

# COUNTY OF NEVADA

## STATE OF CALIFORNIA

Heidi Hall, 1st District  
Ed Scofield, 2nd District (Vice-Chair)  
Dan Miller, 3rd District  
Wm. "Hank" Weston, 4th District (Chair)  
Richard Anderson, 5th District



## BOARD OF SUPERVISORS

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Julie Patterson Hunter, Clerk of the Board  
Richard A. Haffey, County Executive Officer  
Alison Barratt-Green, County Counsel

## SUMMARY MINUTES - Draft

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, April 25, 2017	9:30 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

### REGULAR MEETING: 9:30 AM

Rollcall

The following Supervisors present:

Heidi Hall, 1st District  
Ed Scofield, 2nd District  
Dan Miller, 3rd District  
Hank Weston, 4th District  
Richard Anderson, 5th District

### STANDING ORDERS:

Chairman Weston called the meeting to order at 9:30 A.M.

Pledge of Allegiance led by Mr. Joshua Pack, Principal Civil Engineer.

Corrections and/or deletions to agenda.

ACTION TAKEN: Ms. Julie Patterson Hunter, Clerk of the Board, noted that Agenda item #15 is listed under Human Resources and should be listed under Information and General Services. She clarified information for Agenda item #25, noting that the Golden Era lounge site has served as a saloon since 1861, not 1681.

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**PUBLIC COMMENT: 9:31 A.M.**

ACTION TAKEN: The following members of the public provided comments regarding a shooting range located in their residential neighborhood, and they requested that current regulations be enforced: Ms. Karen Tanner, District IV resident; Dr. Wladislaw Ellis, District IV resident; Mr. David Tanner, District IV resident; and Mr. Richard Roth, District IV resident.

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**CONSENT CALENDAR:****Behavioral Health Director: Rebecca Slade**

1. [SR 17-0251](#) Resolution approving a renewal contract between the County of Nevada and Willow Glen Care Center for the provision of long-term mental health and residential care to adult clients with mental health conditions as referred by Nevada County, in the maximum amount of \$63,600, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the contract.

**Adopted.**

Enactment No: RES 17-170

2. [SR 17-0219](#) Resolution approving a renewal contract between the County of Nevada and Jackson & Coker Locum Tenens, LLC pertaining to temporary psychiatric staffing for the Nevada County Behavioral Health Department, in the maximum amount of \$80,000, for the period April 25, 2017 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the contract.

**Adopted.**

Enactment No: RES 17-171

**Public Health Director: Jill Blake**

3. [SR 17-0242](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Child Advocates of Nevada County for the provision of Healthy Families America (HFA) home visiting program services as a component of the County's implementation of the California Home Visiting Program (CHVP) (Res. 16-262), increasing the maximum contract price from \$691,000 to \$702,000, for the period July 1, 2016 through June 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

**Adopted.**

Enactment No: RES 17-172

4. [SR 17-0245](#) Resolution approving the renewal Subrecipient Agreement Number 9903-5320-71209-17-18 between the County of Nevada and the Essential Access Health (“Essential Access”) pertaining to awarding the Nevada County Public Health Department up to a maximum amount of \$46,860 for reproductive health and family planning services, for the period April 1, 2017 through September 30, 2017, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

**Adopted.**

Enactment No: RES 17-173

5. [SR 17-0232](#) Resolution approving the renewal Standard Agreement 17-94019 between the County of Nevada and the California Department of Health Care Services (CDHCS) to perform local Medi-Cal Administrative Activities (MAA) for Medi-Cal eligible and potentially eligible members of the community, for a total three year maximum amount of \$2,760,000, for the period July 1, 2017 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

**Adopted.**

Enactment No: RES 17-174

Director of Social Services: Mike Dent

6. [SR 17-0229](#) Resolution proclaiming May 2017 as "Older Americans Month" in Nevada County.

**Adopted.**

Enactment No: RES 17-175

7. [SR 17-0238](#) Resolution approving a renewal contract between the County of Nevada and Nevada-Sierra Connecting Point Public Authority pertaining to operating a Market Match Program for CalFresh participants at Farmers’ Markets in Nevada County, in the maximum amount of \$81,811, for the period May 1, 2017 through February 28, 2018, and authorizing the Chair of the Board of Supervisors to execute the contract.

**Adopted.**

Enactment No: RES 17-176

Community Development Agency Director: Sean Powers

8. [SR 17-0233](#) Resolution approving transfer of residual funds in Fund 1629 Darkhorse ESA (Electrical Service Availability) to Fund 1630 Darkhorse Improvements, and directing the Auditor-Controller to close Fund 1629 Darkhorse ESA and to amend the Fiscal Year 2016/17 budget. (4/5 affirmative vote required) (Dist. II)

**Adopted.**

Enactment No: RES 17-177

Director of Public Works: Trisha Tillotson

9. [SR 17-0258](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Trees Unlimited, Inc. for tree felling and brush removal services (Res. 16-506), increasing the contract amount of \$75,000 to a maximum amount not to exceed \$125,000 to provide sufficient funds for increased tree removal activity over the remainder of Fiscal Year 2016/17, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

**Adopted.**

Enactment No: RES 17-178

10. [SR 17-0249](#) Resolution awarding and approving a contract between the County of Nevada and American Civil Constructors for the Nevada County High Friction Surface Treatment (HFST) 2017 Project - Federal Contract No. HSIP-5917(095), County Contract No. 225029, in the amount of \$661,000 plus a ten percent contingency for the contract work items, for a grand total of \$727,100, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Department of Public Works budget. (4/5 affirmative vote required) (Dists. I, II, III, IV)

**Adopted.**

Enactment No: RES 17-179

11. [SR 17-0250](#) Resolution awarding and approving a contract between the County of Nevada and Telfer Pavement Technologies LLC for the 2017 Roadway Microsurface Project, County Contract No. 440818, in the amount of \$313,995 plus a ten percent contingency, for a grand total of \$345,394.50, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Department of Public Works budget. (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 17-180

12. [SR 17-0256](#) Resolution approving the submission of Nevada County's application for Federal Lands Access Program funds for the Stampede Meadows Road Class II Bicycle Lane Improvement Project, delegating and authorizing the Director of Public Works to sign, execute, and submit all documents necessary for completion of the grant application and approval process, approving the use of \$1,720,001 in toll credits in lieu of the minimum match, and approving the use of \$450,000 in Local Traffic Mitigation Fee Program funds for the Nevada County portion of the Project. (Dist V)

**Adopted.**

Enactment No: RES 17-181

Human Resources Director: Charlie Wilson

13. [SR 17-0252](#) Resolution amending Authorized Staffing Resolution 16-240, adopted June 21, 2016, adding 1.75 FTE to the total staffing count, for a total number of 787.50, effective April 25, 2017.

**Adopted.**

Enactment No: RES 17-182

14. [SR 17-0253](#) Resolution amending Authorized Salary Resolution 16-241, adopted on June 21, 2016, assigning job description titles to various salary ranges, effective April 25, 2017.

**Adopted.**

Enactment No: RES 17-183

Chief Information Officer: Stephen Monaghan

15. [SR 17-0261](#) Resolution directing the Auditor-Controller to amend the Fiscal Year 2016/17 Information Systems budget for an upgrade of the County's Data Backup Infrastructure, including the purchase of three capital assets (Tegile SAN Expansion, \$36,117, LTO6 Tape Library, \$11,908, and Dell Poweredge R630 Server, \$6,358). (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 17-184

16. [SR 17-0210](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Bill Litchfield Construction, Inc., for the Public Defender/Probation Co-Location Project (Res. 16-496), with contract costs totaling \$249,455.22 with an additional cost of \$224,533, not included in the contract, required to complete the Tenant Improvement, directing the Clerk of the Board of Supervisors to record this Notice in accordance with Civil Code Section 9208, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Capital Facilities budget. (4/5 affirmative vote required) (Facilities)  
**Adopted.**  
Enactment No: RES 17-185
17. [SR 17-0254](#) Resolution approving Amendment 1 to the contract between the County of Nevada and James White Construction for snow removal and sanding services at Nevada County facilities in Truckee (PESK3242), increasing the maximum contract price of \$25,000 to \$35,000 due to increased snow levels in the Truckee area, and authorizing the Chair of the Board of Supervisors to execute the Amendment.  
**Adopted.**  
Enactment No: RES 17-186
18. [SR 17-0260](#) Resolution approving a General Off-Bill and On-Bill Financing Loan Agreement between the County of Nevada and Pacific Gas and Electric Company (PG&E), in the amount of \$400,440.44 for lighting upgrades at various Nevada County Facilities, for a term of 120 Months, authorizing the Chair of the Board of Supervisors to execute the Agreement, and authorizing the Chief Information Officer to sign any additional documentation required to implement the Agreement.  
**Adopted.**  
Enactment No: RES 17-187
19. [SR 17-0247](#) Resolution approving the bidding documents and specifications for the Wayne Brown Correctional Facility Roof Replacement Project, located at 925 Maidu Avenue, Nevada City, authorizing the Chair of the Board of Supervisors to sign the documents, and directing the Purchasing Agent to solicit bids for this Project.  
**Adopted.**  
Enactment No: RES 17-188

Clerk of the Board: Julie Patterson Hunter

20. [SR 17-0262](#) Acknowledge Supervisor Hall's acceptance of Mr. Stephen Fry's resignation from his position as District I representative to the Nevada County Historical Landmarks Commission.  
**Acknowledged.**
21. [SR 17-0263](#) Appointment of Ms. Chelcee Thomas to the Adult & Family Services Commission as a Low-Income member, for a two-year term expiring April 30, 2019.  
**Appointed.**
22. [SR 17-0264](#) Reappointment of Ms. Ruth Hall as a member to the Citizen's Oversight Committee of the Nevada County Library for a four year term ending March 31, 2021.  
**Reappointed.**
23. [SR 17-0244](#) Acceptance of Board of Supervisors Summary Minutes for April 11, 2017.  
**Accepted.**

ACTION TAKEN: Chairman Weston introduced the consent calendar.

*Approval of the Consent Agenda*

**Adopted.**

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Anderson to approve the consent calendar. On a roll call vote, the motion passed unanimously.**

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**DEPARTMENT HEAD MATTERS:**

**Director of Social Services: Mike Dent**

24. [SR 17-0225](#) Presentation of Nevada County Veterans Services Office Activities, Fiscal Year 2015/16. (Mr. Kevin Edwards, Veterans Service Officer)

ACTION TAKEN: Mr. Mike Dent, Director of Social Services, and Mr. Kevin Edwards, Veterans' Services Officer, provided a PowerPoint presentation concerning Veterans' Services provided in Nevada County. Mr. Dent estimated that currently there are 9,146 veterans living in Nevada County. He reported on the disability compensation and pensions they receive and how our community's veterans are connected to County services. He concluded his presentation, noting that they are increasing their outreach activities by moving the Veterans Stand Down events to a larger facility, bringing in younger veterans, offering outreach to high schools, and making regular visits to the Sierra College campus.

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Board questioning and discussion ensued.

The Board thanked Mr. Dent and Mr. Edwards for the report.

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**Clerk of the Board: Julie Patterson Hunter**

25. [SR 17-0259](#) Resolution accepting the Nevada County Historical Landmark Commission's recommendation, designating the building located at 309 Broad Street, Nevada City, CA 95959 (Assessor's Parcel Number 05-398-10-000), currently operating as the Golden Era lounge, as Nevada County Historical Landmark NEV 17-01, and directing the Clerk of the Board to record a certified copy of this Resolution with the Nevada County Clerk-Recorder's office within ten days after adoption hereof.

**Adopted.**

Enactment No: RES 17-189

ACTION TAKEN: Chairman Weston introduced the agenda item, and Ms. Julie Patterson Hunter, Clerk of the Board, requested the Board approve the designation of 309 Broad Street, Nevada City, currently operated as Golden Era lounge, as Historical Landmark NEV 17-01.

Mr. Steve Giardina, property owner, spoke to the history of the historical building, and thanked the Board for their consideration. He thanked the Nevada City Library and the Searls Historical Library for the history of the building, the Historical Landmarks Commission for their work, and County staff for their assistance.

Board discussion ensued.

**MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, to adopt Resolution 17-189. On a roll call vote the motion passed unanimously.**

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**SCHEDULED ITEM: 10:00 A.M**

**Director of Public Works: Trisha Tillotson**

26. [SR 17-0257](#) Resolution approving the projects proposed for inclusion in the 2017/18 Overall Work Program of the Nevada County Transportation Commission (NCTC) as submitted, and encouraging NCTC to coordinate the regional transportation planning process and to work closely with staff of the County of Nevada to identify and resolve issues that are of common concern.

**Adopted.**

Enactment No: RES 17-190



**ACTION TAKEN:** Chairman Weston introduced the agenda item and Ms. Trisha Tillotson, Director of Public Works, introduced Mr. Dan Landon, Executive Director, Nevada County Transportation Commission (NCTC). Mr. Landon provided an overview of the Overall Work Program, and he reported on funding that will be directed to a Collision Analysis and Safety Study on Nevada County's roads. Mr. Landon reported on Senate Bill (SB)743 regarding Vehicle Miles of Travel (VMT) and how this applies to rural areas. He reviewed the work they will be doing with CalTrans on the proposed widening of State Route 49 including other improvements along the Highway 49 Corridor.

Board questioning and discussion ensued.

**MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Miller, to adopt Resolution 17-190. On a roll call vote the motion passed unanimously.**

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**SCHEDULED ITEM: 10:15 A.M.**

**Director of Building: Craig Griesbach**

27. [SR 17-0243](#) Public hearing to consider an ordinance amending Chapter V, Article 5 of the Land Use and Development Code of the County of Nevada, adopting Fire Standards and Local Amendments associated to the 2016 California Fire Code; and making express findings of reasonable necessity for changes and modification to the California Building Standards Code in response to local climatic, geological, or topographical conditions.

(Introduce/Waive further reading) An Ordinance amending Article 5 of Chapter V of the Land Use and Development Code of the County of Nevada, adopting Fire Standards and Local Amendments thereto associated to the 2016 California Fire Code; and adoption of express findings of reasonable necessity for changes and modifications to the California Building Standards Code based on local climatic, geological, or topographical conditions.

**First reading held.**

**ACTION TAKEN:** Mr. Craig Griesbach, Director of Building, and Mr. Matt Furtado, Fire Prevention Planner, reviewed the proposed changes and updates in the proposed Building Ordinance as part of the Land Use and Development Code per changes in the 2016 California Building Standards Code including the 2016 California Fire Code. Mr. Griesbach noted that Chapter V, Article 5 of the Land Use and Development Code includes all County fire districts with the exception of the Truckee Fire Protection District. He reported that staff worked closely with the local Fire Districts on the amendments, which include general clean-up of language, appeals submitted to the Building and Accessibility Standards Board of Appeals, revisions to verbiage to be consistent with State law, and items pertaining to auxiliary equipment. He noted that the Building and Accessibility Standards Board of Appeals reviewed and approved the updates.

Board questioning ensued.

Chairman Weston opened the public hearing for public comment. There being no public comment, Chairman Weston closed the public hearing.

**MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, to introduce and waive further reading of the Ordinance. On a roll call vote the motion passed unanimously.**

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**\*ANNOUNCEMENTS:**

Pursuant to Government Code Section 54954.2, Board members and County Executive Officer may make a brief announcement or brief report on his or her activities. Board members and County Executive Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

**ACTION TAKEN:** Updates were provided by members of the Board.

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**\*CLOSED SESSION:**

[SR 17-0078](#) Pursuant to Government Code Section 54957.6, a closed session of the Board of Supervisors will be held for the purpose of reviewing its position and instructing its designated labor negotiations representatives regarding employee salaries, salary schedules, fringe benefits, and all other matters within the statutory scope of representation. The designated labor negotiation representatives for Nevada County are: Alison Lehman, Assistant County Executive Officer, Charlie Wilson, Director of Human Resources, and Donna Williamson, Labor Attorney. The labor negotiations concern the following County bargaining units: Probation Peace Officers' Association and Management Employees' Association.

ACTION TAKEN: Mr. Richard Haffey, County Executive Officer, read the title of the closed session into the record and the Board entered into closed session.

Following the closed session, Ms. Alison Barratt-Green, County Counsel, reported that nothing occurred in closed session that is required to be reported out by law.

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Recess for lunch: 10:50 a.m.

**AFTERNOON SESSION****SCHEDULED ITEM: 1:30 P.M.****Planning Director: Brian Foss**

28. [SR 17-0248](#) Public hearing to consider the Nevada County Planning Commission's March 23, 2017, recommendation (5-0 Vote) on the proposed U.S. Forest Service GPA/Rezone Project to: 1) adopt the Negative Declaration (EIS16-0003) for the entire project; 2) approve General Plan Land Use designation amendments (GPA16-0001) to change the land use designation of 19 specific Tahoe National Forest parcels, 18 of which are currently designated Rural (RUR) and one parcel is currently designated Residential (RES), to the County's Forest (FOR) land use designation for all parcels; 3) approve the corresponding Zoning District Map amendments (RZN16-0001) to change the zoning of the same 19 project parcels, 18 of which are currently zoned for General Agricultural (AG) uses, and one parcel is currently zoned for Residential Agricultural (RA) use, to the County's Forest (FR) base zoning district for all parcels, with varying minimum parcel sizes. The project is a legislative action only and does not include any new development or ground disturbance. (Districts I, IV and V).

ACTION TAKEN: Chairman Weston called the meeting to order at 1:30 p.m., and introduced the agenda item.

Mr. Brian Foss, Planning Director, introduced Mr. Patrick Dobbs, Senior Planner. Mr. Dobbs provided a PowerPoint presentation regarding the proposed U.S. Forest Service Rezone Project. Staff is recommending the Board change the zoning for 18 parcels currently designated as Agricultural and 1 parcel designated as Residential. He provided background information that is expected to clean-up some inconsistencies in zoning designations. He spoke to the importance of the designation, which should best match the zoning of the Tahoe National Forest, Forest Plan. Staff addressed the rezoning of these 19 parcels at the Board's 2016 Workshop. Mr. Dobbs reviewed the sites, to be rezoned as Forest (FOR). All sites, other than the one zoned Residential, which is located in District 1, are located within District 5. Staff recommended the Board approve the proposed rezone of all 19 parcels. Mr. Dobbs reported on the varied land use designations, believing the Forest land use designation speaks to the original intent and purpose of the Forest Plan. He explained that although the County does not have jurisdiction over the properties, surrounding properties are under the County and County zoning can affect the Land Use of the Forest Land. He reiterated that this project is concerned with aligning the County's plans with the Forest Service Plan to have coordination and consistency across agencies. Also, the minimum parcel size makes these large tracts of land better suited for timber production and recreation uses.

Mr. Dobbs introduced Mr. Eli Ilano, Tahoe National Forest Supervisor, and Mr. David Fournier, Tahoe National Forest Natural Resources Staff Officer, who were available to answer questions.

