

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, November 9, 1999

REGULAR MEETING

9:03 a.m.: Chairman Hawes called the Regular Session of the Board of Supervisors to order on the above date with the following present:

District No. 1 - Supervisor Kehoe
 District No. 2 - Supervisor Fust
 District No. 3 - Supervisor Hawes
 District No. 4 - Supervisor Wilson
 District No. 5 - Supervisor Clarke

County Administrative Officer - Doug Latimer
 County Counsel - Karen Jahr
 Clerk of the Board - Carolyn Taylor

INVOCATION

Invocation was given by Sheriff Jim Pope.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Supervisor Wilson.

PUBLIC COMMENT PERIOD - OPEN TIME

Auditor-Controller Rick Graham was present to recognize his staff for their outstanding work as evidenced by the receipt of the "Excellence In Financial Reporting" award issued by the State Controller. This award was presented to only 11 of the 58 California counties.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Clarke pointed out that the agenda item dealing with the Proclamation of Local Emergency, did not reflect the Board's action for continuance on November 2, 1999. She recommended that this date be included.

CONSENT CALENDAR

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended:

Adopted Resolution No. 99-158, as required by the State Controller's Office, to receive a distribution of state revenue which will partially offset the effect of the Education Revenue Augmentation Fund shift. (Auditor-Controller)

(See Resolution Book No. 40)

Accepted the Audit Report of County Service Area No. 13 - Alpine Meadows for Fiscal Years ended June 30, 1996, 1997, and 1998. (Auditor-Controller)

Enacted Shasta County Code Ordinance No. 99-10 which repeals Chapter 9.04 of the Shasta County Code and enacts a new Chapter 9.04 concerning curfew hours, as introduced on October 26, 1999. (Clerk of the Board)

(See Shasta County Code Book)

Approved the minutes of the meeting held on November 2, 1999, as submitted. (Clerk of the Board)

Adopted Resolution No. 99-159 which continues for one additional month the County's contribution toward the Delta Dental premium for Employee Only at \$15.21, Employee Plus One at \$24.77, and Employee Plus Family at \$32.61 for the Mid-Management Bargaining Unit (through November 30, 1999). (Personnel)

(See Resolution Book No. 40)

Approved and authorized the Chairman to sign a lease with Ward and Thomas Gandy for the continued use of storage space located at 1700 Market Street at a cost of \$4,603.69 per month for the period of December 1, 1999 through November 30, 2001. (Purchasing)

Adopted Resolution No. 99-160 which increases the Risk Management Workers' Compensation Revolving Fund balance from \$200,000 to \$300,000. (Risk Management)

(See Resolution Book No. 40)

Approved and authorized the Chairman to sign a renewal agreement with the California Department of Mental Health in the amount of \$6,000 for the services of a technician to support the northern regional Building the Employment Services Team during Fiscal Year 1999-2000. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Okechukwu Nkem Nwangburuka, M.D., in the approximate annual amount of \$146,000 to fill a vacant Senior Psychiatrist position during the three-year period beginning July 1, 2000 through June 30, 2003. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Maria Angela Catolico, M.D., in the approximate annual amount of \$146,000 to fill a vacant Senior Psychiatrist position during the three-year period beginning July 1, 2000 through June 30, 2003. (Mental Health)

Approved and authorized the Chairman to sign two agreements funded by the County Medical Services Program (CMSP) Wellness and Prevention Grant funds in the amount of \$39,020 each for the period of November 9, 1999 through January 31, 2000 with the following agencies: (1) Shasta Community Health Center to complete construction of medical and dental examination rooms at the Anderson Family Center, and (2) Gateway Unified School District to purchase health-related equipment and materials for the Families First Center at the Central Valley Intermediate School campus. (Public Health)

Adopted Resolution No. 99-161 which (1) approves and authorizes the Chairman to sign a renewal Acceptance of Award from the California Department of Health Services in the amount of \$14,826 to facilitate tuberculosis prevention and control activities during Fiscal Year 1999-2000, and (2) approves and authorizes the Auditor-Controller to pay claims for activities outlined in the application budget. (Public Health)

(See Resolution Book No. 40)

Adopted Resolution No. 99-162 which accepts a donation to the Sheriff's Office of geographic information system software valued at \$5,680 from the Environmental Systems Research Institute, Inc. (Sheriff)

(See Resolution Book No. 40)

Recognized that the circumstances and factors which led to the August 31, 1999, September 27, 1999, October 19, 1999 and November 2, 1999 proclamations of local emergencies due to extreme peril to the safety of persons and property caused by wild land fires have not been totally resolved, and there is a need for the continuance of the proclamations. (Sheriff)

REGULAR CALENDAR

ADMINISTRATIVE OFFICE

**CANYON/JONES FIRE CLEAN UP
FUNDING INCREASE**

At the request of Public Works Director Ron Hill and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approved a transfer of \$15,000 from Contingency Reserves to Public Works to be used to assist in covering the costs associated with the clean up efforts related to the recent Canyon/Jones Fires.

Fire Recovery Coordinator Joe Barnett then presented an update on the clean up operations and the progress being made.

It was reported by Assistant Public Works Director Pat Minturn that a free clean up day is planned for clean up operations in the Jones Fire area. He explained that the planned central location point will be the My-T-Fine Market at the corner of Deschutes Road and Highway 299 and that the Anderson-Cottonwood Disposal Company will provide as many of their trucks as possible to haul off general household waste, burn and other debris, but not metal debris.

It was announced by Chairman Hawes that a Federal Emergency Management Assistance (FEMA) Team was expected to revisit this area again. Dave Meurer of Congressman Wally Herger's Office stated that the Congressman would be speaking with FEMA personnel today to confirm when the FEMA team would actually visit the area.

Steve Fitch of Assemblyman Dickerson's Office urged the Board to begin immediately to begin the process of appealing the recent FEMA decision and presented a copy of the booklet on the appeal process to the Board.

BOARD MATTERS

**CERTIFICATE OF RECOGNITION
KATHRYN ARCHER**

At the recommendation of Chief Probation Officer Renny Noll, and Nancy Geer, Juvenile Probation Division Director, and by motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors approved and presented a certificate of recognition to Kathryn Archer, an Americorps*VISTA Worker, expressing appreciation for her outstanding efforts during the past year to develop a Neighborhood Council Program within Shasta County to organize neighborhoods and provide supervision and resources to the young people and families of our community.

**CERTIFICATE OF RECOGNITION
NORTHERN CALIFORNIA BUSINESS CONNECTION**

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors approved and presented a certificate of recognition to the Northern California Business Connection (NCBC) expressing appreciation for this organization's outstanding efforts in developing Shasta County's booth for the 1999 State Fair and, subsequently, winning the gold medal.

Dr. Brad Pike, President of NCBC, Les Baugh, and Troy Tardiville then made a presentation on the proposed project for next year. The fair booth will be centered around Old Shasta and a replica of an 1800's home and will incorporate animation. This will all go in hand with the Sesquicentennial.

APPOINTMENTS IN LIEU OF ELECTIONS
VARIOUS SPECIAL DISTRICTS

At the recommendation of Clerk of the Board Carolyn Taylor and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors made the following recommended appointments, in-lieu of election, to the following special district boards of directors:

Bella Vista Water District

Wallace Wessel - Four-year term to December 2003

Nancy L. Polk - Four-year term to December 2003

Burney Fire Protection District

Tom Moore - Two-year term to December 2001

Ann Walker - Four-year term to December 2003

Donna Sylvester - Four-year term to December 2003

Burney Water District

Jackwellyn Young - Four-year term to December 2003

Norman Dawirs - Four-year term to December 2003

Castella Fire Protection District

Shelly Wilson - Two-year term to December 2001

Cottonwood Water District

Lewis Presley - Four-year term to December 2003

Fall River Mills Community Services District

Michael Booth - Four-year term to December 2003

Page Halverson - Four-year term to December 2003

Fall River Mills Fire Protection District.

Richard Hall - Two-year term to December 2001

Randy Scholl - Two-year term to December 2001

Harold Bassett - Four-year term to December 2003

Kathy Ontano - Four-year term to December 2003

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

Steve Fitch of Assemblyman Dickerson's Office, requested the Board of Supervisors' support for Assembly Bill 720 which would add 18 conservation camps to the State system. One of the proposed camps would be located in this area. By consensus the Board of Supervisors directed that letters of support be prepared and sent from the Chairman, as well as individual Members of the Board.

County Counsel Karen Jahr reported that she had been contacted by the County Counsel of Plumas County regarding the Quincy Library Group. She stated that the environmental document had been completed, and although Alternative No. 2 had been adopted, as supported by the Board, the mitigation measures listed in the environmental document are too restrictive. Ms. Jahr said it was necessary to have our Chairman immediately send a letter seeking to preserve the County's right to comment on the document. Once the document is thoroughly reviewed, further information will be brought back to the Board.

Since this matter arose after the agenda was prepared and posted, but required response before this meeting, Counsel Jahr suggested three alternative actions the Board of Supervisors could take. The first was to request that the letter be withdrawn. The second was to amend the agenda on an emergency basis and ratify the Chairman's letter. The third was to provide concurrence. Ms. Jahr recommended that the Board adopt one of the last two alternatives. Supervisor Kehoe requested that the Board consider alternative two, because he would have to abstain.

By motion made, seconded (Fust/Wilson), and carried, the Board of Supervisors made a finding of urgency and amended the agenda. The vote was as follows:

AYES: Supervisors Fust, Hawes, Wilson, and Clarke
 NOES: None
 ABSTAIN: Supervisor Kehoe

By further motion made, seconded, (Fust/Wilson), and carried, the Board of Supervisors ratified the Chairman's letter. The vote was as follows:

AYES: Supervisors Fust, Hawes, Wilson, and Clarke
 NOES: None
 ABSTAIN: Supervisor Kehoe

Supervisors reported on issues of countywide interest. Supervisor Clarke requested that clarification be made as to who is actually the alternate to the Regional Council of Rural Counties, since two supervisors are listed. The Clerk of the Board will research this information and report back to the Board.

Supervisor Kehoe suggested that the many volunteers and contributors who have given so much following the Canyon and Jones Fires be formally recognized by the Board of Supervisors. It was the consensus of the Board that this be done. County Administrative Officer Doug Latimer suggested that Fire Recovery Coordinator Joe Barnett begin compiling a list which Board members could add to. The event will be scheduled as soon as present fire clean up circumstances "settle down."

AUDITOR-CONTROLLER

COUNTY CLAIMS

By motion made, seconded (Kehoe/Wilson), and unanimously carried, the Board of Supervisors authorized the issuance of warrants totaling \$74,183.40 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham, and authorized the issuance of warrants totaling \$16.40 requiring special Board action.

HEALTH AND WELFARE

PUBLIC HEALTH

SALARY RESOLUTION NO. 1079

At the request of Public Health Officer Andrew Deckert and Doreen Bradshaw and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisor adopted Salary Resolution No. 1079 which deletes one Supervising Community Health Advocate and adds one Community Development Coordinator to the Public Health budget.

(See Salary Resolution Book)

COMMUNITIES CARING FOR CHILDREN PROGRAM
SALARY RESOLUTION NO. 1080
BUDGET AMENDMENT

At the request of Public Health Officer Andrew Deckert and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors took the following actions to approve the California Department of Health Service's funding of additional nursing and clerical support to serve foster children within the Communities Caring for Children Program during Fiscal Year 1999-2000: approved the submission of a budget, adopted Salary Resolution No. 1080 which adds one .75 FTE Public Health Nurse/Registered Nurse and one .75 Typist Clerk to the Public Health budget and approved a budget amendment which increases revenue and appropriations by \$50,878.

(See Salary Resolution Book)

LAW AND JUSTICE

SHERIFF

SCHOOL-BASED PARTNERSHIP PROGRAM
GATEWAY SCHOOL DISTRICT
AGREEMENT: U.S. DEPARTMENT OF JUSTICE
SALARY RESOLUTION NO. 1081
BUDGET AMENDMENT

At the recommendation of Undersheriff Larry Schaller and by motion made, seconded (Wilson/Kehoe), and unanimously carried, the Board of Supervisors took the following actions to approve a School-based Partnership Program for the Sheriff's Office and Gateway School District: approved and authorized the Sheriff and County Administrative Officer to sign the contract with the U. S. Department of Justice, Office of Community Oriented Policing Services in the amount of \$92,135 for the grant program, adopted Salary Resolution No. 1081 which amends county classifications, salary range assignments, and the Position Allocation List to add one Crime Analyst to the Sheriff's Office under the program, effective November 9, 1999, and approved a budget amendment in the amount of \$92,135 which increases revenue and appropriations from the U. S. Department of Justice for the program.

(See Salary Resolution Book)

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

1. Confer with counsel to discuss existing litigation entitled Henry vs. County of Shasta, pursuant to Government Code Section 54956.9, subdivision (a).

10:24 a.m.: The Board of Supervisors recessed to Closed Session.

11:25 a.m.: The Board of Supervisors recessed from Closed Session to reconvene in Open Session at 1:30 p.m.

1:30 p.m.: The Board of Supervisors reconvened in Open Session with all Members, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Pamela English present.

AFTERNOON CALENDAR

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Michael Ralston announced that the Board of Supervisors met in Closed Session to discuss existing litigation, however, no reportable actions were taken.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT - PLANNING DIVISION

ZONE AMENDMENT 99-16 **DAVID AND SHARON NANI** **SOUTH DUNSMUIR AREA**

This was the time set to receive public testimony and consider a request from David and Sharon Nani to rezone property to an Unclassified (U) District to allow a home occupation for a contractor's business office. Associate Planner Scott Kaminski presented the staff report, recommended approval of the project, and responded to general questions from the Board Members. The affidavit of publication and mailing notice of hearing are on file.

The public hearing was opened, at which time no one spoke for or against the proposal, and the hearing was closed.

By motion made, seconded (Wilson/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment 99-16, David and Sharon Nani, south Dunsmuir area:

1. Adopted the CEQA determination of a negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 99-83.
2. Made the rezoning findings, and introduced and waived the reading of the ordinance to amend the Zone Plan of the County of Shasta identified in Zone Amendment 99-16, as specifically set forth in Planning Commission Resolution No. 99-83.

ZONE AMENDMENT 98-11 **HEALING WATERS CORP.** **BIG BEND AREA**

This was the time set to receive public testimony and consider a request from Healing Waters Corp. to rezone property to a Commercial Recreation (C-R) District to establish a facility for a maximum of 72 visitors including day use of hot baths, improvement of 12 car camping sites, construction of three hot baths, use of existing buildings as an office and museum, a proposed 1,100-square-foot maintenance shop building, and relocation of a building to be used for massage therapy. Associate Planner Scott Kaminski presented the staff report and recommended approval of the project. He and Planning Division Manager Jim Cook responded to questions from the Board Members regarding the term "car camping," and it was determined that this language should be replaced with "unimproved RV sites." The affidavit of publication and mailing notice of hearing are on file.

The public hearing was opened, at which time Majie Holm, Dora Saragosa, and Lynn McKinney spoke on the problems of trespassing on private property and the local community center by the patrons of Healing Waters. The Supervisors discussed these issues and the project with staff and the members of the audience and came up with alternative language which would address their concerns. No one else spoke, and the public hearing was closed.

By motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment 99-11, Healing Waters Corp., Big Bend area:

1. Adopted the CEQA determination of a mitigated negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 99-84.
2. Made the rezoning findings, and introduced and waived the reading of the ordinance to amend the Zone Plan of the County of Shasta identified in Zone Amendment 99-11, as specifically set forth in Planning Commission Resolution No. 99-84, with the following amended/additional conditions:
 - a. Condition 20 shall be amended to read “The authorized use area boundaries shall be fenced to keep guests or camping individuals from encroaching onto adjoining private properties or areas outside the authorized use area. The eastern and southern boundaries shall be determined by survey or engineering means. Documentation to substantiate the fencing and survey data shall be provided to the Shasta County Department of Resource Management prior to initiation of the use.
 - b. Section 2.A.2–Amend language to say use of 12 unimproved RV camping sites rather than car camping sites.
 - c. Add a condition that says something to the effect that “access shall only occur via public right of way or land held in fee by the Healing Waters Corp. or easement rights granted to the Healing Waters Corp.”

2:20 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy