

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 8, 2002

REGULAR MEETING

9:00 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 Fust
District No. 3 - Supervisor Hawes
District No. 4 - Supervisor Wilson
District No. 5 - Supervisor Clarke

County Administrative Officer - Doug Latimer
County Counsel - Karen Jahr
Administrative Board Clerk - Linda Mekelburg

INVOCATION

Invocation was given by Undersheriff Larry Schaller.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

Introductions of the Members of the Board, county staff, elected officials, and county department heads were made.

PUBLIC COMMENT PERIOD - OPEN TIME

Lee General Eagle Clarke spoke regarding his eviction and domestic treason.

Russ Wade read a poem regarding President Bush's recent speech on Iraq.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisors Fust and Clarke pulled the minutes of October 1, 2002 for amendment. Supervisor Fust requested that Page 234, Paragraph 3 be amended to read, "... Emmett *Burroughs*" Supervisors Fust and Clarke also requested that Page 234, Paragraph 6, Sentence 2 be amended to read, "Staff was further directed *to* work with County departments and return within 1½ *months* with a suggested amount for Title II projects."

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$1,070,620.38 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on October 1, 2002, as amended. (Clerk of the Board)

Authorized the County Clerk/Registrar of Voters to issue a Request for Proposals for the acquisition of a new voting system. (County Clerk-Registrar of Voters)

Adopted the following resolutions which notify the Public Employees Retirement system of the County's contribution to the 2003 group health premiums: Resolution No. 2002-171 (Deputy Sheriff's Association); Resolution No. 2002-172 (Mid Management Bargaining Unit); Resolution No. 2002-173 (United Public Employees of California); Resolution No. 2002-174 (Unrepresented Confidential Employees); and Resolution No. 2002-175 (Unrepresented Manager). (Support Services-Human Resources Division)

(See Resolution Book No. 43)

Approved and authorized the Chairman to sign a contract amendment with the State Department of Rehabilitation which decreases the required County cash match from \$67,107 to \$63,379 to provide Vocational Rehabilitation Services during Fiscal Year 2001-2002. (Mental Health)

Appointed the following to the Mental Health Board: Patricia Kreitler and Marianne Prichard, filling unexpired terms to January 2004; and Steve Sibilsky, Donna Pratt, David Talbott, and Leila Nankervis, to three-year terms to January 2006. (Mental Health)

Approved and authorized the Chairman to sign a contract amendment with the Public Health Institute in the amount of \$165,000 to provide Partnership for the Public Health program activities for the period September 1, 2002 to August 31, 2003. (Public Health)

Approved and authorized the Chairman to sign an agreement with Hubbert Systems Consulting, Inc. in the amount of \$19,500 from date of signing to January 31, 2003 to conduct an assessment of Shasta County's readiness for compliance with the Health Insurance Portability & Accountability Act (HIPAA). (Public Health)

Approved and authorized the Chairman to sign a contract with the Shasta County Child Abuse Prevention Coordinating Council in the amount of \$70,000 to provide a Child Abuse Prevention, Intervention, and Treatment Afternoon Childcare, Structured Activity and Parent Mentoring Program from the date of signing to June 30, 2003. (Social Services)

Approved and authorized the Chairman to sign a letter requesting approval of the In-Home Supportive Services Public Authority Rate application documenting the maximum direct and indirect operating expenses including provider wages that will be reimbursed by the State for submission to the California Department of Social Services. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with the Shasta County Law Enforcement Chaplaincy in the amount of \$25,806 to provide chaplaincy and ministerial services to Shasta County Jail inmates for the period August 1, 2002 to June 30, 2003. (Sheriff)

Approved and authorized the Chairman to sign a renewal agreement with the Shasta County Private Industry Council in the amount of \$40,530 to provide inmate computerized instructional educational services in the Main Jail for the period July 1, 2002 to June 30, 2003. (Sheriff)

Found that the circumstances and factors that led to the proclamation of a local emergency due to a severe rainfall reduction causing extreme peril to livestock and property had not been totally resolved and that there is a need for the continuance of this proclamation. (Sheriff/Office of Emergency Services)

Adopted Resolution No. 2002-176, which certifies that the County maintains 1,190.746 miles of road, annually required as a condition for State funding. (Public Works)
(See Resolution Book No. 43)

Approved and authorized the Chairman to sign an agreement with PACE Civil, Inc. in an amount not to exceed \$63,080 and expiring 60 days after filing a Notice of Completion for the construction project to provide engineering services to design water pressure improvements at the West Central Landfill and extension of water lines to the Veterans Cemetery. (Public Works)

Approved and authorized the Chairman to sign an agreement with RichMarc Asbestos Consultants, Inc. in an amount not to exceed \$20,000 and expiring 30 days after filing a Notice of Completion, to provide asbestos consulting services for a portion of the former Shasta County Hospital. (Public Works)

REGULAR CALENDAR

BOARD MATTERS

APPOINTMENT: MARK LASCELLES **ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS, DISTRICT 3**

At the recommendation of Supervisor Hawes and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors appointed Mark Lascelles to the Shasta County Economic Development Corporation Board of Directors, filling an unexpired term to January 2004.

PROCLAMATION: PINK RIBBON DAY

At the recommendation of Dr. Patricia Hanson and Melody Christensen of MD Imaging, Inc. and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors adopted a proclamation which declares October 17, 2002 as Pink Ribbon Day in Shasta County as part of Breast Cancer Awareness Month.

LETTER: AHJUMAWI LAVA SPRINGS STATE PARK

At the recommendation of Supervisor Hawes and by motion made, seconded (Hawes/Wilson), and carried, the Board of Supervisors approved and authorized the Chairman to sign a letter opposing the California Department of Parks and Recreation's proposal to acquire land that will be used to develop public access to Ahjumawi Lava Springs State Park. Supervisor Kehoe voted no as the Board was being asked to take a position in support of the private good without hearing the position in support of the public good.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer stated there was no legislative report this week.

By motion made, seconded (Hawes/Clarke) and unanimously carried, the Board of Supervisors approved a letter to State Superintendent of Public Instruction Delaine Eastin opposing her decision to close regional agricultural education offices, dismantle the regional delivery structure in agricultural education and Future Farmers of America, and relocate all agricultural education State staff to Sacramento.

Supervisors reported on issues of countywide interest.

RESPONSE: FISCAL YEAR 2001-2002 SHASTA COUNTY GRAND JURY FINAL REPORT

Supervisor Kehoe introduced the Foreman of the Fiscal Year 2001-2002 Grand Jury, Duane Mason, and the Foreman of the Fiscal Year 2002-2003 Grand Jury, Marsha Caranci. Ms. Caranci introduced members of the Fiscal Year 2001-2002 Grand Jury (Bruce Huff, Carol Tracy, Judy Meek, and Sally Bentley) and the Fiscal Year 2002-2003 Grand Jury (Peggy Hale, Norma Taylor, Bill Estes, and Bill Clark).

County Administrative Officer Latimer presented the proposed Board of Supervisors' response to the Final Report of the Fiscal Year 2001-2002 Grand Jury. He noted that in the Auditor-Controller section of the response, Recommendation #11 regarding the separation of Fleet Management vehicle maintenance and repair funds has been accomplished; this will be revised before sending.

The Members of the Board discussed the remaining recommendations:

1. Recommendation #10 under Auditor-Controller addresses a requested management audit of the Auditor-Controller's Office. The Board of Supervisors discussed the option of including a management audit in the next Countywide audit or contracting for a separate management audit.

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors authorized a separate management audit to be conducted immediately.

2. Recommendation #4 under Auditor-Controller suggests the Board of Supervisors should require the Auditor-Controller to appear monthly to report upon the status of his office. Following discussion, the Board determined they were not inclined to require the Auditor-Controller to report on the status of his office.

By motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors adopted the proposed response to the Final Report of the Fiscal Year 2001-2002 Shasta County Grand Jury with the following changes to the Auditor-Controller section:

1. Recommendation #10 will be revised to indicate that a Request for Proposal will be issued to conduct a separate management audit; and
2. Recommendation #11 will be revised to indicate that fleet operations, replacement costs, and fuel are now in separate budget categories.

10:10 a.m.: Supervisor Kehoe stated he had a conflict regarding the next two agenda items due to his association with the U.S. Forest Service, recused himself, and left the hearing room. Vice Chairman Clarke presided.

GENERAL GOVERNMENT

BOARD MATTERS

**CHANGES TO SIERRA NEVADA FRAMEWORK RECORD OF DECISION
PRESIDENT'S HEALTHY FORESTS INITIATIVE
RESOLUTION NO. 2002-177**

At the recommendation of Supervisor Clarke and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-177, which urges Regional Forester Jack Blackwell, U.S.F.S. to make urgent changes to the Sierra Nevada Framework Record of Decision for the President's Healthy Forests Initiative.

(See Resolution Book No. 43)

LAW AND JUSTICE

SHERIFF

**AGREEMENT: U.S. FOREST SERVICE
MARIJUANA SUPPRESSION SERVICES
BUDGET AMENDMENT**

At the recommendation of Undersheriff Larry Schaller and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations and revenues by \$25,000 from funds made available through the Office of Drug Control Policy on behalf of the United States Forest Service, and authorized the Sheriff to sign an agreement with the U.S. Forest Service for marijuana suppression services.

10:14 a.m.: Supervisor Kehoe returned to the hearing room and presided.

SCHEDULED HEARINGS

LAW AND JUSTICE

LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS

This was the time set to conduct a public hearing and consider the request of the Sheriff's Office to authorize the use of \$71,294 in Local Law Enforcement Block Grant Funds from the Bureau of Justice Assistance and \$7,922 in required matching funds from the Sheriff's asset forfeiture account; accept the recommendation of the Local Law Enforcement Block Grant Advisory Board to utilize subject funds for project staffing of the Integrated Public Safety System and the multi-agency mobile data terminal project currently being implemented by the Sheriff's Office, the Redding Police Department, and the Anderson Police Department; and direct the County Administrative Officer to sign the pending award document and Special Conditions. Undersheriff Larry Schaller presented the staff report and recommended approval of the department request. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

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

By motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors authorized the use of \$71,294 in Local Law Enforcement Block Grant Funds from the Bureau of Justice Assistance and \$7,922 in required matching funds from the Sheriff's asset forfeiture account; accepted the recommendation of the Local Law Enforcement Block Grant Advisory Board to utilize subject funds for project staffing of the Integrated Public Safety System and the multi-agency mobile data terminal project currently being implemented by the Sheriff's Office, the Redding Police Department, and the Anderson Police Department; and directed the County Administrative Officer to sign the pending award document and Special Conditions.

RESOURCE MANAGEMENT

PLANNING DIVISION

CERTIFICATE OF COMPLIANCE NO. 01-005

MICHAEL, GEORGE A. JR., MARY C., AND GEORGE C. MARTIN, ANDERSON AREA RESOLUTION NO. 2002-178

This was the time set to conduct a public hearing and consider the issuance of Certificate of Compliance No. 01-005, Michael, George A. Jr., Mary C., and George C. Martin, to recognize five parcels in the Anderson area as developable parcels which meet the Shasta County Development Standards. Assistant Resource Management Director Jim Cook presented the staff report and recommended approval. This matter was continued from the May 28, 2002 meeting. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

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

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-178, which authorizes the issuance of Certificate of Compliance No. 01-005 to recognize five parcels as developable parcels which meet the Shasta County Development Standards.

(See Resolution Book No. 43)

ZONE AMENDMENT NO. 02-002

LYNN HENRICKSON BIG BEND AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 02-002, Lynn Henrickson, which would rezone approximately 116.13 acres of a 155-acre parcel in the Big Bend area from an Unclassified (U) District to a Timber Production (TP) District. Senior Planner Bill Walker presented the staff report and recommended approval of the project. The Affidavit of Publication and Notice of Hearing 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 hearing was closed.

By motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 02-002, Lynn Henrickson, Big Bend area:

1. Found the project statutorily exempt from the California Environmental Quality Act as specifically set forth in Planning Commission Resolution No. 02-063;

- 2. Adopted the rezoning findings; and
- 3. Introduced and waived the reading of the ordinance to amend the Zone Plan of the County of Shasta identified in Zone Amendment 02-002, as specifically set forth in Planning Commission Resolution No. 02-063.

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 *Schwermann v. State of California, et al. and PG&E Bankruptcy*, pursuant to Government Code Section 54956.9, subdivision (a).
- 2. Confer with its Labor Negotiators, County Administrative Officer Doug Latimer and Director of Support Services Joann Davis, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-management Association, Deputy Sheriffs Association, Sheriffs Administrative Association, Professional Peace Officers Association, Unrepresented Employees, United Public Employees of California, and Trades and Crafts, pursuant to Government Code Section 54957.6.

10:23 a.m.: The Board of Supervisors recessed to Closed Session.

11:07 a.m.: The Board of Supervisors recessed from Closed Session.

11:11 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Hawes, Kehoe, and Fust, and Administrative Board Clerk Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

Chairman Kehoe reported that the Board of Supervisors met in Closed Session to discuss existing litigation, as well as labor negotiations; however, no reportable action was taken.

11:12 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy