

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, April 9, 2002

REGULAR MEETING

9:01 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
Clerk of the Board - Carolyn Taylor
Administrative Board Clerk - Christie Jewell

INVOCATION

Invocation was given by Undersheriff Larry Schaller.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Michel Czehatowski and Betty Doty spoke in opposition to Shasta County's commitment of \$100,000 to implement fluoridation.

Supervisor Kehoe stated that as a point of information, a report from the staff will be made at the April 16, 2002 Board of Supervisors meeting.

ITEMS PULLED FROM THE CONSENT CALENDAR

Supervisor Kehoe pulled from the Consent Calendar the minutes of April 2, 2002 to make a correction on page 73 under PUBLIC COMMENT PERIOD - OPEN TIME, second paragraph, with language from Supervisor Fust to read ". . .*that he felt that the presenters deserved a response to their question . . .*" (Clerk of the Board)

Supervisor Clarke pulled for recognition and presentation of the staff report, the request to approve an amendment to the agreement to implement and maintain a Tobacco Control Youth Coalition Project, to better inform the public on how tobacco funds are being expended.

CONSENT CALENDAR

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended: (Supervisor Kehoe abstained from acting on the request to approve a contract with the U.S. Department of Agriculture, Forest Service, Shasta- Trinity National Forest, for campground patrol service).

Authorized the issuance of warrants totaling \$52,016.32 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on April 2, 2002, as amended. (Clerk of the Board)

Enacted Shasta County Code Ordinance No.2002-1, which amends Section 3.40.020 of the Shasta County Code regarding disposition of surplus property, as introduced on March 26, 2002. (Clerk of the Board)

(See Shasta County Code Ordinance Book)

Approved and authorized the Chairman to sign a contract for legal services with Manning & Marder, Kass, Ellrod, Rameriz to provide representation in the area of civil rights appeals. (County Counsel)

Approved and authorized the Chairman to sign a lease with Rick Ranslow for office space at 37491 Enterprise Street, Suites D, E, and F, Burney, for the period of May 1,2002 through June 30, 2005, in the amount of \$1,475 for thirty-six (36) months, with a 3% yearly increase to the base rate beginning in the second year, and an option to renew for two additional years at the base monthly rate of approximately \$1,200. (Public Health)

Approved and authorized the Sheriff to sign a renewal contract and the Cooperative Law Enforcement agreement with the U .S. Department of Agriculture, Forest Service, Shasta-Trinity National Forest, in the amount of \$19,200 for campground patrol services from October 1 , 2001 through September 30, 2002. (Sheriff)

**AGREEMENT: DEPARTMENT OF HEALTH SERVICES
TOBACCO CONTROL YOUTH COALITION PROJECT**

Public Health Director Marta McKenzie presented the staff report on the request to implement and maintain a Tobacco Control Youth Coalition Project and described the program.

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign Amendment No.1 to the Department of Health Services agreement in the amount of \$120,000, which increases the grant total to \$145,000,

for the period of February 1, 2001 through August 31, 2003 for the purpose of implementing and maintaining a Tobacco Control Youth Coalition Project. (Public Health)

REGULAR CALENDAR

BOARD MATTERS

PRESENTATION: CHUCK SCHULTZ, BUREAU OF LAND MANAGEMENT UPDATE ON RAIL-TRAIL

Chuck Schultz, Field Manager for Bureau of Land Management (ELM), and Mike Ryan, Northern California Area Manager, U.S. Bureau of Reclamation, presented an update on the status of efforts to open the Rail- Trail to motorized vehicles on a temporary basis. They explained the process necessary to reopen access across Shasta Dam, which was closed due to the September 11 terrorist attack and which is now necessitating the opening of the Rail-Trail.

LETTER REGARDING TEMPORARY OPENING OF RAIL- TRAIL TO MOTORIZED VEHICLES

Chairman Kehoe opened the meeting to public comment regarding the Board of Supervisors' consideration of sending a letter to the Bureau of Land Management and the Bureau of Reclamation (BOR) requesting they proceed without delay to open the Rail- Trail and that enforcement of the Rail-Trail closure to motorized vehicles be temporarily suspended.

Allen Kost stated he felt the road has been closed too long. A reasonable permanent alternate route for motorized vehicles must be found soon. At the same time, the Rail-Trail needs to be preserved for non-motorized users. He suggested the county request BLM to:

1. Open a portion of the Rail-Trail, no longer than necessary, from Iron Mountain Road to the OHV park on a temporary basis.
2. Post a speed limit of 10 mph for all users for the time the Rail-Trail is opened to vehicles.
3. Direct the Sheriff's Department to provide enforcement of the 10 mph limit and other applicable laws.
4. Open the Rail-Trail to motorized users for three months, with an automatic extension for an additional three months .
5. Immediately close the Rail-Trail to motorized traffic upon the permanent reopening of Shasta Dam or the opening of the bridge below Shasta Dam.
6. Immediately close the Rail-Trail to motorized traffic upon the opening of a reasonable alternate route.
7. Agree that the opening of the Rail-Trail to motorized traffic shall sunset without further action from BLM or the Board of Supervisors in six months, at which time motorized traffic would once again be banned from the Rail-Trail.
8. Work diligently to come up with a permanent solution to this problem.

The following speakers addressed the Board of Supervisors in support of opening the Rail-Trail: Stuart Helmer and John Burwell.

Brian Sindt of the McConnell Foundation stated if the Rail-Trail is opened to motorized vehicles temporarily, that it be remembered that the Rail-Trail is for the use of pedestrians, bicyclists, and kids, and it be restricted for that use .

Ohl Olson suggested that if the Rail-Trail is reopened, consideration be given to alternating the uses on certain days of the week.

Sylvia Milligan of the Recreational Outdoor Coalition suggested that only a short portion of the trail be opened.

Larry Schaller encouraged a short-term opening of the Rail-Trail and establishment of an alternate trail.

Speaking against opening the Rail-Trail to motorized vehicles were: Ted Klassen, Jim Warnemuende, Egon Harrasser, Michelle Hanaford, Chuck McDonald, Joanne Carro, and Diana Thrasher.

Supervisor Fust stated his belief that this is a difficult issue and there does not appear to be a clear simple answer; however, it is necessary to move forward and write the letter to BLM and Bureau of Reclamation requesting they proceed without delay to open the Rail-Trail and temporarily suspend the enforcement of the Rail-Trail closure to motorized vehicles.

By motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to both BOR and BLM including the following points and requesting they proceed without delay to open the Rail-Trail and temporarily suspend enforcement of the Rail-Trail closure to motorized vehicles. Supervisor Kehoe requested that the letter also state that public safety should be paramount concern in this matter.

1. There be a 10 mph speed limit on the Rail-Trail and that to be enforced by the Sheriff.
2. That the road open to motorized traffic is only open until the road over Shasta Dam is reopened.
3. Request that the Rail-Trail be opened from Matheson Mine to the Dam.
4. That BLM invite two members of the Board of Supervisors to be intimately involved in the ongoing planning of this BLM off- road -vehicle area and suggested that Supervisors Wilson and Fust be the two Supervisors.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer presented an update on legislation of importance to Shasta County, including a budget action bulletin from CSAC regarding the process they are currently in to prevent cuts in local services from a lawsuit discretionary revenue, to prevent cost shifts from the state to counties, to minimize program reductions, and to lay groundwork for program enhancements in the out years.

ADMINISTRATIVE OFFICE

ESTABLISHMENT OF DEPARTMENT OF CHILD SUPPORT SERVICES
RESOLUTION NO.2002-46

At the recommendation of CAO Doug Latimer, District Attorney MacGregor Scott, and Family Support Program Director Steve Baer and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance enacting Chapter 2.38 of the Shasta County Code, concerning establishment of the Department of Child Support Services, and adopted Resolution No.2002-46 which amends the County Personnel Manual to add the position of Director of Child Support Services.

(See Ordinance Book)

LAW AND JUSTICE

SHERIFF

ACCEPTANCE OF GRANT AWARD
BUDGET AMENDMENT
SALARY RESOLUTION NO. 1194

At the recommendation of Undersheriff Larry Schaller, District Attorney MacGregor Scott, and Jack Nehr, and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors approved the acceptance of an award from the California Multi-Jurisdictional Methamphetamine Enforcement Team Headquarters (Cal-MET), approved and authorized the Sheriff to enter into a Memorandum of Understanding with Cal-MET, the receipt of up to \$3,200,000 over a 2.5 year period for the implementation and operation of the North State Initiative of the Cal-MET Program through the Sheriff's Office, adopted Salary Resolution No.1194 which adds one Deputy Sheriff, one Sheriff's Sergeant, one Administrative Services Officer, one Administrative Secretary I, and one Deputy District Attorney III, effective March 24, 2002, and approved a budget amendment increasing revenues and appropriations in the amount of \$2,050,000 for operation of the program for the period February 1, 2002 through October 31,2002, with funds remaining on June 30,2002 being encumbered or re-budgeted for expenditure during Fiscal Year 2002-03.

(See Salary Resolution Book)

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 labor negotiators, County Administrative Officer Doug Latimer and Personnel Director Joann Davis to discuss the following employee organizations: Shasta County Employees Association, Shasta Employee Mid-Management Association, Deputy Sheriff's 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.

10:54 a.m.: The Board of Supervisors recessed to Closed Session.

11:24 a.m.: The Board of Supervisors recessed from Closed Session.

11:29 a.m. : The Board of Supervisors reconvened in Open Session with Supervisors Fust, Kehoe, Hawes, and Administrative Board Clerk Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

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

11:30 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

Deputy