

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, January 5, 2010

REGULAR MEETING

8:30 a.m.: Chairman Kehoe 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 Moty
District No. 3 - Supervisor Hawes
District No. 4 - Supervisor Hartman
District No. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees
County Counsel - Mike Ralston
Chief Deputy Clerk of the Board - Glenda Tracy
Administrative Board Clerk - Linda Mekelburg

REGULAR CALENDAR

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to confer with its Labor Negotiators, County Administrative Officer Larry Lees, Personnel Director Michelle Schafer, and Labor Consultant Becker and Bell, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriffs Association, Deputy Sheriffs Association-Correctional Officers, Sheriffs Administrative Association, Professional Peace Officers Association, Unrepresented Employees, United Public Employees of California-General Unit, United Public Employees of California-Professional Unit, and Teamsters-Trades and Crafts, pursuant to Government Code section 54957.6.

8:31 a.m.: The Board of Supervisors recessed to Closed Session.

9:02 a.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, Chief Deputy Clerk of the Board Glenda Tracy, and Administrative Board Clerk Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

INVOCATION

Invocation was given by Pastor Jim Wilson, PrayNorthState.

PLEDGE OF ALLEGIANCE

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

ELECTION OF 2010 CHAIRMAN

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors elected Supervisor Kehoe as 2010 Chairman of the Board of Supervisors.

ELECTION OF 2010 VICE CHAIRMAN

By motion made, seconded (Hartman/Moty), and unanimously carried, the Board of Supervisors elected Supervisor Baugh as 2010 Vice Chairman of the Board of Supervisors.

PRESENTATION OF PLAQUE TO 2009 BOARD CHAIRMAN GLENN HAWES

Chairman Kehoe presented a plaque to Supervisor Hawes in recognition of his dedicated service to Shasta County as Chairman of the Board of Supervisors during 2009.

9:16 a.m.: The Board of Supervisors recessed.

9:17 a.m.: The Board of Supervisors reconvened.

REGULAR CALENDAR, CONTINUED

ADMINISTRATIVE OFFICE

BOARD OF SUPERVISORS SALARY REDUCTION
SALARY RESOLUTION NO. 1371
INCREASED PERS CONTRIBUTIONS

County Administrative Officer Larry Lees requested that, due to the State of California budget crisis, the ordinance introduced December 8, 2009 not be enacted.

By motion made, seconded (Hartman/Moty), and unanimously carried, the Board of Supervisors specifically did not enact the ordinance introduced December 8, 2009 to reduce the salary of the Board of Supervisors by five percent until January 1, 2012; adopted Salary Resolution No. 1371, which repeals Salary Resolution No. 1370, approved December 8, 2009, to have been effective March 6, 2010, deletes Footnote 35 of the County Salary plan regarding the biweekly stipend paid to the Chairman of the Board of Supervisors, effective March 28, 2010, and reduces the salary of the members of the Board of Supervisors by 2 percent; and introduced and waived the reading of an ordinance effective March 28, 2010 which requires the Board of Supervisors to pay 100 percent of the employee Public Employee Retirement System (PERS) retirement contributions, deletes the bi-weekly stipend provided to the Chairman of the Board of Supervisors, and reduces the salary of the members of the Board of Supervisors by 2 percent.

(See Salary Resolution Book)

PUBLIC COMMENT PERIOD - OPEN TIME

Deputy Sheriffs Association (DSA) representative Jon Ruiz requested the Board of Supervisors consider reducing the salary of other elected officials, managers, and unrepresented personnel to represent a fair, equitable level and to support morale of County staff.

REGULAR CALENDAR, CONTINUED

BOARD MATTERS

2009 EMPLOYEE OF THE YEAR
LEGAL OFFICE EXECUTIVE ASSISTANT MARILYN WACKER
RESOLUTION NO. 2010-001

At the recommendation of County Counsel Michael Ralston and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2010-001, which recognizes Shasta County's 2009 Employee of the Year.

(See Resolution Book No. 51)

MOUNTAIN GATE COMMUNITY SERVICES DISTRICT

County Administrative Officer Larry Lees advised that the Mountain Gate Community Services District (CSD) Board of Directors currently has three vacancies on a five-member board, causing a lack of a quorum. Mr. Lees recommended establishing a panel of individuals knowledgeable about water issues to review applications, interview parties interested in serving on the Mountain Gate CSD Board of Directors, to provide a recommendation to the Board of Supervisors for appointment of one individual so a quorum may be established. As there is an immediate need to fill this vacancy, he recommended that notices and newspaper articles be done for a limited one week period.

Joan Anderson expressed her interested in being considered for appointment.

Mountain Gate CSD Board of Directors members Carey Park and Greg Peterson recommended the appointment of David Selby.

By motion made, seconded (Hartman/Moty), and unanimously carried, the Board of Supervisors directed a panel be established to interview parties expressing an interest to be appointed, with notices and newspaper articles be done for one week, interviews to take place, and one person be recommended to the Board of Supervisors for appointment to the Mountain Gate CSD Board of Directors.

CONSENT CALENDAR

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

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 2010. (Board Matters)

Gave the annual authorization to the Registrar of Voters to conduct election duties during the year 2010. (Board Matters)

Adopted the Resolution No. 2010-002, which authorizes the Shasta County Arts Council to apply for and accept the Fiscal Year 2010-11 California Arts Council Grant State/Local Partnership Programs. (Board Matters)

(See Resolution Book No. 51)

Approved the minutes of the meetings held on December 8 and 15, 2009, as submitted. (Clerk of the Board)

Enacted Ordinance No. 378-1999, which approves Zone Amendment No. 06-025, Barzin (Mountain Gate area), as introduced September 22, 2009. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 378-2000, which approves Zone Amendment No. 09-001, Barzin (Mountain Gate area), as introduced September 22, 2009. (Clerk of the Board)

(See Zoning Ordinance Book)

Approved and authorized the Chairman to sign a retroactive renewal agreement with the California Department of Mental Health in the amount of \$331,139 for State Hospital bed usage and the right to two dedicated beds for the period July 1, 2008 through June 30, 2009. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign a retroactive amendment to the agreement with Securitas Security Services USA, Inc. to revise the definitions of terms and the responsibilities of the contractor, and to incorporate an attachment regarding security and patrol schedules effective July 9, 2009; and to revise confidentiality provisions effective August 1, 2008. (HHS-Business and Support Services)

Approved and authorized the Chairman to sign a retroactive amendment to the agreement with Glenn County to provide additional Child Welfare Services/Case Management System training and extending the term of the contract by one year for the period July 19, 2007 to June 30, 2010. (HHS-Children's Services)

Approved and authorized the Chairman to sign the following retroactive documents to secure in-kind matches from school activities related to nutrition and physical activity promotion to receive federal revenue from the United States Department of Agriculture Supplemental Nutrition Assistance Program (SNAP): Memoranda of Understanding (MOUs) with Anderson Union High School District and Bella Vista Elementary School Districts for the period October 1, 2008 through September 30, 2010, with one automatic one-year renewal, an MOU with Fall River Joint Unified School District for the period October 1, 2009 through September 30, 2010, with one automatic one-year renewal, and amendments to the MOUs with Enterprise Elementary School District, Redding School District, Gateway Unified School District, and Gateway Unified School District "SAILS" after-school program extending the terms to September 30, 2010, with one automatic one-year renewal; and approved and authorized the Director of Public Health or his/her designee to sign additional SNAP-related MOUs with entities including but not limited to Happy Valley Elementary School, Cottonwood Union School District, Shasta County Child Abuse Prevention Coordinating Council-Anderson Partnership for Healthy Children, Cascade Union Elementary School District, Sharon Brisolara d.b.a. Evaluation Solutions, and The McConnell Foundation, and other minor, non-monetary amendments to any SNAP-related MOUs in accordance with County policy. (HHS-Public Health)

Approved a budget amendment increasing appropriations and revenue in the Sheriff's budget by \$207,767 as a result of the California Emergency Management Agency (Cal-EMA) Fiscal Year 2008-09 North State Initiative of the California Multi-jurisdictional Methamphetamine Enforcement (Cal-MMET) Grant award unspent balance at the end of Fiscal Year 2008-09 in the amount of \$32,892 carried over to Fiscal Year 2009-10 and additional federal asset forfeiture revenues in the amount of \$174,875 received but unbudgeted for Fiscal Year 2009-10; and authorized the Auditor-Controller to pay claims for expenses that include

participating agency costs related to the grant through subsequent fiscal years in which funds have been re-appropriated until all grant funds have been exhausted. (Sheriff)

Approved and authorized the Chairman to sign an Extension of Permit with Roseburg Resources Company in the amount of \$136.99 to lease land used for the County Service Area (CSA) No. 23 - Cragview Water system tank site for the period December 1, 2009 through November 30, 2010. (County Service Area No. 23 - Cragview Water)

Appointed the following property owners to two-year terms on their Community Advisory Boards within their respective County Service Areas:

CSA #2 - Sugarloaf

Mardi Kisling
Tom Kisling
Diane Monthei
Les Monthei

CSA #6 – Jones Valley

Melvin Fisher
Larry Olkowski
Marti Palmer
Nancy Wallen

CSA #13 – Alpine Meadows

Ronald Getty
Linda Gow
Cynthia Whitt
(Public Works)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

Supervisor Baugh recently attended the Regional Council of Rural Counties (RCRC) meeting.

**APPOINTMENT: FIRE WARDEN AND CHIEF OF THE SHASTA COUNTY
FIRE DEPARTMENT DOUG WENHAM**

At the recommendation of County Administrative Officer Larry Lees, and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors appointed California Department of Forestry and Fire Protection, Shasta-Trinity Unit Chief Doug Wenham as the Fire Warden and Chief of the Shasta County Fire Department effective December 31, 2009.

ASSESSOR-RECORDER'S OFFICE COST STUDY

Chairman Kehoe announced that the cost study to be addressed has been pulled at the request of the department.

SCHEDULED HEARINGS

PUBLIC WORKS

**PRESENTATION: ENERGY EFFICIENCY CONSERVATION BLOCK GRANT PROGRAM
RESOLUTION NO. 2010-003**

This was the time set to reopen a public hearing, continued from December 15, 2009, regarding integrated energy services. Public Works Director Pat Minturn presented the board report and recommended approval to submit an Energy Efficiency Conservation Block Grant Program application. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

Shasta County is potentially eligible for approximately \$400,000 in Energy Efficiency Conservation Block Grant funding from the California Energy Commission (CEC) to replace and upgrade aging mechanical and electrical systems. Potential projects include replacing air conditioning chillers and installation of demand controls on ventilation at the Justice Center, upgrading exit signs at various County facilities, and replacing 22 HVAC units in the Breslauer Campus.

County staff has negotiated with Beutler Corporation, but the contract language has not been finalized. Beutler Corporation prepared the grant application without a contract and at no charge to the County.

Because of the short timeline to submit applications by January 12, 2010, some counties have chosen not to submit their applications; therefore 40 percent of the funds will not be claimed and will be redistributed to the other agencies.

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

By motion made, seconded (Hawes/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2010-003, which designated the Public Works Director as the County's agent to submit an Energy Efficiency and Conservation Block Grant Program; and approved and authorized the Public Works Director to sign any agreements and amendments with the California Energy Commission to implement a grant award in an amount not to exceed \$500,000.

(See Resolution Book No. 51)

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe 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 Kreger v. County of Shasta, Mahon v. County of Shasta, Runyon v. County of Shasta, General Electric Capital Corporation, et al. v. Ten Forward Dining, et al., pursuant to Government Code section 54956.9, subdivision (a); and
2. Consider a public employee appointment (County Counsel), pursuant to Government Code section 54957; and
3. Confer with its Labor Negotiators, County Administrative Officer Larry Lees, Personnel Director Michelle Schafer, and Labor Consultant Becker and Bell, to discuss the

following employee organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriffs Association, Deputy Sheriffs Association-Correctional Officers, Sheriffs Administrative Association, Professional Peace Officers Association, Unrepresented Employees, United Public Employees of California-General Unit, United Public Employees of California-Professional Unit, and Teamsters-Trades and Crafts, pursuant to Government Code section 54957.6.

10:02 a.m.: The Board of Supervisors recessed to Closed Session.

11:10 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, and County Counsel Mike Ralston present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation and public employee appointment, as well as labor negotiations. The Board of Supervisors, on a unanimous vote:

1. In the matter of Kreger v. County of Shasta, approved a Compromise and Release Agreement in the amount of \$120,000;
2. In the matter of Mahon v. County of Shasta, approved a settlement of \$250,000 of Statutory Death Benefits;
3. In the matter of Runyon v. County of Shasta, approved a settlement of \$250,000 of Statutory Death Benefits; and
4. In the matter of General Electric Capital Corporation, et al. v. Ten Forward Dining, et al., authorized County Counsel to handle the defense.

No other reportable action was taken.

11:15 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy