

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, January 6, 2009

REGULAR MEETING

9:03 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. 2 - Supervisor Cibula
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 - Diane Colson

INVOCATION

Invocation was given by Pastor Tom Winslow, Family Celebration Center.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Sadie and Hunter Cibula.

PRESENTATION OF PLAQUES TO OUTGOING SUPERVISOR MARK H. CIBULA

Chairman Hartman, County Fire Deputy Chief Doug Wenham, and Happy Valley Park Committee Co-Chairs Barbara Jackson and Tom O'Mara each presented a plaque to Supervisor Mark Cibula.

Regional Council of Rural Counties Regulatory Program Director Mary Pitto explained that a plaque is being sent to Supervisor Cibula. County Administrative Officer Larry Lees stated Certificates of Recognition are being sent from Senators Dianne Feinstein and Barbara Boxer.

SWEARING-IN CEREMONY

Shasta County Clerk Cathy Darling performed the swearing-in ceremony for Leonard F. Moty, District 2 Supervisor; Glenn Hawes, District 3 Supervisor; and Linda Hartman, District 4 Supervisor.

9:19 a.m.: The Board of Supervisors recessed.

9:43 a.m.: The Board of Supervisors reconvened.

ELECTION OF 2009 CHAIRMAN

Deputy Clerk of the Board Valerie Ibarra called for nominations for the position of Chairman of the Board for the year 2009. Supervisor Baugh nominated Supervisor Hawes, and Supervisor Kehoe seconded the motion. As no other nominations were made, Supervisor Hawes was declared Chairman for 2009.

ELECTION OF 2009 VICE CHAIRMAN

Deputy Clerk of the Board Valerie Ibarra called for nominations for the position of Vice Chairman of the Board for the year 2009. Supervisor Baugh nominated Supervisor Kehoe, and Supervisor Hawes seconded the motion. As no other nominations were made, Supervisor Kehoe was declared Vice Chairman for 2009.

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

9:46 a.m.: The Board of Supervisors reconvened.

PRESENTATION OF PLAQUE TO 2008 BOARD CHAIRMAN LINDA HARTMAN

Chairman Hawes presented a plaque to Supervisor Hartman in recognition of her dedicated service to Shasta County as Chairman of the Board of Supervisors during 2008.

PUBLIC COMMENT PERIOD - OPEN TIME

Lawrence Fleming and Wendy Peet spoke in opposition to the appointment of Peter Scales to County Service Area No. 6 - Jones Valley Community Advisory Board.

Kathy Jalquin stated she recently learned the proposed Elk Trail project is not eligible for Proposition 50 and 84 funds, as previously hoped for.

Johnathan Paul Walpole spoke in opposition to the unpaid nuisance abatement fees that were added to his property taxes. Supervisor Baugh referred the matter to the County Administrative Office for investigation.

BOARD MATTERS

2008 EMPLOYEE OF THE YEAR
LEGAL SECRETARY/SUPERVISOR EVE KETCHUM
RESOLUTION NO. 2009-001

At the recommendation of Chief Probation Officer Brian Richart and by motion made, seconded (Hartman/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2009-001, which recognizes Shasta County's 2008 Employee of the Year.

(See Resolution Book No. 50)

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Hawes announced that the item regarding the proposed appointments to the Community Advisory Boards was pulled for discussion.

Supervisor Kehoe requested that page 287 of the minutes of the meeting held on December 16, 2008 be corrected to reflect that he voted no on the Williamson Act Program item.

Supervisor Moty announced he would abstain from voting on the minutes of the meeting held on December 16, 2008 as he was not a member of the Board of Supervisors at that time.

CONSENT CALENDAR

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (with Supervisor Moty abstaining on the minutes of the December 16, 2009 minutes):

Approved and authorized the Chairman or his/her designee to sign the County Claims list when Board of Supervisors meetings are canceled during the year 2009. (Board Matters)

Gave the annual authorization to the Registrar of Voters to conduct election duties during the year 2009. (Board Matters)

Adopted Resolution No. 2009-002, which authorizes the Shasta County Arts Council to apply for and accept the Fiscal Year 2009-10 California Arts Council Grant State/Local Partnership Programs. (Board Matters)

(See Resolution Book No. 50)

Approved the minutes of the meeting held on December 16, 2008, as corrected. (Clerk of the Board)

Enacted Ordinance No. 378-1984, which approves Zone Amendment No. 06-009, GPA, Inc. (Shingletown area), as introduced October 21, 2008. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 667, which repeals Resolution No. 95-31, and revises the County's road acceptance and maintenance policy, as introduced December 9, 2008. (Clerk of the Board)

(See General Ordinance Book)

Enacted Ordinance No. SCC 2009-01, which amends Section 2.45.070 of the Shasta County Code to reduce the In-Home Supportive Services Advisory Committee from eleven to nine members, and adds a provision for advisory committee members to receive advances for advisory committee-related travel, as introduced December 16, 2008. (Clerk of the Board)

(See County Code Ordinance Book)

Reappointed J.R. Murray and David Winningham to the Burney Basin Mosquito Abatement District Board of Trustees for two-year terms to January 2011. (Clerk of the Board)

Appointed Michael Millington to the Fall River Resource Conservation District Board of Directors for a four-year term to December 2012. (Clerk of the Board)

Reappointed Dr. Andrew Deckert, Maxine Wayda, Barbara Lapp, Dr. Jennifer Moranda, and Judie Englesby-Smith to the Shasta Children and Families First Commission for one-year terms to January 2010. (Clerk of the Board)

Reappointed Gary Hergert to the Shasta Mosquito and Vector Control District Board of Trustees for a four-year term to January 2013. (Clerk of the Board)

Reappointed Administrative Analyst Elaine Grossman as the County Administrative Officer designee to the Shasta Public Library System Citizens' Advisory Committee for a four-year term to November 2012. (Clerk of the Board)

Reappointed William L. Meek and Shasta County Public Defender Neal Pereira to the Board of Trustees of the Shasta County Public Law Library for one-year terms to January 2010. (County Counsel)

Approved a budget amendment which transfers a total of \$55,000 from two fixed-asset accounts in the Information Technology budget to augment a third fixed-asset account to cover the purchase of a core network router, and renames the third account to more accurately reflect the number of devices that will be purchased. (Information Technology)

Approved and authorized the Chairman to sign an amendment to the employment agreement with County Administrative Officer Lawrence G. Lees to extend the term to January 5, 2012; lengthen the time between performance evaluations; and clarify termination language. (Support Services)

Approved and authorized the Chairman to sign a retroactive maintenance agreement with IKON Office Solutions, Inc. in a minimum annual amount of \$1,764.43 to continue the maintenance of a copier owned by the Animal Regulation Unit for the period August 1, 2008 through July 31, 2009, with one automatic one-year renewal. (Sheriff)

Accepted an easement deed from Scott Joseph Swendiman and Lynn Ann Swendiman, Co-Trustees of the Swendiman Family Trust, conveying a parcel of project right of way for the Airport Road at Sacramento River Bridge Project. (Public Works)

Approved and authorized the Chairman to sign an agreement with Merritt Moore to lease an aircraft hangar at the Fall River Mills Airport for a 15-month period of January 1, 2009 through March 31, 2010 in the amount of \$180 per month for four months and \$185 per month thereafter. (Public Works)

Approved and authorized the Chairman to sign a Memorandum of Understanding (MOU) with Lassen Volcanic National Park to provide mutual cooperative assistance at no cost from the date of signing through termination by either party; and approved and authorized the County Fire Warden to sign future amendments to the MOU as long as there is no increase in compensation. (County Fire)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

APPOINTMENTS: VARIOUS COMMUNITY ADVISORY BOARDS

Public Works Director Pat Minturn stated that the Community Advisory Boards (CAB) are advisory only and have no authority to take formal action. County Service Areas are formed to provide urban services in rural areas and communities; as these are dependent special districts, the Board of Supervisors is the governing board. Although CABs have no authority to take direct action, they do manage local issues and operational issues and make recommendations for annual budgets, capitol improvements, and rate increases.

If there are an equal number of candidates and vacant seats on a CAB, no election is held, and the Board of Supervisors appoints those candidates. If there are more candidates than vacancies, an election by mail is held.

In response to questions by Supervisors, Mr. Minturn explained that vacancy notices are mailed to County Service Area customers requesting candidates; if more candidates are received than positions are available, election ballots are mailed. The Board of Supervisors has the authority to appoint and remove appointed members.

In response to questions by Supervisors, County Counsel Mike Ralston recommended the Board of Supervisors continue the County Service Area No. 6 - Jones Valley appointments for two weeks to allow him to review the legal candidacy and membership requirements and the process for removing appointed CAB members.

Kathy Jalquin, Darla Baldwin, and Lawrence Fleming requested the Board of Supervisors not appoint Peter Scales to the CAB as they attend County Service Area No. 6 - Jones Valley CAB meetings, and they regularly observe the behavior of Mr. Scales.

Peter Scales responded that most persons who spoke regarding this item are not customers of County Service Area No. 6 - Jones Valley. He requested to serve on the CAB until Elk Trail East and West have adequate water supply and County Service Area No. 6 operates efficiently and with accountability. He confirmed that he verbally attacked two persons, but it was not during CAB meetings.

In response to a question by County Administrative Office Larry Lees, Mr. Minturn confirmed there are no urgent matters needing attention should the Board of Supervisors vote to continue this matter for two weeks.

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors acting as the Board of Directors of various County Service Areas continued the appointments of property owners to the Community Advisory Board for County Service Area No. 6 - Jones Valley to the January 27, 2009 meeting; and appointed the following property owners to two-year terms on the Community Advisory Boards within their respective CSAs:

CSA No. 2 – Sugarloaf

Carmen Lee
David Lee
Jerry Parks (alternate)

CSA No. 13 – Alpine Meadows

Andy Anderson
David Travis
(Public Works)

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees presented an update on specific legislation of importance to Shasta County, including the State of California's \$41 billion deficit and its impact to Shasta County.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

**PRESENTATION: LOCAL CHILD CARE PLANNING COUNCIL
STATE DEPARTMENT OF EDUCATION CERTIFICATION STATEMENT**

Administrative Analyst Mike Lindsey presented the staff report and introduced Shasta County Office of Education Early Childhood Services Coordinator Carol Nye.

Ms. Nye explained that Shasta County Local Child Care Planning Council (LCCPC) is a collaboration of consumers, service providers, public agencies, and other community representatives which works to assess and coordinate the delivery of quality child care services and programs. In Shasta County alone, approximately 18,076 children may need child care, and approximately 40 percent of families with children in child care choose unlicensed child care. The LCCPC members and partner agencies have developed a comprehensive, countywide strategic plan to address child care needs in Shasta County.

By motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign the Certification Statement for the State Department of Education which appoints and reappoints members to the Shasta County Local Child Care Planning Council for the period January 1, 2009 through December 31, 2009.

SCHEDULED HEARINGS

GENERAL GOVERNMENT

ASSESSOR-RECORDER

RECORDER'S OFFICE CERTIFICATION AND COPY FEES

This was the time set to conduct a public hearing and consider the request to set certification and copy fees for the Recorder's Office. Assessor-Recorder Leslie Morgan presented the staff report and recommended approval. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

In response to questions by supervisors, Ms. Morgan explained that the current fees do not cover both direct and indirect fees and confirmed the department will continue to analyze their fees regularly.

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 (Baugh/Moty), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which sets certification and copy fees in the Recorder's Office.

HEALTH AND HUMAN SERVICES

PUBLIC HEALTH

PUBLIC HEALTH SERVICE REDUCTIONS

This was the time set to conduct a Beilenson public hearing to consider reducing services of the Public Health Department. Director of Public Health Donnell Ewert presented the staff

report and recommended approval of reducing services. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

In response to questions by supervisors, Mr. Ewert confirmed that the Public Health Department has been trying to manage the negative impact of the State of California budget and will continue to help those affected to seek treatment and services elsewhere prior to the reduction of services. Services to be reduced include:

- ◆ Immunizations:
 - Eliminate two half-day clinics per month in Shasta Lake, Anderson, and Redding (Sacramento Street);
 - Eliminate one half-day clinic per month in Fall River Mills;
 - Eliminate three half-day clinics per month in Burney; and
 - Reduce the number of travel shots appointments in Redding (Breslauer Way).
- ◆ Medical Management Tuberculosis (TB) Exposure Positive Persons:
 - Refer positive TB bacteria exposure persons to private physicians, unless they are contacts of active TB cases.
- ◆ Blood Pressure Monitoring:
 - Eliminate bi-monthly clinics in Lakehead and Shasta Lake; and
 - Eliminate monthly clinics in Anderson, Happy Valley, and Cottonwood.
- ◆ Animal Bites Victims Communication:
 - Reduce communication intensity with lower risk animal bites victims.
- ◆ Nurse of the Day:
 - Reduce countywide coverage from eight hours per day to two hours per day.
- ◆ Special Health Care Needs (California Children's Services [CCS] Program) Children Medical Care:
 - Eliminate nutrition consultations to parents of CCS Medical Therapy Unit treated children at Buckeye School;
 - Increase nursing case loads by reducing number of nurse case managers countywide by 0.5 full time equivalent (FTE);
 - Delay medical/financial/residential eligibility determination by reducing number of social worker case managers countywide by 0.5 FTE;
 - Delay physical therapy services appointments by reducing physical therapists within the CCS Medical Therapy Unit at Buckeye School by 0.5 FTE.

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 (Baugh/Hartman), and unanimously carried, the Board of Supervisors approved Public Health service reductions.

PUBLIC WORKS

PARCEL MAP NO. 07-004
SQUAW CARPET FIRE ACCESS PERMANENT ROAD DIVISION
SHINGLETOWN AREA

This was the time set for a public hearing regarding the proposed Squaw Carpet Fire Access Permanent Road Division (Shingletown area). Supervising Engineer Al Cathey presented the staff report and recommended approval. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

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

Mr. Cathey noted that, in accordance with Proposition 218, the property owners must approve the requested parcel change, and he delivered the ballot to the Clerk of the Board for tabulation. The clerk opened the ballot; the vote was as follows:

FOR	1
AGAINST:	0
BLANK BALLOTS:	0

By consensus, the Board of Supervisors continued this matter to a future Board of Supervisors meeting to consider formation of the Permanent Road Division.

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Anselmo and Seven Hills Land and Cattle Company, LLC v. Jensen, Mull and County of Shasta and Phipps v. Shasta County Probation Department, pursuant to Government Code section 54956.9, subdivision (a).

11:44 a.m.: The Board of Supervisors recessed to Closed Session.

12:58 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, County Counsel Mike Ralston, and Deputy Clerk of the Board Valerie Ibarra present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation. By a unanimous vote, the Board of Supervisors authorized the Law Office of Garry Brickwood to handle the defense in the matter of Phipps v. Shasta County Probation Department. No other reportable action was taken.

12:59 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy