

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 21, 2003

REGULAR MEETING

9:00 a.m.: Chairman Clarke 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
Chief Deputy Clerk of the Board - Glenda Tracy

INVOCATION

Invocation was given by Social Services Director Del Skillman.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Colleen Leavitt spoke of a letter she had sent to Resource Management Director Russ Mull regarding Knauf Fiberglass and their operation outside the Condition 57 permit. Ms. Leavitt said she would provide a copy of her letter to each supervisor. Supervisor Kehoe requested County Administrative Officer (CAO) Doug Latimer to direct Resource Management Director Russ Mull to provide a copy of his reply to each member of the Board of Supervisors.

Auditor-Controller Rick Graham shared a copy of a letter his office had received from the California State Controller referencing an award earned for timely filing of reports in Fiscal Year 2001-02. Mr. Graham gave recognition to his staff and other County departments that had provided assistance in reaching this goal.

Retired Shasta County employee John Frank Felch expressed his concern over a change in the CalPers retirement insurance benefits. CAO Latimer recommended that the issue be referred to Support Services.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Clarke pulled the minutes of the October 14, 2003 for correction. On page 244, under "Presentation: Redding Basin Water Resources" at the second paragraph, last sentence, the list of water purveyors should be corrected to add, "*Shasta County Water Agency.*" Also, on page 241, "Budget Transfer" at the second paragraph, second sentence, Chairman Clarke's name was misspelled and should be corrected to, "*Clarke.*"

CONSENT CALENDAR

By motion made, seconded (Kehoe/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 \$108,172.11 for County operating funds and special districts, as submitted; and authorized the issuance of checks totaling \$1,183.50 requiring special board action. (Auditor-Controller)

Approved the minutes of the meetings held on October 7, 2003 and October 14, 2003, as submitted. (Clerk of the Board)

Reappointed Fred Braun, Gene Grove, R. Rick Sawyer, and Michael Smith to the Buckeye Fire Protection District Board of Directors in lieu of election to December 2005. (Clerk of the Board)

Accepted a report on the disposition of properties offered for sale at the October 3, 2003 tax auction. (Treasurer-Tax Collector)

Approved and authorized the Chairman to sign a renewal agreement with the Superior Court of California, County of Shasta in an amount not to exceed \$30,000 to provide administrative services associated with the Substance Abuse and Crime Prevention Act of 2000 court-related cases from the date of signing through June 30, 2004, with an option to renew for two additional one-year terms. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the County Alcohol and Drug Program Administrator to sign the Drug Court Partnership Act of 2002 Notice of Grant Award with the State Department of Alcohol and Drug Programs in an amount of \$132,867 for Fiscal Year 2003-04 to provide services to the participants in the Addicted Offender Program. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a renewal agreement with the County of Amador in the amount of \$76 per day to place juvenile court wards at Crystal Creek Regional Boys' Camp on a space-available basis for the period July 1, 2003 through June 30, 2004. (Probation)

Took the following actions regarding the Fall River Mills Airport Expansion Project: (1) Approved and authorized the Chairman to sign a right-of-way contract with Michael J. McCullough; and (2) accept a grant deed conveying a parcel of project right of way. (Public Works)

REGULAR CALENDAR

BOARD MATTERS

OCTOBER 2003 EMPLOYEE OF THE MONTH
CalWORKs PROGRAM MANAGER STEVE GRIMM
RESOLUTION NO. 2003-207

At the recommendation of Social Services Director Del Skillman and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-207, which recognizes CalWORKs Program Manager Steve Grimm as Shasta County's October 2003 Employee of the Month.

(See Resolution Book No. 44)

PROCLAMATION: RED RIBBON WEEK

At the recommendation of Alcohol/Drug Program Administrator Dave Reiten, and by motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 23-31, 2003 as Red Ribbon Week in Shasta County promoting a drug-free lifestyle. Nine students from Evergreen Charter School were present and told their reasons not to do drugs.

APPOINTMENT/REAPPOINTMENT: CALIFORNIA STATE ASSOCIATION OF
COUNTIES
SUPERVISOR GLENN HAWES
SUPERVISOR PATRICIA CLARKE, ALTERNATE

By motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors appointed Supervisor Glenn Hawes to serve as a board member for California State Association of Counties (CSAC) and Supervisor Patricia Clarke to serve as an alternate board member for CSAC for terms to November 2004.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE

Supervisor Fust stated that he had invited Shasta County Fire Warden/California Department of Forestry Unit Chief Ken McLean to come to the Board meeting to provide an update on the department and fire status. Supervisor Fust referenced a letter from Mendocino County Board of Supervisors Chairman Richard Shoemaker which stated that he had learned on October 13, 2003 that the California Department of Forestry (CDF) is pulling all seasonal firefighting resources out of Northern California this week even though the fire season is not over and no rainfall is forecast. County Administrative Officer (CAO) Latimer stated that Chief McLean's report will be part of the Legislative Update as it does reflect the legislation that was passed by the Senate.

Chief McLean stated that some of the facts shared in the correspondence from Chairman Shoemaker were somewhat inaccurate. Staffing allocations are set up by the dates it is anticipated the County would go into fire season, and when it will go out. Shasta/Trinity seasons are budgeted June 1 through October 31. The Shasta/Trinity aircraft contracts run from June 15 through October 15. In the past, we have been granted extensions on the aircraft contracts; however, this year, the request for extension was denied. Some of the aircraft have been moved to McClellan Air Force Base, some are waiting to be taken to McClellan. Currently, due to wind-affected areas, CDF is negotiating with the contractors to have pilots brought back

on staff for specific periods of time. Chief McLean emphasized that because the letter from Chairman Shoemaker had certain inaccuracies its validity could be impeached. Chief McLean agreed to redraft the letter so the Shasta County Board of Supervisors could send a letter to the governor and appropriate legislators that would be helpful for CDF to maintain services using aircraft and pilots during this time that the contract period has expired. Chairman Clarke stated that a copy of the letter should be sent to Mendocino County Board of Supervisors, which would advise them of the inaccuracies in their letter.

CAO Latimer stated that California State Association of Counties (CSAC) Executive Director Steve Szalay notified him that the action taken by the Board of Supervisors, opposing the constitutional amendment, caused a meeting with the League of Cities which will result in new language for the constitutional amendment that would allow the counties with low property taxes to get a larger share. Chairman Clarke directed Budget Officer Kim Pickering to draft a letter to be sent to the new governor, with copies to other counties, explaining the history of the Vehicle License Fee (VLF) funding stream, and what it means to Shasta County.

PUBLIC DEFENDER POSITION

At the recommendation of Budget Officer Kim Pickering and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors authorized the County Administrative Officer to recruit for a county Public Defender; and approved and authorized the Chairman to sign an amendment to the contract with Jack Suter, Attorney at Law, in the amount of \$33,705 per month to provide contract Interim Public Defender services until a county Public Defender and appropriate staff are hired.

Patricia Dye, a resident of Old Shasta, spoke before the Board of Supervisors to allege that her son was mistreated by law enforcement officers, the public defenders, and the justice system.

SUPERVISORS' REPORTS

Supervisor Fust advised that he attended a meeting at the Regional Council of Rural Counties (RCRC) last week, focused on the election of the new governor and anticipated changes. He spoke of the \$35 per parcel fees, that may be considered a tax, subject to Proposition 218 limitations. The County will be required to collect the fee to be sent to the State, which will necessitate the County to add an additional fee for this collection. Supervisor Fust spoke regarding the issue of the rural law enforcement grant in the amount of \$500,000, withheld by the State in this year's budget. The Department of Water Resources and the Bureau of Reclamation have a project that is anticipating taking an additional 200,000 acre feet of water from Shasta Lake. It is anticipated that this could cause lower lake levels.

Supervisor Hawes spoke of the field trip to Iron Canyon Dam, participated by a majority of the Members of the Board on Tuesday, October 14, 2003. They viewed excellent harvest and thinning programs being operated by the U.S. Forest Service.

Chairman Clarke reported on the second annual Celebrity Soup Kitchen the previous week. Approximately \$10,000 was raised for the Power to Seniors program, to be used for assistance with utility bills for Shasta County seniors.

Supervisors reported on issues of countywide interest.

SCHEDULED HEARINGS

HEALTH AND WELFARE

HOUSING/COMMUNITY ACTION AGENCY

**COMMUNITY DEVELOPMENT BLOCK GRANT PLANNING
AND TECHNICAL ASSISTANCE GRANT
RESOLUTION NO. 2003-208**

This was the time to conduct a public hearing and consider taking the following action regarding the Community Development Block Grant Planning and Technical Assistance grant application in the amount of \$35,000 to prepare a Housing Conditions Survey for Fiscal Year 2003-04. Housing/Community Action Agency Director Larry Lees presented the staff report and recommended approval. The Affidavit of Publication and Notice of Hearing 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.

At the recommendation of Housing and Community Action Programs Director Larry Lees and by motion made, seconded (Kehoe/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-208, approving the request for a Community Development Block Grant Planning and Technical Assistance grant application in the amount of \$35,000 to prepare a Housing Conditions Survey for Fiscal Year 2003-04.

(See Resolution Book No. 44)

CLOSED SESSION ANNOUNCEMENT

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

Confer with its counsel to discuss existing litigation entitled (Government Code section 54956.9, subdivision (a)): Plotkin v. California Department of Transportation, and C. D. v. Shasta County Department of Mental Health (Administrative Proceeding).

10:41 a.m.: The Board of Supervisors recessed to Closed Session.

11:55 a.m.: The Board of Supervisors recessed from Closed Session.

12:01 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Clarke, Fust, and Kehoe, and Chief Deputy Clerk of the Board Glenda Tracy present.

REPORT OF CLOSED SESSION ACTIONS

Chairman Clarke reported that the Board of Supervisors met in Closed Session to discuss existing litigation; however, no reportable action was taken.

12:01 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy