

STATE OF CALIFORNIA)
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COUNTY OF SISKIYOU)

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 14th day of July 2009; there being present Supervisors Marcia H. Armstrong, Michael N. Kobseff, Grace Bennett and Ed Valenzuela, County Administrator Brian McDermott, County Counsel Thomas P. Guarino and Deputy County Clerk Wendy Winningham. Supervisor Jim Cook was absent.

The meeting was called to order by Chair Kobseff. Assistant County Administrator Rose Ann Herrick led in the salute to the flag of the United States of America.

No action taken.

CLOSED SESSION - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(b)(1), four cases, subdivision (3)(A)., Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(c), two cases, commenced at 9:10a.m., concluded at 9:47a.m., with no reportable action taken.

INVOCATION – Pastor Bernard Van Ee, Big Springs Community Church, Big Springs.

PRESENTATIONS FROM THE PUBLIC

There were no presentations from the public.

MOTION:
Armstrong/Bennett
AYES: Armstrong,
Kobseff, Bennett and
Valenzuela
ABSENT: Cook

CONSENT AGENDA - SISKIYOU COUNTY SUPERIOR COURT – Approve Memorandum of Understanding, number 2992, with the Probation Department, for case management and other services for the Drug Court program, in an amount not to exceed \$18,000, for the term July 1, 2009 through June 30, 2012.

MOTION:
Armstrong/Bennett
AYES: Armstrong,
Kobseff, Bennett and
Valenzuela
ABSENT: Cook

CONSENT AGENDA - PROBATION – Approve first amendment to agreement, number 400, with Del Norte County for placement at the Bar-O-Boys Ranch, for a reduction to one reserved bed, at the monthly rate of \$3,300, for FY09/10.

MOTION:
Armstrong/Bennett
AYES: Armstrong,
Kobseff, Bennett and
Valenzuela
ABSENT: Cook

CONSENT AGENDA - GENERAL SERVICES – Approve consent to assignment of lease, number 322, for hangar land lease with GRW & Co/Gary Wilkins, at the Scott Valley Airport, to Charles Kittle.

MOTION:
Armstrong/Bennett
AYES: Armstrong,
Kobseff, Bennett and
Valenzuela
ABSENT: Cook

CONSENT AGENDA - SISKIYOU-MODOC REGIONAL DEPARTMENT OF CHILD SUPPORT SERVICES – Adopt Resolution 09-139 recognizing August as Child Support Awareness Month.

Pulled from the consent agenda.

CONSENT AGENDA - BEHAVIORAL HEALTH SERVICES – Approve FY09/10 contract with Crestwood Behavioral Health, Inc., for acute psychiatric inpatient services, as per the rates set forth in Exhibit B.

This item was pulled from the consent agenda at Supervisor Kobseff's request.

In response to Supervisor Kobseff regarding the contract verbiage, Behavioral Health Services Director Lauri Hunner advised that there was unique language in recent amendments to contracts with Healththerapy, Remi Vista and Northern Valley Catholic Social Services, and that the verbiage concerning payment terms in this contract was no different than in previous years.

County Counsel Thomas P. Guarino advised that the contracts here contained the County's standard termination language including payment to the provider in 45-days.

Ms. Hunner provided a brief overview of the funding process with regard to the contract for services.

CONSENT AGENDA - BEHAVIORAL HEALTH SERVICES – Approve FY09/10 contract with Crestwood Behavioral Health, Inc., for acute psychiatric inpatient services, as per the rates set forth in Exhibit B. *(continued)*

Discussion followed between members of the Board, Ms. Hunner and Mr. Guarino regarding the number of clients utilizing each of the contracts (see following agenda items), the need for a contract prior to an emergency placement (should that be needed), and the less costly use of service contracts versus clients being placed in state hospitals.

Supervisor Armstrong shared concerns regarding the state’s budget issues and possible delay and/or non-reimbursement for services rendered, and suggested that placement with the specialty providers only happen when funding for the placement is available.

In response, Ms. Hunner voiced concerns regarding the need for an available provider/facility at times when an emergency placement is necessary.

Supervisor Armstrong further shared concerns regarding the possibility of drawing down General Fund monies to pay for services for a select portion of the County’s population.

MOTION:
Kobseff/Valenzuela
AYES: Kobseff,
Bennett & Valenzuela
NOES: Armstrong
ABSENT: Cook

Approve FY09/10 contract, number 2103, with Crestwood Behavioral Health, Inc., for acute psychiatric inpatient services, as per the rates set forth in Exhibit B, approve FY09/10 contract, number 1378, with Empire Recovery Center, for alcohol and other drug recovery and detox services, at the rate of \$80 per person, per day, approve FY09/10 contract, number 2201, with Yreka Motel, to provide short term shelter for homeless and mentally ill clients, at a daily rate of \$35, weekly rate of \$185, monthly rate of \$475 and monthly with kitchenette rate of \$600, approve FY09/10 contract, number 3059, with Rebekah Children’s Services to provide residential treatment setting to clients between the ages zero to 18, at the rates set forth in Exhibit B of the contract, approve FY09/10 contract, number 2959, with Kids Behavioral Health of Alaska, Inc., to provide a residential treatment setting to mentally ill adolescents, at the rate of \$106 per child, per day, and approve FY09/10 contract, number 3103, with Pioneer Cleaning Service, to provide janitorial service at the facility located at 2060 Campus Drive, Yreka, at the rate of \$3,100 per month, in an amount not to exceed \$37,200.

Action taken during a previous agenda item.

CONSENT AGENDA - BEHAVIORAL HEALTH SERVICES – Approve FY09/10 contract with Empire Recovery Center, for alcohol and other drug recovery and detox services, at the rate of \$80 per person, per day.

Action was taken on this issue during the previous agenda item.

Action taken during a previous agenda item.

CONSENT AGENDA - BEHAVIORAL HEALTH SERVICES – Approve FY09/10 contract with Yreka Motel, to provide short term shelter for homeless and mentally ill clients, at a daily rate of \$35, weekly rate of \$185, monthly rate of \$475 and monthly with kitchenette rate of \$600.

Action was taken on this issue during the previous agenda item.

Action taken during a previous agenda item.

CONSENT AGENDA - BEHAVIORAL HEALTH SERVICES – Approve FY09/10 contract with Rebekah Children’s Services to provide residential treatment setting to clients between the ages zero to 18, at the rates set forth in Exhibit B of the contract.

Action was taken on this issue during the previous agenda item.

Pulled from the consent agenda.

CONSENT AGENDA - BEHAVIORAL HEALTH SERVICES – Approve FY09/10 contract with Kids Behavioral Health of Alaska, Inc., to provide a residential treatment setting to mentally ill adolescents, at the rate of \$106 per child, per day.

Action was taken on this issue during the previous agenda item.

Action taken during a previous agenda item.

CONSENT AGENDA - BEHAVIORAL HEALTH SERVICES – Approve FY09/10 contract with Pioneer Cleaning Service, to provide janitorial service at the facility located at 2060 Campus Drive, Yreka, at the rate of \$3,100 per month, in an amount not to exceed \$37,200.

Action was taken on this issue during the previous agenda item.

Pulled from the consent agenda.

CONSENT AGENDA - COUNTY ADMINISTRATOR – Approve side letter agreement with the SCEA/AFSCME unit agreeing to allow the County to offer extra-help appointments to certain Library employees laid off on June 30, 2009.

This item was pulled from the consent agenda at Supervisor Armstrong’s request.

In response to Supervisor Armstrong, Assistant County Administrator Rose Ann Herrick advised that an employee laid off in two years could be eligible.

MOTION:

Armstrong/Valenzuela

AYES: Armstrong, Kobseff, Bennett and Valenzuela

ABSENT: Cook

Approve side letter agreement, number 2470, with the SCEA/AFSCME unit agreeing to allow the County to offer extra-help appointments to certain Library employees laid off on June 30, 2009.

Pulled from the consent agenda.

CONSENT AGENDA - AGRICULTURE – Approve FY09/10 contract with the California Department of Food and Agriculture for organic registrations, inspections and investigations, in the amount of \$3,340.

This item was pulled from the consent agenda at Supervisor Armstrong’s request. Supervisor Armstrong voiced concerns regarding the State’s current budget issues and the potential for the County not to be paid for work completed under the contract.

This item was continued to later in the meeting.

Later in the meeting it was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela to approve FY09/10 contract, number 1915, with the California Department of Food and Agriculture for organic registrations, inspections and investigations, in the amount of \$3,340. The motion carried with Supervisors Kobseff, Bennett and Valenzuela voting Yes, Supervisor Armstrong voting No, and Supervisor Cook absent.

Presentation only.

BOARD OF SUPERVISORS - Presentation of Resolution honoring Ruth Simpson upon her retirement from the Recorder’s Office.

Auditor Leanna Dancer and Ruth Simpson appeared before the Board.

Ms. Dancer read the Resolution honoring Ms. Simpson into the record.

Members of the Board thanked Ms. Simpson for her service to the County and presented her with the Resolution.

Presentation only.

BOARD OF SUPERVISORS - Presentation of a Resolution expressing appreciation to David Collier for his volunteer services to the County.

County Counsel Thomas P. Guarino and David Collier appeared before the Board.

Mr. Guarino read the Resolution expressing appreciation for Mr. Collier’s services to the County into the record.

Members of the Board thanked Mr. Collier for his services and presented him with the Resolution.

Presentation only.

EMPLOYEE RECOGNITION COMMITTEE – Presentation of the Employee of the Month for July, 2009.

Employee Recognition Committee member Emily Harper introduced Deputy Probation Officer Amy Fernandez as the July, 2009 Employee of the Month.

Members of the Board congratulated Ms. Fernandez and presented her with an Employee of the Month pin.

JEFFERSON ECONOMIC DEVELOPMENT INSTITUTE (JEDI) – Adopt Proclamation naming July as California Microenterprise Development Month.

Jefferson Economic Development Institute Executive Director Nancy Swift and local business owners Charlynn Long, Gerilee Shinn, Jeanne Buwalda, Jessica Murr, Bethany Hanna and Casey Gabriel appeared before the Board. Ms. Swift provided an overview of the request, advising that California’s State Resolution No. 41 designating July as California Microenterprise Development Month.
Continued.....

JEFFERSON ECONOMIC DEVELOPMENT INSTITUTE (JEDI) – Adopt Proclamation naming July as California Microenterprise Development Month. (continued)

Supervisor Kobseff read the Proclamation naming July as Siskiyou County Microenterprise Development Month into the record.

Discussion followed between members of the Board and those present regarding the importance of small business/microenterprises to the County's economy.

MOTION:

Valenzuela/Armstrong

AYES: Armstrong, Kobseff, Bennett & Valenzuela

ABSENT: Cook

Adopt Proclamation naming July, 2009 and every year thereafter, as Siskiyou County Microenterprise Development.

SISKIYOU COMMUNITY SERVICES COUNCIL – Discussion, direction and possible action re a request for one-time funding, in the amount of \$58,000, to match additional funding to provide five years of facilitated Family Based Relapse Prevention education in conjunction with Family/Community Resource Centers.

Siskiyou Community Services Council (CSC) Executive Director Jill Phillips and CSC members Michael Noda and Lauri Hunner appeared before the Board.

Ms. Phillips provided an overview of the request and efforts to develop community based services to prevent substance abuse relapse. Family Based Relapse Prevention Self-Assessment results and Logic Model for Family Based Relapse Prevention, 2009-2014 were presented for the record.

Mr. Noda and Ms. Hunner supported the request, advising of Relapse Prevention education benefits to Human Services and Behavioral Health Services clients.

Supervisors Armstrong and Bennett supported the Family Based Relapse Prevention program.

MOTION:

Armstrong/Kobseff

AYES: Armstrong, Kobseff, Bennett & Valenzuela

ABSENT: Cook

Approve one-time funding, in the amount of \$58,000, to match additional funding sources, in the amount of \$313,175, to provide five years of facilitated Family Based Relapse Prevention education in conjunction with Family/Community Resource Centers in communities throughout Siskiyou County.

DISTRICT ATTORNEY – Discussion, direction and possible action re agreement with Christine Chenevert, for specialized legal consulting services, in an amount not to exceed \$95,000, for the term commencing July 14, 2009 to completion of the case.

District Attorney Kirk Andrus provided an overview of the request and the efforts to determine the potential State homicide reimbursement amount for homicide expenses. Mr. Andrus advised that homicide reimbursement funding was not slated for removal in the State's budget proposal, and was confident that the department would meet the necessary threshold related to homicide reimbursement.

Supervisor Armstrong shared concerns regarding the uncertainty of the reimbursement and the department's cash flow, a potential to draw down County reserves in the current economic climate.

Supervisors Bennett and Valenzuela voiced concerns regarding the uncertainty that the State would reimburse in cash versus IOUs, and the potential negative impact to the County's General Fund.

In response to Supervisor Kobseff, Auditor Leanna Dancer advised that the use of contract employees is a reimbursable expense and that the Auditor's and District Attorney's Offices were working together to show that the County meets the threshold in order to be reimbursed for expenses. Ms. Dancer was unable to determine how long it would take to receive an advance (related to the potential reimbursement) from the State.

Discussion followed between members of the Board and Mr. Andrus regarding the uncertain state budget issues and the uncertainty of the reimbursement timeline. Continued.....

DISTRICT ATTORNEY – Discussion, direction and possible action re agreement with Christine Chenevert, for specialized legal consulting services, in an amount not to exceed \$95,000, for the term commencing July 14, 2009 to completion of the case. (*continued*)

Further discussion followed between members of the Board, Mr. Andrus, Ms. Dancer and County Counsel Thomas P. Guarino regarding the need to allocate funding for the contract at the time it is approved, possible funding sources for the requested contract amount (i.e. Provisions, District Attorney budget), and unanswered questions regarding the ability to receive reimbursement from the State.

Mr. Andrus advised that he would monitor the reimbursement issues, and that his office would not obligate the County through this contract should the threshold not be met.

Supervisor Armstrong suggested that the contract be paid upon the County receiving funding from the State.

Mr. Guarino advised that the contract could be modified to reflect that language and suggested further consideration of this issue later in the meeting to allow the District Attorney and County Counsel to develop the revisions.

Supervisor Armstrong shared concerns regarding the potential that the District Attorney's professional services budget would be encumbered for the entire amount of the contract (\$95,000).

Later in the meeting Mr. Guarino provided an overview of the revised contract, advising that the contract was revised to an amount not to exceed \$18,000 and that the language regarding the threshold amount remained.

In response to Supervisor Kobseff, Mr. Guarino advised that the contractor (attorney) would identify the work done separately for each of two defendants.

MOTION:

Armstrong/Bennett

AYES: Armstrong, Kobseff, Bennett & Valenzuela

ABSENT: Cook

No action taken.

Approve independent contractor agreement, number 3104, with Christine Chenevert, for specialized legal consulting services, in an amount not to exceed \$18,000, for the term commencing July 14, 2009 to completion of the case.

DISTRICT ATTORNEY – Transfer of funds – Homicide - \$85,500.

There was no action taken on this agenda item.

DISTRICT ATTORNEY – Request for authorization to apply for and accept FY09/10 Automobile Insurance Fraud program grant funding, in the amount of \$17,876.

District Attorney Kirk Andrus provided an overview of the request, advising that he would perform the duties required by the Automobile Insurance Fraud and Worker's Compensation Insurance Fraud programs.

Discussion followed between members of the Board and Mr. Andrus regarding the grant funding reimbursement process and the need to sustain the program in order to maintain the level of funding each year.

MOTION:

Armstrong/Bennett

AYES: Armstrong, Kobseff, Bennett and Valenzuela

ABSENT: Cook

Adopt Resolution 09-140, authorizing the District Attorney to apply for and accept of FY09/10 Automobile Insurance Fraud program grant funding, in the amount of \$17,876.

DISTRICT ATTORNEY – Request for authorization to apply for and accept FY09/10 Worker's Compensation Insurance Fraud program grant funding, in the amount of \$26,170.

Discussion regarding this item was held during the previous agenda item.

MOTION:

Valenzuela/Bennett

AYES: Armstrong, Kobseff, Bennett and Valenzuela

ABSENT: Cook

Adopt Resolution 09-141, authoring the District Attorney to apply for and accept FY09/10 Worker's Compensation Insurance Fraud program grant funding, in the amount of \$26,170.

COUNTY CLERK – Discussion, direction and possible action re inactive committees, boards and commissions.

County Clerk Colleen Setzer provided an overview of the request to dissolve certain inactive committees, boards, commissions, and to add ‘or designee’ to the County Administrator’s position on the Community Development Block Grant (CDBG) committee. Ms. Setzer requested that there be no action taken with regard to the Range Advisory Committee, as the committee was required.

Discussion followed between members of the Board, Ms. Setzer and County Counsel Thomas P. Guarino regarding the agenda/meeting/notification processes for the CDBG committee.

MOTION:
Valenzuela/Armstrong
AYES: Armstrong,
Kobseff, Bennett and
Valenzuela
ABSENT: Cook

Presentation only.

Dissolve the Industrial Disabilities Retirement Board, Juvenile Justice Coordinating Council, Medical Advisory Board, Siskiyou County Film Commission, and the Telecommunications Committee, pursuant to Government Code §25207, as they are no longer necessary, and add ‘or designee’ to the County Administrator’s position on the Community Development Block Grant Committee.

ASSESSOR – Report regarding the 2009/2010 Assessment Roll.

Assessor Mike Mallory provided an overview of the 2009/2010 Assessment Roll, advising that Siskiyou County showed a 2.25% growth over the previous year’s roll.

Discussion followed between members of the Board and Mr. Mallory regarding the negative impact of the economy on many California counties and the uncertainty and potential negative impact of Klamath River dam issues on the Irongate and Copco Lake areas.

BEHAVIORAL HEALTH SERVICES – Discussion, direction and possible action re a letter to the California Department of Mental Health Services requesting assistance with timely payments of Medi-Cal claims.

Behavioral Health Services Director Lauri Hunner provided an overview of the letter to the Department of Mental Health Services concerns the timing of payments for Medi-Cal claims.

MOTION:
Valenzuela/Bennett
AYES: Armstrong,
Kobseff, Bennett and
Valenzuela
ABSENT: Cook

Approve a letter to the California Department of Mental Health Services requesting assistance with timely payments of Medi-Cal claims.

Brief discussion followed between members of the Board, Ms. Hunner and County Counsel Thomas P. Guarino regarding the need to develop a letter requesting that the State expedite the County’s Managed Care contract.

BEHAVIORAL HEALTH SERVICES – Discussion, direction and possible action re contracts and payment reimbursements for HealTherapy.

County Counsel Thomas P. Guarino provided an overview of recent action taken with regard to contracts and payment reimbursements to HealTherapy and efforts to assist HealTherapy with their cash flow issues, including a letter to the Redding Bank of Commerce outlining those efforts.

HealTherapy representative Judd Pindell thanked Mr. Guarino for his efforts, and suggested another letter confirming the continuation of services.

HealTherapy Controller Patty Parry advised that County Counsel’s letter would be reviewed by the bank’s loan committee, and shared concerns regarding the possibility of no cash flow to HealTherapy before October.

Discussion followed between members of the Board, Ms. Hunner, Ms. Parry and Mr. Guarino regarding the contract amendment verbiage regarding service payment terms, HealTherapy’s request for a guarantee of future payments, and the upcoming negotiation process for a new contract with HealTherapy.

Consensus.

It was consensus of the Board that Behavioral Health work with County Counsel and the County Administrator regarding this issue and bring the issue back before the Board in August.

BEHAVIORAL HEALTH SERVICES – Discussion, direction and possible action re FY09/10 contract with Braswell Enterprises, Inc., dba Sierra Vista Rehabilitation Center, to provide acute psychiatric inpatient medical services, as per the rates set forth in Exhibit B of the agreement.

Behavioral Health Services Director Lauri Hunner provided an overview of the request, advising that the utilizing Sierra Vista Rehabilitation Center would cost the County less than a state hospital if a hospital placement was necessary.

MOTION:

Valenzuela/Bennett

AYES: Kobseff,
Bennett & Valenzuela

NOES: Armstrong

ABSENT: Cook

Approve FY09/10 contract, number 3105, with Braswell Enterprises, Inc., dba Sierra Vista Rehabilitation Center, to provide acute psychiatric inpatient medical services, as per the rates set forth in Exhibit B of the agreement.

BEHAVIORAL HEALTH SERVICES – Discussion, direction and possible action re FY09/10 contract with Shandin Hills Behavior Therapy Center, to provide acute psychiatric inpatient medical services, as per the rates set forth in Exhibit B of the agreement.

Behavioral Health Services Director Lauri Hunner provided an overview of the request.

MOTION:

Valenzuela/Bennett

AYES: Kobseff,
Bennett & Valenzuela

NOES: Armstrong

ABSENT: Cook

Approve FY09/10 contract, number 3106, with Shandin Hills Behavior Therapy Center, to provide acute psychiatric inpatient medical services, as per the rates set forth in Exhibit B of the agreement.

COUNTY ADMINISTRATOR/LIBRARY – Update regarding County Library hours, the Scott Bar Library and possible action re rate/fee changes.

County Administrator Brian McDermott provided a brief overview of the request.

Deputy County Clerk Wendy Winningham advised that ten pieces of correspondence regarding this issue were received in the Clerk's Office and provided to members of the Board.

County Librarian Betsy Emry provided a brief overview of the recent reductions in the Library, including layoffs that would impact the Library's capacity for training, grant writing, and soliciting/managing donations. Ms. Emry further provided an overview of proposed hours of operation that would be effective July 10, 2009, which included volunteer time from the Friends of the Library and staff. Ms. Emry shared concerns regarding the potential for the Yreka Branch hours to be reduced after December and the possibility of closing offices should sufficient staff not be available to work (i.e. out sick).

Supervisor Armstrong shared concerns regarding the communities along the Klamath River that would be un-served due to closure of the Scott Bar Library Branch, and that there has not been a solution developed between the Scott Bar Librarian and the County Librarian to prevent the closure of the Scott Bar location.

In response Ms. Emry advised that the Scott Bar Branch had very few books checked out, with revenue of only \$5 for the year. Ms. Emry further advised that a survey showed very few actual Library patrons living in the Scott Bar service area.

Scott Bar resident Nadine Bideler voiced concerns regarding the upcoming closure of the Scott Bar Branch, and supported efforts to continue delivery and rotation of replacement books.

Scott Bar resident Genetta Clark shared concerns regarding the loss of service to Scott Bar and suggested volunteer efforts as a way to keep the Scott Bar Branch open and operating.

Ms. Emry shared concerns regarding the exchange of books between the Yreka Branch and the Scott Bar location, proper processing of the books being checked out, and the impact of recent staff reductions with regard to the process and delivery of books.

Discussion followed between members of the Board, Ms. Emry and Ms. Clark regarding possible options to supply books to the Scott Bar Branch.

Continued.....

COUNTY ADMINISTRATOR/LIBRARY – Update regarding County Library hours, the Scott Bar Library and possible action re rate/fee changes. *(continued)*

With regard to the request to modify Library operating times, County Counsel Thomas P. Guarino advised that the request should be considered by the Board for approval.

Discussion followed between members of the Board, Ms. Emry and Mr. Guarino regarding the potential volunteer efforts toward delivery of books to Scott Bar, and the proposed schedule for Library branch operating hours.

Supervisors Valenzuela and Kobseff supported working toward a way to keep Scott Bar open and available to the local residents.

MOTION:

Armstrong/Valenzuela

AYES: Armstrong,
Kobseff, Bennett &
Valenzuela

ABSENT: Cook

Direct the County Librarian to work with the Scott Bar Library to develop a plan to keep the Library open, utilizing volunteers and donation to offset some of the associated costs, and bring back the Library operating hours at the August 4, 2009 meeting for further action.

Supervisor Kobseff presented a 4-page letter from the Montague City Council relating to the Montague Library Branch for the record.

GENERAL SERVICES – Discussion, direction and possible action re options for the short term disposition of sludge currently being disposed of at the Siskiyou County Airport.

General Services Director Randy Akana provided an overview of the request, advising that an evaluation of long-term options for disposal of sludge was ongoing, although the length of time would be too long for the North Coast Regional Water Quality Control Board's requirement that the facility close or be permitted. Mr. Akana further provided an overview of short-term options, including facilities in Merrill, Oregon and Anderson, California. Mr. Akana advised that two local haulers provided information regarding their ability to transport to a facility outside the County and the need for one-time, upfront costs to provide the necessary equipment for that hauling.

County Administrator Brian McDermott provided a brief history of the Water Quality Control Board's monitoring of and requirements regarding the sludge disposal facility at the County Airport, and of the efforts to develop options (i.e. build a new facility) for sludge disposal within the County. Mr. McDermott shared concerns regarding the large costs related to the options and the extended time frame involved with development of a long-term solution.

Mr. Akana introduced Fisher Backhoe representative Gerald Fisher.

Discussion followed between members of the Board, Mr. Fisher, and Mr. Akana regarding Fisher Backhoe's current capacity, the possible negative impact of increased disposal costs on rural property owners, efforts to identify available grant funding and the options that other cities/agencies are investigating.

Mr. Akana requested authorization to release funding to develop closure of the airport facility, including contracting with an engineering firm for the closure design.

Brief discussion followed including Public Health and Community Development Director Terry Barber regarding the need for an outside engineer or utilizing County engineering staff.

MOTION:

Kobseff/Valenzuela

AYES: Armstrong,
Kobseff, Bennett &
Valenzuela

ABSENT: Cook

Authorize the release of funds to begin the process to contract an engineering firm for the purpose of designing the closure of the sludge pond at the Siskiyou County Airport.

PUBLIC HEARING - AUDITOR – Public hearing to solicit citizen input and discuss the County's intention to apply for a grant under the 2009/2010 General Allocation Grant Fund, for the maximum amount of \$800,000 for housing rehabilitation, public services, improvement projects and set aside.

This was the time set for a public hearing to solicit citizen input and discuss the County's intention to apply for a grant under the 2009/2010 General Allocation Grant Fund, for the maximum amount of \$800,000 for housing rehabilitation, public services, improvement projects and set aside.

Supervisor Kobseff opened the public hearing.

Auditor Leanna Dancer provided two documents (1-page grant application timeline and a 2-page CDBG HCD grant process/CDBG timeline) and provided a brief overview of the grant application process. Ms Dancer shared concerns that notice of the public hearing did not happen timely, and further, that today was the deadline for the current grant application. Ms. Dancer asked if the Board wished for her to do what she could to salvage the current application, and advised that this public hearing should have been the first hearing to obtain input for all CDBG grants.

Ms. Dancer further advised that additional public hearings were slated for August to consider all FY10/11 grants, two Planning and Technical grants, an Economic Development, and Economic Enterprise for FY09/10. Ms. Dancer additionally advised that August 31, 2009 was the deadline for the 2009/2010 Economic Fund application.

Supervisor Armstrong shared concerns regarding the lack of communication and/or information regarding eligible projects that grant monies could be used for, and the continuation of housing rehab and housing loans as County grant priorities.

In response, Ms. Dancer advised that the State expects the County to continue with General Allocation funding for the County's ongoing infrastructure project.

Discussion followed between members of the Board and Ms. Dancer regarding the need for improved scheduling of public hearings, and previously Board approved grant application priorities.

In response to Supervisor Kobseff, Ms. Dancer advised that an agenda item was slated for August 11th to discuss possible changes to the CDBG process. Ms. Dancer further advised that an application was being delivered to the State at this time, which could be withdrawn should the Board wish.

Members of the Board shared concerns regarding confusion with the current CDBG process and related notification deadlines, the Auditor's role on the CDBG Review Committee, and communication issues with regard to grant funding opportunities and authorized funding uses.

Ms. Dancer advised that she was following the CDBG grant priorities/goals that were set by the previous Board.

County Administrator Brian McDermott shared concerns regarding confusion over the possibly missed application deadline, the current status of the CDBG program, and the application currently being delivered to the State.

In response to Supervisor Armstrong, Ms. Dancer advised that there was no need to make a motion approve the request to apply for the Economic Enterprise Fund Grant for FY09/10 as stated on the agenda worksheet.

In response to Supervisor Kobseff, County Counsel Thomas P. Guarino advised that the public hearing was opened and public hearing protocol should be followed.

In response to Supervisor Kobseff, Deputy County Clerk Wendy Wingham advised that a 6-page document from the County Clerk outlining the public hearing notification time frame was received on July 13, 2009.

County Clerk Colleen Setzer advised that she would work with the Auditor's Office regarding publication time frames.

Continued.....

PUBLIC HEARING - AUDITOR – Public hearing to solicit citizen input and discuss the County’s intention to apply for a grant under the 2009/2010 General Allocation Grant Fund, for the maximum amount of \$800,000 for housing rehabilitation, public services, improvement projects and set aside. *(continued)*

There being no further public comments, the public hearing was declared closed.

Mr. Guarino recommended that the Board approve the request to apply for the funding and authorize the County Administrator to sign the grant application.

Supervisor Kobseff shared concerns regarding the manner in which this item was brought before the Board and the urgent need for the agenda item’s approval.

In response to Supervisor Bennett, Ms. Dancer advised that Resolution 09-81 from May, 2009 set the designation for the \$800,000 funding.

Brief discussion followed regarding the designations of general administration, housing rehab, and water/sewer, the estimated time frame related to notification of the grant award, and the need for further consideration/discussion of the CDBG program and related processes.

MOTION:
Valenzuela/Armstrong
AYES: Armstrong,
Kobseff, Bennett &
Valenzuela
ABSENT: Cook

Approve the 09/10 General Fund Allocation application and authorize the County Administrator to sign the grant documents.

Presentation only.

AUDITOR – Report on the first quarter 2009 sales tax.

Auditor Leanna Dancer provided a brief overview of the information provided regarding sales tax received for the first quarter of 2009.

Brief discussion followed regarding the report, which did not include sales tax related to local cities and the need for further quarterly updates.

Update only.

AUDITOR – Update re the Community Development Block Grant program and possible direction to staff.

Auditor Leanna Dancer provided an update of the current CDBG program, advising that the Notice of Funding Availability (NOFA) for the Economic Enterprise Fund application was due on August 30, 2009.

Brief discussion followed between members of the Board, Ms. Dancer and County Counsel Thomas P. Guarino regarding contracts under the economic enterprise portion of the CDBG program that were under review by County Counsel for consideration at a later Board meeting.

Presentation only.

AUDITOR/RECORDER - Update re the use and revenue stream for each of the Recorder’s designations within the General Fund.

Auditor Leanna Dancer provided an overview of the information provided regarding the Recorder’s Reserve Funds, including the items purchased utilizing the reserve funding in prior years.

Discussion only.

PUBLIC HEALTH AND COMMUNITY DEVELOPMENT – Discussion, direction and possible action re Siskiyou County mining program fees.

Public Health and Community Development Director Terry Barber provided an update regarding the Department’s mining program, advising that the second phase of improving the program would include evaluating mine compliance. Ms. Barber further advised that staff time costs associated with the program and forty active mines was approximately \$107,000. Ms. Barber provided a brief overview of the methods used by other mining programs to recover those costs, including flat fee, tonnage, actual costs, etc., and recommended at \$2,000 per year flat fee.

Discussion followed between members of the Board and Ms. Barber regarding setting a flat fee with additional costs levied for enforcement, if necessary, the possibility that some mines may close due to the costs, and outreach efforts toward the mine operators. Continued....

PUBLIC HEALTH AND COMMUNITY DEVELOPMENT – Discussion, direction and possible action re Siskiyou County mining program fees. *(continued)*

Further discussion followed including County Counsel Thomas P. Guarino and County Administrator Brian McDermott regarding possible recovery of the legal fees/costs associated with enforcement, setting a flat fee for a set number of hours with an hourly rate for time above and beyond that limit, and the administrative penalty process associated with non-compliant, enforcement activities.

Discussion only.

PUBLIC HEALTH AND COMMUNITY DEVELOPMENT – Discussion, direction and possible action re the Medical Marijuana Identification Card Program.

Public Health and Community Development Director Terry Barber and Public Health Nurse Lynn Corliss appeared before the Board.

Ms. Barber provided an overview of the Medical Marijuana Identification Card Program, and the associated fee that became effective in December, 2008, advising that six people have enrolled in the program. Ms. Barber further advised that more time was needed to evaluate the appropriateness of the fee due to the low response and that the department had not evaluated partnering with other departments (i.e. Sheriff's) due to a staff shortage.

Discussion followed between members of the Board, Ms. Barber and Ms. Corliss regarding the zoning requirements with regard to a possible marijuana dispensary, the State's mandate that the County provide a medical marijuana card program and the need to another review of the program in six months.

PUBLIC HEALTH AND COMMUNITY DEVELOPMENT – Discussion, direction and possible action re addendum to contract with Interim Healthcare Staffing, increasing the total amount not to exceed \$35,000, for the term April 8, 2009 through April 8, 2010.

Public Health and Community Development Director Terry Barber provided an overview of the request and associated transfer of funds request.

MOTION:
Bennett/Valenzuela
AYES: Armstrong,
Kobseff, Bennett and
Valenzuela
ABSENT: Cook

Approve addendum to contract, number 3029, with Interim Healthcare Staffing, increasing the total amount not to exceed \$35,000, for the term April 8, 2009 through April 8, 2010, and adopt Resolution 09-142, Transfer of Funds - \$20,000.

Action taken during previous agenda item.

PUBLIC HEALTH AND COMMUNITY DEVELOPMENT – Transfer of funds – Inmate Health Program - \$20,000.

Action was taken on this issue during the previous agenda item.

MOTION:
Armstrong/Valenzuela
AYES: Armstrong,
Kobseff, Bennett and
Valenzuela
ABSENT: Cook

PUBLIC HEALTH AND COMMUNITY DEVELOPMENT – Adopt Resolution 09-143, Transfer of Funds – Emergency Services - \$14,296.

Public Health and Community Development Director Terry Barber provided an overview of the request, advising the funding is to purchase time for use in the reverse 911 system.

Supervisor Armstrong requested that the Klamath National Forest be informed regarding the reverse 911 system capabilities.

COUNTY COUNSEL – Discussion, direction and possible action re a Resolution regarding hours of operation for various County departments.

County Counsel Thomas P. Guarino provided an overview of the Resolution that would authorize County offices to close during the noon lunch hour at each department's discretion.

MOTION:
Armstrong/Valenzuela
AYES: Armstrong,
Kobseff, Bennett and
Valenzuela
ABSENT: Cook

Adopt Resolution 09-144 regarding hours of operation for various County offices.

COUNTY COUNSEL – Discussion, direction and possible action re a Resolution authorizing County Counsel to cooperate with the California Association of Counties and other counties and cities in litigation challenging the constitutionality of any seizure by State Government of the Highway Users Tax Account (HUTA) funds.

County Counsel Thomas P. Guarino provided an overview of the Resolution with regard to possible litigation challenging the constitutionality of any seizure of Highway Users Tax Account (HUTA) funds by State Government.

MOTION:

Kobseff/Valenzuela
AYES: Armstrong, Kobseff, Bennett and Valenzuela
ABSENT: Cook

Adopt Resolution 09-145 authorizing County Counsel to cooperate with the California Association of Counties and other counties and cities in litigation challenging the constitutionality of any seizure by State Government of the Highway Users Tax Account (HUTA) funds.

COUNTY COUNSEL – Discussion, direction and possible action re an update on the County’s participation in Klamath Basin Restoration Agreement and Final Agreement process re Klamath River Dams.

County Counsel Thomas P. Guarino provided an overview of letters of concern addressed to California Governor Schwarzenegger and Senator Dianne Feinstein regarding the Klamath River Agreement in Principle and the State not considering the County’s concerns.

MOTION:

Armstrong/Kobseff
AYES: Armstrong, Kobseff, Bennett and Valenzuela
ABSENT: Cook

Approve letter to Governor Arnold Schwarzenegger and letter to US Senator Dianne Feinstein regarding the Agreement in Principle for removal of PacifiCorp dams on the Klamath River.

COUNTY ADMINISTRATOR – Discussion, direction and possible action re agreement with ACS Government Systems, Inc. for information technology services, in the annual amount of \$594,793.20, for the term July 1, 2009 through June 30, 2012.

County Administrator Brian McDermott provided an overview of the request, advising that ACS worked with the County to reduce rates in this economic climate.

Brief discussion followed between members of the Board, Mr. McDermott and County Counsel Thomas P. Guarino regarding the contract language with regard to an escalator clause and the Consumer Price Index (CPI).

MOTION:

Valenzuela/Bennett
AYES: Armstrong, Kobseff, Bennett and Valenzuela
ABSENT: Cook

Approve agreement, number 2846, with ACS Government Systems, Inc., for information technology services, in the annual amount of \$594,793.20, for the term July 1, 2009 through June 30, 2012.

COUNTY ADMINISTRATOR – Discussion, direction and possible action re proposals for the administration of the County’s tourism program for FY09/10.

County Administrator Brian McDermott provided an overview of the Request for Proposals (RFP) process, which included three separate bid items (public relations/media marketing, website design and management, and advertising brochures). Mr. McDermott recommended consideration of the website (bid item #2) due to current budget constraints.

Discussion followed between members of the Board and Mr. McDermott regarding the amount budgeted during preliminary budget, the proposals from Vision Consulting and Rural Tourism Marketing Group, and previous concerns of the Board regarding the inability of all local businesses to be on the County’s tourism website.

Supervisor Armstrong shared concerns that the current website did not display various activities from all areas of the County equably.

Further discussion followed regarding Vision Consulting’s three proposals (each increasing in scope and expense) with regard to website design and management and Rural Tourism’s emergency proposal regarding the current website.
Continued....

COUNTY ADMINISTRATOR – Discussion, direction and possible action re proposals for the administration of the County's tourism program for FY09/10. *(continued)*

MOTION:

Valenzuela/Bennett

AYES: Armstrong, Kobseff, Bennett and Valenzuela

ABSENT: Cook

Approve Vision Consulting option #3 with regard to website design and management, and authorize the County Administrator to enter into and sign a contract with Vision Consulting, in an amount not to exceed \$17,600.

COUNTY ADMINISTRATOR – Discussion, direction and possible action re letters to Governor Schwarzenegger and Senators Aanestad and Nielsen regarding the County's inability to secure a Tax Revenue Anticipation Note due to the State's budget impasse.

County Administrator Brian McDermott provided an overview of the draft letters regarding the County's inability to secure a Tax Revenue Anticipation Note (TRAN) due to the State's budget impasse.

MOTION:

Kobseff/Armstrong

AYES: Armstrong, Kobseff, Bennett and Valenzuela

ABSENT: Cook

Approve letters to Assemblyman Jim Nielsen, Senator Samuel Aanestad, and Governor Arnold Schwarzenegger regarding the County's TRAN due to the State budget impasse.

COUNTY ADMINISTRATOR – Discussion, direction and possible action re letters of appreciation to certain employee bargaining units for waiving their respective Cost of Living Adjustments.

County Administrator Brian McDermott provided an overview of the letters of appreciation to the Deputy Sheriff's Association, Correctional Peace Officer Association, and Sheriff Management Unit for their efforts to minimize the impact of layoffs of County employees.

MOTION:

Kobseff/Valenzuela

AYES: Armstrong, Kobseff, Bennett and Valenzuela

ABSENT: Cook

Approve letters of appreciation to the Deputy Sheriff's Association, Correctional Peace Officer Association and Sheriff Management Unit providing thanks for the waiving of their Cost of Living Adjustments (COLAs) to prevent additional County employee layoffs.

COUNTY ADMINISTRATOR – Discussion, direction and possible action re a request to set a public hearing to consider allocation of Title III funding of the Secure Rural Schools (HR1424) funding for FY09/10.

Assistant County Administrator Rose Ann Herrick provided an overview of the request, and the funding categories possible to utilize Title III funding. Ms. Herrick requested a public hearing be scheduled for September 1, 2009 to allow for the required 45-day minimum public notification.

Discussion followed between members of the Board and Ms. Herrick regarding the unfunded State mandate with regard to fire safety.

MOTION:

Bennett/Valenzuela

AYES: Armstrong, Kobseff, Bennett and Valenzuela

ABSENT: Cook

Approve the legal notice and set a public hearing on September 1, 2009 at 1:30p.m. to consider use of HR1424 funds for projects under Title III, and direct the Board Clerk to coordinate publication notices and notice to the local Resource Advisory Committee, as required by Hr1424.

MOTION:

Valenzuela/Bennett

AYES: Armstrong, Kobseff, Bennett and Valenzuela

ABSENT: Cook

MINUTE APPROVAL –Board of Supervisors – June 2, 2009, approve as presented.

COUNTY CLERK – Appointment of one member to the Far Northern Coordinating Council, for a term ending July 10, 2011.

County Clerk Wendy Wingham provided an overview of the request, advising that the Far Northern Coordinating Council recommended re-appointment of Andre Economopolis.

MOTION:

Bennett/Armstrong

AYES: Armstrong, Kobseff, Bennett and Valenzuela

ABSENT: Cook

Appoint Andre Economopolis, 409 Bruce Street, #13, Yreka to the Far Northern Coordinating Council, for a term ending July 10, 2011.

COUNTY CLERK – Appointment of two members to the Fort Jones Cemetery District, for terms ending January 2, 2012.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that incumbents Michelle Decausmaker and Richard Berry indicated that they were interested in re-appointment. Ms. Winningham further advised that Fort Jones residents Maury Tasem and Sanova Siu were interested in the positions as well.

Discussion followed between members of the Board regarding the qualifications of each applicant.

MOTION:

Armstrong/Bennett

AYES: Armstrong, Kobseff, Bennett and Valenzuela

ABSENT: Cook

Appoint Michelle Decausmaker, PO Box 628, Fort Jones, and Richard Berry, PO Box 117, Fort Jones, to the Fort Jones Cemetery District, for terms ending January 2, 2012.

BOARD AND STAFF REPORTS

Supervisor Armstrong advised of her attendance at a briefing on the Backbone Fire, and a State of the Forest conference in Weaverville.

Supervisor Valenzuela advised of his attendance at the Civil Grand Jury swearing in ceremony.

Supervisor Bennett advised of her touring the Yreka Family Resource Center, attending the Forest Service’s road management open house, a biomass feasibility study and a Forest Service luncheon.

Supervisor Kobseff advised of his attendance at the Forest Service road management open house, a CDBG Review Committee meeting, a North Coast Regional Water Quality Control Board TMDL, a meeting with a Fish and Game biologist regarding the deer plan and the Hammond Ranch landowner picnic.

ADJOURNMENT

There being no further business to come before the Board of Supervisors, the meeting was adjourned.

ATTEST:
COLLEEN SETZER, COUNTY CLERK

Michael N. Kobseff, Chair

By: _____
Deputy

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