

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, March 6, 2001

**REGULAR MEETING**

9:00 a.m.: Vice-Chairman Kehoe 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. 5 - Supervisor Clarke

District No. 4 - Supervisor Wilson - excused

County Administrative Officer - Doug Latimer  
Assistant County Counsel - Michael A. Ralston  
Administrative Board Clerk - Linda Mekelburg

**INVOCATION**

Invocation was given by the Reverend James Wilson, St. Michael's Episcopal.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Frieda Keefer spoke regarding the history of Arbor Day and Arbor Week in California, poppy-planting projects in Shasta County, and a tree-planting ceremony at Library Park on Tuesday, March 13, 2001. She requested the Board of Supervisors proclaim March 7-14, 2001 as Arbor Week in Shasta County. By consensus, the Board directed this matter be placed on the March 13, 2001 agenda.

Russ Wade discussed pollution in Shasta County and asked the Board of Supervisors to better inform County employees regarding the recent incident at the Shasta County Health Center.

Linda Toney of Assemblyman Dick Dickerson's office provided the Board with an update of his activities, which included two recent town hall meetings in Anderson and Red Bluff. She also provided the Board with a synopsis of legislation Assemblyman Dickerson will introduce in this year's legislative session and discussed some of the more significant proposed legislation.

### **CONSENT CALENDAR**

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

Authorized the issuance of warrants totaling \$1,494,306.72 for County operating funds and special districts, as submitted. (Auditor-Controller)

Appointed Louise Herrington to the Anderson Cemetery District Board of Directors for a term to March 2003. (Clerk of the Board)

Approved and authorized the Chairman to sign a contract for legal services with the law firm of Abbott & Kindermann, LLP, to provide representation in the area of land use law. (County Counsel)

Approved and authorized the Chairman to sign the following renewal agreements for the Health Improvement Partnership (HIP) Community Grants Program: (1) City of Redding as fiscal agent for the Martin Luther King Jr. Center in the amount of \$50,000 to provide and enhance community interaction for the period of May 1, 2001 through December 31, 2001; and (2) Jon S. Ebeling, Ph.D., Regional and Economic Sciences, in the amount of \$14,000 for HIP evaluation services for the period of date of signing through February 15, 2002. (Public Health)

Approved and authorized the Chairman to sign an agreement for an amount up to \$92,000 between the Opportunity Center and the Far Northern Regional Center for reimbursement of transportation costs associated with transporting clients to their work site for a contract period of August 1, 2000 through March 31, 2002. (Social Services)

Approved and authorized the Director of Public Works to sign a Notice of Completion for construction on seismic retrofit of five County highway bridges and record it within ten (10) days of actual completion of the work. (Public Works)

### **REGULAR CALENDAR**

#### **BOARD MATTERS**

**MARCH 2001 EMPLOYEE OF THE MONTH**  
**CHARLES WAYNE BOOKER, DEPUTY SHERIFF**  
**RESOLUTION NO. 2001-38**

At the recommendation of Sheriff Jim Pope and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2001-38 which recognizes Charles Wayne Booker, Deputy Sheriff, as Shasta County's March 2001 Employee of the Month.

(See Resolution Book No. 42)

### **ITEMS PULLED FROM REGULAR CALENDAR**

Vice-Chairman Kehoe announced that, at the request of Social Services Director Dennis McFall, the item regarding the third contract amendment with the Family Service Agency for administration of the Answers Benefiting Children, Great Beginnings Program in Shasta County and its accompanying budget transfer was pulled.

Vice-Chairman Kehoe explained that because the item regarding the Resolution of Necessity to allow the acquisition by eminent domain of three parcels of right of way for the Knighton Road extension project requires a four-fifths vote and only three members of the Board of Supervisors will be able to hear the matter today, this item was pulled.

## GENERAL GOVERNMENT

### ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

#### LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer Doug Latimer reported on legislation of importance to Shasta County, which included:

1. Senate Bill (SB) 195 (Chesbro) would add eight counties in California, including Shasta County, that may engage independent contractors when the aggregate cost of a service performed for a county does not exceed \$100,000. By consensus, the Board directed staff to draft a letter in support of SB 195.
2. Assembly Bill (AB) 765 (Maddox) deals with the appointment of the Chief Probation Officer in each county; CSAC opposes passage of this Bill. By consensus, the Board directed staff to draft a letter in opposition to AB 765.
3. Chris Norem, the local aide to Senator Feinstein, recently met with Mr. Latimer, Chairman Wilson, and Vice-Chairman Kehoe. Mr. Norem has located some technical grants which would assist in obtaining library computers for the outlying areas. By consensus, the Board directed staff to draft a letter of support for those grants.

Supervisor Fust discussed Assembly Bill 529, the Fire Department Training Bill, and requested staff to obtain more information on the Bill and distribute it to the Board.

Supervisors reported on issues of countywide importance.

#### ORDINANCE AUTHORIZING MILEAGE REIMBURSEMENT FOR GRAND JURY MEMBERS

County Administrative Officer Doug Latimer presented the staff report and recommended approval of the request to authorize reimbursement of members of the Grand Jury for mileage traveled during activities of the Grand Jury at the same rate as County employees. He stated the ordinance would not be retroactive and would take effect 30 days from its enactment.

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which authorizes reimbursement to members of the Grand Jury for mileage traveled during official activities of the Grand Jury at the same rate as County employees.

## CLERK OF THE BOARD

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors approved the minutes of the meeting held on February 22, 2001.

By motion made, seconded (Fust/Clarke), and carried, the Board of Supervisors approved the minutes of the meeting held on February 27, 2001 with the following correction added to the end of the public comments by Patrick Jones of the Redding Gun Club: *By consensus, the Board referred the matter to County Administrative Officer Doug Latimer to create the liaison requested by Mr. Jones.* Supervisor Hawes abstained.

### **SOCIAL SERVICES**

#### **AGREEMENT: COLLECTION BUREAU OF AMERICA RESOLUTION NO. 2001-39**

At the recommendation of Social Services Director Dennis McFall and Senior Staff Services Analyst Kerry Fasking and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2001-39, which assigns the delinquent General Assistance bills, claims, and accounts to the Collection Bureau of America (CBA); and approved and authorized the Chairman to sign an agreement with CBA for the period of date of signing through June 30, 2001.

(See Resolution Book No. 42)

### **PUBLIC WORKS**

#### **RESOLUTION OF NECESSITY TO ALLOW ACQUISITION OF PARCELS BY EMINENT DOMAIN KNIGHTON ROAD EXTENSION**

Clerk of the Board Carolyn Taylor and Public Works Director Patrick Minturn addressed the Board of Supervisors regarding the pulling of this item from the agenda. Mrs. Taylor explained that this is a legally noticed public hearing scheduled for 11:00 a.m. and that persons planning on attending would not be present until that time and may or may not be able to be present at a later hearing. She recommended that this public hearing take place and then be continued to a specific date and time: March 13, 2001 at 10:30 a.m. Otherwise, the matter would be delayed two to three weeks due to the necessity to re-notice the hearing. Mr. Minturn explained that there is some urgency with regard to this request.

By consensus, the Board decided to hear the matter as scheduled, but requested that Mr. Minturn contact all parties involved, including those who had previously been at the Board meeting for this item and then left.

### **CLOSED SESSION ANNOUNCEMENT**

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

1. Confer with its counsel to discuss existing litigation entitled Haglan vs Noll pursuant to Government Code Section 54956.9, subdivision (a).
2. Confer with its counsel to discuss one potential case of litigation pursuant to Government Code Section 54956.9, subdivision (c).

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board approved adding an emergency item of anticipated litigation pursuant to Government Code Section 54956.9, subdivision (c).

9:58 a.m.: The Board of Supervisors recessed to Closed Session.

10:21 a.m.: The Board of Supervisors recessed from Closed Session.

10:22 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, Hawes, and Clarke, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Linda Mekelburg present.

### **REPORT OF CLOSED SESSION ACTIONS**

Assistant County Counsel Michael Ralston reported that on a unanimous vote, with Supervisor Wilson excused, the Board of Supervisors authorized County Counsel to file writs with the Third District Court of Appeals in the following matters:

1. Jim Pope, Shasta County Sheriff vs Superior Court, State of California, County of Shasta, Respondent and Helmut Gio, Real Party in Interest; and
2. Jim Pope, Shasta County Sheriff vs Superior Court, State of California, County of Shasta, Respondent and Michael Leon Vandola, Real Party in Interest.

No other reportable action was taken.

10:24 a.m.: The Board of Supervisors recessed to reconvene at 11:00 a.m.

11:00 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, Hawes, and Clarke, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Linda Mekelburg present.

### **SCHEDULED HEARINGS**

#### **PUBLIC WORKS**

#### **RESOLUTION OF NECESSITY TO ALLOW ACQUISITION OF PARCELS BY EMINENT DOMAIN KNIGHTON ROAD EXTENSION**

This was the time set to conduct a public hearing on a Resolution of Necessity to allow the acquisition by eminent domain of three parcels of right of way for the Knighton Road extension project.

11:01 a.m.: Supervisor Hawes recused himself and left the room.

By consensus, the Board agreed that, due to the need for a four-fifths vote, the staff report would be deferred and the public hearing opened with the understanding that the Board of Supervisors is not prepared to make a decision at this time, and any potential speaker may want to defer their remarks until next week.

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

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board continued the public hearing to March 13, 2001 at 10:30 a.m.

11:03 a.m.: Supervisor Hawes returned.

**RESOURCE MANAGEMENT - PLANNING DIVISION**

ZONE AMENDMENT NO. 00-12  
EDWARD BOONTJER  
EAST MILLVILLE AREA

This was the time set to consider a request from Edward Boontjer to rezone approximately 35 acres from a Planned Development (PD) District to a Limited Residential (RL) District, in conjunction with a four-parcel land division. Assistant Resource Management Director James Cook presented the staff report and recommended approval of the project. 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 project, and the public hearing was closed.

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted the CEQA determination of a negative declaration with a de minimus finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 01-016, made the rezoning findings, and introduced and waived the reading of the ordinance approving Zone Amendment No. 00-12 to a Limited Residential (RL) District, as specifically set forth in Planning Commission Resolution No. 01-016.

11:11 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

CAROLYN TAYLOR  
 Clerk of the Board of Supervisors

By \_\_\_\_\_  
 Deputy