

Supervisor Loudon

Meetings/functions attended:

Colusa City Council Meeting

Lunch Mob @ Round Table Pizza

RD 108 Board Meeting

Regional Water Meeting

LAFCo Conference

Supervisor Boes

Meeting/functions attended:

Statewide Medical Health Exercise
Mountain Counties Water Resources Association
Meeting with Transit Manager
Williams City Council

VIII. STATE OR FEDERAL LEGISLATION/GENERAL BUDGETARY MATTERS

Supervisor Vann states that the legislators are looking at reducing the monument list and speaks briefly to same. She also provides an update on a recent Water Commission meeting she attended.

Chairman Evans declares a recess at 10:37 a.m. to convene in Closed Session and reconvenes at 10:58 a.m. in Regular Session with all Supervisors present.

Present: Marcos Kropf, County Counsel.
Wendy Tyler, CAO/Risk Manager/Clerk of the Board.
Ann Nordyke, Melissa Kitts, Board Clerks.

Chairman Evans makes time for announcement of Closed Session.

Mr. Kropf announces Closed Session matters as follows:

IX. CLOSED SESSION/COUNTY COUNSEL

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(a), *County of Colusa v. City of Colusa*, Colusa County Superior Court case No. CV24258. He states there is no reportable action.

2. REAL PROPERTY NEGOTIATIONS

California Government Code section 54956.8

Property: A .98 acre partially improved parcel of land in the Arbuckle area of Colusa County, adjacent to 5th Street, bordered on the north by Hall Street, next to a railway, and within an Assessor parcel numbered 020-024-007-000.

Negotiator: Marcos Kropf, County Counsel

Property Owner: Union Pacific Railroad

Under negotiation: Purchase Terms.

He states there is no reportable action.

Chairman Evans adjourned the meeting at 11:20 a.m. to reconvene in Regular Session on November 14, 2017 at the hour of 9:00 a.m.

Gary J. Evans, Chairman

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

BY _____
Melissa Kitts, Deputy Clerk