

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, July 16, 2002

**REGULAR MEETING**

9:03 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 - Absent

District No. 5 - Supervisor Clarke - Absent

County Administrative Officer - Doug Latimer

County Counsel - Karen Jahr

Clerk of the Board - Carolyn Taylor

**INVOCATION**

Invocation was given by Reverend Brad Manley, Anderson-Cottonwood Neighborhood Church.

**PLEDGE OF ALLEGIANCE**

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

**INTRODUCTIONS**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Pam Tupper, Executive Director of the Shasta Consortium of Health Centers, advised the Board of Supervisors that health centers which had received grants are in the midst of expansion projects and invited the Members of the Board to attend upcoming health center functions to see the work they are doing. Ms. Tupper also stated that once the State budget is adopted, she will return to the Board to explain how the budget affects the health centers.

Russ Wade addressed the Board of Supervisors regarding global warming and its reported effects in Alaska and Northern California. He also cited the benefits of the Anderson-Cottonwood Irrigation District Canal and suggested that the District seek additional water customers for the 50-60% of their unused water so the State does not look at this as a possible water source.

### **ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Fust pulled the minutes June 25, 2002 for correction; the correction being to page 156, first line “. . .with the provision that any expenditure of \$100,000 by the Department of Public Health relating to the fluoridation issue must come before the Board, . . .”

Supervisor Fust pulled for clarification the approval of the County Claims, which contains a request for payment to Susan Comfort, M.D., and the request by the Sheriff's Office to approve an agreement with Susan Comfort, M.D. to provide forensic autopsy and related services. Undersheriff Larry Schaller provided clarification of the request for payment of services provided by Dr. Comfort and explained the need to hire Dr. Comfort on a temporary basis to provide pathologist services.

### **CONSENT CALENDAR**

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

Approved and authorized the Chairman to sign a contract with the California Department of Pesticide Regulation in the amount of \$756 to provide funding for the Marketplace Surveillance Program for Fiscal Year 2002-03. (Agricultural Commissioner)

Authorized the issuance of warrants totaling \$101,786.64 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on June 25, 2002, as corrected. (Clerk of the Board)

Enacted Ordinance No. 378-1855, approving Zone Amendment No. 01-019, Nature Conservancy, Manton area, as introduced on April 2, 2002. (Clerk of the Board)  
(See Zoning Ordinance Book)

Approved and authorized the Chairman to sign a renewal agreement with the Local Agency Formation Commission to provide ongoing services to the agency for the period July 1, 2002 through June 30, 2003. (County Administrative Office)

Authorized the County Administrative Officer to approve pay for employees granted leave due to heat-related symptoms resulting from failure of the air-conditioning unit in the Courthouse Annex (\$209.28). (County Administrative Office)

Approved and authorized the Chairman to sign a renewal agreement with Lassen County for psychiatric inpatient services to be provided by Shasta Psychiatric Hospital from the date of signing through June 30, 2003, with the option to renew for two additional one-year terms, in an amount not to exceed \$36,000 annually. (Mental Health)

Approved and authorized the Chairman to sign an amendment to the agreement with Edgewood Center for Children and Families, Inc. to provide specialized mental health treatment services to seriously

emotionally disturbed adolescents, increasing the maximum amount from \$50,000 to \$102,000 and adding therapeutic behavioral services for Fiscal Year 2002-03. (Mental Health)

Approved the following appointments/reappointments to the medical staff of Shasta Psychiatric Hospital (Mental Health):

Appointments:

Anil Assudani, M.D.	Kasey Staley, M.A.
Patrick Brown, M.D.	Peggy Goodale, Ph.D.
Clarissa Zammit, Ph.D.	Cherie Booker, F.N.P.
Rima Armogida, Ph.D.	Kathy Cox, L.C.S.W.
Barbara Silber, M.F.T.	Holly Vidovich, M.A.

Reappointments:

James Born, Ph.D.	L. Ross Clark, M.D.
John Mahoney, Ph.D.	Michael O'Neill, M.D.
Paul Palko, Psy.D.	Clifford Graham, Ph.D.
Diane Campbell, L.C.S.W.	Gary Rowe, M.D.
Fred Gideon, L.C.S.W.	Sue Adams, M.S.W.
Edward Macomber, M.D.	Maureen Fareen, M.S.
Alexandre DeMoraes, M.D.	Anne Gibbons, L.C.S.W.
Daniel E. Rubanowitz, Ph.D.	Marina Naujocks-Mix, M.F.T.
Richard Zariello, M.D.	Ron Parton, L.C.S.W.
Michael Mongold, Ph.D.	Maxine Wayda, L.C.S.W.
Don Kingdon, Ph.D.	Karl Williams, M.S.W.
Phyllis Cova-Wood, A.C.S.W.	Susan Reid, L.C.S.W.

Approved and authorized the Chairman to sign an agreement with Not Another Corporation, Inc. in the amount of \$14,000 to use California Medical Management Software for the period July 1, 2002 through June 30, 2003. (Public Health)

Approved and authorized the Chairman to sign an agreement with the State Department of Health Services, Tobacco Control Section in the amount of \$150,000 to allow Public Health to accept tobacco control funding for Fiscal Year 2002-03. (Public Health)

Approved and authorized the Chairman to sign an agreement with the State Department of Health Services in the amount of \$17,646 to provide chlamydia awareness and prevention activities in Shasta County for the period July 1, 2002 through June 30, 2004. (Public Health)

Approved and authorized the Chairman to sign an agreement with Far Northern Regional Center in an amount not to exceed \$93,600 to reimburse transportation expenses associated with transporting clients to and from their work site(s) for the period April 1, 2002 through March 31, 2003. (Social Services-Opportunity Center)

Adopted Resolution No. 2002-91, which rescinds Resolution No. 2000-214 and authorizes the Director of Child Support Services to sign annual Plans of Cooperation, Annual Automation Cooperation Agreements, combined Plans of Cooperation/Annual Automation Cooperation Agreements, and any amendments thereto, and any other such agreements to which the California Department of Child Support Services is a party and which the County Department of Child Support Services is required to enter into and sign. (Child Support Services)

(See Resolution Book No. 43)

Adopted Resolution No. 2002-92, which authorizes the District Attorney to submit an application for the second year of grant funding in the amount of \$250,000 to the Office of Criminal Justice Planning for the Shasta County Child Abuse Treatment Program for the period October 1, 2002 through September 30, 2003. (District Attorney)

(See Resolution Book No. 43)

Approved and authorized the Chairman to sign an agreement with Susan R. Comfort, M.D. in an amount not to exceed \$10,000 to provide forensic autopsy and related services for the period May 15, 2002 through June 30, 2004. (Sheriff)

Approved and authorized the Director of Public Works to sign a Notice of Completion for the Installation of Street Name Signs at Various Locations Project. (Public Works)

Authorized the Director of Public Works to release the security guaranteeing faithful performance (\$10,000) for Parcel Map No. 00-07, Bentley (South Redding area). (Public Works)

Authorized the release of the securities guaranteeing faithful performance (\$65,000) and guaranteeing payment (\$36,125) for Parcel Map No. 01-23, Lascelles (Palo Cedro area). (Public Works)

Designated the Director of Public Works as the County's Agent to extend the tolling agreement for claims relating to County Service Area No. 25 - Keswick's supposed operations and maintenance deficit for water obtained from the Central Valley Project. (Public Works)

9:15 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency Board of Directors with Directors Fust, Hawes, and Kehoe present; Directors Wilson and Clarke were excused.

**SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR**

**SHASTA COUNTY WATER AGENCY**

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Directors designated the Director of Public Works as the County's Agent to extend the tolling agreement for claims relating to Shasta County Water Agency's supposed operations and maintenance deficit for water obtained from the Central Valley Project. (Public Works)

9:16 a.m.: The Shasta County Water Agency Board of Directors adjourned, and the Board of Supervisors reconvened.

**REGULAR CALENDAR**

**PRESENTATIONS**

**PRESENTATION: PERMIT PROCESS FOR SERVICES DOGS**

Chairman Kehoe explained that the presentation regarding the establishment of a permit process for service dogs in Shasta County was being rescheduled to September.

PRESENTATION: SHASTA CASCADE WONDERLAND  
PROGRESS REPORT

General Manager Bob Warren and Karen Whitaker, Tourism Development, with the Shasta Cascade Wonderland Association (SCWA), gave a slide presentation on the services provided by the SCWA and their role in economic development. Various forms of marketing techniques utilized include the Welcome Center, community relations, preparation of a visitors' guide, international marketing, and internet exposure. Literature was distributed, including a new brochure on "adventures" for SUV owners.

**BOARD OF SUPERVISORS**

JULY 2002 EMPLOYEE OF THE MONTH  
SERGEANT RICK PHAY, SHERIFF'S OFFICE  
RESOLUTION NO. 2002- 93

At the recommendation of Sheriff Jim Pope and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-93, which recognizes Sergeant Rick Phay as the July 2002 Employee of the Month.

(See Resolution Book No. 43)

**ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer presented an update on the State budget, explaining there are insufficient votes in the Assembly to pass the budget and stated he expects approving the budget will be a long, drawn-out process.

Supervisors reported on issues of countywide interest.

**HEALTH AND WELFARE**

**PUBLIC HEALTH**

AGREEMENT: STATE DEPARTMENT OF HEALTH SERVICES  
BIOTERRORISM PREPAREDNESS

At the recommendation of Public Health Director Marta McKenzie and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the State Department of Health Services in the amount of \$74,312 for bioterrorism preparedness activities for the period February 15, 2002 through August 31, 2003.

**PUBLIC WORKS**

**AGREEMENTS: CLYDE AND SANDRA DU BOSE AND  
DEBORAH J. SHAMMO  
ACCEPTANCE OF GRANT DEEDS**

At the recommendation of Public Works Director Pat Minturn and Chairman Kehoe and by consensus of the Members of the Board of Supervisors, the request to approve right-of-way contracts for the Parkville Road at Bear Creek Bridge Replacement Project with Clyde and Sandra DuBose and Deborah J. Shammo and related actions was continued for one week.

**SECURE RURAL SCHOOLS AND COMMUNITIES ACT  
ALLOCATION OF FEDERAL FOREST RECEIPTS**

Chairman Kehoe noted that because he would have to recuse himself from taking action on the request on Secure Rural Schools and Communities Act allocation of federal forest receipts and designation of amounts to be spent on Title II projects selected by the Shasta County Resource Advisory Committee (RAC), there would not be the necessary votes to take action; and recommended the matter be continued for one week.

The Board of Supervisors accepted public comment from Jim Peñã, Deputy Forest Supervisor, Shasta-Trinity National Forest, who explained that he has been working with the RAC, and they are considering approximately \$900,000 worth of projects over the next few years and are moving forward to get these projects in motion.

Kathleen Schori, Shasta County Fire, requested that the Board consider setting aside some of the Title 3 funds to be used to offset volunteer fire companies that respond to fires on forest lands and allow them to upgrade their equipment. Deputy Public Works Director Dan Kovacich responded that Title 3 funds can only be used for the percentage of time an engine is actually utilized on Federal land.

By consensus of the Members of the Board, this item was continued for one week.

**CLOSED SESSION ANNOUNCEMENT**

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Brewster vs County of Shasta, Michel vs County of Shasta, Reynolds vs County of Shasta, Whitmore Union Elementary School District vs County of Shasta, pursuant to Government Code Section 54956.9, subdivision (a).

10:30 a.m.: The Board of Supervisors recessed to Closed Session.

11:40 a.m.: The Board of Supervisors recessed from Closed Session.

1:30 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, and Hawes, County Counsel Karen Jahr, and Administrative Board Clerks Linda Mekelburg and Christie N. Jewell present.

**AFTERNOON CALENDAR**

**REPORT OF CLOSED SESSION ACTIONS**

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation. By unanimous vote, with Supervisors Clarke and Wilson excused, the Board of Supervisors approved assignment of Michel vs. County of Shasta for defense purposes to Jane Pandell.

**SCHEDULED HEARINGS**

**PUBLIC WORKS**

**EXECUTION OF GRANT DEED**

**NORTHERN CALIFORNIA VETERANS' CEMETERY**

**RESOLUTION NO. 2002-94**

This was the time set to consider the request of the Department of Public Works to convey a parcel of real property to the State of California upon which the State can establish the Northern California Veterans' Cemetery. Public Works Director Pat Minturn presented the staff report and recommended approval. The affidavit of publication and notice of hearing are on file.

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

By motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-94, which declares a parcel of real property no longer required for County use and authorized the Chairman to execute a grant deed which conveys the parcel of real property to the State of California.

(See Resolution Book No. 43)

**RESOURCE MANAGEMENT - PLANNING DIVISION**

**ZONE AMENDMENT NO. 02-010**

**WIRELESS COMMUNICATION FACILITIES**

Assistant Director of Resource Management James Cook presented the staff report and recommended continuing the matter until July 23, 2002. Staff has become aware of several technical concerns which they would like to address before the matter is considered by the Board of Supervisors. The affidavit of publication and notice of hearing are on file.

The public hearing was opened, at which time no one spoke for or against the project, and by consensus of the Members of the Board, the hearing was continued to July 23, 2002 at 10 a.m.

ZONE AMENDMENT 02-005JOHN, SHIRLEY, GEORGE, AND CHRISTINE McARTHUR  
CLYDE AND HELEN GRECO AND CLYDE GRECO, JR.MILLVILLE AREARESOLUTION NO. 2002-95

This was the time set to conduct a public hearing and consider the request of John and Shirley McArthur, George and Christine McArthur, Clyde and Helen Greco, and Clyde Greco, Jr. to rezone approximately 212 acres from an Exclusive Agriculture (EA) District to an Exclusive Agriculture District combined with an Agricultural Preserve (EA-AP) District and/or appropriate district(s); adjust the property lines transferring 526.2 acres from the McArthur ranch to the Grecos; rescind the McArthur Williamson Act Contract on the 526.2 acres; and simultaneously enter into a new contract that excludes 526.2 acres from the contract for a minimum of 10 years and binds the 526.2 acres and 212 acres currently not under contract into a new contract for the Grecos for a minimum of 10 years. The affidavit of publication and notice of hearing are on file.

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 (Hawes/Fust), seconded, and unanimously carried, the Board of Supervisors found the project categorically exempt from the California Environmental Quality Act (CEQA) as specifically set forth in Planning Commission Resolution No. 02-038; made the rezoning findings as specifically set forth in Planning Commission Resolution No. 02-038; introduced and waived the reading of an ordinance approving Zone Amendment 02-005 to an Exclusive Agricultural District combined with an Agricultural Preserve (EA-AP) District; and adopted Resolution No. 2002-95, which rescinds a portion of the McArthur Agricultural Contract and simultaneously enters into new contracts with the McArthurs and Grecos for a portion of Assessor's Parcel Number 093-290-021.

(See Resolution Book No. 43)

CERTIFICATE OF COMPLIANCE NO. 02-003BILLIE A. WOODFILL, COTTONWOOD AREARESOLUTION NO. 2002-96

This was the time set to conduct a public hearing and consider the issuance of Certificate of Compliance No. 02-003, Billie A. Woodfill, to recognize a 4.5-acre parcel in the Cottonwood area as a developable parcel which meets the Shasta County Development Standards. Assistant Planner Andre Benoist presented the staff report and recommended approval. The affidavit of publication and notice of hearing are on file.

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 (Fust/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-96, which authorizes the issuance of Conditional Certificate of Compliance No. 02-003 to recognize a 4.5-acre parcel in the Cottonwood area as a developable parcel which meets the Shasta County Development Standards.

(See Resolution Book No. 43)

CERTIFICATE OF COMPLIANCE NO. 02-004  
COW CREEK LAND COMPANY, INC., INGOT AREA  
RESOLUTION NO. 2002-97

This was the time set to conduct a public hearing and consider the issuance of Certificate of Compliance No. 02-004, Cow Creek Land Company, Inc., to recognize a 25-acre parcel and a 135-acre parcel in the Ingot area as separate developable parcels which meet the Shasta County Development Standards. Senior Planner John Stokes presented the staff report and recommended approval. The affidavit of publication and notice of hearing are on file.

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 (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-97, which authorizes the issuance of Conditional Certificate of Compliance No. 02-004 to recognize a 25-acre parcel and a 135 acre parcel in the Ingot area as separate developable parcels which meet the Shasta County Development Standards.

(See Resolution Book No. 43)

PARTIAL WILLIAMSON ACT CANCELLATION  
JEFF DAVIS, COTTONWOOD AREA

This was the time set to conduct a public hearing and consider the request of Jeff Davis to cancel 121 acres of a 742-acre Williamson Act Contract. Senior Planner John Stokes presented the staff report. The applicant, Jeff Davis, requested that the matter be continued until District 5 Supervisor Clarke could be present as the area is in her district. The affidavit of publication and notice of hearing are on file.

The public hearing was opened, at which time Deborah Parks requested information as to the purpose of removing acreage from the contract. Mr. Stokes replied that Mr. Davis desires to create 5-acre lots for subsequent sale.

No one else spoke for or against the matter, and by consensus of the Members of the Board, the hearing was continued to August 6, 2002.

1:40 p.m.: The Board of Supervisors adjourned.

\_\_\_\_\_

Chairman

ATTEST:

CAROLYN TAYLOR  
Clerk of the Board of Supervisors

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