

TEHAMA COUNTY BOARD OF SUPERVISORS

Steve Chamblin, District 1
Candy Carlson, District 2
Dennis Garton, District 3
Bob Williams, District 4, Chairman
Burt Bundy, District 5, Vice-Chairman



Williams Goodwin
Chief Administrator

Richard Stout
County Counsel

Jennifer A. Vise
Clerk of the Board
(530) 527-3287

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727 Oak Street, Red Bluff, CA 96080
(530) 527-4655

<http://www.co.tehama.ca.us>

MINUTES FOR TUESDAY, MAY 5, 2020

The Board of Supervisors of the County of Tehama met in regular session at 8:30 a.m. on Tuesday, May 5, 2020 with the following Board members present in Chambers: Supervisors Bob Williams and Dennis Garton. The following Supervisors were present via telephone: Candy Carlson, Burt Bundy and Steve Chamblin.

8:30 A.M. PUBLIC COMMENT – None.

8:44 A.M. CONVENED in closed session.

8:47 A.M. RECESS to convene in Regular Session at 10:00 A.M.

10:00 A.M. CONVENED in Regular Session.

Chairman Bob Williams presided. Present were Clerk of the Board Jennifer Vise by Angela L. Ford, Chief Administrator Williams Goodwin and County Counsel Richard Stout.

10:00 AM CALL TO ORDER / PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Williams.

PUBLIC COMMENT

Chairman Williams said the latest Governor's press conference contained a lot of incomplete details. He said he wants to caution everyone that the devil is in the details.

Supervisor Carlson said she has been receiving a lot of emails directly from businesses requesting the County open back up. She said she thinks those emails would be served better going to the TCBOS@co.tehama.ca.us email address rather than to just one supervisor.

John Prinz said cannabis oil is being used in Israel.

Crystal Linnet-Weston said small businesses are suffering and they need to reopen.

ANNOUNCEMENT OF AGENDA CORRECTIONS

The Clerk announced Regular #14(b) should read Joint Council not Tehama County Employees Association.

REPORTABLE ACTIONS FROM CLOSED SESSION

None.

BOARD MATTERS

Chairman Williams asked the Board for a Special Meeting to discuss Covid-19 impacts on the County.

Following a roll call by the Clerk with a unanimous consensus by the Board, the special meeting was set for Monday, May 11th at 9:00 a.m.

ANNOUNCEMENTS BY COUNTY DEPARTMENTS

Chief Administrator Williams Goodwin discussed Covid-19 testing and he provided the web-address where testing appointments could be made.

Health Services Agency Executive Director Valerie Lucero discussed the Covid-19 crisis and she provided the number to make appointments. She also discussed the low-risk sectors and the 19 different business sectors that fall under the Phase II reopening plan. She added businesses potentially may need to alter their business plans that were already submitted. She reminded everyone that jurisdictions can be more strict than the Governor's Order but they can't be more lenient.

Mrs. Lucero said some jurisdictions may be able to accelerate through Phase II reflecting the geographical diversity across the State. She then discussed the requirements for this to happen.

Mrs. Lucero said the readiness elements that we have to have a plan for include the following:

- 1) Prevalence of Covid-19 in the County.
- 2) Testing capacity.
- 3) Containment capacity.
- 4) Hospital capacity.
- 5) Protecting vulnerable populations.

The Board thanked Mrs. Lucero for the information she provided.

CONSENT AGENDA

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Garton, Supervisor - District 3
SECONDER:	Steve Chamblin, Supervisor - District 1
AYES:	Chamblin, Garton, Williams, Bundy, Carlson

4. APPROVAL OF MINUTES
 - a) Waive the reading and approve the revised minutes of the meeting held 2/25/20.
5. GENERAL WARRANT REGISTER - April 12-18, 2020.
6. CLERK & RECORDER / PERSONNEL
 - a) Approval for a leave of absence due to a non-industrial injury for employee #3773 for the period of 3/27/20 through 6/30/20.
7. HEALTH SERVICES AGENCY / MENTAL HEALTH DIVISION
 - a) PROCLAMATION - Adoption of a proclamation proclaiming May 2020 is Mental Health Month in Tehama County.
8. HEALTH SERVICES AGENCY - CLINIC DIVISION
 - a) AGREEMENT - Approval and authorization for the Executive Director to sign Amendment Number One to the Participating Provider Agreement (Misc. Agree. #2015-2) to provide health care services to individuals enrolled in the Medi-Cal managed care program thereby amending the term from an initial five years to automatically renew for successive terms of one year each.
(Miscellaneous Agreement #2020-111)
9. FIRE
 - a) Confirmation of the application that was submitted on 3/13/20 to the Federal Emergency Management Agency for funding in the amount of \$381,253 to purchase an air/light vehicle.
10. SHERIFF'S DEPARTMENT
 - a) AGREEMENT - Approval and authorization for the Chairman to sign the Communication Tower and Equipment Storage Lease Agreement with Ducor Telephone Company dba Varcomm for the lease of a portion of part of the Premises of the real property referred to as Ducor Telephone Company dba Varcomm Site in Rancho Tehama, CA in the amount of \$729.99 for the first year; thereafter the fee will be increased by an amount not to exceed 4% yearly, in the maximum amount not to exceed \$4,000, effective 1/1/20 and ends on 12/31/25.
(Miscellaneous Agreement #2020-112)

11.ELECTIONS DEPARTMENT

- a) AGREEMENT - Approval and authorization for the Clerk & Recorder to sign the Amendment to the agreement (Misc. Agree. #2019-39) with ProVote Solutions, a Division of ProDocument Solutions, Inc. for the purpose of printing and mail preparation of election related materials, thereby increasing the maximum compensation per election from \$100,000 to \$125,000, effective through 12/31/20.

(Miscellaneous Agreement #2020-115)

10:35 A.M. RECESS to convene as the Tehama County Air Pollution Control District

AIR POLLUTION CONTROL DISTRICT CONSENT AGENDA

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Burt Bundy, Supervisor - District 5
SECONDER:	Steve Chamblin, Supervisor - District 1
AYES:	Chamblin, Garton, Williams, Bundy, Carlson

12.TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

- a) AGREEMENT - Approval and authorization for the Air Pollution Control Officer to sign a Carl Moyer/FARMER Low-Emission Equipment Incentive Program Agreement with Sidhu Farms in the amount of \$45,000, effective upon execution by both parties and terminates five years from the date of installation.

(Miscellaneous Agreement #2020-113)

10:36 A.M. ADJOURN to reconvene as the Tehama County Board of Supervisors

REGULAR AGENDA

13.DEPARTMENT OF AGRICULTURE / DIVISION OF ANIMAL SERVICES

- a) TRANSFER OF FUNDS: ANIMAL SERVICES, B-52 - From Spay/Neuter Revenue (2078-4711206) to Contingency (1109-59000) \$6,471.23; and From Contingency (1109-59000) to Spay/Neuter Expense (2078-532806), \$6,471.23.

Following comments;

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steve Chamblin, Supervisor - District 1
SECONDER:	Dennis Garton, Supervisor - District 3
AYES:	Chamblin, Garton, Williams, Bundy, Carlson

14. DISTRICT ATTORNEY / PERSONNEL

a) TABLED.

RESOLUTION NO. 2020-36 - Request approval to amend Exhibit A – Range Assignments within the Memorandum of Understanding between Tehama County and the Joint Council Bargaining Unit to delete the classifications of Deputy District Attorney I, Salary Range 82; Deputy District Attorney II, Salary Range 86; Deputy District Attorney III, Salary Range 90; and Deputy District Attorney IV, Salary Range 94; and add the classifications of Deputy District Attorney I, Salary Range 84; Deputy District Attorney II, Salary Range 88; Deputy District Attorney III, Salary Range 92; and Deputy District Attorney IV, Salary Range 96; effective 5/5/20.

b) TABLED.

RESOLUTION NO. 2020-37 - Request approval to amend Exhibit A – Range Assignments within the Memorandum of Understanding between Tehama County and the Joint Council Bargaining Unit to delete the classification of Assistant District Attorney, Salary Range 92; and add the classification of Assistant District Attorney, Salary Range 94; effective 5/5/20.

District Attorney Mathew Rogers said he has an unusual request as he is asking the Board not to approve this item. He discussed the several failed recruitments and the restructuring of the department by adding the Law Clerk positions.

Mr. Rogers said Joint Council has not agreed with the proposal and they asked the items be brought to the table during contract negotiations.

Following additional discussion, the items were tabled.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Dennis Garton, Supervisor - District 3
SECONDER:	Candy Carlson, Supervisor - District 2
AYES:	Chamblin, Garton, Williams, Bundy, Carlson

15. TRANSPORTATION/TRANSIT

a) CHANGE ORDER - Confirmation of Change Order No. 2 to the Agreement with McCuen Construction, Inc. (Misc. Agree. #2019-317) for the Tehama County Transit Facility Modernization Project, thereby allowing for various plan changes as listed, for a contract increase in the amount of \$39,842.62.

Following comments;

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Garton, Supervisor - District 3
SECONDER:	Steve Chamblin, Supervisor - District 1
AYES:	Chamblin, Garton, Williams, Bundy, Carlson

16.PUBLIC WORKS DEPARTMENT

- a) AGREEMENT - Approval and authorization for the Director of Public Works to sign the Agreement with MGT of America Consulting, LLC. for the purpose of preparing an optimal Indirect Cost Allocation Plan for the rates as set forth in Exhibit "B" with a maximum amount not to exceed \$31,625, effective upon approval of Tehama County Board of Supervisors and shall terminate in two years (subject to receipt of required insurance documentation).

(Miscellaneous Agreement #2020-114)

Following comments;

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Garton, Supervisor - District 3
SECONDER:	Burt Bundy, Supervisor - District 5
AYES:	Chamblin, Garton, Williams, Bundy, Carlson

10:47 A.M. RECESS to convene as the Tehama County Flood Control and Water Conservation District

10:51 A.M. ADJOURN to reconvene as the Tehama County Board of Supervisors

18.PURCHASING DEPARTMENT

- a) Approval of specifications for the annual Smog Check & Certification bid commencing on date of award through 12/31/21.
- b) Authorization for the Purchasing Department to solicit bids for the annual Smog Check & Certification Bid, with bids to be opened on May 20, 2020 at 3:00 P.M. in the office of the Purchasing Agent, 727 Oak Street, Red Bluff CA.

County Counsel Richard Stout said items a) and b) could be adopted with one vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steve Chamblin, Supervisor - District 1
SECONDER:	Candy Carlson, Supervisor - District 2
AYES:	Chamblin, Garton, Williams, Bundy, Carlson

19.CLAIMS AGAINST THE COUNTY

- a) Ronnie Allemand vs. County of Tehama (duplicate claim).

County Counsel Richard Stout said this is a duplicate claim and he asked the Board to return the claim with no action taken.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Burt Bundy, Supervisor - District 5
SECONDER:	Dennis Garton, Supervisor - District 3
AYES:	Chamblin, Garton, Williams, Bundy, Carlson

BOARD OF SUPERVISORS STANDING AND AD HOC COMMITTEE REPORTS

- Receive reports from the following standing and ad hoc committees, and discussion and possible direction to the committees regarding future meetings and activities within each committee's assigned scope:

- Fire Committee (Standing) (Garton, Bundy)** – None.
- Public Works Committee (Standing) (Williams, Bundy)** – None.
- Jobs Development Ad Hoc Committee (Williams, Chamblin)** – None.
- Strategic Plan Development Ad Hoc Committee (Carlson, Garton)** – None.
- Personnel Procedures & Guidelines Ad Hoc Committee (Chamblin, Williams)** – None.
- Budget Ad Hoc Committee (Williams, Chamblin)** – None.
- Park Bond Projects Ad Hoc Committee (Chamblin, Bundy)** – None.
- Solid Waste Collection Ad Hoc Committee (Chamblin, Garton)** – None.

REPORTS OF MEETINGS ATTENDED (AB1234)

- Supervisor Chamblin – None.
- Supervisor Bundy – None.
- Supervisor Garton – None.
- Supervisor Carlson – Business Recovery Task Force meeting; First 5 meeting; and Town Hall meeting.
- Chairman Williams – Conference calls with the RCRC Executive Committee meeting; and the CSAC Board of Directors meeting.

BOARD MATTERS - Discussion of new items for further study/future agendas.

Supervisor Garton requested an update on the Skyview Water District Project funding.

Chief Administrator Williams Goodwin said they have not received any paperwork for this project yet.

11:05 A.M. RECESS to reconvene at 1:30 P.M.

1:30 P.M. RECONVENED.

1:30 P.M. Supervisor Bundy was absent.

22. DEPARTMENT OF AGRICULTURE

- a) STUDY SESSION - To provide an update regarding the Industrial Hemp Working Group and possible direction to staff to bring an item back to Board at a later date.

Deputy County Counsel Daniel Klausner said he is going to present a basic framework and Agricultural Commissioner Doni Rulofson will provide an update on the working group.

Mr. Klausner discussed the differences between cannabis and hemp plants. He said any grower going over .3% of THC has passed over from hemp to cannabis cultivation.

1:39 P.M. Supervisor Bundy joined the meeting.

Mrs. Rulofson said their last meeting was in March and was heavily attended. She said the three April meetings were call-in's and it was very difficult but they developed a draft ordinance. She said the draft still needs work and there needs to be a lot more research on permit bonding and hot-crop destruction. She said the Federal Government has not yet accepted the State regulations. She also discussed growing industrial hemp on ag zoned property vs. non-ag zoned.

Mrs. Rulofson discussed the different regulations in different County's. She also discussed doing a pilot project for three years to evaluate successes, troubleshoot compliance issues and to monitor the types of complaints from the public.

1:50 P.M. Supervisor Bundy left the meeting.

Mr. Klausner thanked the Public Works Department for providing several maps that are available on the Clerk & Recorder's website which outlines the various buffer zones.

Mr. Klausner outlined every suggested change to the ordinance submitted by the working group.

Mr. Klausner said although he felt there was good work done by the working group, he would like to see the County move toward an ad hoc committee with limited numbers somewhere between 7-9 that includes Board members and department heads or their representatives. He said he feels there doesn't need to be industry members or members of the public on the ad hoc committee because there are a lot of serious problems with this ordinance that the County is going to have to deal with that are potential litigation. He said we need to be able to have a candid conversation.

Mr. Klausner said all of the members of the working group need to be invited to sit in on separate meetings with the ad hoc committee.

Mr. Klausner read a letter from Jason Browne to the Board. He also commented on a sentence that referred to an emotional outburst by himself to the working group. He said he was disturbed by this comment and he checked with department heads, specifically the District Attorney who was listening in and he was assured he was acting completely professional. He added if the Board no longer wants him to participate or if County Counsel decides to reassign him, he is more than happy to relieve himself of these duties.

Mr. Klausner said they are going to take the objections and concerns they receive seriously and investigate them and they will report back.

Robert Halpin thanked Mr. Klausner for going over every comment and he said we are not in a big rush for this growing season. He also commented on cultivation, violations, size of grows and size minimum.

Jason Browne thanked Mr. Klausner for going over all the comments that were submitted. He also said he would like one or two members from the industry or advocacy on the ad hoc committee. He said he thinks the County should remove hemp from County Code 9.06 and he added it would not make sense to drag code enforcement into this.

Supervisor Carlson said an ad hoc committee is a good idea but they also need to continue with the working group and they can keep it small as there is quite a bit of work to be done. But she does not agree to exclude industry or advocacy groups. She added this is just a study session so nothing will be adopted right now.

Mr. Klausner and Supervisor Carlson discussed four-corner signage.

Supervisor Carlson also said she agrees that we need a pilot program.

Supervisor Chamblin thanked the committee and staff for all their work on this. He said we are headed for is something that is legal and enforceable. He said he hopes this ordinance will have accommodations for current residents and it needs to reduce the liability to the County. He said it probably should be outside of Code Enforcement and it should be part of the use permit.

Supervisor Garton thanked the committee and staff and said it sounds like we need more meetings and there needs to be more groundwork done. He said when this happens, then we form the ad hoc committee.

Mrs. Rulofson said we need to wait until after July 1st to get some of these questions answered.

Discussion occurred on the current moratorium deadlines.

Chairman Williams said we need an agenda item to extend the moratorium and for the potential creation of an ad hoc committee. He asked Mrs. Rulofson to create a list of who she would like to see on that committee.

Following additional discussion, staff was thanked for their presentation.

Chairman Williams reopened Board Matters.

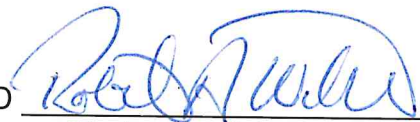
Supervisor Chamblin said if we hear from the Public Health Officer, can we mask up and come back into Chambers? He said this afternoon session was really hard over the phone.

Chairman Williams said he does not want to go against the order of the Public Health Officer.

3:23 P.M. There being no further business before the Board, the meeting was adjourned.

ATTEST: June 5, 2020

APPROVED



Chairman of the Board
of Supervisors

JENNIFER A. VISE, Clerk
of the Board of Supervisors

by  Deputy