

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, September 9, 2008

REGULAR MEETING

9:00 a.m.: Chairman Hartman 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. 3 - Supervisor Hawes
District No. 4 - Supervisor Hartman
District No. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees
County Counsel - Mike Ralston
Deputy Clerk of the Board - Valerie Ibarra
Deputy Clerk of the Board - Linda Mekelburg

District No. 2 - Supervisor Cibula - Absent

INVOCATION

Invocation was given by Pastor John Roland, First Baptist Church of Cottonwood.

PLEDGE OF ALLEGIANCE

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

BOARD MATTERS

SEPTEMBER 2009 EMPLOYEE OF THE MONTH
HUMAN RESOURCES ASSISTANT JENNIFER LAYTON
RESOLUTION NO. 2008-106

At the recommendation of Director of Support Services Michelle Schafer and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2008-106, which recognizes Human Resources Assistant Jennifer Layton as Shasta County's September 2008 Employee of the Month.

(See Resolution Book No. 49)

PROCLAMATION: SUICIDE PREVENTION WEEK

At the recommendation of Director of Public Works Donnell Ewert and Director of Mental Health Mark Montgomery, Psy.D. and by motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors adopting a proclamation which designates September 7-13, 2008 as Suicide Prevention Week in Shasta County.

PROCLAMATION: RECOVERY HAPPENS

At the recommendation of Deputy Director of Mental Health David Reiten and Empire Recovery Enter Program Coordinator Michael Olds and by motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates September 2008 as Recovery Happens Month in Shasta County.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Hartman announced the lease with Bert and Karen Boothroyd and the California Grant Endowment agreement were pulled for discussion.

CONSENT CALENDAR

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Hartman recused on the ordinance approving Zone Amendment No. 07-017, Durette, as she was not in attendance at the August 5, 2008 meeting when it was introduced; and Supervisor Hawes abstained on the ordinance approving Zone Amendment No. 07-014, Manley, and Tract Map No. 1966, Phase I, Manley):

Adopted Resolution No. 2008-107, which approves a short-term loan in the amount of \$4,000 to the Fall River Mills Cemetery District from the County General Reserve (Administrative Office)

(See Resolution Book No. 49)

Approved and authorized the Chairman to sign the County Claims List totaling \$67,334.32 requiring special board action. (Auditor-Controller)

Adopted Resolution No. 2008-108, which approves the Fiscal Year 2008-09 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. 49)

Approved the minutes of the meeting held on August 26, 2008, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign an amendment to the agreement with Wilkins, Underwood & Johnson to provide nuisance abatement hearing officer services, changing the name of the firm to Wilkins & Johnson and retaining the term and maximum compensation. (Clerk of the Board)

Approved and authorized the Chairman to sign an amendment to the agreement with Wilkins, Underwood & Johnson to provide Assessment Appeals Board legal services, changing the name of the firm to Wilkins & Johnson and retaining the term and maximum compensation. (Clerk of the Board)

Adopted Resolution No. 2008-109, which approves amendments to Exhibit "A," Designated Positions, and Exhibit "B," Disclosure Categories, of the Western Shasta Resource Conservation District Conflict of Interest Code. (Clerk of the Board)

(See Resolution Book No. 49)

Enacted Ordinance No. 378-1979, which approves Zone Amendment No. 07-017, Durette (Shingletown area), as introduced August 5, 2008. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 378-1980, which approves Zone Amendment No. 07-014, Manley (Happy Valley area), as introduced August 12, 2008. (Clerk of the Board)
(See Zoning Ordinance Book)

Approved and authorized the Chairman to sign a letter which rejects a claim for refund of property taxes filed on behalf of Kriss Miranda and all similarly situated California residents. (County Counsel)

Approved and authorized the Chairman to sign a renewal lease with the Knighten 1982 Trust d.b.a. Knighten Enterprises in an amount not to exceed \$36,180 to provide 20 parking spaces for the period October 1, 2006 through December 31, 2009, at an individual rate of \$45 per month for 2006 and 2007 and \$47.25 per month for 2008 and 2009. (Social Services)

Approved and authorized the Chairman to sign an agreement with Northern California Youth and Family Programs, Inc. in an amount not to exceed \$230,400 to initiate and provide a Transitional Housing Placement-Plus Program to eligible Shasta County residents who are former foster youth for the period July 1, 2008 through June 30, 2009. (Social Services)

Approved and authorized the Chairman to sign an agreement with the California Department of Health Care Services to comply with Medi-Cal Data Privacy and Security requirements effective the date of signing. (Social Services)

For Tract Map No. 1966, Phase 1, Manley Subdivision (Happy Valley area), approved the final map for filing; and accepted on behalf of the public offers of dedication for public road rights of way and public utility easements. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the 2008 Various Permanent Road Divisions Project and record it within 10 days of actual completion of the work. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Breslauer Roof Replacement Project and record it within 10 days of actual completion of the work. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the 2008 Asphalt Concrete Overlay Project and record it within 10 days of actual completion of the work. (Public Works)

Awarded to the low bidder, Robert D. Nichol Construction, on a lump-sum basis, the contract for construction on the Ono Volunteer Fire Department Building Project in the amount of \$104,000. (Public Works)

For landowners within the existing Sonora Trail Permanent Road Division, received the petition for activation of a revised annual parcel charge, affidavit verifying petition information, maintenance cost estimate, and annual parcel charge report; and set a public hearing for October 28, 2008 at 9:00 a.m. (or as soon thereafter as may be heard) to consider activation of a revised parcel charge. (Public Works)

For the Waste Disposal Facilities Groundwater Monitoring Wells Project, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and direct the Public Works Director to advertise for bids; and authorized opening of bids on or after September 25, 2008 at 11:00 a.m. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

**AGREEMENT: BERT AND KAREN BOOTHROYD
OFFICE SPACE AT 1220 SACRAMENTO STREET, REDDING**

In response to a question from Supervisor Baugh, Director of Public Health Donnell Ewert confirmed Shasta County is in good financial standing with Bert and Karen Boothroyd.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to the lease with Bert and Karen Boothroyd for office space at 1220 Sacramento Street, Redding, clarifying the County's obligations regarding payment of services and utilities, correcting the Lessor's address, and retaining the compensation and term of the original agreement. (Public Health)

**AGREEMENT: THE CALIFORNIA ENDOWMENT
HEALTH EQUITY PROJECT**

In response to questions by Supervisors, Director of Public Health Donnell Ewert explained that, although substantial impact to the community is unlikely within the two years of the agreement, the grant will provide more staff training and allow the department to determine how to increase academic performance, economic development, and create more equal opportunity for all ethnic groups within Shasta County.

In response to a question by Supervisor Hawes, Mr. Ewert confirmed that the grant is funded from a private foundation and is not tax monies.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a grant agreement with The California Endowment for the County to receive \$314,668 for the period July 15, 2008 through July 14, 2010 to continue work on the Health Equity Project designed to improve community health by eliminating health disparities through public health practices; and to conduct a workshop to provide feedback to the Board of Supervisors and the public. (Public Health)

9:52 a.m.: The Board of Supervisors recessed and reconvened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

WATER AGENCY

Chairman Hartman announced that the appointments to the Shasta-Tehama County Watermaster District Board of Directors were pulled to allow for public comment.

ITEMS PULLED FROM THE CONSENT CALENDAR

**SHASTA-TEHAMA COUNTY WATERMASTER DISTRICT
BOARD OF DIRECTORS APPOINTMENTS**

Robert Pearce spoke in support of the proposed appointments and asked the Board of Supervisors to require each director to complete and submit a Statement of Economic Interests, Form 700 (Form 700).

In response to a question by Supervisor Kehoe, County Counsel Mike Ralston explained that a Form 700 outlines potential conflicts of interest for public and appointed officials; however, Shasta County is not responsible for requiring the filing of 700 forms for the District.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors appointed Jerry "Abe" Hathaway (Burney Creek area) and John "Gil" Spencer (North Fork Cottonwood Creek area) to the Shasta-Tehama County Watermaster District Board of Directors for a term to November 2009. (Water Agency)

9:55 a.m.: The Shasta County Water Agency adjourned and reconvened as the Board of Supervisors.

REGULAR CALENDAR

PRESENTATIONS

2008-09 ASSESSOR-RECORDER ANNUAL REPORT

Assessor-Recorder Leslie Morgan presented the 2008-09 Assessor-Recorder Annual Report, highlighting a 5.39 percent increase in total taxable value, 4.89 percent increase in exemptions, and a 5.42 percent increase net taxable value from 2007-08.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees had no legislative report.

Supervisor Kehoe recently attended the Mental Health Board meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

RESPONSE TO THE FINAL REPORT OF THE FISCAL YEAR 2007-08 SHASTA COUNTY GRAND JURY

CAO Lees presented the staff report and recommended approval of the response to the Grand Jury. In response to a question by Supervisor Hawes, CAO Lees confirmed that no additional funding is required to implement Information Technology changes.

Supervisor Baugh expressed his concern regarding proper notice of public hearing items and requested that public notices for planning items being heard by the Board of Supervisors be mailed to property owners living at a farther distance from the affected property than what the law currently requires.

