

# TEHAMA COUNTY BOARD OF SUPERVISORS

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



Williams Goodwin  
Chief Administrator

Arthur Wylene  
County Counsel

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

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

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

## MINUTES FOR TUESDAY, APRIL 18, 2017

The Board of Supervisors of the County of Tehama met in regular session at 8:30 a.m. on Tuesday, April 18, 2017 with the following Board members present: Supervisors Burt Bundy, Dennis Garton, Steve Chamblin, Candy Carlson and Bob Williams.

Chairman Dennis Garton presided. Present were Clerk of the Board Jennifer Vise by Maeve Landon, Chief Administrator Williams Goodwin and County Counsel Arthur Wylene

### 8:30 A.M. PUBLIC COMMENT

Chairman Garton announced the Board will break for lunch at 11:45 a.m. for the Tough Enough to Wear Pink Luncheon at the Fairgrounds.

8:31 A.M. RECESS to convene in Closed Session

8:37 A.M. CONVENED in Closed Session

9:35 A.M. RECESS to convene in Regular Session at 10:00 a.m.

10:00 A.M. CONVENED in Regular Session

### 10:00 AM CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chairman Garton led the pledge of allegiance.

### PUBLIC COMMENT

Scott Camp led a prayer.

A resident discussed the Annual Red Bluff Round-Up roving jail.

Tom Mohler discussed the winter weather and the drought. Additionally he discussed the Metropolitan Water District in Southern California.

Irene Fuller discussed the California Junior High School Rodeo Final event. She added the dinner will be held on May 11, 2017 from 6-8 at the Tehama County District Fairgrounds.

County Counsel Arthur Wylene discussed the California Superior Court case he attended on behalf of Tehama County and the revisions to the Marijuana Draft Ordinance. He added to reduce the cost of publication there will be a summary prepared.

Supervisor Williams discussed an email from the CSAC Ag and Natural Resource Committee regarding a policy statement from the Cannabis working group requesting comments regarding the proposed policies. He added he would like to receive input from the CAO and County Counsel and draft a letter to the CSAC working group for the Agenda of May 2, 2017. Additionally, he discussed AB496 has been tabled due to Senate Bill 1 passing.

Chief Administrator Williams Goodwin introduced the new Personnel Director Michelle Bullington.

Chairman Garton announced the Board will break for lunch at 11:45 a.m. for the Tough Enough to Wear Pink Luncheon at the Fairgrounds.

Supervisor Chamblin announced on May 19, 2017 at 6:00 p.m. the Annual Senior Nutrition Dinner will be held at the Community Center.

## **ANNOUNCEMENT OF AGENDA CORRECTIONS- None**

## **REPORTABLE ACTIONS FROM CLOSED SESSION-None**

## **REPORTS OF MEETINGS ATTENDED (AB1234, AD HOC AND STANDING COMMITTEES)**

Supervisor Williams - Butte County Board of Supervisor Meeting; Meeting for the recruitment for Public Works and County Counsel Directors; Synoptek Special Meeting Round-Up Rodeo Appreciation Dinner; and Chili Cook-off Judge.

Supervisor Chamblin- Commission on Aging; Synoptek Special Meeting; Chili Cook-off Judge; and Round-Up Rodeo Appreciation Dinner.

Supervisor Bundy - Farm Bureau 100<sup>th</sup> Anniversary; Synoptek Special Meeting; Round-Up Rodeo Appreciation Dinner; and Meeting regarding KOPTA Slough.

Supervisor Carlson - Synoptek Special Meeting; Meeting for the recruitment for Public Works and County Counsel Directors; NACo Steering Committee; and NACo Western Regional Conference Committee.

Chairman Garton stated the other Supervisors discussed the meetings he attended except he also attended the Fire Committee.

**BOARD OF SUPERVISORS STANDING AND AD HOC COMMITTEE REPORTS**

**Fire Committee (Standing)**

Chairman Garton gave a report on an update on Sale Lane cleanup.

**Public Works Committee (Standing)-None**

**Jobs Development Committee (Standing)-None**

**Library Planning Ad Hoc Committee-None**

**Phase III Rezone Ad Hoc Committee-None**

**Travel & Vehicle Policies Ad Hoc Committee**-County Counsel Arthur Wylene noted the Travel/Transporter policy portion ready to come to the Board for consideration and will appear on the April 25<sup>th</sup> Agenda.

**Certificates of Compliance and Lot Line Adjustments Review Ad Hoc Committee**-Supervisor Bundy stated the Ordinance is on today's Agenda for the 2<sup>nd</sup> reading.

**Strategic Plan Development Ad Hoc Committee**-Supervisor Carlson stated there is a meeting planned for April 24<sup>th</sup> at 2:00 p.m.

**CONSENT AGENDA**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Williams, Supervisor - District 4
<b>SECONDER:</b>	Burt Bundy, Supervisor - District 5
<b>AYES:</b>	Carlson, Garton, Chamblin, Williams, Bundy

6. APPROVAL OF MINUTES

- a) Waive the reading and approve the minutes of the following meetings:
  - 1) Special meeting held 3-20-17
  - 2) Regular meeting held 3-21-17

7. AUDITOR'S CLAIM

- a) Social Services, 53280, Dept. Social Services, \$130,075.

8. GENERAL WARRANT REGISTER - March 27-April 07, 2017.
9. AUDITOR / CONTROLLER
  - a) Pursuant to Government Code section 29802, authorization to re-issue stale dated Warrant #70710970, issued to 6/17/16 in the amount of \$35.94 to Cynthia James McElwain Etal.
10. HEALTH SERVICES AGENCY
  - a) AGREEMENT - Approval and authorization for the Executive Director to sign the agreement with Advantage Physical Therapy, Inc. for the purpose of providing physical therapy services to children participating in the California Children's Services (CCS) and the Medical Therapy Program (MTP) with the maximum compensation amount not to exceed \$45,000, effective 7/1/17 and shall terminate 6/30/19.  
(Miscellaneous Agreement #2017-76)
11. HEALTH SERVICES AGENCY / PUBLIC HEALTH
  - a) AGREEMENT - Approval and authorization for the Executive Director to sign the agreement with California State University, Chico School of Nursing for the purpose of providing on-the-job experience and training to Nursing student interns, effective 6/1/17 through 5/31/22.  
(Miscellaneous Agreement #2017-77)
12. PUBLIC WORKS DEPARTMENT
  - a) AGREEMENT - Approval and authorization for the Chairman to sign Amendment No. 5 to the agreement with Quincy Engineering (Road Agree. #18-2006) thereby substituting the geotechnical subconsultant Taber Consultants with Crawford and Associates for the purpose of providing Engineering Services related to the Evergreen Road at South Fork Cottonwood Creek Bridge Replacement project.  
(Road Agreement #2017-7)
13. DEPARTMENT OF SOCIAL SERVICES / COMMUNITY ACTION AGENCY
  - a) AGREEMENT - Approval and authorization for Tehama County Community Action Agency Executive Director or her designee to sign Amendment #1 to Agreement #17F-2049 (Misc. Agree. #2017-35) with the State of California Department of Community Services and Development through the Community Services Block Grant program thereby increasing funding by \$87,605 for a total of \$163,027 effective 1/1/17 through 12/31/17.  
(Miscellaneous Agreement #2017-78)
14. TEHAMA COUNTY PARKS
  - a) AGREEMENT - Approval and authorization for the Chief Administrator to sign the agreement with Clint Chandler for on-site caretaker services in exchange for space occupancy privileges at Mill Creek Park, effective upon the date of signing.  
(Miscellaneous Agreement #2017-79)

15. COMMITTEES & COMMISSIONS

- a) HERITAGE AND HISTORICAL RECORDS COMMISSION - Five three-year appointments to fill the expired terms Carol Mieske, Pam Britting, Darrell Mullins, Marguerite Kutz and Opal Mendenhall with said terms expiring 2/28/20.  
(Interested persons: Carol Mieske, Pam Britting, Darrell Mullins, Marguerite Kutz and Opal Mendenhall)
- b) HERITAGE AND HISTORICAL RECORDS COMMISSION - One three-year appointment to fill the expired term of Bev Ross with said term expiring 2/28/20.  
(Interested person: Sally Ainsworth)

16. COMMITTEES & COMMISSIONS

- a) RESOURCE CONSERVATION DISTRICT OF TEHAMA COUNTY
  - 1) One four-year appointment to fill the expired term of Ryan Sale with said new term expiring 11/30/20.  
(Interested person: Ryan Sale)
  - 2) One four-year appointment to fill the expired term of Eric Williard with said new term expiring 11/30/20.  
(Interested person: Scott Soder)

**REGULAR AGENDA**

17. PERSONNEL / SHERIFF

- a) Approval of certificate recognizing the following employee for her years of faithful and dedicated service to the County of Tehama:
  - 1) SHERIFF - Thania J. Giwoff, 10 years

Following the presentation of the Certificate by Supervisors Williams the employee was congratulated with a round of applause.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Williams, Supervisor - District 4
<b>SECONDER:</b>	Burt Bundy, Supervisor - District 5
<b>AYES:</b>	Carlson, Garton, Chamblin, Williams, Bundy

18. AUDITOR / CONTROLLER

- a) RESOLUTION NO. 2017-34 - Adoption of a resolution providing an exemption to the annual audit requirement for the Paskenta Community Services District and replacing it with an annual financial compilation performed by the County Auditor.  
**(requires a unanimous vote)**

Auditor/Controller LeRoy Anderson discussed the government code and the audit timeline. He added this will bring relief to the small district.

Mr. Anderson stated Paskenta Community Services District have met the criteria and the district will be monitored closely for the next five years.

Following additional discussion;

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Williams, Supervisor - District 4
<b>SECONDER:</b>	Burt Bundy, Supervisor - District 5
<b>AYES:</b>	Carlson, Garton, Chamblin, Williams, Bundy

#### 19. CLERK & RECORDER / ELECTIONS DIVISION

- a) The Board of Supervisors call and authorize the County Clerk to conduct all-mail ballot special elections on August 29, 2017 to fill vacancies on the governing boards of the following special districts, pursuant to Government Code section 1780, subdivision (f):
- 1) Sky View Water District
    - a. Two Director positions to expire December 1, 2017
  - 2) El Camino Irrigation Water District
    - a. One Director position to expire December 7, 2018

Following comments;

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Burt Bundy, Supervisor - District 5
<b>SECONDER:</b>	Candy Carlson, Supervisor - District 2
<b>AYES:</b>	Carlson, Garton, Chamblin, Williams, Bundy

#### 20. TEHAMA COUNTY LIBRARY / PURCHASING

- a) Approval of the plans and specifications for the network equipment to be utilized by the Library and its two branches as amended by Addendum No. 1.
- Librarian Todd Deck provided an overview of the new system and software. Mr. Deck discussed the costs and the impact to all three locations.

Following additional comments;

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Williams, Supervisor - District 4
<b>SECONDER:</b>	Steve Chamblin, Supervisor - District 1
<b>AYES:</b>	Carlson, Garton, Chamblin, Williams, Bundy

- b) Award the bid for network equipment to be utilized by the Library and its two branches to CDW-G, LLC., as the low responsive bidder for a total amount of \$41,823.94 and further authorize the Purchasing Agent to sign a purchase order and letter of intent for the acquisition.

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**        Bob Williams, Supervisor - District 4  
**SECONDER:**   Steve Chamblin, Supervisor - District 1  
**AYES:**         Carlson, Garton, Chamblin, Williams, Bundy

21. TREASURER / TAX COLLECTOR

- a) RESOLUTION NO. 2017-35 - Adoption of a resolution for the distribution of excess proceeds resulting from the sale of tax-defaulted property by Public Auction held June 23, 2015 for Group 1 to be distributed as stated in Exhibit 'A'.

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

22. DEPARTMENT OF AGRICULTURE

- a) AGREEMENT - Approval and authorization for the Agricultural Commissioner to sign the Memorandum of Understanding with the County of Santa Clara, for the license to use "The Daily" software for managing Agriculture and Weights & Measures operations and reporting, effective 4/18/17 through 4/17/22.

(Miscellaneous Agreement #2017-80)

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**        Bob Williams, Supervisor - District 4  
**SECONDER:**   Burt Bundy, Supervisor - District 5  
**AYES:**         Carlson, Garton, Chamblin, Williams, Bundy

**10:41 A.M. RECESS to convene as the Tehama County Board of Equalization**

**10:43 A.M. ADJOURN to reconvene as the Tehama County Board of Supervisors**

24. DEPARTMENT OF SOCIAL SERVICES

- a) INFORMATIONAL PRESENTATION - Regarding an overview of Tehama County Child Welfare Services.

Director Amanda Sharp gave an informational presentation regarding the Child Welfare Services Division and provided an overview of the statistics and changes within the Child Welfare Services Division.

Ms. Sharp displayed a video of the current advertising for interested Foster families.

Ms. Sharp discussed a handout highlighting the following points: Mission; Myths; Referrals; Outcomes of Referrals; RED Teams; Placement; Court throughout the process; and Achieving Permanency Goals.

Ms. Sharp discussed a pie chart of outcomes and provided definitions of each section of the pie chart.

Ms. Sharp also discussed the need to find safe homes for teens and sibling groups.

Further discussion took place regarding guardianship/relative placement, certification and the court process.

Following additional comments, Ms. Sharp was thanked for her presentation.

25. PUBLIC WORKS DEPARTMENT / PURCHASING

a) Approval of the following bidders list for the "Alternative Availability Based Bid for Liquid Asphalt & Asphaltic Emulsions"; and further authorize the Purchasing Agent to make purchases from the list pursuant to the procedures approved by the Board of Supervisors on March 21, 2017, with the approximate combined total of 950 tons:

1) VSS International, Inc. DBA VSS Emultech for the following products:

- a) MC-250 in the amount of \$798.00 per ton
- b) SC-800 in the amount of \$786.00 per ton
- c) CSS-1h in the amount of \$518.00 per ton
- d) CQS-1h in the amount of \$469.00 per ton
- e) PMCRS-2h in the amount of \$470.00 per ton
- f) PMRE in the amount of \$544.00 per ton

2) Telfer Pavement Technologies:

- a) CSS-1h in the amount of \$476.56 per ton
- b) CQS-1h in the amount of \$476.56 per ton
- c) PMCRS-2h in the amount of 506.57 per ton
- d) PMRE in the amount of \$574.64 per ton

Public Works Director Gary Antone gave an overview of the bids.

Tom Mohler discussed filling potholes.

Following additional discussion;

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Chamblin, Supervisor - District 1
<b>SECONDER:</b>	Bob Williams, Supervisor - District 4
<b>AYES:</b>	Carlson, Garton, Chamblin, Williams, Bundy

26. PUBLIC WORKS DEPARTMENT / PURCHASING

a) Approval of the following bidders list for the "Transportation Cost-Based Bid for Road Materials"; and further authorize the Purchasing Agent to make purchases from the list pursuant to the procedures approved by the Board of Supervisors on March 21, 2017, with the approximate combined total of 14,900 tons:

1) J.F. Shea Construction, Inc. For the following products:



- a) Class II Crushed Aggregate Base ¾" in the amount of \$9.65 per ton.
  - b) Class II Crushed Aggregate Base ½" in the amount of \$11.26 per ton.
  - c) Asphalt Concrete ½" PG64-10 in the amount of \$62.15 per ton.
  - d) ¼ Ton Rip Rap in the amount of \$24.67 per ton.
  - e) Cold Mix Asphalt in the amount of 86.87 per ton.
- 2) Valley Rock Products for the following product:
- a) Class II Crushed Aggregate Base ¾" in the amount of \$9.65 per ton.
- 3) Tehama Asphalt for the following products:
- a) Asphalt Concrete ½" PG64-10 in the amount of \$64.50 per ton.
  - b) Cold Mix Asphalt ½" Max., Fine Grade in the amount of \$91.38 per ton.
- 4) Lepage Company Inc. DBA Tehama Rock Products for the following product:
- a) ¼ Ton Rip Rap in the amount of \$21.45 per ton.
- 5) Stimple Wiebelhaus.for the following products:
- a) ¼ Ton Rip Rap in the amount of \$21.40 per ton
  - b) Class II Crushed Aggregate Base ¾" in the amount of \$10.99 per ton.
  - c) Class II Crushed Aggregate Base ½" in the amount of \$11.26 per ton.
- 6) Knife River Construction- Orland Plant for the following products:
- a) Class II Crushed Aggregate Base ¾" in the amount of \$10.19 per ton.
  - b) Asphalt Concrete ½" PG64-10 in the amount of \$64.35 per ton.
- 7) Knife River Construction- Chico Plant for the following product:
- a) Asphalt Concrete ½" PG64-10 in the amount of \$86.87 per ton.

Following comments;

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Williams, Supervisor - District 4
<b>SECONDER:</b>	Candy Carlson, Supervisor - District 2
<b>AYES:</b>	Carlson, Garton, Chamblin, Williams, Bundy

- b) Award the bid for approximately 20 tons of Crack Sealer in blocks to Maxwell Products as the sole bidder for an amount of \$944.45 per ton including the cost of freight and further authorize the Purchasing Agent to make purchases as road maintenance is performed.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Bob Williams, Supervisor - District 4  
**SECONDER:** Candy Carlson, Supervisor - District 2  
**AYES:** Carlson, Garton, Chamblin, Williams, Bundy

27. SHERIFF'S DEPARTMENT

- a) TRANSFER OF FUNDS: SHERIFF, B-43 - From Homeland Security to Contingency, \$10,100; and From Contingency to Uniform, \$10,100.

(requires 4/5 vote)

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Bob Williams, Supervisor - District 4  
**SECONDER:** Steve Chamblin, Supervisor - District 1  
**AYES:** Carlson, Garton, Chamblin, Williams, Bundy

28. LOS MOLINOS VETERANS MEMORIAL HALL FLOORING REPLACEMENT PROJECT

- a) NOTICE OF COMPLETION - Approval for the Chairman to sign the Notice of Completion for the Los Molinos Veterans Memorial Hall Flooring Replacement Project as contracted by Gustave Enterprise, Inc., dba Creative Flooring.

Following comments;

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Burt Bundy, Supervisor - District 5  
**SECONDER:** Candy Carlson, Supervisor - District 2  
**AYES:** Carlson, Garton, Chamblin, Williams, Bundy

29. ADMINISTRATION / ELECTED OFFICIALS

- a) ORDINANCE NO. 2038 - Correcting a Clerical Error in Ordinance No. 2032 and Establishing the salaries and compensation of certain Elected Officials of the County of Tehama.

- 1) Waive the second reading.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Bob Williams, Supervisor - District 4  
**SECONDER:** Steve Chamblin, Supervisor - District 1  
**AYES:** Carlson, Garton, Chamblin, Williams, Bundy

2) Adopt the ordinance.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Williams, Supervisor - District 4
<b>SECONDER:</b>	Steve Chamblin, Supervisor - District 1
<b>AYES:</b>	Carlson, Garton, Chamblin, Williams, Bundy

30. CERTIFICATES OF COMPLIANCE AND LOT LINE ADJUSTMENTS REVIEW AD HOC COMMITTEE

a) ORDINANCE NO. 2039 - Adoption of an ordinance amending Title 16 of the Tehama County Code to Establish Procedures for Issuance of Certificates of Compliance.

In response to resident Scott Soder, discussion took place regarding how restrictive the ordinance is.

In response to Supervisor Carlson, County Counsel Arthur Wylene provided an explanation of the significance of the date of September 2000.

Further discussion took place regarding the effective date that the Planning Director would have the ability to approve COCs.

Following additional comments;

1) Waive the second reading.

<b>RESULT:</b>	<b>APPROVED [3 TO 2]</b>
<b>MOVER:</b>	Bob Williams, Supervisor - District 4
<b>SECONDER:</b>	Burt Bundy, Supervisor - District 5
<b>AYES:</b>	Garton, Williams, Bundy
<b>NAYS:</b>	Carlson, Chamblin

2) Adopt the Ordinance.

<b>RESULT:</b>	<b>APPROVED [3 TO 2]</b>
<b>MOVER:</b>	Bob Williams, Supervisor - District 4
<b>SECONDER:</b>	Burt Bundy, Supervisor - District 5
<b>AYES:</b>	Garton, Williams, Bundy
<b>NAYS:</b>	Carlson, Chamblin

31. BOARD OF SUPERVISORS

a) Approval and authorization for the Chairman to sign the letter to the Honorable Richardo Lara in support of Senate Bill 58, which would require the State to make Payment in Lieu of Taxes (PILT) payments to counties.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Williams, Supervisor - District 4
<b>SECONDER:</b>	Steve Chamblin, Supervisor - District 1
<b>AYES:</b>	Carlson, Garton, Chamblin, Williams, Bundy

32. BOARD TRAVEL BUDGET FISCAL YEAR 2017/2018

- a) Discussion and possible direction to staff regarding upcoming meetings and a travel budget for the Tehama County Board of Supervisors for FY 2017/2018.

Chief Administrator Williams Goodwin provided an overview of the Travel budget.

Mr. Goodwin discussed the individual Board members' requests and conferences each are scheduled to attend.

Supervisor Williams discussed his travel costs and which meetings and conferences are reimbursable.

Mr. Goodwin discussed Supervisor Carlson's special requests.

Supervisor Carlson provided clarification for the Board regarding the special requests for the Sacramento and Alameda trips.

Discussion took place regarding the benefits of attending the different conferences and previous travel budgets.

Supervisor Williams discussed the cost of the annual RCRC and CSAC conferences.

Mr. Goodwin further discussed the CSAC Legislative Conference and the CSAC Annual Meeting.

Resident June Cooper said she feels since Supervisor Carlson is in the rotation to be the Chairperson next year she should have the right to attend the requested conferences.

Supervisor Carlson discussed the NACo Conference she is requesting to attend and stated she will forego the conference in Ohio.

Chairman Garton discussed his experience with the NACo Conference. He added he does not support anyone other than the representative at RCRC to attend this conference.

Supervisor Chamblin discussed Board members attending local events and the lack of discretionary funding for reimbursement for such events.

County Counsel Arthur Wylene stated there are some legal restraints in regards to spending public funds on In-County outreach events. He added however there have been a series of Attorney General opinions that deal with travel costs and the constraining public expenditure that have taken a hard line on the distinction between In-County outreach events and out-of-County travel.

Mr. Goodwill stated to sum up the discussion the suggestion is \$5,000 per each Board member and \$7,000 for the Chairperson which would total \$27,000 in budget. He added any out-of-state travel for Board members will come before the Board for approval.

33. CLAIM AGAINST THE COUNTY

- a) Susan Solomon vs. County of Tehama; Application for Leave to Present Late Claim.

**RESULT:** DENY & REFER [UNANIMOUS]  
**MOVER:** Burt Bundy, Supervisor - District 5  
**SECONDER:** Bob Williams, Supervisor - District 4  
**AYES:** Carlson, Garton, Chamblin, Williams, Bundy

11:57 A.M. RECESS

1:30 P.M. RECONVENE

**1:30 P.M.**

34. ENVIRONMENTAL HEALTH DEPARTMENT / CODE ENFORCEMENT

- a) Public Nuisance Administrative Penalties and Costs of Abatement Lien Hearing Pursuant to Chapter 9.06 of the Tehama County Code and Government Code section 53069.4 and section 25845:

- 1) HEARING - Conduct Hearing to review the enforcing officer’s report of the amount of administrative penalty and costs of abatement, and to determine whether, and in what amount, the administrative penalty and/or costs of abatement shall be enforced as liens against the affected properties listed below:

Chairman Garton opened the Public Hearing.

Deputy County Clerk Maeve Landon discussed the order of attachments both on the agenda and online.

County Counsel Arthur Wylene stated when the officers are referring to cases to use the name or address instead and this should avoid any numbering issues as it appears online.

**b) Jonathan Bello and Jorge Espinoza**

Code Enforcement Officer Keith Curl stated Mr. Bello contacted the Environmental Health office today at 11:45 a.m. and requested a postponement. He said he told Mr. Bello he would advise the Board and if he could make it by the end of the meeting today he could be heard. He added Code Enforcement would like to continue.

Chairman Garton stated it is agendaized for today and we will move forward.

**d) Meagan Marie Boydwoznica**

Code Enforcement Officer Clint Weston gave an overview of the timeline, dates of inspections and penalty costs.

Meagan Marie Boydwoznica stated she lived at a different address and did not receive the notices that were sent. She added she corrected the address previously with the County.

Ms. Boydwoznica said she abated the marijuana as soon as she found out about the notice and would like a reduction.

In response to Supervisor Bundy, Ms. Boydwoznica stated she did not know the garden was illegal due to there being a garden there for the last 3 years. She added she has never received any notices stating she was not allowed to grow at this location.

In response to Supervisor Williams, Ms. Boydwoznica said yes she did attend her hearing. She added the new home owners provided her with the notification the day prior to the hearing.

Discussion was held regarding requirements to legally grow in Tehama County and the notices that were sent to Ms. Boydwoznica.

In response to Supervisor Chamblin, Ms. Boydwoznica stated there were 24 plants and no compromise agreement was reached.

Mr. Wylene suggested Ms. Boydwoznica meet with Environmental Health Director Tim Potanovic to discuss a payment plan or potentially a settlement.

Further discussion took place regarding the property on Elder Creek and the address on file at the Tehama County Assessor's office for Ms. Boydwoznica.

Discussion took place regarding the decision to rule individually or to follow the staff recommendation in the proposed resolution.

Chairman Garton read the names to determine the cases that are present.

**g) Robert A. Groustra and Debra E. Groustra**

Deputy Lester Squier gave an overview of the timeline, dates of inspections and penalty costs. He added there has been a compromise agreement reached however no payments had been paid as of 2/1/2017.

In response to Supervisor Bundy, Deputy Squier stated there is no set date to pay the full amount by.

Discussion took place regarding compromise agreements.

Debra Groustra stated she was not aware there was an agreement for payment.

Robert Groustra stated he made the agreement however is on a fixed income and is not able to pay it.

In response to Supervisor Bundy, Environmental Health Director Tim Potanovic stated yes the compromise agreement was made with Mr. Groustra for the amount of \$4,500.

Deputy Squier displayed the compromise agreement.

Mr. Wylene stated after reviewing the compromise agreement he is unsure there was a compromise agreement reached by both parties. He added it appears the property owner's intention was that he did not owe anything.

In response to Supervisor Carlson, Mr. Groustra discussed why he does not believe he owes for the abatement costs due to him abating within the time period.

Further discussion was held regarding compliance of abatement and the number of plants.

**i) Kim Harmon**

Deputy Lester Squier gave an overview of the timeline, dates of inspections, penalty costs and payments made.

Kim Harmon stated she agreed to pay the \$4,500 amount. She further discussed the compromise agreement and payments.

In response to Supervisor Williams, Mr. Wylene stated the lien will remain in effect until the payments are made in accordance with the agreement and in a timely matter. He added once the \$4,500 is paid we would record a notice of satisfaction and that would remove the lien.

Mr. Wylene encouraged Ms. Harmon to talk with Mr. Potanovic regarding the details of the compromise agreement.

**m) David Maness**

Code Enforcement Officer Keith Curl gave an overview of the timeline, dates of inspections and penalty costs.

Mr. Curl displayed photos of the marijuana grow. He added Mr. Maness did appear at the hearing and discussed a statement from the hearing officer.

David Maness stated he was back east and his truck broke down. He said he could provide proof of that. He added he abated the marijuana as quickly as he could once he returned.

**n) Massimo Hugo Marzolini(Vern Wilson from Camelot Properties and Renter Amanda Haynes)**

Code Enforcement Officer Keith Curl gave an overview of the timeline, dates of inspections and penalty costs. He added after the initial abatement another grow recommenced and a warrant was served and 100 plants were removed.

Mr. Curl displayed photos of the recommencement grow.

In response to Chairman Garton, Amanda Haynes stated she is representing herself not Massimo Hugo Marzolini however she is the renter of this property. She added Mr. Marzolini is the property owner.

Ms. Haynes stated she abated the marijuana in May and disputed the picture of the 2<sup>nd</sup> grow.

Ms. Haynes discussed the grow located at this property and the neighbor's property.

Discussion took place regarding the marijuana that was abated in May and in August.

In response to Supervisor Bundy, Mr. Curl displayed photos of the 2<sup>nd</sup> grow which are dated in August.

Mr. Curl further discussed the two photos, day of abatement and the location of the two grows.

Further discussion took place regarding the location of the marijuana grow.

Vern Wilson from Camelot Properties, a representative of Massimo Hugo Marzolini, stated he was unaware of what was going on at the property. He added once the property owner notified him he contacted Ms. Haynes to inquire about the plants.

In response to Supervisor Bundy, Mr. Wilson stated he has not seen the plants on the property.



Mr. Curl displayed a photo from Enplan and discussed the location of the marijuana grow on Mr. Marzolini's property and the area abated on the neighbor's property.

Mr. Curl clarified for Mr. Wylene where the abatement in August occurred.

**g) Jacob Sandwell**

Deputy Lester Squier gave an overview of the hearing and inspection dates and penalty costs. He added the Sheriff's Office and Code Enforcement returned to confirm the marijuana had been abated.

In response to Supervisor Bundy, Deputy Squier displayed a photo and stated on the posted date of 8/18 there were 100 plus marijuana plants. He added on 9/8 when Code Enforcement returned for re-inspection there were 7 plants.

Deputy Squier discussed the grow area in the photo.

Jacob Sandwell stated he did not live on the property and was not aware marijuana was being grown.

In response to Chairman Garton, Mr. Sandwell stated he is making payments on the property through Butterfly Realty but does not have the deed to the property.

Discussion took place regarding when Mr. Sandwell purchased the property and the current address for Mr. Sandwell.

Mr. Sandwell stated he is currently having issues with squatters on the property.

In response to Chairman Garton, Mr. Wylene stated yes, if the liens are imposed the individuals can speak with Mr. Potanovic in order to reach a compromise agreement.

In response to Supervisor Carlson, Mr. Potanovic stated he believes he did speak with Mr. and Mrs. Groustra and in his opinion a compromise agreement was reached.

Noting previous discussion, Supervisor Williams made a motion to approve the resolution as submitted. Supervisor Bundy seconded the motion.

- a) Jose Matilde, Felix Aispuro and Jose A. Felix-Absent
- c) Arthur T. Bergenn-Absent
- e) Efren Contreras Jr. and Christine Rene Hernandez-Absent
- f) Marion D'Entremont-Absent
- h) Osiel Cruz Guillen-Absent
- j) Jamie Hess-Absent
- k) Sandy Lee-Absent

- l) Alvaro Soto Lugo-Absent
  - o) Cathy Mathouchan-Absent
  - p) Hanover Properties-Absent
  - r) Thepsombandith Keopanya and Tommy Sisomsouk-Absent
- 2) RESOLUTION NO. 2017-36 - Adoption of an Administrative Penalty Resolution making determinations and ordering that the amount of administrative penalty relating to public nuisance be enforced as liens against the affected properties and further ordering recordation of notices of administrative penalty liens, pursuant to Chapter 9.06 of the Tehama County Code and Government Code section 53069.4.

**RESULT:**        **APPROVED [UNANIMOUS]**  
**MOVER:**        Bob Williams, Supervisor - District 4  
**SECONDER:**    Burt Bundy, Supervisor - District 5  
**AYES:**         Carlson, Garton, Chamblin, Williams, Bundy

- 3) RESOLUTION NO. 2017-37 - Adoption of Abatement Lien Resolution making determinations and ordering that the costs of abatement and costs of administration relating to the abatement of public nuisance be specially assessed against the affected properties and further ordering recordation of notices of abatement liens, pursuant to Chapter 9.06 of the Tehama County Code and Government Code Section 25845.

**RESULT:**        **APPROVED [UNANIMOUS]**  
**MOVER:**        Bob Williams, Supervisor - District 4  
**SECONDER:**    Burt Bundy, Supervisor - District 5  
**AYES:**         Carlson, Garton, Chamblin, Williams, Bundy

2:28 PM There being no further business before the Board, the meeting was adjourned.

ATTEST: May 12, 2017

APPROVED \_\_\_\_\_  
Chairman of the Board  
of Supervisors

JENNIFER A. VISE, Clerk  
of the Board of Supervisors

by \_\_\_\_\_ Deputy