

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 13, 2002

REGULAR MEETING

9:00 a.m.: 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. 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 Reverend Fred Haley, Gateway Fellowship Church.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

Introductions of the Members of the Board, county staff, elected officials, and county department heads were made.

PUBLIC COMMENT PERIOD - OPEN TIME

Senator Maurice Johannessen addressed the Board of Supervisors stating that the vote on the "water issue is going in the right direction," the financing is in place for the veterans home in Shasta County, and Supervisor Wilson and he will attend the signing ceremony which will be taking place tomorrow in Sacramento.

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:

Authorized the issuance of warrants totaling \$102,996.68 for County operating funds and special districts, as submitted; and authorized the issuance of checks totaling \$4,132.00 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on August 6, 2002, as submitted. (Clerk of the Board)

Adopted Resolution No. 2002-106, which transfers unclaimed estate funds in the amount of \$4,880.41 held by the Public Administrator into the Shasta County General Fund. (Treasurer-Tax Collector-Public Administrator)

(See Resolution Book No. 43)

Approved and authorized the Chairman to sign a renewal contract with Shasta Head Start in the amount of \$31,618 for the period from date of signing through July 31, 2003 for administering the Americorps Initiative to prevent child abuse in Shasta County. (Social Services)

Acting on behalf of County Service Area No. 17 - Cottonwood Sewer, took the following action regarding the Cottonwood Sewer Treatment Plant Sludge Pond Expansion: Approved and authorized the Chairman to sign an amendment to a personal services agreement with PACE Civil, Inc. in an amount not to exceed \$32,000 to provide contract administration services from date of signing until June 11, 2003. (County Service Area No. 17 - Cottonwood Sewer/Public Works)

REGULAR CALENDAR

GENERAL GOVERNMENT

BOARD MATTERS

AUGUST 2002 EMPLOYEE OF THE MONTH **SUSAN SPENCER, COMMUNITY EDUCATION SPECIALIST** **RESOLUTION NO. 2002-107**

At the recommendation of Public Health Director Marta McKenzie and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-107, which recognizes Susan Spencer, Community Education Specialist with the Department of Public Health as the August 2002 Employee of the Month.

(See Resolution Book No. 43)

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer stated there is still no budget report out of Sacramento. He did note that some discussion has been held regarding placing a \$3 per pack tax on cigarettes. Mr. Latimer cited problems experienced by other states when this same action had been taken.

Supervisors had no reports on issues of countywide interest.

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 **RESOLUTION NO. 2002-108** **SALARY RESOLUTION NO. 1203**

Administrative Office Analyst Kim Pickering presented the staff report and provided background regarding the implementation of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Mrs. Pickering discussed the goals of HIPAA with the Members of the Board, which include protecting health insurance coverage for workers and their families, combating waste and fraud, simplifying health insurance administration, and protecting the privacy of personal health information. The Members of the Board discussed with staff steps being taken to implement HIPAA and the some of the potential costs associated with the implementation. Mrs. Pickering stated that a workshop will be scheduled in the future to present additional information for the Board of Supervisors.

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-108, which authorizes the County Administrative Officer or his designee to apply for an extension of time within which to comply with the standards for electronic health care transactions and code sets required by the Health Insurance Portability and Accountability Act of 1996 (HIPAA); and adopted Salary Resolution No. 1203, which adds one Staff Services Manager to Public Health to be designated as the HIPAA Privacy and Compliance Officer.

(See Resolution Book No. 43)
(See Salary Resolution Book)

RESOURCE MANAGEMENT

CALIFORNIA NATURAL COMMUNITY CONSERVATION PLANNING/ FEDERAL HABITAT CONSERVATION PLANNING PROCESSES FOR SHASTA PLAINS

The Chairman announced that Resource Management Director Russ Mull and the City of Redding have requested that the agenda item regarding the State of California Natural Community Conservation Planning/Federal Habitat Conservation Planning processes for the Shasta Plains (east Redding and adjacent unincorporated areas) be continued. By consensus of the Members of the Board, this matter was continued.

9:45 a.m.: The Board of Supervisors recessed.

10:00 a.m.: The Board of Supervisors reconvened.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT/PLANNING DIVISION

ZONE AMENDMENT NO. 01-010 DOUBLE D LAND PRESERVE, INC.

This was the time set to consider a request to approve Zone Amendment No. 01-010, Double D Land Preserve, Inc., which would rezone approximately 134 acres in the Anderson area from an Unclassified (U) District, and an Unclassified District, combined with a Restrictive Flood (U-F-2) District, to an Interim Rural Residential (I-R) District, an Interim Rural Residential District, combined with a Restrictive Flood (I-R-F-2) District, and a Limited residential (R-L) District. Staff Planner John Stokes presented the staff report and recommended approval of the project. Notice of Hearing and Affidavit of Posting is on file with the Clerk of the Board.

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

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors adopted the California Environmental Quality Act finding of a mitigated negative declaration with findings as specifically set forth in Planning Commission Resolution No. 02-046; adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 02-046; and introduced and waived the reading of the ordinance approving the zone amendment rezoning as requested.

10:03 a.m.: Supervisor Fust noted he owned property within one of the permanent road divisions included in the next agenda item, recused himself, and left the hearing room.

PUBLIC WORKS

ANNUAL PARCEL CHARGE REPORTS
PERMANENT ROAD DIVISIONS
RESOLUTION NOS. 2002-109 THROUGH 2002-132

This was the time set to conduct a public hearing and consider the Annual Parcel Charge Reports for 24 Permanent Road Divisions in Shasta County and direct the parcel charges be placed on the property tax bills for Fiscal Year 2002-2003. Deputy Public Works Director Scott Wahl presented the staff report and recommended approval. Notice of Hearing and Affidavit of Posting are on file with the Clerk of the Board.

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

By motion made, seconded (Hawes/Wilson), and carried, the Board of Supervisors adopted Resolution Nos. 2002-109 through 2002-132, which confirm the Annual Parcel Charge Reports for the following Permanent Road Divisions in Shasta County, and directed that the parcel charges be placed on the property tax bills for Fiscal Year 2002-2003:

No. 2002-109 - Old Stagecoach Road	No. 2002-121 - Mule Mountain Parkway
No. 2002-110 - Sonora Trail	No. 2002-122 - Ski Way
No. 2002-111 - Shasta Meadows Drive	No. 2002-123 - Fullerton Way
No. 2002-112 - Ponder Way/Carriage Lane	No. 2002-124 - East Stillwater Way
No. 2002-113 - Intermountain Road	No. 2002-125 - Deer Flat Road
No. 2002-114 - Alpine Way	No. 2002-126 - Vedder Road
No. 2002-115 - Dusty Oaks Trail	No. 2002-127 - Craig Lane
No. 2002-116 - Holiday Acres	No. 2002-128 - River Hills Estates
No. 2002-117 - Shasta Lake Ranchos	No. 2002-129 - Amber Ridge
No. 2002-118 - Fore Way Lane	No. 2002-130 - Coloma Drive
No. 2002-119 - Blackstone Estates	No. 2002-131 - Marianas Way
No. 2002-120 - Logan Road	No. 2002-132 - Valparaiso Way

(See Resolution Book No. 43)

10:04 a.m.: Supervisor Fust returned to the hearing room.

COUNTY SERVICE AREAS: REPORTS OF DELINQUENT FEES
RESOLUTION NOS. 2002-133 THROUGH 2002-140

This was the time set to conduct a public hearing and consider confirming the Reports of Delinquent Fees for eight County Service Areas (CSAs), directing liens to be placed on the property tax bills, and approving a discharge of accountability for unpaid water and sewer service accounts. Public Works Director Pat Minturn presented the staff report and recommended approval. Notice of Hearing and Affidavit of Posting are on file with the Clerk of the Board.

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

Upon questioning by Members of the Board, Mr. Minturn explained these charges could not be placed on the tax bills because they are not set amounts, and it would require billing a year ahead or a year behind.

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors adopted Resolution Nos. 2002-133 through 2002-140, which confirm the Reports of Delinquent Fees for the following CSAs, directed that the annual liens be placed on the property tax bills for Fiscal Year 2002-2003, and approved a discharge of accountability for collection of unpaid water and sewer service accounts that have been deemed uncollectible in CSAs under the administration of the Public Works Department:

No. 2002-133 - CSA 2 – Sugarloaf	No. 2002-137 - CSA 11 – French Gulch
No. 2002-134 - CSA 3 – Castella	No. 2002-138 - CSA 13 – Alpine Meadows
No. 2002-135 - CSA 6 – Jones Valley	No. 2002-139 - CSA 17 – Cottonwood
No. 2002-136 - CSA 8 – Palo Cedro	No. 2002-140 - CSA 25 – Keswick

(See Resolution Book No. 43)

COUNTY SERVICE AREAS
ANNUAL PARCEL CHARGE REPORTS
RESOLUTION NOS. 2002-141 THROUGH 2002-146

This was the time set to conduct a public hearing to consider confirming the Annual Parcel Charge Reports for various CSAs and to direct that the parcel charges be placed on the property tax bills for Fiscal Year 2002-2003. Public Works Director Pat Minturn presented the staff report and recommended approval. Notice of Hearing and Affidavit of Posting are on file with the Clerk of the Board.

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

By motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution Nos. 2002-141 through 2002-146, which confirm the Annual Parcel Charge Reports for the following CSAs and directed that the parcel charges be placed on the property tax bills for Fiscal Year 2002-2003:

No. 2002-141 - CSA 2 – Sugarloaf	No. 2002-144 - CSA 11 – French Gulch
No. 2002-142 - CSA 6 – Jones Valley	No. 2002-145 - CSA 14 – Belmont
No. 2002-143 - CSA 7 – Burney	No. 2002-146 - CSA 15 – Street Lighting

(See Resolution Book No. 43)

FORMATION: AMBER LANE PERMANENT ROAD DIVISION
RESOLUTION NOS. 2002-147 AND 2002-148

This was the time set to reconvene the public hearing (continued from June 18, 2002) and consider the formation of the Amber Lane Permanent Road Division, southeast Redding area. Deputy Public Works Director Scott Wahl presented the staff report explaining that this matter was continued to address legal issues regarding the loan of funds for road improvements. Mr. Wahl stated that County Counsel had reviewed the matter and determined that the loan of the funds was legal and justifiable. Staff recommended approval of the request. Notice of Hearing and Affidavit of Posting are on file with the Clerk of the Board.

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

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors accepted the County Surveyor's report on the correct boundary description (map); adopted Resolution No. 2002-147, which approves formation of the division; adopted Resolution No. 2002-148, which overrules ballot protests and confirms the parcel charge report for Fiscal Year 2002-2003; authorized the use of \$75,540 as a loan from the Dust Mitigation Fund for road improvements; and directed the Director of Public Works to improve the road to County standards and perform maintenance as needed.

(See Resolution Book No. 43)

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to conduct its annual review of pending civil cases.

10:15 a.m.: The Board of Supervisors recessed to Closed Session.

11:45 a.m.: The Board of Supervisors recessed from Closed Session.

1:29 p.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Michael Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation. On a unanimous vote, the Board of Supervisors approved assignment of Pringle vs Blaylock to the Brickwood Law Office and the assignment of Jayne vs Pope to John Hagar. No further reportable action was taken.

1:30 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy