

Board to discuss raises along with wage agreements

Staff recommends more changes to medical marijuana ordinance

By Will Houston

whouston@times-standard.com
@Will_S_Houston on Twitter

The Humboldt County Board of Supervisors is set to approve wage and benefit increases for two more county employee groups on Tuesday, while also discussing whether the same increases should be applied to itself.

"Whatever we've given to them becomes the baseline for consideration for ourselves," board Chairman and 3rd District Supervisor Mark Lovelace said.

After two lengthy meetings last week, the board is also set to review its modified medical marijuana commercial cultivation draft ordinance with staff recommending some new additions that could encourage growers to move their operations to what staff considers more "ideal" sites. However, these new allowances have many conflicting considerations that need to be reviewed.

As part of its consent calendar, the board is set to authorize itself to draft a letter to the State Water Resources Control Board to state its support for removing the four hydroelectric dams along the Klamath River basin as part of the now resumed relicensing process after the expiration of the Klamath Basin agreements last year.

Employee wage increases

The board is scheduled to approve two new contracts for bargaining county employees in the American Federation of State, County and Municipal Employees Local 1684 as well as those in classified under Management and Confidential Employees and Elected and Appointed Department Heads.

As part of the new agreements, the bargaining units are set to receive a 3 percent raise in April 2016, a 2 percent raise in July 2016, and another 2 percent raise in January 2017. Humboldt County Human Resources Director Dan Fulks said the agreements were "unique" in that the employees also agreed to a 3 percent increase in the pension contributions under the California Public Employees' Retirement System.

"We're going to give them a 3 percent raise in the first pay period in April, but then turn right

SUPES » PAGE 3

Wages

In its unanimous approval of its consent calendar on Tuesday morning, the board approved a new memorandum of understanding with the Humboldt Deputy Sheriffs Organization. Under the new contract, the bargaining units in the union would receive three raises: a 3 percent raise in April, a 2 percent raise in July, and another 2 percent raise and up to \$1,000 in a one-time, lump-sum payment in January 2017. The 3 percent raise would be offset by a 3 percent pay increase for employees in the California Public Employee's Retirement System.

The agreement came after over 7 months of wage disputes.

Will Houston can be reached at 707-441-0504.

Supes

FROM PAGE 1

around and take 3 percent more from the employees in the form of an additional (CalPERS) contribution," Fulks said.

Fulks said the majority of county employees — those hired before the California Public Employees' Pension Reform Act took effect in 2013 — currently pay 8 percent of their salary into CalPERS, with the new agreements increasing that amount to 11 percent. To help offset this new cost, the agreements include a one-time \$1,000 payment to the employees in April 2016 and a \$500 one-time payment in January 2017.

While the economic portions of the disputes have been settled for the next 27 months, AFSCME Local 1684 President Timothy McDermond said that the agreement still does not address the full 9 percent gap between county employee raises and the rise in the Consumer Price Index, nor does it address concerns about health, safety and staffing levels.

"Although this is just the status quo and does not im-

prove their buying power, it is still acceptable to the membership as they felt it was indicative of the economic status of the county," he said. "It will still be an ongoing discussion."

The board approved a similar contract with the Humboldt Deputy Sheriffs Organization last week, and expressed gratitude that an agreement could be reached with the other county employee unions.

"I'm really happy that we were able to come up with something that was equitable and fair to all of our county employees at all levels," he said.

Under county code, a wage increase for the county's largest bargaining unit — AFSCME Local 1684 Unit 4 — allows the board to discuss whether it would consider giving itself more ben-

IF YOU GO

What: Board of Supervisors meeting

When: 9 a.m. Tuesday

Where: Supervisors' chamber, first floor, Humboldt County Courthouse, 825 Fifth St., Eureka

The full agenda can be viewed online at humboldt.gov/167/Board-of-Supervisors

efits. Fulks attached a draft ordinance for purposes of board discussion that would provide the board the same wage increase schedule as it did for the employee bargaining units.

Should the board choose to give itself the same raises in the future, it would raise board member salaries from about \$81,600 to \$87,400 by January 2017, according to the draft ordinance.

HUMBOLDT COUNTY

Two more storms coming

Rivers expected to fall, rise again to monitoring stage this week

By Hunter Cresswell

hcresswell@times-standard.com

Humboldt County residents should keep their rain jackets, their umbrellas handy, and alternate routes in mind, because two storms — one today and another later in the week — are expected to hit the county.

Another storm is expected to bring more rain across Humboldt County all day today, National Weather Service meteorologist Ryan Aylward said.

"It looks like some peak winds up in the mountains up around 45 miles per hour," he said.

Rain forecasts show an expected 1 to 2 inches of rain falling across the county with isolated spots getting 3 to 4 inches, National Weather Service Eureka meteorologist Brian Garcia said.

Wednesday morning and afternoon may offer a brief respite from the wet weather but another storm will move over the area on late Wednesday and bring more winds and rain than today's system, he said. This storm is expected to last until Friday and drop 2 to 4 inches across the county with isolated spots getting 6 to 7 inches.

"Models are still having some disagreement in terms of timing," Garcia said.

The Mad River was expected to fall below the 15 foot monitor stage around 6 p.m. Monday and the Eel River at Fernbridge was expected to fall below the 14 foot monitor state by 3 a.m. today, Garcia said.

TUESDAY, JANUARY 12, 2016

HUMBOLDT COUNTY

Series of small earthquakes strikes offshore

By Hunter Cresswell
hcresswell@times-standard.com

Three small quakes hit offshore Humboldt County early Sunday morning bringing the number of the county's earthquakes in 2016 to 13, according to the U.S. Geological Survey earthquake notification service website slearthquake.usgs.gov/ens/.

A magnitude 2.8 quake hit 22 miles southwest of Ferndale at 5:07 a.m., a 2.9 quake hit 19 miles southwest of Rio Dell at 6:10 a.m., and a 2.6 hit 24 miles southwest of Ferndale at 6:16 a.m. Facebook users across Humboldt County reported that they didn't feel any of the trio of quakes.

Of the 13 shakers only one made it above 4.0 magnitude so far this year. A 4.3 hit 19 miles southwest of Rio Dell on Jan. 7 at 9:49 p.m. The second most powerful quake was a 3.7 that hit that same geographic area and day at 12:29 a.m. The first quake to hit in the new year was a 2.2 that hit 19 miles southwest of Ferndale on Jan. 3 at 1:59 p.m., the website said.

The U.S. Geological Survey representatives with offices on Humboldt State campus couldn't be reached for comment at the time of reporting.

Contact Hunter Cresswell at 707-441-0506.

FERNDALE

Earthquake, 3.7, hits off county coast over weekend

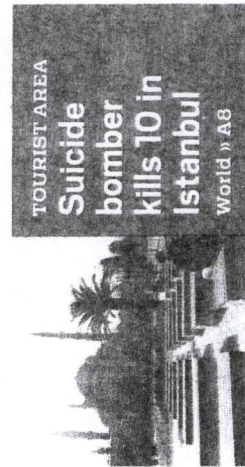
The Times-Standard

A magnitude 3.7 earthquake hit 43 miles west-southwest of Ferndale off the coast of Humboldt County at 11:53 a.m. on Sunday.

According to the United States Geological Survey website event page for the quake, no tsunami warning, watches or advisories were issued. The quake occurred a mile under the surface of the Pacific. Facebook users reported feeling movement in Kneeland, and in Table Bluff.

More information on this and other recent earthquakes can be found online at earthquake.usgs.gov.

+ Today's web bonus » Share your news and views online at times-standard.com/write-us



GET THE NEWS ANYWHERE

Stay in touch with breaking news, sports and weather

VISIT TIMES-STANDARD.COM OR FACEBOOK.COM/TIMESSTANDARD

Times

Standard

Serving Eureka and Humboldt County



Shows
H: 52 L: 43
PAGE A6

Wednesday, January 13, 2016

\$1.00 FACEBOOK.COM/TIMESSTANDARD TWITTER.COM/EUREKATS

times-standard.com

HUMBOLDT COUNTY

Supes address pot grows

Wage increases approved for deputies

By Will Houston
whouston@times-standard.com
[@Will_S_Houston](https://twitter.com/Will_S_Houston) on Twitter

In a nearly five-hour discussion on Tuesday afternoon, the Humboldt County Board of Supervisors finished shaping its medical marijuana commercial cultivation

ordinance, choosing to expand indoor grow allowances while prohibiting new or expanded grows on timber production zones.

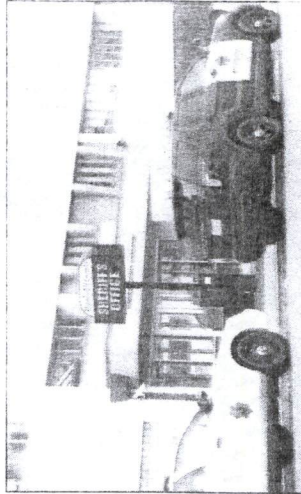
Earlier in the meeting, the board approved a memorandum of understanding with a county sheriff deputy union that would provide them with three wage in-

creases through January 2017.

Marijuana ordinance

With the board aiming to approve a final version of the medical marijuana commercial cultivation ordinance on Jan. 26, the board worked to complete the ma-

SUPES » PAGE 3



The Humboldt County Board of Supervisors on Tuesday approved a package containing three raises for the Humboldt Deputy Sheriff Organization.

Why your cities should ban marijuana cultivation sites

By Roger Morgan

Since there is practically no enforcement of narcotics laws at the federal or state level, the burden for public health and safety now falls almost entirely on local law enforcement and private citizens. Over 83 percent of cities and counties in California now ban cultivation and/or dispensaries, in response to the abuses of California's "medical marijuana" program. Community leaders are also concerned about the dangers today's highly potent marijuana pose, especially to our youth. Following are a few factors to consider:

The term "medical marijuana" is fraudulent. Marijuana is rightly categorized a Schedule I drug because it has no accepted medicinal value and has the potential for

harm. Components of the plant may be an exception, and there are some for whom the benefits may outweigh the harms. But 98 percent is consumed simply for recreational use.

Marijuana stinks. If grown in urban environments, the noxious odors cause an air quality problem five months of the year. Communities, like Yuba County, have discovered that by allowing cultivation, there is an influx of growers that you don't want as neighbors. People are buying guns to protect their families, property values are declining. Large pot plantations are sucking up water at 6 gallons a day per plant and causing irreparable harm to our precious natural resources.

Marijuana is not grown for medicine. If grown indoors, one can probably assume six plants can be grown in 10 square feet,

and probably 30 plants in 50 square feet. In one harvest, particularly if grown hydroponically, one plant could yield 5 to 10 pounds of produce. At 1,200 joints per pound, that equates to 36,000 to 72,000 joints per "patient" per harvest, or about 100 joints a day. Even at only 1 pound per plant, 1,200 joints would equate to 20 joints a day. It is not about medicine. It's about drug dealing.

BHO causes explosions. Driven by greed, many amateurs attempt to make marijuana concentrates. Butane is so highly volatile, even static electricity can cause it to explode. In 2014 alone, 32 people died in California from explosions and burn centers are full of people, including children, with serious burns requiring skin grafts and treatment for two or three months, at taxpayer expense. The explosions are enormous.

Marijuana is a magnet for crime. Having marijuana and money in the same place invites crime. Addicts can't work, or work effectively so they turn to crime to feed their habit. Recent statistics from JAMA indicate the marijuana addiction rate is up to 30 percent. Addiction is a chronic, life-long condition that ruins lives and elevates the level of crime. Fifty-nine percent of arrestees in Sacramento test positive just for marijuana.

Marijuana is a harmful drug that can cause brain damage and loss of IQ for anyone under 25. It also causes mental illness, psychotic breaks leading to violent acts. Suicide; traffic deaths; harm to a fetus; and it is a gateway to drugs that are killing 129 Americans every day just from overdose, almost all of whom started their drug journey with marijuana.

Tale Back America and coalition partners have filed a ballot initiative called The Safe and Drug-Free Community Act for 2016 which would ban all privately owned cultivation sites and dispensaries. For the few who may benefit, one state owned and controlled cultivation site would supply state owned dispensaries, but in a tightly controlled manner. The age limit for "medical marijuana" would be raised from 18 to 21.

Roger Morgan is the founder of Take Back America Campaign and has spent 20 years in drug prevention work. He is working with other drug prevention activists on a recently approved ballot initiative that will roll back abuses of medical marijuana, MEDICAL MARIJUANA, INITIATIVE STATUTE.

How to have your say: Letters to the Editor should be no more than 250 words and My Word submissions should be 500-750 words. All submissions must include your true name, address and daytime phone number for verification. Not all submissions are published. Send to Marc Valles, Opinion Page Editor. Emails are preferred.

Email: letters@times-standard.com
Mail to: Letters to the Times-Standard, P.O. Box 3580, Eureka, CA 95502

Phone: 707-441-0507
Fax: 707-441-0501

Twitter: Follow and send tweets to @EUREKATS

Facebook: Leave comments at FACEBOOK.COM/TIMESSTANDARD

+ Today's web bonus » Share your news and views at times-standard.com/write-us

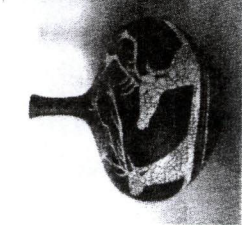


EXHIBIT
Local artist
inspired by
ancient cave
drawings
Art » A6



NFL
49ers hire
Chip Kelly
as new head
coach
Sports » B1



CAMERAS
GoPro stock
tumbles
after weak
sales
Nation » A8

EVEN MORE ON THE WEB

Get breaking news
updates, videos,
photo galleries and more.

VISIT TIMES-STANDARD.COM



Times Standard

Serving Eureka and Humboldt County



M/cloudy
H: 55 L: 49
PAGE A7

Friday, January 15, 2016

\$1.00 FACEBOOK.COM/TIMESSTANDARD

TWITTER.COM/EUREKATS

times-standard.com

STATE LEGISLATION

Pot finance goals shaken

Bill calls for collaborative solutions between banks, marijuana reps

By Will Houston

whouston@times-standard.com
[@Will_S_Houston on Twitter](https://twitter.com/Will_S_Houston)

While medical marijuana may be seen as being more legitimate in the eyes of California regulators after the enactment of new state laws, the financial structuring of the industry is still

shrouded in as much uncertainty as it was when it was established in 1995.

Having heard firsthand the banking difficulties of Colorado's own medical and recreational marijuana industries, North Coast California Assemblyman Jim Wood said the best step forward for California now is

to gather information and look for flexibility with federal agencies.

"We're kind of backing up a little bit," he said. "... A lot of this is going to be dictated by the attitudes in Washington (D.C.)."

Despite some recent leniency from the U.S. Department of Justice, banks are still reticent to

POT » PAGE 5



Shelves of cannabis plants stacked within the Humboldt Patient Resource Center in Arcata.

PHOTO BY [unreadable]

open accounts for medical marijuana businesses for fear of a federal crack-down. As a result, many industry operators are stuck with a cash-only system to pay their employees and file their taxes.

Humboldt Patient Resource Center Director Mariellen Jurkovich in Arcata has been fortunate enough to find a bank, but she questioned the future accessibility and stability of the industry if the state can't come up with a solution.

"It's very hard to run a business without a bank," Jurkovich said.

A new bill — Assembly Bill 1575 — currently circulating through the state Legislature seeks to address this issue by bringing together representatives of financial institutions and the medical marijuana industry to develop new strategies on how to approach the financial backbone of the industry in the midst of federal opposition. Such options the bill describes are automated kiosks for accepting cash payments and integrated point-of-sale systems to help with tracking.

Last year, the state adopted three laws to create a licensing and regulatory system on all aspects of the medical marijuana industry. One the bills tasked the state Board of Equalization (BOE) and Department of Food and Agriculture to create a track-and-trace system for marijuana products and sales.

Currently, medical marijuana sellers are mandated to register for a seller's permit with the BOE as well as collect and submit sales taxes, according to BOE Public Affairs Officer Venus Stromberg. Stromberg said the new system will allow for better accountability of sales as well as a possible excise taxes being proposed by the Legislature.

"It will be more difficult to under-report taxable sales of the product with track and trace in place because the BOE will know how much of the product is going to the retail level," Stromberg said. "If an ex-

"These guidance documents simply suggest that prosecutors and bank regulators might 'look the other way' if financial institutions don't mind violating the law. A federal court cannot look the other way."

— U.S. District Court Judge R. Brooke Jackson

cise tax is passed — there is one proposed in Assembly Bill 1548 — it will also assist with collection and voluntary compliance for the payment of these taxes."

In 2014, the BOE reports having more than 1,600 dispensaries registered with about \$570 million in taxable income, amounting to \$49.5 million in tax due to the state.

Jurkovich and the Humboldt Patient Resource Center have had three banks drop their account since she started operating in 1999, but she has been able to secure another bank at least for the time being. As a result, she is able to pay her sales taxes online, but those without bank accounts are not as fortunate.

"If we didn't, it would be a nightmare," she said.

With the federal government listing marijuana as a Schedule I drug under the Controlled Substance Act, many banks are unwilling to accept money from medical marijuana business.

Jurkovich said those operators without a bank are stuck with large sums of cash, which she said is dangerous due to the risk of theft or robbery.

The BOE allows business to turn in sales taxes in cash at its field offices, but only if special accommodations are made beforehand, according to the BOE website.

Late last year, Wood (D-Healdsburg) had drafted a bill that would establish a cannabis credit union through the California Board of Equalization in order to address many of the industry's banking concerns. But after a trip to Colorado last year, Wood said he felt the issue required more vetting and the bill language was removed.

Colorado had chartered its own cannabis credit union in November 2014, but the Federal Reserve turned down the state's application to create a master

account that would allow banks to transact business, according to The Denver Post.

Last week, U.S. District Court Judge R. Brooke Jackson dismissed a lawsuit filed by the credit union that challenged the Federal Reserve's denial, with Jackson stating in a nine-page opinion that he was compelled to reject the suit because marijuana remains illegal under federal law.

The U.S. Department of Justice has issued guidelines on how banks can work with legal marijuana businesses, making it clear that prosecutors would not pursue investigations unless certain conditions were not met. But Jackson said he could not take that tack.

"These guidance documents simply suggest that prosecutors and bank regulators might 'look the other way' if financial institutions don't mind violating the law," Jackson wrote. "A federal court cannot look the other way."

Even with the new federal guidelines, Wood admits that banks still take significant risks if they accept medical marijuana funds.

"The risk of losing your bank charter or being criminally responsible for something is very high," he said.

Having taken many self-regulatory steps herself, Jurkovich said she is looking forward to seeing a statewide system that will help to bring more operators into compliance.

"It will be way better when this is not going through the back door," she said. "I just would have liked if they had given more time for people that wanted to come into compliance and have a place for them."

Denver Post staff writer David Migoya contributed to this article. Will Houston can be reached at 707-441-0504.

Marijuana ordinance

The most recent draft of the county's medical marijuana commercial cultivation ordinance is set to go before the board for its second to last review of the ordinance on Tuesday, but staff has asked for further clarification.

Among the many changes to the ordinance straw voted by the board on Monday and Tuesday last week, staff highlighted the board's vote to prohibit commercial cannabis cultivation on Rural Residential Agriculture (RA) zoned parcels less than 5 acres in size.

In its report, staff state that this decision could impact a separate program in the ordinance that would incentivize growers to move from less "ideal" sites to sites they deem appro-

priate for cultivation practices — such as residential agriculture zones more than 5 acres in size, agricultural general, and agriculture exclusive zoned parcels — with specific soil classifications.

A UC Berkeley researcher told the board last week that only 7 percent of the parcels in these types of zones would meet those classifications, limiting the available lands to which growers could move.

In its staff report, the allowance of up to 200 square feet of commercial cultivation on residential agriculture zones below 5 acres — as previously recommended by staff — would add up to 839 parcels to the relocation program.

"If they are excluded, they will further limit the parcels that would be available for

inclusion in the RRR program," the report states.

However, Lovelace said there are other factors to consider. The incentive program includes a "multiplier" provision, which allows the grower to increase their cultivation up to four times their current size — capped at about a half-acre — if they relocate to an appropriate site. Lovelace said there is already a cultivation ordinance for personal grows on parcels smaller than 5 acres.