CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Chair

GEORGEANNE CROSKEY
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor

DAN HAMBURG
5th District
Supervisor
Vice-Chair



CARMEL J. ANGELO
Chief Executive Officer/
Clerk of the Board

KATHARINE L. ELLIOTT
County Counsel

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –August 8, 2017

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF MENDOCINO - STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)

AGENDA ITEM NO. 1 – OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 9:05 A.M.)

Present: Supervisor Carre Brown, Chair John McCowen, Supervisor Georgeanne Croskey, Supervisor Dan Gjerde, and Supervisor Dan Hamburg. Chair McCowen presiding.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Katharine L. Elliott, County Counsel; and Ms. Karla Van Hagen, Deputy Clerk of the Board II.

The Pledge of Allegiance was led by: Mr. Thomas Allman.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Thomas Allman, Sheriff; Ms. Jude Thilman; Ms. Devon Jones; Ms. Monique Ramirez; and Mr. Paul Hansbury.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall schedule a presentation to the Board of Supervisors on issues and concerns related to Bureau of Land Management at the earliest available meeting.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chairman McCowen.

Public Comment: None.

Board Action: Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Gjerde, IT IS ORDERED that consent item 4(a) is approved as follows. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg.

No: 0 – None.

4A) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS - SPONSOR: EXECUTIVE OFFICE

Approved.

1. Steven Acker, Albion Little River Fire Protection District, Director.

5A) DISCUSSION AND POSSIBLE ACTION REGARDING THE IMPLEMENTATION OF THE MENDOCINO COUNTY CANNABIS CULTIVATION PROGRAM AND POTENTIAL REVISIONS TO THE CANNABIS CULTIVATION ORDINANCE - SPONSOR: EXECUTIVE OFFICE

SUPERVISOR HAMBURG STATED THAT DUE TO A CONFERENCE CALL WITH THE FAIR POLITICAL PRACTICE COMMISSION, HE IS NOW ABLE TO PARTICIPATE IN CANNABIS DISCUSSION. A FULL WRITTEN OPINION WILL BE DELIVERED TO THE BOARD IN THE NEAR FUTURE.

Presenter/s: Supervisor McCowen; Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Diane Curry, Interim Agricultural Commissioner; Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services; Mr. Trent Taylor, Interim Manager, Planning and Building Services; Mr. Nash Gonzalez, Interim Director, Planning and Building Services; Mr. Matthew Kiedrowski, Deputy County Counsel; and Mr. Alex Spelman, Business Development Director, SICPA Corporation.

Public Comment: Mr. Ted Liese; Ms. Monique Ramirez; Mr. Gus Stout; Ms. Leslie Hines; Ms. Kathy Janes; Mr. Joe Gothelf; Mr. Aaron Niderost; Ms. Kristine Ross; Ms. Barbara McLean; Ms. Gail Johnson; Mr. Ron Edwards; Mr. Rio Palley; Ms. Jane Futcher; Mr. Charles Sargenti; Ms. Ruby Head; Ms. Amanda Reiman; Mr. Joe Tullgren; Ms. Christianna Esparza; Ms. Anne Ronkinen; Ms. Samantha Ward; Ms. Jennifer Procacci; Ms. Charlotte Beaumont; Mr. Denny Lopiano; Mr. Roger Wheeler; Mr. Casey O'Neill; Ms. Gracey Tharp; Mr. Marshall Davis; Mr. Ivo Lopez; Ms. Julia Dakin; Ms. Anna Farnam; Ms. Julie Mercer Ingram; Mr. Nicolas Knoebber; Mr. Trevor Roach; Ms. Emiko Taylor; Mr. Bob Taylor; Ms. Ann Marie Borges; Mr. Jon Degallier; Mr. Rick Berglund; Mr. David Drell; Mr. Clark Anderson; Mr. William Jacks; Ms. Carol Boles; Mr. Peter Kafin; Ms. Nikki Lastreto; Ms. Hannah Nelson; Ms. Ellen Drell; Ms. Joni Kirvin; Ms. Chantal Simonpietri; Mr. Joshua Keats; Mr. Jamie Ward; Mr. Joseph Haggard; Mr. Jed Davis; Mr. Blair Phillips; Mr. Daniel Boe; Ms. Johanna Mortz; Mr. Swami Chaitanya; Ms. Corinne Powell; and Ms. Petra Buchanan.

BOARD RECESS: 10:11 A.M. - 10:23 A.M.

LUNCH RECESS: 12:07 P.M. - 1:36 P.M.

BOARD RECESS: 2:46 P.M. - 2:59 P.M.

BOARD RECESS: 5:16 P.M. - 5:29 P.M.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall present an agenda item for the August 15, 2017, Regular Meeting to revise the Board of Supervisors 2017 Master Meeting Calendar, adding Regular Meetings on August 22, 2017, and August 29, 2017.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall work with CalFire to define "timberland" and determine appropriateness of the term "timberland" versus "resourceland" in respect to conversion issues; and to add clarification to the proposed amendment to 10.A.17.040 stating that tree removal for the purpose of defensible space, for removal of dead, dying or diseased trees, or at the direction of CalFire shall not result in the denial of a permit.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the Board of Supervisors is supportive in moving toward the ability to allow coastal zone permitting; and that staff shall continue to explore options to allow for Coastal Zone cultivation.

Board Directive: GENERAL CONSENSUS OF THE BOARD that County Counsel shall investigate options for providing an interim permit or certificate of good standing for cultivators located in the Coastal Zone to use in obtaining a State permit.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall present an item for a revised fee permit schedule to the Board of Supervisors in September or October – or as soon thereafter as feasible.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall propose modified language which would allow for expansion of previously existing cultivation sites in future years.

Board Directive: GENERAL CONSENSUS OF THE BOARD that new County Cannabis Cultivation Permit Applications will commence in Planning and Building Services for the purpose of obtaining a basic zoning clearance prior to proceeding to the Department of Agriculture.

Board Directive: GENERAL CONSENSUS OF THE BOARD that should third party inspectors be removed from the Ordinance, the County will refund any paid third party fees. If the Board should reduce the fee schedule, those that paid full fee for both permits would be eligible for a refund to the level of the newly reduced fee.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall incorporate language into the Ordinance eliminating detailed lighting requirements for cultivation including nurseries, provided there is no weakening of the protection of the night sky, and prohibition of light that would offend neighbors.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall investigate transferability options for permits, based on CEQA exemptions.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall make the consideration of the conditional permit process a priority, which shall include the potential for creating a document for somebody who is in the process in conformance with the Trailer Bill, in response to requests from the State.

Board Directive: GENERAL CONSENSUS OF THE BOARD for staff to research a reasonable way to address flexibility in Ordinance setback language.

Board Directive: GENERAL CONSENSUS OF THE BOARD for staff to prepare a revision to the Ordinance eliminating the role of third party inspectors.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the Board of Supervisors supports revising County Code to allow for the use of portable toilets, providing they are properly serviced.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall return in the afternoon session with revisions to the proposed amendment to County Code Section 18.12.010 as outlined in item 1 of the memorandum presented by Mr. Oliphant as follows: "The structure is designed and constructed for use in housing livestock, poultry, hay, grain, and/or drying of plant material and is located on a parcel of land that is currently zoned or primarily used for agriculture."

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:54 P.M.

Attest: Karla Van Hagen
Deputy Clerk of the Board II

JOHN MCCOWEN, Chair

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes will be produced in "action only" format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors' website in indexed audio format
- LIVE WEB STREAMING OF BOARD MEETINGS is now available via the County's YouTube Channel. If technical assistance is needed, please contact The Mendocino County Executive Office at (707) 3463-4441.
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors' action minutes are also posted on the County of Mendocino website at: www.mendocinocounty.org/government/board-of-supervisors
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Executive Office at (707) 463-4441
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors and Clerk of the Board: www.mendocinocounty.org/government/board-of-supervisors

Thank you for your interest in the proceedings of the Mendocino County Board of Supervisors