

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, September 2, 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  
Deputy Clerk of the Board - Christie N. Jewell

**INVOCATION**

Invocation was given by Pastor Jim Dahl, Good News Rescue Mission.

**PLEDGE OF ALLEGIANCE**

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

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Fust pulled the minutes of the August 26, 2003 meeting to correct language on page 208 regarding Certificate of Compliance 03-002, Speaker (Mountain Gate area). Chairman Clarke noted an error on page 202 regarding the Public Comment. Following discussion and by consensus of the Board of Supervisors, the Clerk was directed to listen to the August 26, 2003 meeting tape to clarify the language and conditions placed on the Certificate of Compliance. The amended minutes will be reviewed at the next Board meeting.

**CONSENT CALENDAR**

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

Authorized the issuance of warrants totaling \$189,022.68 for County operating funds and special districts, as submitted. (Auditor-Controller)

Adopted Resolution No. 2003-186, which approves the Fiscal Year 2003-04 Countywide Tax Rate, the Unitary Debt Service Rate, and the tax rates for bond sinking funds, state school building loan payments, and voter-approved debt. (Auditor-Controller)

(See Resolution Book No. 44)

Enacted Ordinance No. 378-1871, which approves Zone Amendment No. 03-007, Barnes (Anderson area), as introduced on August 12, 2003. (Clerk of the Board)

Approved and authorized the Chairman to sign an agreement for legal services with The Law Office of Larry B. Moss. (County Counsel)

Adopted Resolution No. 2003-187, which authorizes the destruction of library card applications two years from the date of their creation. (Library)

(See Resolution Book No. 44)

Adopted Resolution No. 2003-188, which initiates the process to establish an IRS section 401(a) retirement program for the Sheriffs Administration Association effective September 7, 2003, or as soon as all the necessary paperwork is completed; and delegates authority to the Auditor-Controller or his designee to serve as the County's Plan Administrator, with authority to sign all documents required to implement the plan. (Support Services-Human Resources Division)

(See Resolution Book No. 44)

## **REGULAR CALENDAR**

### **PRESENTATIONS**

#### **PRESENTATION: UPDATE ON CONSTRUCTION OF VISITOR'S CENTER AT LASSEN VOLCANIC NATIONAL PARK**

Lassen Volcanic National Park Superintendent Marilyn H. Parris updated the Board of Supervisors regarding construction of the Visitor's Center. She also advised the Board of Supervisors that the boardwalk replacement at Bumpass Hell will be completed this summer and the \$9.8 million two-year project on major work on the Park road is near completion. The former ski slope site is also being restored to its original state, with all concrete platform removed.

### **BOARD MATTERS**

#### **SEPTEMBER 2003 EMPLOYEE OF THE MONTH SUPERVISING ENGINEER ALFRED "AL" CATHEY RESOLUTION NO. 2003-189**

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-189, which recognizes Supervising Engineer Alfred "Al" Cathey as Shasta County's September 2003 Employee of the Month.

(See Resolution Book No. 44)

#### **PROCLAMATION: SHASTA COUNTY EMPLOYEE RECOGNITION WEEK**

At the recommendation of Director of Support Services Joann Davis and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted a proclamation which designates September 7-13, 2003 as Shasta County Employee Recognition Week in Shasta County; authorized the Director of Support Services to sign claims related to expenses for the Shasta County employee recognition luncheon picnics in Redding and Burney; and directed the Auditor-Controller to make payments based upon these claims.

**PROCLAMATION: RECOVERY HAPPENS MONTH**

At the recommendation of Alcohol and Drug Program Administrator David A. Reiten and by consensus, the Board of Supervisors proclaimed September 2003 as Recovery Happens Month in Shasta County. Members of the Alcohol and Drug Advisory Board outlined the community activities scheduled for September.

**GENERAL GOVERNMENT****ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS****LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Administrative Officer (CAO) Doug Latimer presented an update on specific legislation of importance to Shasta County including the budget trailer bills that have been passed by the Assembly and await approval by the Senate. The State's Sheriff's Association has been working to get the matter of Rural County Law Enforcement for 37 counties approved. CAO Latimer stated that a letter has been sent regarding the Vehicle License Fees (VLF) legislation to the State Controller.

Supervisor Fust recently attended the Resource Advisory Committee (RAC) meeting. Approximately \$150,000 has been committed to Title II projects. Supervisor Fust also contacted the representative of Assemblyman Doug LaMalfa, asking that he come before the Board of Supervisors in October to report regarding the current status of legislation and issues.

Supervisor Hawes recently attended the InterMountain Fair.

Supervisor Wilson recently attended the Labor Day Luncheon at Anderson River Park.

Supervisor Kehoe reported on the press orientation luncheon for Mental Health Awareness Week.

Chairman Clarke reported that all needed signatures have been obtained and an account has been opened for the mitigation of the Shingletown meadow. Some of the property will return to wetlands. Chairman Clarke also attended a "ribbon cutting" and opening for Child Support Services in their new location.

**ASSESSOR****ABATEMENT OF PENALTY: EUREKA WAY EXCHANGE CORPORATION**

Assessor/Recorder Cris Andrews presented the staff report, explaining the chronology of the late filing of the required Change of Ownership Statement by Eureka Way Exchange Corporation and the penalty amount of \$1,504.00. President of Eureka Way Exchange Corporation Mike Wells addressed the Board of Supervisors, advising the preliminary Change of Ownership Statement was inadvertently filed late. Supervisor Hawes moved to approve the request of Eureka Way Exchange Corporation to abate the penalty assessed for failure to timely file a Change of Ownership Statement; however, the motion died for lack of a second. By motion made, seconded (Kehoe/Fust), and carried, the Board of Supervisors denied the request of Eureka Way Exchange Corporation to abate the penalty assessed for failure to timely file a Change of Ownership Statement. Supervisor Hawes voted no.

**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 existing litigation entitled *Berlinghoff v. Shasta County and Barber v. Shasta County Mental Health*, pursuant to Government Code Section 54956.9, subdivision (a).
2. 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.

10:00 a.m.: The Board of Supervisors recessed to Closed Session.

11:20 a.m.: The Board of Supervisors recessed from Closed Session.

11:23 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Clarke, Kehoe, and Fust, Assistant County Counsel Michael Ralston, and Deputy Clerk of the Board Christie N. Jewell 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, as well as labor negotiations. On a unanimous vote, the Board of Supervisors approved assignment of *Berlinghoff v. Shasta County* to the Law Offices of Gary Brickwood and the assignment of *Barber v. Shasta County Mental Health* to the Law Office of Larry Moss; no other reportable action was taken.

11:25 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

H. DOUGLAS LATIMER  
Clerk of the Board of Supervisors

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