By consensus, the Board of Supervisors directed staff to investigate a more extensive public notification process for Negative Declarations, Mitigated Negative declarations, and Environmental Impact Report determinations.

In response to questions by Supervisor Kehoe, CAO Lees confirmed the Department of Mental Health is tracking past due reimbursements from the State of California and agreed to initiate a cost study to confirm continued cost savings of the closure of the psychiatric hospital in Shasta County.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign the response to the Final Report of the Fiscal Year 2007-08 Shasta County Grand Jury.

SCHEDULED HEARINGS

HEALTH AND HUMAN SERVICES

HOUSING AND COMMUNITY ACTION PROGRAMS

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

KESWICK WATER SYSTEM IMPROVEMENTS STUDY

SHASTA COUNTY UNINCORPORATED AREAS HOUSING CONDITIONS SURVEY

RESOLUTION NO. 2008-110

This was the time set to conduct a public hearing and consider the request to submit a Community Development Block Grant Program grant application. Director of Housing and Community Action Programs Richard Kuhns presented the staff report and recommended approval of the submission of the application. The 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 proposal, and the public hearing was closed.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2008-110, which approves submission of a Community Development Block Grant Program planning and technical assistance grant application in the amount of \$70,000 to fund a water system improvements study for the community of Keswick and a housing conditions survey in the unincorporated area of Shasta County.

(See Resolution Book No. 49)

PUBLIC WORKS

TRACT MAP NO. 1900

SILVERBRIDGE HIGHLANDS PERMANENT ROAD DIVISION

MILLVILLE AREA

This was the time set to conduct a public hearing regarding the formation of the proposed Tract Map No. 1900, Silverbridge Highlands Permanent Road Division (PRD) in the Millville area. Supervising Engineer Al Cathey presented the staff report and recommended approval of the project.

The public hearing was opened, at which time applicant's engineer Dave Boren requested a 30-day extension as the ballot was misdirected and, therefore, not received in a timely manner, and he requested clarification of the PRD process. The applicant wishes to create a gated subdivision to care for maintenance with private roads and a security gate rather than a public PRD.

Co-Applicant Corkey Harmon confirmed the desire to create a gated subdivision and the request for an extension.

No one else spoke for or against the proposed project, and the public hearing was closed.

Public Works Director Pat Minturn stated the Planning Commission conditioned this project to form a PRD to maintain the roads through annual maintenance contracts paid by property taxes. No request was made by the applicant at any Planning Commission meeting for a homeowners association or private gated community and the timeline to appeal the decision by the Planning Commission has expired. Due to disagreements among property owners over road maintenance in the past, the County's policy for large tracts has been to create a PRD to ensure road maintenance and emergency and fire road access. He recommended against forming a gated community since government agencies should not maintain roads which are not for public use.

In response to a question by Supervisor Kehoe, Mr. Minturn explained that in order to reopen the decision by the Planning Commission to include the applicant's request for a private subdivision, the applicant would need to file a new application and pay associated costs.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved the applicant's request of a 30 day extension. By consensus, the Board of Supervisors continued the public hearing to October 21, 2008 at 9:00 a.m. (or as soon thereafter as may be heard).

10:37 a.m.: The Board of Supervisors recessed.

10:45 a.m.: The Board of Supervisors reconvened.

WORKSHOP

PROTECTING OUR COMMUNITIES--SOLVING THE WILDFIRE CRISIS

Supervisor Hawes introduced Thomas M. Bonnicksen, Ph.D. of The Forest Foundation who presented a PowerPoint entitled "Protecting Our Communities--Solving the Wildfire Crisis".

Dr. Bonnicksen stated that overcrowded forests and aging thick brush fuel fires. Since fires that threaten property frequently start in forestlands, the best protection is through defensible space around structures, restoration fuel breaks, and restoring the forest. A Fire Prevention Plan would allow land owners to reduce their fire hazards.

In response to questions by supervisors, Dr. Bonnicksen explained that forests are impacted by overcrowding of non-native trees, insect infestation, and tree mortality. He agreed that a citizens advisory group would benefit and aide the project, and urged the Board of Supervisors to include an implementation plan.

By consensus, the Board of Supervisors directed staff to host public forums locally to allow for public input and to create a citizens advisory committee consisting of five to seven members to provide advice and counsel regarding forest management.

County Fire Warden Mike Chuchel reminded the Board of Supervisors that Shasta County must adhere to state and federal laws and regulations, and confirmed that Shasta County is working to improve forest maintenance through the approved Shasta County Fire Protection Plan.

Michael Quinn discussed communities that were warned before fires but ignored the warnings. He encouraged the Board of Supervisors to take action.

11:49 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy