

# Nearly \$1 million cannabis fee refund stalls

By Nick Baptista / The Valley Springs News / Friday, October 12, 2018

Calaveras County Board of Supervisors could not muster enough votes to begin refunding nearly \$1 million to those who registered or paid renewal fees for commercial cultivation of cannabis in 2018.

The board earlier this year voted to ban an extension of the previously approved commercial cannabis program, but had already collected \$940,000 in fees. A 4/5<sup>th</sup> vote of the board was necessary to start the refund process, but Supervisors Dennis Mills and Clyde Clapp on Tuesday balked at approving the agenda item.

District 4 Supervisor Mills said he would like to see an independent audit before returning the fees.

“I want to make sure we are doing our due diligence,” he said, especially since supervisors can be held personally liable if they dispersed public funds without due care.

“We have heard consensus from County Counsel, County Auditor, CAO and our department heads that this is a full accounting of what we’ve spent versus what we’ve brought in, therefore I don’t see any point in paying for an outside audit,” said District 2 Supervisor Jack Garamendi. “This is money that is not ours.”

He made the motion to transfer the money and was seconded by District 3 Supervisor Michael Oliveira.

Board Chairman and District 1 Supervisor Gary Tofanelli voted in favor of the motion, but neither Clapp nor Mills provided the fourth vote necessary for passage.

Clapp quickly followed with a motion to refund \$134,000 portion of the fees for those growers who paid them in the final two weeks of the program along with conducting an audit before releasing the rest of the money.

Garamendi said he would second the partial refund if the audit portion was dropped.

“No, I want the audit,” Clapp responded. Tofanelli decided to second Clapp’s motion, but it too failed by not getting the necessary fourth vote for the budget transfer.

“I won’t support an audit until someone provides the evidence why we should spend \$40,000 to \$50,000 to have someone borrow our watch and tell us the time,” Garamendi said. “I trust that the Controller and county have done their job.”