

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, March 12, 2013

REGULAR MEETING

9:02 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 Giacomini
District No. 4 - Supervisor Schappell

District No. 5 - Supervisor Baugh - Absent

County Executive Officer - Larry Lees
County Counsel - Rubin E. Cruse, Jr.
Typist Clerk III - Candice Martin
Administrative Board Clerk - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Perry Peterson, Crossroads Bible Fellowship.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Peter Scales expressed concerns with the Elk Trail Water Improvement Project.

Ruth Angel requested the Board of Supervisor reach out to the public and find a way to measure public opinion.

Dolores Lucero alleged that illegal activity has occurred in local government.

Russ Wade shared the positive effects of eating a healthy diet.

Terry Rapoza endorsed the County working with their citizens and spending taxpayer money better.

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: WOMEN'S HISTORY MONTH

By motion made, seconded (Schappell/Giacomini), and unanimously carried, the Board of Supervisors adopted a proclamation which designates March 2013 as Women's History Month in Shasta County. League of Women Voters member Janet Tyrrel was present to accept the proclamation.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe noted that the items regarding the McArthur Fire Protection District Conflict of Interest Code for the, the Shasta County Conflict of Interest Code, and the agreement with Rick Presta d.b.a. Cedar Rose Programs would be pulled for further discussion.

CONSENT CALENDAR

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

Enacted Ordinance No. SCC 2013-01, which amends Shasta County Code Chapter 2.40, *Department of Public Works*, to place the authority for managing the County's fleet of vehicles under the Department of Public Works (DPW); remove from DPW the responsibility of administering the functions of the metropolitan transportation planning organization; and update the functions and responsibilities of DPW to reflect current duties, as introduced February 26, 2013. (Clerk of the Board)

(See County Code Ordinance Book)

Enacted Ordinance No. 695, which repeals Ordinances No. 466 and 466-1, retains the current documentary transfer tax rate, and updates language to reflect current law, as introduced February 26, 2013. (Clerk of the Board)

(See General Ordinance Book)

Appointed Glenn Tuschen to the Halcumb Public Cemetery District Board of Trustees for a term to expire May 2017. (Clerk of the Board)

Reappointed Linda Roberts, Jennifer Church, and Wendy Longwell to the In-Home Supportive Services Advisory Committee for terms to March 31, 2016. (Health and Human Services Agency (HHS)-Adult Services)

Adopted Resolution No. 2013-023, which approves and authorizes the Director of the Department of Housing and Community Action Programs to sign and submit an application to the California Department of Housing and Community Development in the amount of \$800,000 for Proposition 1C funding through the CalHome Program for housing rehabilitation and first-time homebuyer mortgage assistance programs; approves and authorizes the Chairman to sign a grant agreement if one is awarded; and approves and authorizes the Director to sign additional application and participation documents. (Housing and Community Action Programs)

(See Resolution Book No. 54)

Declared a mini-mainframe computer leased to Mendocino County as surplus property and not required for County use; approved and authorized the Chairman to sign an agreement with Mendocino County to surplus and dispose of the mini-mainframe effective May 5, 2013; and approved removal of the capital asset from the Department of Child Support Services inventory. (Child Support Services)

Adopted Salary Resolution No. 1420, which adds one Building Inspector III position for code enforcement in the Resource Management-Building Inspection budget effective March 24, 2013. (Resource Management-Building Division)

(See Salary Resolution Book)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

CONFLICT OF INTEREST CODE
MCARTHUR FIRE PROTECTION DISTRICT
RESOLUTION NO. 2013-024

Dolores Lucero questioned what is being addressed by the conflict of interest code. County Counsel Rubin Cruse stated that the Political Reform Act requires every local governing body to have a current conflict of interest code.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-024, which approves the conflict of interest code for the McArthur Fire Protection District. (Clerk of the Board/County Counsel)

(See Resolution Book No. 54)

CONFLICT OF INTEREST CODE AND DESIGNATED POSITIONS
SHASTA COUNTY
RESOLUTION NO. 2013-025

In response to questions by Dolores Lucero, County Counsel Rubin Cruse explained this specific item pertains to financial conflicts of interests rather than potential conflicts when a person holds both and elected positions and an employment position.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-025, which repeals Resolutions No. 2011-029 and 2012-027, and amends the Shasta County Conflict of Interest Code and Designated Positions. (County Counsel)

(See Resolution Book No. 54)

AGREEMENT: RICK PRESTA, M.A., L.M.R.T. D.B.A. CEDAR ROSE PROGRAMS
ADDITIONAL SERVICES FOR AB 109 OFFENDERS

In response to questions by Supervisor Kehoe, Chief Probation Officer Wes Forman stated the amendment is for additional services to the existing contract with Cedar Rose Programs to provide a nurturing father's program and a women's empowerment program. Compliance and accountability safeguards are built into the system through testing and evaluations.

By motion made, seconded (Giacomini/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive amendment to the agreement with Rick Presta, M.A., L.M.F.T., d.b.a. Cedar Rose Programs increasing compensation by \$76,000 (for a new total not to exceed \$86,000) to provide additional services for offenders and retaining the term of July 1, 2012 through June 30, 2013. (Probation)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CAO) Larry Lees had no legislative update.

Supervisor Giacomini requested that CAO Larry Lees see whether any further action needs to be taken in regards to AB 97 and its effect on Mayors Memorial Hospital.

Supervisor Moty recently attended a Sierra-Sacramento Valley EMS meeting.

Supervisor Kehoe recently attended Shasta County Mental Health, Alcohol and Drug Advisory Board and Local Agency Formation Committee (LAFCO) meetings.

Supervisors reported on issues of countywide interest.

LAW AND JUSTICE

SHERIFF

CIVIL WAGE GARNISHMENT TRUST FUND CHECKS

Chief Fiscal Officer Mike Lindsey stated that the Sheriff's Office has identified 20 checks through an audit that were issued but never cashed. A process was recently implemented to track checks and actively reconcile this account.

Dolores Lucero stated the misuse of taxpayer dollars when checks are rewritten.

Mr. Lindsey clarified the money has been garnished from wages and must be paid to a debtor.

In response to questions by Supervisor Schappell, County Counsel Rubin Cruse stated the statute of limitations of collecting a civil judgment is 10 years.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors authorized the Auditor-Controller to process claims to reissue 20 stale-dated Sheriff's Civil Wage Garnishment Trust Fund checks in the amount of \$31,945.44 that are more than five years old.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to confer with legal counsel to discuss existing litigation entitled McLaughlin v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1).

9:59 a.m.: The Board of Supervisors recessed to Closed Session.

10:14 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Executive 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; however, no reportable action was taken.

10:15 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy