

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, August 24, 2004

**REGULAR MEETING**

9:02 a.m.: Chairman Hawes 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. 5 - Supervisor Clarke

District No. 4 - Supervisor Wilson - Absent

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

**INVOCATION**

Invocation was given by Chaplain Jim Harkabus, Shasta County Law Enforcement Chaplaincy.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Victor Ogrey discussed a program he has initiated called "Trailers For Fire Victims" to acquire used travel trailers in good condition for use by victims of the Bear and French Fires.

Iona Ward voiced her support of a local program for County employees to obtain a master's degree; however, she suggested the Board of Supervisors require employees give an equal amount of time back into County employment before leaving.

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Fust pulled for clarification the special claims list, noting that many of the items on the special claims list are for items without purchase orders. Support Services Director Joann Davis explained that the number of these items will decrease as departments become more familiar with purchasing requirements as a result of changes to Administrative Policy 6-101. Assistant Auditor-Controller Connie Regnell noted that the Auditor-Controller's Office is working with departments to eliminate these types of items from the claims list, and most of them should be cleared by the end of September. Supervisor Kehoe suggested that a reasonable transition time be defined for departments to comply with all purchasing policies. By consensus,

the Board of Supervisors directed that after November 1, 2004, departments will need to submit a detailed explanation in the form of a staff report as to why policy has not been followed. County Counsel noted that resolutions for the Departments of Social Services and Child Support Services have been prepared to address items not covered by the Administrative Policy Manual and will be brought to the Board of Supervisors for adoption in the near future.

Supervisor Kehoe pulled for recognition the item regarding the agreement with the Office of Emergency Services to implement a multicultural traffic safety project and commended Public Health Director Marta McKenzie on the accountability measurements included in the agreement.

### **CONSENT CALENDAR**

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

Authorized the issuance of checks totaling \$16,721.99 requiring special board action, with \$78.99 being withdrawn at the request of the Auditor-Controller. (Auditor-Controller)

Appointed Garth Worden to the Cottonwood Cemetery District Board of Trustees to fill an unexpired term to February 2008. (Clerk of the Board)

Approved and authorized the Chairman to sign an agreement with the City of Anderson for services at the Anderson Branch Library, and in return, receive a contribution from the City in the amount of \$23,000 for Fiscal Year 04-05. (Library)

Approved and authorized the Chairman to sign a renewal agreement with LMJ, Inc. DBA Scribe Medical Transcription in an annual amount not to exceed \$40,000 to provide medical transcription services for the period July 1, 2004 through June 30, 2005, with two additional one-year renewals. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with Tina Rose DBA Cider House in an annual amount not to exceed \$3,000 to provide Level III adult residential board and care services for the period June 20, 2004 through June 30, 2005, with one additional one-year renewal. (Mental Health)

Approved and authorized the Chairman to sign a lease amendment with South End Enterprises decreasing the amount by \$3,830.52 per month (to a new total of \$831.25 per month) to reduce the amount of rented office space located at 1670 Market Street from 4,892 square feet to 875 square feet (\$0.95/square foot) and retaining the term of September 1, 2004 through October 31, 2006. (Public Health)

Approved and authorized the Chairman to sign the California Department of Health Services Children's Medical Services Branch "Certification Statement" in support of program plans and budgets totaling \$1,275,516 (Child Health and Disability Prevention Program - \$405,843, Health Care Program for Children in Foster Care - \$153,544, and California Children's Services Administration - \$716,129) for the period July 1, 2004 through June 30, 2005. (Public Health)

Approved and authorized the Chairman to sign an agreement with the California Office of Traffic Safety in the amount of \$67,190 to implement a multicultural traffic safety project for the period October 1, 2004 through September 30, 2005. (Public Health)

Found that the circumstances and factors that led to the proclamations of local emergencies due to extreme peril to the safety of persons and property caused by wildland fires identified as the "Bear Fire" and "French Fire" have not been totally resolved and that there is a need for the continuance of this proclamation. (Sheriff/Office of Emergency Services)

Adopted Resolution No. 2004-114, which authorizes the issuance of Certificate of Compliance No. 04-010, Noordman (McArthur area) to recognize a remainder parcel as a developable parcel which meets the Shasta County Development Standards. (Resource Management-Planning Division)

(See Resolution Book No. 45)

Postponed the August 31, 2004 U.S. Forest Service Hat Creek field trip to a mutually convenient date and canceled the August 31, 2004 Meeting of the Board of Supervisors. (Clerk of the Board)

## REGULAR CALENDAR

### PRESENTATIONS

#### UPDATE ON BEAR FIRE AND FRENCH FIRE

Sheriff Jim Pope announced that the Governor's Proclamation declaring a state of emergency in Shasta County for the Bear and French Fires was received Monday, August 23.

County Fire Warden Ken McLean explained that the French Fire is contained, and mopping-up operations have begun. He noted that the fire initially spread very quickly, and a total of 13,005 acres burned.

Office of Emergency Services representative Deb Russell said that the Small Business Administration has been in contact with her; they will help with loans for homes and cars.

County Administrative Officer Doug Latimer announced that the County Assistance Center, located in the Boggs Center on Breslauer Way, is now open for fire victims.

In response to a question from Supervisor Kehoe regarding the decision to request "federal assistance" but not a Presidential Declaration of Emergency, CAO Latimer explained that had a Presidential Declaration been requested and denied, the County would have had no recourse; however, requesting "federal assistance" provided more options in terms of financial and other assistance.

#### UPDATE ON LOCAL AGENCY FORMATION COMMISSION ACTIVITIES

Local Agency Formation Commission (LAFCO) Executive Director Amy Beauchane provided an update on LAFCO activities. She has worked on Municipal Service Reviews (MSR) for county service areas, is currently working on MSRs for the various community service districts, and will soon start working on MSRs for independent fire districts. She is currently working approximately 60% of full time.

#### UPDATE ON SAFE SCHOOLS INITIATIVE

Representatives of the Youth Violence Prevention Council presented an update on the Safe Schools Initiative serving Shasta County Schools. Undersheriff Larry Schaller explained that in 1999, the Sheriff's Office implemented the Community Correction Plan. In 2000, they implemented the Community Safety Plan, and the Safe Schools Initiative is a part of that Plan.

Youth Violence Prevention Council representative Charlie Menoher noted that the Council was created as a response to gang problems in Shasta County. As those problems decreased, the focus shifted to prevention.

County Superintendent of Schools Carol Whitmer noted that resource officers have been proactive on campuses to keep violence out of local schools.

Representatives of the Sheriff's Office presented a demonstration of software which provides law enforcement officers with up-to-date information on the various schools to assist them in the event they need to enter a campus in response to an emergency call.

Richard Paas expressed his concern about hazardous material left from last winter on a piece of County School property on Mary Street currently used by a daycare center and by Shasta Unified School District. CAO Latimer clarified that the property is owned by the County Office of Education. Superintendent Whitmer indicated that she would follow up on the complaint and report back to the Board of Supervisors.

10:07 a.m.: The Board of Supervisors recessed.

10:12 a.m.: The Board of Supervisors reconvened.

## **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.

Supervisors Clarke, Fust, and Hawes noted that they recently sent letters to Governor Schwarzenegger and the Resources Agency opposing Senate Bill 754 (Perata) regarding heritage trees and Senate Bill 217 (Sher) regarding forest resources. By consensus, the Board of Supervisors directed that an additional letter be sent from the Board of Supervisors to the governor opposing these two bills.

Supervisors reported on issues of countywide interest.

### **ADMINISTRATIVE OFFICE/SUPPORT SERVICES**

#### **UPDATE ON NATIONAL UNIVERSITY MASTER'S DEGREE IN PUBLIC ADMINISTRATION COHORT PILOT PROGRAM**

Support Services Director Joann Davis reported on the status of the current Master's Degree Program sponsored by the County. She noted that 29 participants started the program, and 23 are still enrolled, with an expected completion date of November 2004. At the direction of the Board of Supervisors, the participants have been allowed time off to participate and will be reimbursed 50 percent of their tuition costs incrementally over a three-year period if they remain in the employ of the County. National University has requested the County host a second program; however, not as many employees are interested, and the financial climate has changed since the first program.

Supervisors requested further information regarding the results of the program, expressing concerns about the number of participants who failed to return a survey they were requested to complete. Additionally, they expressed concern for financially sponsoring a second program given the County's current financial situation.

By motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors deferred the decision to offer financial assistance for the Master's Degree in Public Administration Program until the County's financial situation improves greatly.

CAO Latimer noted that if the budget situation improves dramatically, staff could bring the request for financial assistance back to the Board of Supervisors; in the meantime, classes can begin with participants attending on their own time and at their expense. Supervisor Hawes suggested that completion of the survey should be part of the attendance agreement.

### **CLERK OF THE BOARD**

#### **APPROVAL OF MINUTES: AUGUST 10, 2004**

By motion made, seconded (Clarke/Kehoe), and carried, the Board of Supervisors approved the minutes of the meeting held on August 10, 2004, as submitted. Supervisor Fust abstained as he was not present at the meeting.

### **PUBLIC WORKS**

#### **MANTON HEIGHTS PERMANENT ROAD DIVISION FORMATION RESOLUTION NOS. 2004-115 AND 2004-116**

Chairman Hawes requested the clerk announce the results of the vote on the formation of Manton Heights Permanent Road Division as required by Proposition 218; the vote was as follows:

FOR:	31
AGAINST:	2
BLANK BALLOTS:	1

At the recommendation of Deputy Public Works Director Scott Wahl and by motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors received the County Surveyor's report on the correct boundary description; adopted Resolution No. 2004-115, which forms Manton Heights Permanent Road Division; and adopted Resolution No. 2004-116, which overrules ballot protests and confirms the parcel charge report for Fiscal Year 04-05.

(See Resolution Book No. 45)

#### **AGREEMENT: RON HALE CONSTRUCTION HAPPY VALLEY SAFE ROUTES TO SCHOOL PROJECT**

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors awarded to Ron Hale Construction, on a unit-cost basis, the contract for construction on the Happy Valley Safe Routes to School Project.

### **RESOURCE MANAGEMENT - COMMUNITY EDUCATION SECTION**

#### **AGREEMENT: GENERAL ENVIRONMENTAL MANAGEMENT, INC. HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENTS**

At the recommendation of Staff Services Manager Ronnie Taddei and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with General Environmental Management, Inc. in an amount not to exceed \$150,000 to conduct ten household hazardous waste collection events from the date of signing through December 31, 2005.

**SCHEDULED HEARINGS**

**RESOURCE MANAGEMENT - PLANNING DIVISION**

**ZONE AMENDMENT NO. 04-005**

**LONE TREE INC.**  
**ANDERSON AREA**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 04-005, Lone Tree Inc., which would rezone approximately 50 acres in the Anderson area from an Unclassified (U) District to a Limited Agricultural (A-1) District. Assistant Resource Management Director Rick Barnum 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 (Clarke/Fust), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 04-005, Lone Tree Inc., Anderson area:

1. Adopted the CEQA determination of a mitigated negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 04-073;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 04-073; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 04-005 as requested.

**ZONE AMENDMENT NO. 04-002**

**BARRY SUTTER AND JARED BROWN**  
**MIDWAY AREA**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 04-002, Barry Sutter and Jared Brown, which would rezone approximately 237 acres in the Midway area from an Unclassified (U) District to a Limited Residential combined with a Building Site Minimum per Recorded Map (R-L BSM) District. Associate Planner Nancy Polk 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 (Clarke/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 04-002, Barry Sutter and Jared Brown, Midway area:

1. Adopted the CEQA determination of a mitigated negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 04-069;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 04-069; and

3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 04-002 as requested.

**CLOSED SESSION ANNOUNCEMENT**

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss one case of anticipated litigation pursuant to Government Code Section 54956.9, subdivision (c).

10:52 a.m.: The Board of Supervisors recessed to Closed Session.

11:26 a.m.: The Board of Supervisors recessed from Closed Session.

1:32 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Clarke, Kehoe, Fust, and Hawes, 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 anticipated litigation; however, no reportable action was taken.

1:33 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

H. DOUGLAS LATIMER  
Clerk of the Board of Supervisors

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