Mr. Dobbs noted that the Planning Department received letters of support from Truckee River Watershed Council, and Trout Unlimited. He reported that the Planning Commission unanimously recommended the project on March 23, 2017. Mr. Dobbs reviewed the actions staff was requesting be taken by the Board, and concluded staff's presentation.

Chairman Weston opened the public hearing for public comment. There being no public comment, Chairman Weston closed the public comment period.

- 28a. [SR 17-0266](#) Resolution adopting a Negative Declaration (EIS16-0003) for the proposed General Plan Land Use Designation amendments (GPA16-0001) and Zoning District Map amendments (RZN16-0001) associated with the U.S. Forest Service GPA/Rezone Project, and directing the Clerk of the Board to file a Notice of Determination pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15075.  
**Adopted.**  
Enactment No: RES 17-191

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Miller, to adopt Resolution 17-191. On a roll call vote the motion passed unanimously.**

- 28b. [SR 17-0267](#) Resolution amending the General Plan Land Use Designations of 19 specific U.S. Forest Service parcels to change the land use from Rural (18 parcels) and Residential (1 parcel) to the Forest designation (FOR) for all 19 parcels, to align the County's land use pattern with the resource management of Tahoe National Forest System Lands (GPA16-0001).  
**Adopted.**  
Enactment No: RES 17-192

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Hall, to adopt Resolution 17-192. On a roll call vote the motion passed unanimously.**

- 28c. [SR 17-0268](#) (Introduce/Waive further reading/Adopt) An Ordinance amending Zoning District Maps 23, 36, 64, 75, 76, 94, 129, 138 and 139 to change the zoning of 19 specific U.S. Forest Service parcels from General Agricultural (18 parcels) and Residential Agricultural (1 parcel) uses to the Forest (FR) Base Zoning District for all 19 parcels, to align the County's zoning with the resource management of Tahoe National Forest System Lands (RZN16-0001).  
**Adopted.**  
Enactment No: ORD 2430

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Scofield, to waive further reading and adopt Ordinance 2430. On a roll call vote the motion passed unanimously.**

**SCHEDULED ITEM: 2:00 P.M.****Community Development Agency Director: Sean Powers**

29. [SR 17-0270](#) Resolution establishing selection criteria for applications to serve on the Community Advisory Group (CAG) and requiring staff to return to the Board of Supervisors with proposed recommendations for CAG members.

**Adopted as amended.**

Enactment No: RES 17-193

ACTION TAKEN: Following a short recess, Chairman Weston introduced the item.

Mr. Sean Powers, Community Development Agency Director, introduced the representatives from MIG, Inc. (MIG) Mr. Daniel Iacofano, Project Lead and Facilitator, and Ms. Joan Chaplick, Project Manager, who provided a PowerPoint presentation regarding the Community Cannabis Regulation planning process.

Mr. Powers reported that applications have been made available for the Community Advisory Group (CAG), and ten applications have been received to date.

Mr. Iacofano reviewed the purpose of CAG and explained the member's roles and responsibilities. He reviewed the proposed timeline; the deadline for applications is May 2nd at 5:00 p.m., with selection of the members to be recommended to the Board for consideration on May 9th. They are targeting May 23rd as CAG's first meeting date. All County residents are eligible, and they are looking for a group of 10-12 representatives. Mr. Iacofano reviewed the requirements, selection criteria and the application review process. He noted that they will be looking for County residency, areas of expertise, communication style, openness to other perspectives, Association/Organizational experience and references. They will be using the information provided to focus on balance to confirm that all sides and issues are represented in the discussion. He completed his presentation.

Board questioning ensued.

Supervisor Hall asked about the requirement of residency and Supervisorial District. She did not see it on the form and did not receive the PowerPoint prior to the meeting. Supervisor Hall asked that there be no surprises going forward.

Supervisor Hall suggested a change of language on the application requesting “legal conflict” instead of “financial” under Conflict of Interest. Mr. Powers responded that they merely wanted additional information. He proposed striking the word “financial” and leaving the word “legal”. He believed this would satisfy the intent of the information requested.

Supervisor Hall wanted it made clear that they are looking for a balance and no particular ranking or weight is associated with each category. She questioned the category of “Religious or Faith-Based.” She was not sure what people identifying with this category would be bringing to the CAG table. She believes the CAG process is not looking for a conversation regarding values or spirituality but conversation to help develop a technical ordinance that works for the entire community. She asked how this would be applied to CAG. Mr. Iacofano said it was information about the individual's background. They were not looking for morals and added that it is up to the Board to decide whether that is valuable information. Ms. Chaplick added that this category was part of the State's application and may be used by a community service provider. Supervisor Hall clarified that she did want contribution from faith-based individuals and she thought the process left room for that. She had issues with one of the self-identifying designations as being faith-based, and asked how would you balance one faith with another.

Supervisor Hall wanted it to be clear that there be a provision that any committee member could be requested to leave if they are disruptive. Mr. Powers explained that the members would serve at will and pleasure of the Board, and it would come before the Board to make this decision.

Supervisor Scofield asked for clarification of the selection process. Mr. Iacofano explained that staff would review the applications, rate them per their responses, such as supervisorial district. Within each category they would want to make sure they had all sides of the issue represented. The applications would generate a list of questions, which will help them determine the chemistry of the group. He emphasized the importance of having a constructive group of people. They do not recommend alternates be identified. Mr. Iacofano felt that MIG will bring forward a reasonable choice of candidates for the Board to review and approve.

Supervisor Anderson was not clear what role the Board plays with regard to MIG's selections. He asked if the Board would have an opportunity to share their concerns in a formal way with MIG and with CAG members, although he was not sure how that would fit into the process. Mr. Iacofano responded that he would be delighted to hear the Board's concerns and issues as the process moves forward. The Board's ability to communicate their issues today would be very valuable, and they would listen to further discussion at any subsequent meetings.

Supervisor Anderson also wondered why there was a faith-based category, although their explanation clarified the reasoning for him. He commented that from his perspective the objective is impact mitigation. He noted that the Board is trying to ensure that the impacts to the environment and to neighborhoods are reduced. Other than community advocate, he was not sure there was a category for residents who are impacted by their neighbors growing and selling cannabis, and who have been affected by the additional traffic and the criminal aspect. He saw protecting those individuals as an important part of the process, and was concerned that the language of the application might deter a regular homeowner from applying to CAG.

Chairman Weston had a problem with what is a conflict of interest. Under the Brown Act, if a member has a preconceived idea, the member can be removed from a decision-making process. There have been very strong positions on both sides; so most likely when they come to CAG they already have a position. Most of the residents the Board heard from during this process were homeowners and neighborhood associations. There needs to be a category and representation provided for those homeowners groups and for agricultural community members. He was not concerned about the faith-based category; many faith-based groups are service oriented, such as the Salvation Army, and their perspective is worth listening to.

Chairman Weston inquired as to the meaning of 'local agency.' Mr. Iacofano responded that it could be a community based non-profit, social service agency, or a special district such as a school or water district; it is meant to be a broad term applying to those types of organizations. Chairman Weston agreed that a Water Agency would be a player in the decision-making.

Supervisor Scofield and Chairman Weston were not as concerned about District representation, particularly if you have the homeowners groups involved. Supervisor Anderson believed that the people chosen should be the best to make recommendations and decisions rather than be chosen by District. Supervisor Hall agreed that District representation was not as important as getting the right people. She also agreed that the homeowners and agricultural community should be included. She suggested staff attempt to avoid potential problems with balance down the line, which was her issue with a person self-identifying as faith-based.

Supervisor Miller's thoughts on faith-based organizations, is that they want a voice in the conversation. They weren't looking to bring people into their beliefs - they will be bringing their input. He used as an example Interfaith Food Ministry, and other organizations that were service oriented and were part of the community.

Mr. Powers clarified that members serve at the pleasure of the Chairman of the Board. He wanted clarification if the Chair had the power to remove a member if necessary, or if it would come to the entire Board. Ms. Alison Barratt-Green, County Counsel, clarified it would be up to the Chair, rather than the entire Board. Mr. Powers noted that they would send out



notification to the entire Board if this were to happen.

Chairman Weston stressed that it would be a very difficult situation for the Board to reject members without getting into personal reasons. He warned of the potential conflicts and asked everyone to be careful.

Chairman Weston provided an opportunity for public comment.

The following members of the public provided comments: Ms. Diana Gamzon, District I resident and Director of the Nevada County Cannabis Alliance; Mr. Mark Schaefer, District IV resident; and Mr. Jonathon Collier, District I resident.

There being no further public comment, Chairman Weston closed public comment.

Supervisor Miller asked who would be checking on criminal records. Mr. Powers responded that this was not established as part of the process or the criteria. Ms. Alison Barratt-Green, County Counsel, added that they will be doing reference checks and are asking applicants to be honest when completing their application.

Supervisor Miller wanted clarification on the two closed meetings. Mr. Iacofano responded that six open meetings and two closed meetings is MIG's recommendation. Mr. Powers commented that this issue could be brought back for discussion at the next Board meeting date.

Chairman Weston suggested that two closed meetings might be a little short-sighted. He suggested staff have as many closed meetings as necessary to be able to bring recommendations forward to the Board. Mr. Powers reported that the two closed meetings were merely a place-holder; they will review when they start the process.

Supervisor Hall felt comfortable with having a couple of closed meetings but wanted a larger discussion before changing the agreed upon process. Chairman Weston stressed that they should take whatever time needed to come up with good recommendations. Supervisor Hall thought that this was changing the process, which should come back to the Board for a larger conversation prior to making changes. Mr. Powers noted that he would keep the Board informed along the way and bring the issue to the Board for discussion if additional closed meetings were needed.

Board questioning and discussion ensued.

Supervisor Anderson shared his concerns:

1. Mitigating impacts to neighborhoods with regards to Proposition 64;
2. Identifying and mitigating impacts to residents in rural residential and small agricultural areas;
3. Preventing de-watering and pollution of surface waters and species;
4. Preventing the de-watering of residential wells;
5. Preventing the conversion of forestlands to grows and preventing harm to forest ecosystems;
6. Preventing increases in marijuana-related vehicle accidents;
7. Preventing access to minors;
8. Should the County internalize the cost of impact mitigation, inspections, and enforcement on growers?

Supervisor Scofield recently spoke to a constituent whose neighbor is building green houses on their property to grow cannabis for a medical dispensary in Southern California. This type of large impact to neighbors is one of his concerns.

Supervisor Scofield suggested CSAC (California State Association of Counties) be a resource as they have good information and expertise.

Chairman Weston stressed that he did not want to see issues holding back the process for 18 months while the County had to respond to potential CEQA (California Environmental Quality Act) litigation.

Mr. Powers clarified changes that were requested by the Board during the meeting discussion: in the conflict of interest paragraph - strike "financial/other" category and substitute with "legal" and add the following to the expertise categories; homeowners organization, property owner, and agricultural interests.

**MOTION: Motion made by Supervisor Hall, seconded by Supervisor Anderson, to adopt Resolution 17-193 with the following amendments: in the conflict of interest - strike "financial/other" category and substitute with "legal" and add the following to the expertise categories; homeowners organization, property owner, and agricultural interests. On a roll call vote the motion passed unanimously.**

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**ADJOURNMENT:**

ACTION TAKEN: Chairman Weston adjourned the meeting at 3:08 P.M.

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Signature and Attestation

Hank Weston, Chairman

ATTEST:

By:

Lelia Loomis, Deputy Clerk to the Board