

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, July 18, 2006

**REGULAR MEETING**

9:02 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 Cibula  
 District No. 3 - Supervisor Hawes  
 District No. 4 - Supervisor Hartman  
 District No. 5 - Supervisor Clarke

County Administrative Officer - Larry Lees  
 County Counsel - Karen Jahr  
 Deputy Clerk of the Board - Linda Mekelburg  
 Deputy Clerk of the Board - Tazina Otis

**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 Hawes.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Agricultural Commissioner/Sealer of Weights and Measures presented the 2005 Shasta County Crop and Livestock Report; she also noted that California Secretary of Food and Agriculture A.G. Kawamura will visit northeastern California this week.

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Kehoe pulled for recognition the item regarding the \$4,500 donation to the Shasta County Library from the Scripps Howard Foundation. The Foundation donated \$2,500 to the Anderson Branch Library, \$1,000 to the Burney Library, and \$1,000 to the Summer Reading Program. He reiterated that Shasta County appreciates the contributions of all its donors.

Supervisor Kehoe pulled for clarification the item allowing Fleet Management to continue working on vehicles. In response to questions from Supervisor Kehoe, Director of Support Services Joann Davis explained that the request for a waiver from Section 2.3 of Administrative Policy 6-101 is not a permanent waiver; it is only a waiver until the policy can be amended to accommodate the use of blanket purchase orders for vehicles. Ms. Davis has contacted other departments that work on vehicles, and she requested that the resolution be

amended to include the Department of Public Works. By consensus, the Board of Supervisors agreed to amend the resolution to include the Department of Public Works.

### **CONSENT CALENDAR**

By motion made, seconded (Hartman/Kehoe), 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 the County Claims List totaling \$1,110.70 requiring special board action. (Auditor-Controller)

Adopted Resolution No. 2006-94, which establishes the Shasta County Appropriations Limit for Fiscal Year 2006-07 in the amount of \$103,587,891; and sets the annual adjustment factors used to calculate the appropriations limit at the change of 3.96 percent reflecting the change in per capita personal income as provided by the California Department of Finance, and a factor of 1.00 percent reflecting the change in population within Shasta County as provided by the Demographic Section of the Department of Finance. (Auditor-Controller)

(See Resolution Book No. 47)

Approved the minutes of the meeting held on June 27, 2006, as submitted. (Clerk of the Board)

Appointed Robert Osborne, Jr. to fill an unexpired term on the Burney Water District Board of Directors to December 2009. (Clerk of the Board)

Appointed Richard Taylor to fill an unexpired term on the Inter-Mountain Fair Advisory Board to January 2007. (Clerk of the Board)

Enacted Ordinance No. 378-1932, which approves Zone Amendment No. 06-007, Bond (Rainbow Lake/Ono area), as introduced May 16, 2006. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 378-1933, which approves Zone Amendment No. 05-046, Zachow/Ecenbarger (Cottonwood area), as introduced May 16, 2006. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 378-1934, which approves Zone Amendment No. 06-005, Reese (Anderson area), as introduced June 13, 2006. (Clerk of the Board)

(See Zoning Ordinance Book)

Denied the request to present a late claim filed by Candi Ann Kinyon. (County Counsel)

Denied the request to present a late claim filed by Susan and John Martinusen. (County Counsel)

Accepted a donation in the amount of \$4,500 from the Scripps Howard Foundation for books, CDs, DVDs, and a professional DVD cleaner. (Library)

Adopted Resolution No. 2006-95, which waives Section 2.3 of Administrative Policy No. 6-101, *Shasta County Contracts Manual*, to allow Fleet Management and the Department of Public Works to continue to use blanket purchase orders for work on vehicles, and authorizes the Auditor-Controller to pay associated costs. (Support Services-Fleet Management Division)

(See Resolution Book No. 47)

Adopted Resolution No. 2006-96, which notifies the Public Employees' Retirement System of the County's contribution to the 2006 group health insurance premium for the Deputy Sheriff's Association. (Support Services-Human Resources Division)

(See Resolution Book No. 47)

Approved and authorized the Chairman to sign a renewal agreement with the University of California, Davis in the amount of \$30,600 to provide Eligibility Worker Training for the period July 1, 2006 through June 30, 2007. (Social Services)

Approved and authorized the Chairman to sign an agreement with the University of California, Davis in the amount of \$99,960 to provide a northern regional child welfare consultant for the period July 1, 2006 through June 30, 2007. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with the Superior Court of California, County of Shasta in an annual amount not to exceed \$30,000 to provide administrative services associated with the Substance Abuse and Crime Prevention Act of 2000 for court-related cases for the period July 1, 2006 through June 30, 2007, with two automatic one-year renewals. (Mental Health-Alcohol and Drug Programs)

Adopted Resolution No. 2006-97, which authorizes the District Attorney to continue as the agent to conduct grant negotiations and submit documents necessary for the Spousal Abuser Prosecution Program. (District Attorney)

(See Resolution Book No. 47)

Approved and authorized the Chairman to sign an agreement with Jan Scanlin Glass in the amount of \$43,000 to create, furnish, and install a "Giving Tree" in the new Library prior to February 16, 2007. (Public Works)

For the Bear Mountain Road at Daniels Lane Reconstruction Project, approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after August 17, 2006 at 11:00 a.m. (Public Works)

For the 2006 Overlay Project, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and authorized the Public Works Director to advertise for bids; and authorized the opening of bids on or after August 10, 2006 at 11:00 a.m. (Public Works)

Authorized issuance of the following purchase orders for the Shasta County Library - Redding Main: to Froke Library Sales in the amount of \$148,276.42 for library furniture; to Ross McDonald Co., Inc. in the amount of \$23,857.60 for children's library furniture; and to Ross McDonald Co., Inc. in the amount of \$591,445.14 for library shelving. (Public Works)

Approved and authorized the Chairman to sign an agreement with Joe Hunter in an amount not to exceed \$60,000 to act as Interim Resource Management Assistant Director for the period July 10, 2006 through July 9, 2007. (Resource Management-Planning Division)

For the Fall River Mills Airport Expansion Project, rejected the bid received from J.F. Shea on July 13, 2006 in the amount of \$3,869,530; directed the Public Works director to revise the plans and specifications and advertise for bids; and authorized the opening of bids on or after August 24, 2006 at 11:00 a.m. (Public Works)

**REGULAR CALENDAR****PRESENTATIONS****UPDATE ON VARIOUS CONSTRUCTION  
PROJECTS IN SHASTA COUNTY**

Public Works Director Pat Minturn presented a report on the status of various Public Works projects, including thirteen road projects, eight bridge projects, eight building construction projects, and eight miscellaneous projects (including the Fall River Mills Airport Expansion Project).

In response to a question from Supervisor Hawes regarding the future availability of jet fuel at the Fall River Mills Airport, Mr. Minturn noted that they need to determine the level of need for jet fuel; there may be a vendor who might be willing to provide this service. In response to a question from Supervisor Kehoe regarding possible privatization of aviation fuel service, Mr. Minturn explained that they have privatized the operation to a certain extent by using a vendor who provides technology such as a card-lock system. The County currently subsidizes the aviation fuel operation by about \$5,000 annually; however, this amount is covered by a \$10,000 grant received from the state annually.

**BOARD MATTERS****JULY 2006 EMPLOYEE OF THE MONTH  
COMMUNITY DEVELOPMENT COORDINATOR ROXANNE BURKE  
RESOLUTION NO. 2006-98**

At the recommendation of Director of Mental Health Services Marta McKenzie and by motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors adopted Resolution No. 2006-98, which recognizes Community Development Coordinator Roxanne Burke as Shasta County's July 2006 Employee of the Month.

(See Resolution Book No. 47)

**PROCLAMATION: PROBATION SUPERVISION WEEK**

At the recommendation of Chief Probation Officer Brian Richart and by motion made, seconded (Cibula/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates July 16-22, 2006 as Probation Supervision Week in Shasta County.

**PRESENTATIONS****CALIFORNIA RESOURCES AGENCY GRANT TO  
WESTERN SHASTA RESOURCE CONSERVATION DISTRICT**

Western Shasta Resource Conservation District Manager Mary Shroeder informed the Board of Supervisors that their agency recently received a \$1,114,000 grant for the California Parkways Grant Program. They will use the grant to construct three trail segments along Lower Clear Creek, which is part of a major regional trail plan connecting the Sacramento River, Clear Creek, Shasta Lake, Trinity Lake, and Whiskeytown Lake.

THEATRE SQUARE DESIGN

Habitat for Humanity Shasta Cascade Chief Executive Officer Jim Koenigsaecker presented a video regarding the Theatre Square project design for the central Redding area, which is a design to build housing in the Downtown Redding area.

GENERAL GOVERNMENTADMINISTRATIVE OFFICE/BOARD OF SUPERVISORSLEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees had no legislative update.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICEAGREEMENT: JEFFREY L. JENSCONFLICT INDIGENT DEFENSE COUNSEL SERVICES

Senior Administrative Analyst Leanne Link presented the staff report and recommended approval of the agreement. The system implemented by Jeffrey L. Jens is very similar to that used by the Public Defender's office and has been well received by the Courts. A Request For Proposal (RFP) will be issued at the end of the three-year agreement; however, the Administrative Office wants to obtain more caseload data first.

In response to a question by Supervisor regarding the non-competitive nature of the contract, Ms. Link explained that of the five attorneys who submitted bids during the RFP process in 2004, two are currently subcontracting to Mr. Jens, so it is unsure whether they would be interested in submitting bids at this point; however, some interest has been expressed by non-local firms. Also, the current system has only been in place 18 months, so the switch-over to another system may not be advantageous unless it could be obtained at a more reasonable price. Switching to another firm at this point would also entail paying run-out costs on seven pending murder cases, which would escalate the cost of the contract.

In response to a question by Supervisor Cibula regarding the possibility of a two-year agreement instead of three, CAO Lees replied that although a two-year agreement is an option, a three-year agreement would provide better data for an RFP. Ms. Link added that there is one murder case scheduled for trial in early 2008 which would contribute significantly to run-out costs on a two-year agreement; should that case be concluded before then, the County can choose to exercise its 90-day termination clause.

Public Defender Neal Pereira supported maintaining the current contract with the existing system as he has seen it work well for many years in other counties. Under the current system, Mr. Jens acts as a supervising attorney subcontracting with other attorneys and can terminate unsatisfactory subcontracts. Marsden hearings (to replace the attorney) have decreased significantly; cases move more quickly through the court system; costs to the County are reduced as subcontracting attorneys must have ancillary costs approved by Mr. Jens. In response to a question from Supervisor Kehoe regarding the involvement of the Public Defender's office in evaluating the quality of legal representation in the agreement, Mr. Pereira explained although it is not his attorneys' function to evaluate Mr. Jens' attorneys, they are often in the same courtroom, so Mr. Pereira is informed as to the performance of the attorneys, in addition to his personal observations.

Court Executive Officer Susan Null stated that, although she is not present to advocate one way or another, the Courts are very happy with both the Public Defender's Office and Mr. Jens' attorneys. The quality of legal representation has greatly improved since the implementation of the new system and contracts.

By motion made, seconded (Hawes/Hartman), and carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with Jeffrey L. Jens in the amount of \$3,857,443.20 to provide all conflict indigent defense counsel services for the period January 1, 2007 through December 31, 2009. Supervisor Cibula voted no as he favored a two-year contract.

#### SHASTA COUNTY 2006 LEGISLATIVE PLATFORM

County Administrative Officer (CAO) Lees presented the proposed 2006 Legislative Platform and explained that having a legislative platform allows the County to react quickly to legislation at the state level when the legislation falls within the County's platform. The platform is based on past interests of the County and input by various County departments.

Noting that several search-and-rescue operations had been conducted lately on Lake Shasta, Supervisor Hawes questioned whether this might be an appropriate time to add support of legislation to allow imposition of a transient occupancy tax (TOT) on houseboats back into the legislative platform. Chairman Clarke noted that this was in the legislative platform several years ago but was removed. In response to a question by Supervisor Kehoe, CAO Lees indicated he would research whether search-and-rescue operations can be billed to the home county of the victim.

Supervisor Kehoe suggested addition of a position strongly supporting Medi-Cal reimbursement for detoxification and other Mental Health activities and doing a joint legislative platform to the extent feasible with the incorporated areas; however, no consensus was reached on the addition of these items. By consensus, the Board of Supervisors suggested addition of a position regarding natural resources (such as the national forests) in consultation with the County Forester. Supervisor Kehoe also requested that, when legislative platform items are brought to the Board of Supervisors for approval, the element of the platform be referenced.

By consensus, the Board of Supervisors directed that state and federal legislators be invited to a workshop to discuss the similarities and differences of the County's legislative platform and the legislators' individual legislative platforms.

In response to a comment by Supervisor Cibula, CAO Lees explained that the platform is shared with the County's lobbyist, who occasionally provides staff with suggestions for additions to the platform.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors adopted Shasta County's legislative platform as an ongoing document for calendar year 2006; and directed that an independent discussion be held in the near future regarding the possible addition of a transient occupancy tax on houseboats to the legislative platform.

#### ADMINISTRATIVE OFFICE/LIBRARY

##### AGREEMENT: CITY OF ANDERSON ANDERSON BRANCH LIBRARY SERVICES DONATION: WAL-MART

At the recommendation of Senior Administrative Analyst Julie Hope and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with the City of Anderson in the amount of \$28,000 to provide enhanced services at the Anderson Branch Library for Fiscal

Year 2006-07; and accepted a \$10,000 donation from Wal-Mart to assist in the operation of the Library.

### **TREASURER-TAX COLLECTOR-PUBLIC ADMINISTRATOR**

#### **UNCLAIMED FUNDS** **RESOLUTION NO. 2006-99**

At the recommendation of Treasurer-Tax Collector-Public Administrator Lori Scott and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2006-99, which delegates to the County Treasurer the authority to transfer certain unclaimed funds to the County General Fund.

(See Resolution Book No. 47)

### **LAW AND JUSTICE**

#### **PROBATION**

#### **AGREEMENT: COUNTY OF SAN DIEGO** **PROBATION ADULT D.U.I. OFFENDER PROGRAM** **RESOLUTION NO. 2006-100**

At the recommendation of Chief Probation Officer Brian Richart and by motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2006-100, which approves and authorizes the Chief Probation Officer to sign a Memorandum of Agreement with the County of San Diego to receive a grant distribution in an amount not to exceed \$55,732.02 to implement a probation adult DUI offender program from the date of signing through May 31, 2009.

(See Resolution Book No. 47)

### **PUBLIC WORKS**

#### **TITLE II/III (TIMBER RECEIPT FUNDS) PROJECTS** **FORMATION OF COMMITTEE**

Public Works Accountant Auditor Sue Crowe presented the staff report and explained that with the end of the Secure Rural Schools and Community Self-Determination Act of 2000, the Resource Advisory Committee met in May to make final award recommendations for project funding. The Committee also voted to return \$188,355 in funds to Shasta County for distribution rather than to the Federal Treasury.

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Title II/III (timber receipt funds) projects: reserved 15 percent of the full payment for forest projects; directed staff to proceed with a request for proposal for Title III funds not granted by the Resource Advisory Committee (RAC); and formed a committee consisting of members from the existing RAC to recommend projects for approval by the Board of Supervisors.

**CLOSED SESSION ANNOUNCEMENT**

Chairman Clarke announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

1. Confer with its counsel to discuss pending litigation entitled McCaskill v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (b).
2. Confer with its Labor Negotiators, County Administrative Officer Larry Lees, Personnel Director Joann Davis, and Labor Consultant Becker and Bell, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriffs Association, Deputy Sheriffs Association-Correctional Officers, Sheriffs Administrative Association, Professional Peace Officers Association, Unrepresented Employees, United Public Employees of California-General Unit, United Public Employees of California-Professional Unit, and Teamsters-Trades and Crafts, pursuant to Government Code section 54957.6.

11:41 a.m.: The Board of Supervisors recessed into Closed Session and convened as the In-Home Supportive Services (IHSS) Public Authority Governing Board.

**IN-HOME SUPPORTIVE SERVICES**

**PUBLIC AUTHORITY GOVERNING BOARD**

**CLOSED SESSION ANNOUNCEMENT**

Chairman Clarke announced that the In-Home Supportive Services (IHSS) Public Authority Governing Board would recess to a Closed Session to confer with its Labor Negotiators, County Administrative Officer Larry Lees, IHSS Public Authority Program Manager Ken Field, and Labor Consultant Becker and Bell to discuss the United Domestic Workers of America, pursuant to Government Code section 54957.6.

11:42 a.m.: The IHSS Public Authority Governing Board recessed to Closed Session.

1:00 p.m.: The IHSS Public Authority Governing Board recessed from Closed Session.

1:30 p.m.: The IHSS Public Authority Governing Board reconvened in Open Session with all Members, County Counsel Karen Jahr, County Administrative Officer Larry Lees, and Deputy Clerks of the Board Linda Mekelburg and Tazina Otis present.

**AFTERNOON CALENDAR**

**REPORT OF IN-HOME SUPPORTIVE SERVICES**

**PUBLIC AUTHORITY GOVERNING BOARD**

**CLOSED SESSION ACTIONS**

Chairman Clarke reported that the IHSS Public Authority Governing Board met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

1:31 p.m.: The IHSS Public Authority Governing Board adjourned, and the Board of Supervisors reconvened.

**REPORT OF BOARD OF SUPERVISORS****CLOSED SESSION ACTIONS**

Chairman Clarke reported that the Board of Supervisors met in Closed Session to discuss pending litigation, as well as labor negotiations; however, no reportable action was taken. Supervisor Cibula recused from the pending litigation matter due to a prior professional relationship.

**SCHEDULED HEARINGS****RESOURCE MANAGEMENT-PLANNING DIVISION****GENERAL PLAN AMENDMENT NO. 05-010 AND ZONE AMENDMENT NO. 05-049  
BRUCE AND ROBIN DUNHAM, COTTONWOOD AREA  
RESOLUTION NO. 2006-101**

This was the time set to conduct a public hearing and consider taking action on General Plan Amendment No. 05-010 and Zone Amendment No. 05-049, Bruce and Robin Dunham, which would change approximately two acres in the Cottonwood area from a Suburban Residential one dwelling unit per acre (SR-1) land use designation to a Suburban Residential three dwelling units per acre (SR-3) land use designation and would rezone approximately two acres from a One-Family Residential, Building Site One-Acre Minimum (R-1-BA-1) District to a One-Family Residential (R-1) District. Senior Planner Zach Bonnin presented the staff report and recommended approval of the general plan amendment and the zone amendment. 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 public hearing was closed.

By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors took the following actions regarding General Plan Amendment 05-010 and Zone Amendment No. 05-049, Bruce and Robin Dunham, Cottonwood area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a mitigated declaration, with the findings as specifically set forth in Planning Commission Resolution Nos. 2006-097 and 2006-098;
2. Adopted Resolution No. 2006-101, which approves the following General Plan Land Use Element map changes as the second amendment for 2006 as recommended by Planning Commission Resolution No. 2006-097: from Suburban Residential one dwelling unit per acre (SR-1) land use designation to Suburban Residential three dwelling units per acre (SR-3) land use designation;
3. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2006-098; and
4. Introduced and waived the reading of an ordinance approving Zone Amendment No. 05-049, as requested.

ZONE AMENDMENT NO. 06-016  
DENNIS BROWN/DEAN DAVIS/RONALD DREWSSEN  
MILLVILLE AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 06-016, Dennis Brown/Dean Davis/Ronald Drewsen, which would rezone approximately 44.96 acres in the Millville area from a Rural Residential combined with a 4-Acre Minimum Building Site (R-R-BA-5) District to a Rural Residential and Building Acreage 3.5 (R-R BA 3.5) District and an Open Space District. Senior Planner Zach Bonnin 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 the following people spoke:

Project proponent Stephanie Drewsen explained that they want to split their parcel and build a smaller home.

Project proponent Dennis Brown explained that he originally requested minimum 2-acre parcels but is fine with 3.5-acre parcel minimums.

Joyce Darrow opposed the proposed reduction in minimum parcel size, requested the Board of Supervisors visit the Millville community, and opposed enlarging the community beyond what the school is capable of handling.

Cynthia Bennets and Jean Cannon requested the Board of Supervisors keep the zoning in the Millville area intact.

Ken Napoli opposed the project and requested that the General Plan be kept in place as it was originally developed.

Carol Hail opposed the project as her property is downhill from the project and becomes flooded in the winter, affecting her septic system.

Betsy Biven expressed her concern regarding fecal contamination in groundwater wells in the Millville area.

Aaron Williams and Grant Goracy asked the Board of Supervisors to follow the wishes of the community and maintain the quality of life and environment in the Millville area.

Beverly Lamb opposed the project and questioned whether anyone could guarantee that she will have a water supply for the life of that property.

Vickie Gibson-Egan of Sharrah-Dunlap-Sawyer reiterated that the requested zone amendment is consistent with the General Plan and that only three new parcels could be created due to the flood zone.

No one else spoke for or against the proposal, and the public hearing was closed.

In response to questions from Supervisor Kehoe, Mr. Bonnin explained that in the late 1970's and early 1980's, many communities formed committees to assist in the development of the General Plan. Zoning districts overlay General Plan districts in more site-specific terms; the Planning Division looks at site-specific criteria to ensure the zoning does not conflict with the General Plan. In this case, the zoning is very compatible with the General Plan. Director of Resource Management Russ Mull added that when the General Plan and Zoning Code was formed, it was done so with the idea that there was a range of parcel sizes from a minimum size to a very large size. The Code was set up so that one could determine the zoning on each individual parcel within the available range. Since that time, most of the easily buildable land has been eliminated, and what remains must be scrutinized carefully, looking at site-specific issues.

In response to a question from Chairman Clarke, Mr. Bonnin clarified that some percolation testing has been done, but the parcels have not yet been submitted to the Planning Commission for splitting; some of the site-specific issues, such as drainage, will be addressed at that time. In response to questions from Chairman Clarke and Supervisor Hawes, Mr. Bonnin said that he will bring the drainage issues to the Department of Public Works' attention.

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-016, Dennis Brown/Dean Davis/Ronald Drewsen, Millville area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2006-090;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2006-090; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-016 as requested.

ZONE AMENDMENT NO. 05-040 AND  
APPEAL OF PARCEL MAP NO. 05-071  
STANLEY D. AND DEANNA DILL  
MILLVILLE AREA  
RESOLUTION NO. 2006-102

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 05-040, Stanley D. and Deanna Dill, which would rezone approximately 8.6 acres in the Millville area from a Rural Residential BA-5 (RR-BA5) District to a Rural Residential BA-4 District (RR-BA4), and consider an appeal by Rick Bennetts of the Planning Commission's approval of Parcel Map No. 05-041. The appellant's concerns include inconsistency with General Plan policy, inadequacies in the Initial Study, lack of an Environmental Impact Report, and inadequate notice regarding the project. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

Senior Planner Zach Bonnin presented the staff report and recommended denial of the appeal and approval of the project.

The public hearing was opened, at which time the following individuals spoke:

Project proponent Deanna Dill explained that their intention has always been to split the parcel into 4.0- and 4.6-acre parcels; they will build a home on the 4.0-acre parcel and sell the 4.6-acre parcel. Neither of the two parcels will receive the riparian rights on the current parcel.

Aaron Williams opposed the project, noting that the existing private road cannot handle the increased traffic.

Betsy Biven expressed her concern that small projects such as the Dill's zone amendment and parcel map will lead to larger projects.

Carol Hail requested that traffic, sewage, water and school issues be looked at as a whole.

Cynthia Bennetts and Grant Goracy requested the community of Millville be kept as it is.

No one else spoke for or against the proposal, and the public hearing was closed.

In response to questions from Supervisor Cibula, Mr. Bonnin explained that the well on the property appears to have adequate water. Mr. Bonnin has also had additional conversations

with the water jurisdiction, the Army Corps of Engineers, and the Department of Fish and Game. They are concerned with general population encroachment in these areas but are supportive of mitigation measures the Shasta County Planning Commission places on parcels. Also, the property is directly adjacent to two-acre minimum zones, so the 4.0- and 4.6-acre parcels are appropriate for their location in a buffer zone.

By motion made, seconded (Kehoe/Hawes), and carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 05-040 and Parcel Map No. 05-071, Stanley D. and Deanna Dill, Millville area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings as specifically set forth by the Planning Commission Resolution No. 2006-086;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2006-086;
3. Introduced and waived the reading of an ordinance which approves Zone Amendment No. 05-040; and
4. Adopted Resolution No. 2006-102, which denies the appeal and upholds the Planning Commission's approval of Parcel Map No. 05-071.

Supervisor Cibula voted no.

3:19 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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