

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, February 25, 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  
Assistant County Counsel - Michael Ralston  
Chief Deputy Clerk of the Board - Glenda K. Tracy  
Deputy Clerk of the Board - Linda K. Mekelburg

**INVOCATION**

Invocation was given by Pastor Robert Scott, Faithworks Community Coalition.

**PLEDGE OF ALLEGIANCE**

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

**INTRODUCTION**

County Administrative Officer Doug Latimer introduced Glenda Tracy, the newly appointed Chief Deputy Clerk of the Board.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Roberta Wright and Joy Nichols spoke regarding George Washington.

Russ Wade noted that he believes President Bush is leading the country toward a war with Iraq and asked the Board of Supervisors to consider a resolution of non-support of such a war.

Colleen Leavitt commended the Board of Supervisors for reopening the California Environment Quality Act (CEQA) permit process for the Knauf Fiberglass facility, but she noted that the facility has been using potable water from Shasta Lake City's supply when their permit requires reclaimed water for most uses.

Dwight Bailey explained that the County has available air pollution emission credits, and he would prefer to see the Knauf Fiberglass facility purchase credits from the County rather than from a private entity.

### **ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Hawes pulled for recognition the item regarding the State Route 44-Stillwater Project, observing that the project continues to go forward.

Supervisor Kehoe pulled for clarification the item regarding the amendment to the Hathaway & Ksenzulak, LLP contract. Auditor-Controller Rick Graham explained that the amendment rewords certain sections of the contract to avoid confusion as to the type of services to be performed.

### **CONSENT CALENDAR**

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

Authorized the issuance of warrants totaling \$29,732.51 for County operating funds and special districts, as submitted; and authorized the issuance of checks totaling \$19.15 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on February 18, 2003, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign an agreement with the County of Tehama in an annual amount of \$16,200 to provide laboratory testing service for the period July 1, 2002 through June 30, 2003 with two automatic one-year renewals. (Public Health)

Approved and authorized the Chairman to sign the following agreements to continue to promote the consumption of healthy foods through coordination and assessment activities: Renewal agreement with the State Department of Health Services in the amount of \$493,356 for the period October 1, 2002 through September 30, 2004; and subcontract with California State University, Chico to implement a community-based social marketing plan in the amount of \$25,000 for the period October 1, 2002 through September 30, 2003. (Public Health)

Took the following actions regarding the Shirley Street at Gas Point Creek Bridge Deck Replacement Project: Found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved the plans and specifications, and directed the Director of Public Works to advertise for bids; and authorized the opening of bids on March 21, 2003 at 11 a.m. (Public Works)

Approved and authorized the Chairman to sign letters to Senator Dianne Feinstein, Senator Barbara Boxer, and Congressman Wally Herger requesting funding for the State Route 44-Stillwater Project be included in the next Federal Highway Bill. (Public Works)

Approved and authorized the Chairman to sign a second amendment to the January 3, 2001 contract with Hathaway & Ksenzulak, LLP clarifying auditing services to be provided. (County Fire)

## REGULAR CALENDAR

### PRESENTATION

#### PRESENTATION: UPDATE--QUINCY LIBRARY GROUP PILOT PROJECT SIERRA-NEVADA FRAMEWORK

Supervisor Fust introduced County Forester Frank Stewart, who presented an update on the Herger-Feinstein Quincy Library Group Act Pilot Project, Sierra-Nevada Framework. He explained that as a result of political mitigations placed on the Project, the Quincy Library Group has struggled through the mitigations and has decided to file suit to rectify the situation.

He noted that in the three years the Pilot Project has been in existence, only 39 percent of the acreage proposed to be treated under the Pilot Project has been accomplished, and three times as much acreage has been burned by catastrophic wildfire.

He reported that in the last few weeks, two major events have occurred which will have a positive impact on the Pilot Project:

1. On February 10, 2003, the Fish and Wildlife Service denied a petition to list the California Spotted Owl as "endangered." This will allow the U.S. Forest Service to stop addressing the issue of owls in their activities.
2. On February 13, 2003, the U.S. Senate passed 2003 Omnibus Appropriations Bill, which contains language extending the expiration of the Quincy Library Group Act by five years.

### BOARD MATTERS

#### PROCLAMATION: "MARCH TO END HUNGER" MONTH

By motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors adopted a proclamation which designates March 2003 as "March to End Hunger" month in Shasta County.

## GENERAL GOVERNMENT

### ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

#### LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer presented an update on legislation, explaining that very little is happening at the State level currently.

Supervisors reported on issues of countywide interest.

#### FISCAL YEAR 2002-2003 MID-YEAR BUDGET REPORT BUDGET TRANSFER

County Administrative Officer Doug Latimer presented the Fiscal Year 2002-2003 Mid-Year Budget report. He stated that it is anticipated that there will be approximately \$3.2 million in the General Fund carry-over balance. He clarified information for some specific departments and responded to questions. Mr. Latimer commended his staff and department heads for their budgetary efforts.

By motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors accepted the report of departmental financial status as of the end of December 2002; directed departments to make spending adjustments as necessary to stay within approved net cost contained in the FY 2002-2003 Budget, as amended; and authorized a transfer of \$3,000 from Contingency Reserve to the Grand Jury budget unit for unanticipated expenses associated with per diem rates and furniture costs.

### LIBRARY

#### WRITE-OFF OF BAD CHECKS

At the recommendation of Assistant Library Director Betsy Emry and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors authorized the Auditor-Controller to write off 11 bad checks in the amount of \$113.40.

### PUBLIC WORKS

#### AMBER LANE PERMANENT ROAD DIVISION PERMISSION TO ADVERTISE FOR BIDS BUDGET AMENDMENT

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding the Amber Lane Permanent Road Division Project:

1. Found the project categorically exempt in conformance with CEQA;
2. Approved the plans and specifications, and direct the Director of Public Works to advertise for bids;
3. Authorized the opening of bids on March 21, 2003 at 11 a.m.; and
4. Approved a budget amendment in the amount of \$75,540 for project construction.

#### WEST CENTRAL LANDFILL, UNIT 3 LINER PROJECT PERMISSION TO ADVERTISE FOR BIDS AGREEMENT WITH LOWEST RESPONSIBLE BIDDER RESOLUTION NO. 2003-25 BUDGET AMENDMENT

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors took the following actions regarding the West Central Landfill, Unit 3 Liner Project:

1. Adopted Resolution No. 2003-25, which finds the Project consistent with existing environmental documentation and approves the Project;
2. Approved the plans and specifications, and directed the Director of Public Works to advertise for bids contingent upon Regional Water Quality Control Board approval;
3. Approved a budget amendment in the amount of \$4,000,000 for project construction; and

4. Approved and authorized the Chairman to sign a contract with the lowest responsible bidder.

(See Resolution Book No. 44)

EAST STILLWATER WAY PERMANENT ROAD DIVISION  
FULLERTON WAY PERMANENT ROAD DIVISION  
AMBER LANE PERMANENT ROAD DIVISION  
LOANS FROM SACRAMENTO VALLEY AIR POLLUTION MITIGATION FUND  
BUDGET AMENDMENT

Public Works Director Pat Minturn presented the report and recommended approval of a budget amendment in the total amount of \$73,834 from the Sacramento Valley Air Pollution Mitigation Fund (SVAP) for the paving of dirt roads and related engineering costs; and authorization of SVAP loans to include engineering, as well as construction costs, for ongoing, recently completed, and future permanent road division projects.

The Board of Supervisors discussed the possibility of retroactively extending the inclusion of engineering costs to all permanent road division projects, not just those that are ongoing or recently completed. Assistant County Counsel Michael Ralston expressed concern that there may be problems in changing contracts which have been fully executed. Mr. Minturn also explained that the residents in the permanent road divisions have already agreed to parcel charges, making it difficult to change them to allow for engineering costs. Additionally, Supervisors noted that property owners might have changed in some of the permanent road divisions since the completion of the road construction, making it difficult to trace the original property owners for reimbursement purposes.

By motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors continued the matter for two weeks, until March 11, 2003, to allow County Counsel's office to present a solid recommendation after researching the legal ramifications.

**CLOSED SESSION ANNOUNCEMENT**

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

1. Confer with its counsel to discuss one case of anticipated litigation, pursuant to Government Code Section 54956.9, subdivision (b).
2. Confer with its counsel to discuss one case of anticipated litigation, pursuant to Government Code Section 54956.9, subdivision (c).
3. Confer with its Labor Negotiators, County Administrative Officer Doug Latimer and Director of Support Services Joann Davis, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-management Association, Deputy Sheriffs Association, Sheriffs Administrative Association, Professional Peace Officers Association, Unrepresented Employees, United Public Employees of California, and Trades and Crafts, pursuant to Government Code Section 54957.6.

10:48 a.m.: The Board of Supervisors recessed to Closed Session.

11:47 a.m.: The Board of Supervisors recessed from Closed Session.

11:52 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Clarke, Kehoe, and Fust, Chief Deputy Clerk of the Board Glenda K. Tracy, and Deputy Clerk of the Board Linda K. Mekelburg present.

**REPORT OF CLOSED SESSION ACTIONS**

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

11:53 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

H. DOUGLAS LATIMER  
Clerk of the Board of Supervisors

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