

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, September 16, 2003

REGULAR MEETING

9:00 a.m.: Chairman Clarke 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
Assistant County Counsel - Michael Ralston
Chief Deputy Clerk of the Board - Glenda Tracy

INVOCATION

Invocation was given by Pastor David Stark, Grace Presbyterian Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Shasta County Clerk/Registrar of Voters Ann Reed gave an update of the status of the recall election scheduled for October 7, 2003. At this time, Shasta County continues to prepare for the election as the Court order was stayed by the Court to allow appeals to be filed. It is believed that the State of California is currently working on an appeal. The basis of the findings to stop the election is predicated upon the counties that are still using automatic punch cards. Shasta County is not named as the automated system has been put in place. If the Court orders the October election held over to March 2005, there will be a significant amount of information on the ballot. The election officers will continue to be trained as if the election were to occur on October 7, 2003. Ms. Reed will issue a news release immediately and will run an advertisement regarding the consolidation of the polling places.

Whiskeytown National Recreation Area Chief of Resources Paul DePrey updated the Board of Supervisors on the 40th Anniversary Celebration of the Whiskeytown Dam. Activities will take place on September 27-28, 2003. There will be no entrance fee for these special events.

Russ Wade urged the members of the Board of Supervisors to review the publication *Solar Today* to consider ideas for the new Administration Building.

Celeste Draisner stated that the Knauf facility is in violation of the air pollution standards and alleged that they lack an operating permit.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Fust pulled for discussion the County's agreement with the Economic Development Corporation (EDC) of Shasta County to provide business expansion, retention, and recruitment services. He suggested that the Board of Supervisors invite Mr. Zauer and Mr. Chapman of EDC to engage in a discussion of proof of process and how it affects the unincorporated area of Shasta County. Supervisor Kehoe advised that Mr. Zauer and Mr. Chapman could be requested to provide information as to the business expansion, retention, and recruitment for the past contract period.

Supervisor Fust also pulled for discussion the request for approval of a late claim in the amount of \$2,287.50 for security services at the 2002 InterMountain Fair. Auditor-Controller Rick Graham stated that InterMountain Fair Director Dennis Hoffman did not submit the claim to the County's Auditor's Office until September 2003. CAO Latimer advised that although the Shasta County Search & Rescue Team, who provided security at the fair, is made up of volunteers, the organization is reimbursed for its time, and the funds are used for their search and rescue activities.

Supervisor Kehoe pulled for clarification by Shasta County Treasurer/Tax Collector/Public Administrator Lori Scott the Investment Policy Statement. Ms. Scott advised that the policy is restricted and detailed. The policy is to be reviewed annually by the Board of Supervisors but was not brought before the Board of Supervisors last year. Ms. Scott stated that there were many code section changes this past year, including one where the individual/trustee (the Treasurer/Tax Collector) responsible for the purchase, acquisition, exchange, sale, or management of the public funds shall act with care, skill, prudence, and circumstances then prevailing. The Investment Policy Statement is on the Shasta County Internet site.

CONSENT CALENDAR

By motion made, seconded (Fust/Hawes), 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 renewal agreement with the Economic Development Corporation of Shasta County in the amount of \$54,180 to provide business expansion, retention, and recruitment services for Fiscal Year 2003-04. (Administrative Office)

Authorized the issuance of warrants totaling \$117,939.38 for County operating funds and special districts, as submitted; and authorized the issuance of checks totaling \$2,287.50 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on September 9, 2003, as submitted. (Clerk of the Board)

Adopted Policy Resolution No. 2003-2, which approves Administrative Policy 3-410, Disability Retirements for Shasta County Employees Who Are Not Local Safety Members, and incorporates it into the County's Administrative Manual. (Support Services-Human Resources Division)

(See Policy Resolution Book)

Approved the Investment Policy Statement of the Shasta County Treasurer, as revised.
(Treasurer-Tax Collector)

Approved and authorized the Chairman to sign an agreement with Richard N. Stapler, Sr. for completion of improvements within one year for Parcel Map No. 01-021, Stapler (Millville area), and accept securities in the amount of \$105,000 for faithful performance and \$52,500 for labor and materials. (Public Works)

Approved and authorized the Chairman to release the security in the amount of \$6,400 guaranteeing faithful performance for Parcel Map No. 01-019, Nichol, (east Cottonwood area). (Public Works)

Approved and authorized the Chairman to sign the following documents to provide the required electric service to the new booster pump station for the West Central Landfill and the Veterans' Cemetery: an agreement with Pacific Gas and Electric Company in the amount of \$60,774.50 to install the electric service, and a utility easement deed granting Pacific Gas and Electric Company an easement for utility purposes along a portion of Cloverdale Road. (Public Works)

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: ASSESSOR-RECORDER PILOT ALTERNATIVE WORK SCHEDULE

Assessor-Recorder Cris Andrews provided an update on the pilot alternative work schedule program of the Assessor-Recorder's Office. Mr. Andrews advised that the Flexible Work Hours Plan has been very successful in ease of implementation, lack of disruption to work processes, and the morale of staff. Director of Support Services Joann Davis stated that there is a possibility that the program may be extended to other departments; however, the department head would have to have a prior agreement with the County Administrative Officer.

PRESENTATION: SHERIFF'S OFFICE COMMUNITY SAFETY PLAN

Undersheriff Larry Schaller provided an update concerning the Shasta County Sheriff's Office Community Safety Plan. He advised that, due to the budget recently adopted by the Assembly, while trailer bills were not adopted by the Senate, the \$500,000 Rural County Law Enforcement is not funded, the Standards for Training for Corrections money is not funded, and there has been a \$5.5 million reduction in funding for CalMet.

Captain Tom Bosenko provided statistics in the growth of Shasta County population, advising there has been a 37 percent increase of calls for service. He noted that Emergency Preparedness training is being provided to volunteer groups.

Community Service Officer Bill Price discussed the volunteer base that needs to be developed. The Neighborhood Watch Program is being reactivated in four areas and activated in two areas, and a website is being constructed at the Sheriff's Office Internet website.

Undersheriff Schaller advised the Board of Supervisors that the Sheriff's Office will focus on fundamentals and will execute for results. The Sheriff's Office will operate within the budget and will maintain well-trained, properly equipped personnel so that delivery of quality service can be anticipated.

In response to Supervisor Kehoe's inquiry as to trends currently taking place, Undersheriff Schaller stated that the one area currently out of control is alarm calls. An inordinate number of the calls are false alarms, which tie up cars and dispatch workers. There may be charges in the future for false alarm calls.

BOARD MATTERS

PROCLAMATION: CONSTITUTION DAY CONSTITUTION WEEK

By motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors adopted a proclamation, designating September 17, 2003 as Constitution Day and September 17-23, 2003 as Constitution Week in Shasta County.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer presented an update on specific legislation of importance to Shasta County, including Supervisor Hawes' request regarding the proposed rule making on the Hardwood Retention. Unfortunately, the final date to file a statement of position has passed; therefore, Shasta County was unable to take any official action. CAO Latimer also stated that the Regional Council of Rural Counties (RCRC) newsletter entitled *The Barbed Wire* indicated concerns of bills that were passed regarding the fee areas in trailer bills. The annual dam safety fee has been raised from \$150 to \$400, and raises the charge per foot of dam height inspection from \$16 per foot to \$110 per foot. The bill regarding fire protection fees appears to now be County collection responsibility, with a \$70 charge per parcel established for Fiscal Year 2003-04 and \$35 per parcel for Fiscal Year 2004-05. *The Barbed Wire* also indicates that counties are responsible to increase the fee to cover their cost to administer the fee collection process. CAO Latimer stated that fishing and hunting license fees, pesticide-permitting fees, wastewater discharge permitting fees, and water rights compliance fees are all increasing. CAO Latimer expressed concern for the local constituency as the State does not fund regulatory agencies they funded in the past. Instead, the State is charging fees and fines from individuals. Mr. Latimer stated the Rural County Law Enforcement monies are being held up. It is a major blow to Shasta County, but several counties will be hard hit as those funds represent one-third of their Sheriff's Department budget. It is likely that the eight Workers' Compensation bills will not eliminate what needs to be done for California. The health care tied into small businesses represents concerns due to the requirement of increasing pay for employees or providing health care benefits. Many small businesses will not be in a position to provide such benefits. The In-Home Supportive Services (IHSS) bill would allow IHSS workers' salaries to be put on the local initiative.

Supervisor Kehoe received an e-mail from a constituent inquiring about the minutes of the August 26, 2003 Board of Supervisors' meeting. The constituent inquired as to the source of funds used to purchase an animal from the InterMountain Fair and how the meat was distributed. Supervisor Hawes explained that all Supervisors agreed to purchase a 4-H animal from the Fair using their own personal funds. No County funds were used for the purchase. In this case, the animal was re-sold. The animal purchased from the Anderson Fair was cut, wrapped, and

donated to the Women's Refuge. On all occasions, the purchase of the animal, the cutting, and wrapping are paid from Supervisors' personal funds. The product is donated to organizations.

Supervisors reported on issues of countywide interest.

LAW AND JUSTICE

SHERIFF

AGREEMENT: STATE OF CALIFORNIA PURCHASE OF PATROL BOAT AND ASSOCIATED EQUIPMENT BUDGET AMENDMENT

At the recommendation of Undersheriff Larry Schaller 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 of California in the amount of \$60,000 to cover the replacement purchase of a patrol boat, engine, trailer, and equipment; and approved a budget amendment which increases revenues and appropriations by \$60,000 to cover replacement of the equipment

CLOSED SESSION ANNOUNCEMENT

Chairman Clarke announced that the Board of Supervisors would recess to a Closed Session. Chairman Clarke stated that she had been advised that the labor negotiations on the agenda had been canceled. Assistant County Counsel Michael Ralston stated the following actions would be discussed:

1. As required by Government Code section 54956.9, subdivision (b)(3)(B), the following facts and circumstances exist which may result in litigation against the County: Communication has been received questioning the continuing validity of a Notice of Abatement Lien filed on property identified as Assessor Parcel Number 704-040-01; and
2. As required by Government Code section 54956.9, subdivision (b)(3)(E), the following facts and circumstances exist which may result in litigation against the County: Statements were made to County staff threatening litigation by the applicant for the Flying J Project.

10:47 a.m.: The Board of Supervisors recessed to Closed Session.

12:40 p.m.: The Board of Supervisors recessed from Closed Session.

12:42 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Clarke, Hawes, and Kehoe, Assistant County Counsel Michael Ralston, and Deputy Clerk of the Board Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Michael Ralston reported that the Board of Supervisors met in Closed Session to discuss significant exposure to litigation; however, no reportable action was taken.

12:43 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy