

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, September 18, 2007

REGULAR MEETING

9:01 a.m.: Chairman Cibula 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 Baugh

County Administrative Officer - Larry Lees
County Counsel - Karen Jahr
Deputy Clerk of the Board - Valerie Ibarra
Deputy Clerk of the Board - Diane Colson

INVOCATION

Invocation was given by Pastor Michael Johnson, Shasta Baptist Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Sheriff Tom Bosenko.

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Save Kilarc Committee Chairman Thomas Glenn Dye and Davis Hydro representative Kelly Sackheim supported the preservation of Kilarc Power Station and Kilarc Reservoir for recreational use.

In-Home Support Services health care workers Cynthia Lahey, Tammi Orr, Jeremy Scott, Wendy Brock, and Rosie Johansen spoke of the lack of benefits and low wages for home health care workers and urged the Board of Supervisors to review recent proposals.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Cibula pulled for discussion the item regarding a speed limit on Lower Springs Road.

Supervisor Kehoe pulled for discussion the item regarding the Airport Road Replacement Project.

CONSENT CALENDAR

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

Approved the minutes of the meeting held on September 11, 2007, as submitted. (Clerk of the Board)

Released the securities guaranteeing performance of subdivision improvements in the amount of \$40,000 and payment in the amount of \$20,000 for Parcel Map No. 05-021, Fitz (Shingletown area). (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

LOWER SPRINGS ROAD SPEED LIMIT

In response to a question by Supervisor Cibula, Public Works Director Pat Minturn confirmed that a speed study was performed setting 40 miles per hour, making it enforceable by law; therefore, adjacent property owners were not required to be notified regarding the speed limit change.

By consensus, the Board of Supervisors continued this matter to the October 2, 2007 meeting for review. (Public Works)

AIRPORT ROAD AT SACRAMENTO RIVER BRIDGE REPLACEMENT PROJECT

In response to questions by Supervisor Kehoe, County Counsel Karen Jahr noted that, due to eminent domain proceedings and a subsequent court order, the County has full possession of an easement across approximately 1.27 acres of property owned by Scott Joseph Swendiman and Lynn Ann Swendiman, Co-Trustees of The Swendiman Family Trust, and negotiations are taking place. By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors directed the Public Works Director to advertise for bids for the Airport Road at Sacramento River Bridge Replacement Project, and authorized the opening of bids on or after November 8, 2007 at 11:00 a.m. (Public Works)

REGULAR CALENDAR

PRESENTATIONS

MAYERS MEMORIAL HOSPITAL

Mayers Memorial Hospital Chief Executive Officer Katharine Ann Campbell, F.A.C.H.E. discussed the efforts of the hospital to improve services and financial performance,

collaborative programs with local colleges to provide nursing curriculum, and its the value to the rural community.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees had no report.

Supervisor Baugh reported he attended a Resource Advisory Committee meeting.

Supervisors reported on issues of countywide interest.

LAW AND JUSTICE

SHERIFF

**AGREEMENT: CALIFORNIA DEPT. OF CORRECTIONS AND REHABILITATION
ADULT OFFENDERS COMMUNITY REINTEGRATION**

Sheriff Tom Bosenko presented the staff report and recommended approval of the agreement. In response to questions by Supervisors, Sheriff Bosenko explained that parolees are required by law to return to where they resided prior to their incarceration, which exhausts jail space needed for inmates who have committed more serious crimes; the facility is for Shasta County residents only; the State will provide staff for the program; and other states with reentry facilities have greatly reduced recidivism.

District Attorney Jerry Benito stressed the facility will allow for parolee rehabilitation and success and confirmed that the agreement is only to develop a plan.

In response to a question by Supervisor Kehoe, Sheriff's Office Captain Don Van Buskirk clarified that the jail and reentry facilities are two separate projects; however, developing a reentry facility is the first step in acquiring possible grant funding for a new jail. California Department of Corrections and Rehabilitation representative Janice Williams stressed that the Sheriff's Office will have complete control over choosing the parolees for the reentry facility program.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a non-binding agreement; to amend the wording "County of Shasta is an appropriate location" to "County of Shasta may be an appropriate location" on Page 1, Paragraph 8, of the agreement with the California Department of Corrections and Rehabilitation to work together to improve the reintegration of adult offenders returned from state prisons into communities in Shasta County; and to develop a potential plan for a secure state reentry facility to serve parolees in Shasta County.

RESOURCE MANAGEMENT

LETTER TO PACIFIC FOREST AND WATERSHED LANDS STEWARDSHIP COUNCIL

Director of Resource Management Russ Mull presented the staff report and recommended approval of the letter. In response to a question from Supervisor Kehoe, he read a response from the Pit River Tribal Council calling the plan "adequate." Supervisor Hawes stated that Tribal Council representatives have been present at discussions and have not expressed disapproval of the plan.

Supervisor Kehoe stated that the leasing of the swamp to a single entity would allow a monopolistic lease-hold and would have a negative effect on the distribution of wealth in the area; therefore, he is not supportive of the plan.

By motion made, seconded (Hawes/Baugh), and carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to the Pacific Forest and Watershed Lands Stewardship Council, including comments on the Stewardship Council's Draft Land Conservation Plan, and recommendations for the McArthur Swamp Collaborative Group Easement. Supervisor Kehoe voted no.

SCHEDULED HEARINGS

PUBLIC WORKS

TRACT NO. 1878

DENIAL OF NUNES RANCH PERMANENT ROAD DIVISION SHINGLETOWN AREA

This was the time set to conduct a public hearing regarding the proposed Nunes Ranch Permanent Road Division (Shingletown area), Tract No. 1878. Public Works Supervising Engineer Alfred Cathey presented the staff report and recommended denial of the formation of the proposed Nunes Ranch Permanent Road Division as the tract map had expired and was no longer valid. 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 denial for the formation of the permanent road division, and the public hearing was closed.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors denied formation of the proposed Nunes Ranch Permanent Road Division and accepting the withdrawal of the petition for formation.

CLOSED SESSION ANNOUNCEMENT

Chairman Cibula announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Rico v. County of Shasta, pursuant to Government Code section 54956.9(a), and that he is recusing based on a professional relationship.

10:56 a.m.: The Board of Supervisors recessed to Closed Session; Supervisor Cibula did not attend.

11:02 a.m.: The Board of Supervisors reconvened from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, Assistant County Counsel Mike Ralston, and Deputy Clerks of the Board Valerie Ibarra and Diane Colson present.

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation, with Supervisor Cibula recusing. By a unanimous vote, the Board of Supervisors authorized County Counsel to provide the defense for Shasta County and its employees. No other reportable action was taken.

11:03 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy