

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, November 2, 2010

**REGULAR MEETING**

9:01 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 Moty  
District No. 3 - Supervisor Hawes  
District No. 4 - Supervisor Hartman  
District No. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees  
County Counsel - Rubin E. Cruse, Jr.  
Chief Deputy Clerk of the Board - Glenda Tracy  
Administrative Board Clerk - Linda Mekelburg

**INVOCATION**

Invocation was given by Pastor George Nite, CrossPointe Community Church.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Dr. Tammy Brazil, Ph.D. stated she purchased commercial property in the Mountain Gate area. She was told by Planning Department staff there are no rules regulating medical marijuana in unincorporated areas, then later told of the moratorium and Planning would not review her application for a Conditional Use Permit. She requested the Board of Supervisors have Planning review her application or to put the matter on a future agenda for open discussion.

**CONSENT CALENDAR**

By motion made, seconded (Hawes/Baugh), 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 \$5,909.38 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on September 28, October 5, October 12, and October 19, 2010, as submitted. (Clerk of the Board)

Appointed Debbie McClung to the PSA 2 Area Agency on Aging - Advisory Council for a term to November 2014. (Clerk of the Board)

Approved and authorized the Chairman to sign an amendment to the agreement with the Shasta County Child Abuse Prevention Coordinating Council increasing compensation by \$50,000 (for a new total not to exceed \$75,000) to provide additional afternoon child care, structured activity, and parent mentoring program services, and extending the term through June 30, 2011. (HHS-Children's Services)

Approved and authorized the Chairman to sign an agreement with the County of Del Norte in an amount not to exceed \$126,000 to provide camp beds at Bar-O Boys Ranch to court commitments as needed from the date of signing through June 30, 2011; and authorized the Auditor-Controller to pay invoices from the County of Del Norte for the period July 1, 2010 through November 1, 2010 for commitments and expenditures not covered by contract. (Probation)

Approved and authorized the Chairman to sign a retroactive agreement with Cogent, Inc. in an amount not to exceed \$30,122.85 to provide maintenance and support services for LiveScan fingerprint hardware and software for the period June 1, 2010 through May 31, 2011. (Sheriff)

Approved and authorized the Public Works Director to sign a Notice of Completion for the West Central Landfill Unit 4B Project and record it within 10 days of actual completion of the work. (Public Works)

For the Energy Retrofit Project, approved a budget amendment in the amount of \$936,044 increasing appropriations and revenues in the Land Buildings and Improvements (LB&I) budget; and approved and authorized the Auditor-Controller to make payments from the LB&I budget on behalf of the project in advance of receipt of grant and loan proceeds, with any interest incurred in LB&I reimbursed by the project. (Public Works)

## **REGULAR CALENDAR**

### **GENERAL GOVERNMENT**

#### **ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

#### **LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Administrative Officer (CAO) Larry Lees presented an update on specific legislation of importance to Shasta County, including Gov. Arnold Schwarzenegger's veto of child care funds before signing the new state budget into law and the effect that will have on Shasta County.

Supervisors Hawes, Baugh, and Moty recently attended a Regional Transportation Planning Agency (RTPA) meeting.

Supervisor Baugh recently attended a RTPA Regional governments meeting and a Northern Rural Training and Employment (NoRTEC) meeting.

Supervisors reported on issues of countywide interest.

**ADMINISTRATIVE OFFICE/SHERIFF/PUBLIC WORKS/**

**HEALTH AND HUMAN SERVICES AGENCY (HHS)-PUBLIC HEALTH**

**AGREEMENT: VALLEY INDUSTRIAL COMMUNICATIONS, INC.**

At the recommendation of Administrative Analyst Elaine Grossman and by motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive amendment to the agreement with Valley Industrial Communications, Inc. reducing compensation by \$116.39 per month effective November 1, 2010 to cancel priority services no longer needed under the agreement for the Sheriff's West Prospect repeater and retaining the term of July 1, 2009 through June 30, 2010, with four automatic one-year renewals.

**PUBLIC WORKS**

**COUNTY SERVICE AREA (CSA) NO. 6-JONES VALLEY WATER**

**ELK TRAIL WATER SYSTEM ASSESSMENT DISTRICT  
RESOLUTION NO. 2010-103**

Public Works Director Pat Minturn presented the staff report and recommended approval of the requested action. Chief Deputy Clerk of the Board Glenda Tracy stated, as required by Proposition 218, the results of the tabulation of the proposed assessment ballots are \$2,529,527.50 of proposed assessments in favor of the assessment and \$541,161.56 of proposed assessments protesting the proposed assessment.

Construction Industry Force Account Council (CIFAC) Senior Field Representative Sally Riley noted that several contractors had reviewed the proposed construction timeline and thanked Public Works Director Pat Minturn for allowing sufficient time in the proposed timeline for contractors to adequately complete the project.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2010-103, which overrules ballot protests, approves the Engineer's Report, levies assessments, and orders the improvements for Elk Trail Water System Assessment District No. 2010-2; approved and authorized the Public Works Director to negotiate and sign an agreement with Umpqua Bank to provide interim financing for design of the Elk Trail Water Improvement Project, with fees not to exceed \$4,000 plus interest not to exceed the Wall Street Journal prime rate plus 1.00 percent, fully floating, with a floor of 4.50 percent; approved and authorized the Public Works Director to negotiate and sign an agreement with Umpqua Bank to provide interim financing for construction of the Elk Trail Water Improvement Project, with fees not to exceed \$35,000 plus interest not to exceed the Wall Street Journal prime rate plus 1.00 percent, fully floating, with a floor of 4.50 percent; and approved and authorized the Public Works Director to sign a U.S. Bank National Association Money Market Account Authorization form to allow conservative investment of interim funds before they are remitted to the State Revolving Fund.

(See Resolution Book No. 51)

**SCHEDULED HEARINGS**

**PUBLIC WORKS**

**TRACT MAP NO. 1978**  
**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). Public Works Supervising Engineer Al Cathey 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 formation of the permanent road division, and the public hearing was closed.

Mr. Cathey noted that in accordance with Proposition 218, the property owners must approve the requested parcel change, and he delivered the ballot to the Clerk of the Board for tabulation. The clerk opened the ballot; the vote was as follows:

FOR:	1
AGAINST:	0
BLANK BALLOTS:	0

**CLOSED SESSION ANNOUNCEMENT**

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

1. Confer with its counsel to discuss existing litigation entitled Christopher Staffin v. Jerry Bellinger, et al., pursuant to Government Code section 54956.9, subdivision (a); and
2. Confer with its counsel to discuss two cases of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (c); and
3. Confer with its Labor Negotiators, County Administrative Officer Larry Lees, Personnel Director Michelle Schafer, 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.

9:42 a.m.: The Board of Supervisors recessed to Closed Session.

10:20 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer/Clerk of the Board Larry Lees, and County Counsel Rubin Cruse, Jr. present.

**REPORT OF CLOSED SESSION ACTIONS**

County Counsel Rubin Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss existing litigation and anticipated litigation, as well as labor negotiations. In

connection with the closed session held concerning initiation of litigation, two cases, the Board of Supervisors, by unanimous 5-0 votes for each action, gave approval to the County Counsel to initiate or intervene in the two separate actions and the actions, the defendants, and other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the County's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize the County's ability to conclude existing settlement negotiations to its advantage. There was no further reportable action.

10:22 a.m.: The Board of Supervisors adjourned.

\_\_\_\_\_  
Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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