

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, May 15, 2012

**REGULAR MEETING**

9:02 a.m.: Chairman Moty 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 - Rubin E. Cruse, Jr.  
Chief Deputy Clerk of the Board - Glenda Tracy  
Administrative Board Clerk - Linda Mekelburg

**INVOCATION**

Invocation was given by Pastor Sandra Soley Keep, Unity in Redding.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Don Kirk stated there are potholes on Veterans Lane, which is a private road near the Sheriff-Coroner's office.

Russ Wade opposed the Knighton Road Shopping Center due to the loss of prime farm land.

Irv Corbin requested the Board of Supervisors write a letter of opposition for Senate Bill 1221 (Lieu) Mammals: Use of Dogs to Pursue Bears and Bobcats. By consensus, the Board of Supervisors directed the matter be placed on the next agenda for action.

**REGULAR CALENDAR**

**BOARD MATTERS**

**PROCLAMATION: SAFE BOATING WEEK**

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 19-25, 2012 as Safe Boating Week in Shasta County. Coast Guard Public Affairs Officer Dan Weggeland accepted the proclamation.

**PRESENTATIONS**

**PRESENTATION: SHASTA COUNTY  
CONSTRUCTION PROJECTS**

Director of Public Works Pat Minturn presented a report on the status of various Public Works road, bridge, and building construction projects.

**ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Moty advised that the items regarding an agreement with LocumTenens.com, LLC, a retroactive agreement with PerkinElmer Health Sciences, Inc., and retroactive exhibits and a rider to an agreement with the National Association of Counties (NACo) and CaremarkPCS Health, LLC have been 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:

Approved the minutes of the meeting held on May 8, 2012, as submitted. (Clerk of the Board)

Adopted Salary Resolution No. 1405, which deletes one Senior Staff Services Analyst position and adds one Supervising/Senior Staff Services Analyst position in the Health and Human Services Agency (HHS) budget, approved the Merit Systems Services specifications for the Supervising Staff Services Analyst job classification, and amended the attachment to the memorandum of understanding with the Shasta County Employees Association, Supervisory Unit adopted December 13, 2011 to add the Supervising Staff Services Analyst classification. (Support Services)

(See Salary Resolution Book)

Relieved the departments of accountability for three capital assets that are no longer in Social Services' possession or control and one capital asset that is no longer in Public Health's possession or control and authorized the Auditor-Controller to delete the capital assets from the County's inventory upon receipt of a capital asset transaction form. (HHS-Business and Support Services)

Allocated the remaining Secure Rural Schools Title III funds to the Burney Fire Protection District in the amount of \$13,174.55 to purchase an emergency response vehicle, to the Sheriff's Office of Emergency Services in the amount of \$8,000 to purchase 10 handheld narrowband-compliant radios, and to the Shasta County Fire Department in the amount of

\$47,037.40 to purchase a water tender for Old Station Volunteer Fire Department; and directed staff to begin a 45-day public comment period. (Public Works)

Adopted Resolution No. 2012-049, which approves and authorizes the Public Works Director to apply for and file a Proposition 50 grant application for proposed water system improvements in County Service Area No. 2-Sugarloaf and County Service Area No. 25-Keswick. (Public Works)

(See Resolution Book No. 53)

### **ACTION ON ITEMS PULLED FROM CONSENT CALENDAR**

#### **AGREEMENT: LOCUMTENENS.COM, LLC PSYCHIATRIST SERVICES**

In response to questions by Supervisor Kehoe, Health and Human Services Agency (HHS) Director of Public Health and Regional Services Donnell Ewert explained that wording regarding productivity was included in the agreement with LocumTenens.com, the provider of the contract psychiatrist, to maintain timely and quality patient care and to provide billable services. Mr. Ewert explained that direct service should be maintained at 60 to 65 percent. Direct service is when the psychiatrist is with the patient; indirect services include paperwork, trainings, and when patients fail to appear for their appointments.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with LocumTenens.com, LLC in an amount not to exceed \$410,000 to provide temporary psychiatrist services from July 1, 2012 through June 30, 2013. (Health and Human Services Agency (HHS)-Adult and Children's Services)

#### **AGREEMENT: PERKINELMER HEALTH SCIENCES, INC. PUBLIC HEALTH LABORATORY EQUIPMENT MAINTENANCE**

Supervisor Kehoe noted the agreement with PerkinElmer Health Sciences, Inc. includes annual advance payments in the amount of \$9,360; he is not supportive of advance payments.

In response to questions by Supervisor Baugh, Health and Human Services Agency (HHS) Director of Public Health and Regional Services Donnell Ewert advised that the agreement allows the equipment be maintained in good condition.

By motion made, seconded (Hartman/Hawes), and carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive renewal agreement with PerkinElmer Health Sciences, Inc. in an amount not to exceed \$25,000 to provide maintenance and repair services on Public Health laboratory equipment for the period March 25, 2012 through March 24, 2014. Supervisor Kehoe voted no. (HHS-Public Health)

#### **AGREEMENT: NATIONAL ASSOCIATION OF COUNTIES (NACo) AND CAREMARKPCS HEALTH, LLC**

In response to questions by Supervisor Kehoe, Health and Human Services Agency-Regional Services Branch Director Melissa Janulewicz stated that Shasta County, in partnership with National Association of Counties (NACo), entered into an agreement with CaremarkPCS Health, LLC (Caremark) for discount prescription cards to be available to Shasta County residents to obtain discounts on selected prescription drugs at participating pharmacies. Shasta County may now participate in a revenue sharing option to receive reimbursement of \$1 per prescription when Prescription Discount cards are used in Shasta County.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive exhibit and rider to an agreement with the National Association of Counties (NACo) and CaremarkPCS Health, LLC effective January 1, 2012 to allow for participation in a revenue sharing option associated with the Prescription Discount Card program; approved and authorized the Chairman to sign a retroactive exhibit to the May 15, 2008 agreement to continue the Prescription Discount Card program, and a retroactive exhibit to the December 10, 2010 amendment to the agreement to continue the Prescription Discount Card program; and approved and authorized the Health and Human Services Agency (HHS) Director or his/her designee authority to sign, accept, or reject any minor amendments (including retroactive) and other documents related to the agreement. (HHS-Regional Services)

10:28 a.m.: The Board of Supervisors recessed.

10:33 a.m.: The Board of Supervisors reconvened.

10:33 a.m.: The Board of Supervisors recessed and convened as the In-Home Supportive Services Public Authority Governing Board.

### **SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR**

#### **IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY GOVERNING BOARD**

By motion made, seconded (Hartman/Hawes), and unanimously carried, the In-Home Supportive Services Public Authority Governing Board approved and authorized the Chairman to sign an agreement with Becker & Bell, Inc. in an amount not to exceed \$10,000 to provide labor relations/contract negotiator services for the period July 1, 2012 through June 30, 2013.

10:34 a.m.: The In-Home Supportive Services Public Authority Governing Board adjourned and convened as the Shasta County Water Agency.

### **SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR**

#### **WATER AGENCY**

##### **OVERHEAD RATE CHARGE**

##### **WATER AGENCY CHIEF ENGINEER AUTHORITY TO SIGN CONTRACTS**

Water Agency Chief Engineer Pat Minturn advised that the Water Agency has a contract with United States Bureau of Reclamation (Bureau) for 1,022 acre-feet of Central Valley Project (CVP) water. The Water Agency has subcontracts with individuals, water districts, and County Service Areas.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Shasta County Water Agency established the overhead rate charged to Water Agency water contractors as \$10 per acre-foot effective July 1, 2012, and approved and authorized the Chief Engineer of the Water Agency to sign contracts to purchase up to 5 years and 10 acre-feet of water at the Water Agency's actual costs incurred under the master agreement with the U.S. Bureau of Reclamation plus the cost of administration, including the overhead rate established by the Water Agency Board of Directors.

10:21a.m.: The Shasta County Water Agency adjourned and reconvened as the Shasta County Board of Supervisors.

**REGULAR CALENDAR, CONTINUED**

**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 governor's May Revise budget. Governor Brown is actively making budget cuts to alleviate some of the \$16 billion state deficit. It appears that more responsibility will be placed on local government levels, although the state may not provide the necessary funding.

Supervisor Hawes and Kehoe recently attended an Indian Gaming Local Community Benefit Committee meeting.

Supervisor Moty recently attended a Sierra-Sacramento Valley Emergency Medical System Board meeting.

Supervisors reported on issues of countywide interest.

**ADMINISTRATIVE OFFICE**

**AIR POLLUTION CONTROL BOARD  
ADDITION OF MEMBERS**

County Administrative Officer Larry Lees explained that the City of Redding and City of Anderson have requested allowing some City Council members to be members of the Air Pollution Control Board (APCB), along with one at-large member. The City of Shasta Lake has declined to participate on the APCB.

The APCB is currently made up of the five members of the Board of Supervisors. CAO Lees recommended adding add one member each from the City of Redding and the City of Anderson, would make a seven-member board.

In response to questions by Supervisor Moty, County Counsel Rubin Cruse noted that the Health & Safety Code provides for the members of the Board of Supervisors to act as the APCB, as well as city council members or mayors from incorporated cities; however, there is no provision for a member at large.

In response to questions by Supervisor Baugh, Mr. Cruse advised that, should a lawsuit be served upon on the Air Quality Management District (AQMD), the Cities of Redding and Anderson themselves would not be subject to the penalties and repercussions of a lawsuit since the AQMD is an independent entity. However, if assessments are made against the AQMD, and if certain other funding sources are not available, the cities would need to contribute to the funds of the AQMD to pay the assessment if they have membership on the board.

In response to questions by Supervisor Kehoe, Mr. Cruse stated that once the AQMD fund balance is exhausted, all of the participants of the board will share in operational expenses.

Air Pollution Control Officer Russ Mull stated his recommendation would be that the APCB be an odd-numbered board.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors provided direction to staff regarding changing the number of board positions on the

Air Pollution Control Board to be a seven-member board, with five members of the Shasta County Board of Supervisors and one member each from the Cities of Redding and Anderson.

**CLOSED SESSION ANNOUNCEMENT**

Chairman Moty 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 Conley v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (a); and
2. 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.

11:09: a.m.: The Board of Supervisors recessed to Closed Session.

12:02 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer/Clerk of the Board Larry Lees, and County Counsel Rubin Cruse, Jr. present.

**REPORT OF CLOSED SESSION ACTIONS**

County Counsel Rubin Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss existing litigation, as well as labor negotiations.

In the matter of Conley v. County of Shasta, a workers' compensation matter, the Board of Supervisors, by a 5-0 vote, approved a Compromise and Release for Daniel Conley in the amount of \$194,000, less credit for previously paid permanent disability advances in the amount of \$25,152.15.

No other reportable action was taken.

12:04 p.m.: The Board of Supervisors adjourned.

\_\_\_\_\_  
Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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