

**BOARD OF SUPERVISORS
COUNTY OF DEL NORTE
STATE OF CALIFORNIA**

MINUTES

REGULAR MEETING

TUESDAY, FEBRUARY 5, 2008

10:00 A.M.

PRESENT: Supervisor David Finigan, Chair
Supervisor Leslie McNamer, Vice-Chair
Supervisor Martha McClure
Supervisor Gerry Hemmingsen
Supervisor Mike Sullivan
County Counsel Dohn Henion
County Administrative Officer Jeannine Galatioto
Clerk of the Board Jeremi Ruiz

CLOSED SESSION 8:30 A.M.

The Chair called the meeting to order. No Public Comment was given on Closed Session Items. The Board adjourned to Closed Session at 8:32 am.

Held a closed session to consider and discuss litigation and personnel matters: I) Personnel negotiations pursuant to Government Code 54957.6 between County negotiator the County Administrative Officer and the Del Norte County Employees' Association, Sheriffs Employees' Association, represented and unrepresented bargaining units. II) Conference with legal counsel – A) Existing litigation pursuant to Government code 54956.9(a), *Pacific Shores CA Subdivision Water District v DNC, DN Superior Court, Case No. CVPT 06-1454; Wendy Ormsby v Del Norte County, DN Superior Court, Case No, CVUJ 03-1501; John Gimbel v. County of Del Norte, US District Court, Northern California Division., Case No. C070113; Connie Lawson v. Del Norte County, DN Superior Court., Case No. CVUJ06-1190; Joseph Rimac v. Del Norte County, US District Court, Northern California Division, SC C 07-0298; Linda Loughridge v. Del Norte County, DN Superior Court, Case No. CVUJ 07-1094; David L. Elsebusch v. Del Norte, DN Superior Court, Case No. CVCV06-2313; Dawn Heckel v District Attorney, DN Superior Court, Case No. CVPI 07-1176; County of Del Norte v Beckett et al, DN Superior Court., Case No. CVUJ 05-1557; Susan White v District Attorney, Case No. CVUJ 07-1436; Gimbel v. California, US District Court, Northern California District Case No. C 07-058196 EMC; Clark v. Del Norte County, DN Superior Court, Case No. CVPM07-1496; and Coyle v. James marmon, et al., DN Superior Court Case No. CVPM07-1572 B) Anticipated litigation: 1) significant exposure to litigation pursuant to Govt' Code 54956.9(b) - two cases; 2) Initiation of litigation Conference with Legal Counsel pursuant to*

Govt' Code 54956.9(c) - 1 case. Pursuant to Govt' Code 54997, conducted the annual evaluation of the Director of Information Technology.

REGULAR SESSION 10:00 A.M.

The Chair called the meeting to order at 10:00 a.m. and the Clerk took silent roll noting for the record that all were present.

The Pledge of Allegiance to the Flag was led by Supervisor McNamer, Del Norte Senior Center Board of Director.

Supervisor McNamer gave an overview of the Senior Center.

New Employee, Jeremi Ruiz, Clerk of the Board, was introduced to the Board of Supervisors.

County Counsel stated no reportable actions were taken in Closed Session.

No deletions, corrections, or additions were requested on the Agenda.

SCHEDULED ITEMS:

1. Supervisor Hemmingsen reported on attending an RCRC meeting, LAFCO meeting, attending a meeting with Zach Larson regarding the fish count at the Saxton Boat Ramp, and attending a Tri-Agency meeting on behalf of Supervisor Finigan; Supervisor McClure reported on attending a Solid Waste Management Authority Meeting, acknowledged Road Department progress, commented on Maintenance regarding the Lighthouse, commented on working on Coastal Conservancy Proposals, Job Development Training Projects, and "Surf Cam" surf conditions, attending a meeting with the Del Norte Historical Society, and attending the Marine Mammal Foundation fundraiser; Supervisor McNamer reported on attending a Safe and Healthy Families meeting, Public Hearing Area 1 Agency on Aging, Redwood Mural Society meeting, 2 LAFCO meetings, RCRC Annual Installation Dinner, and commented on Adult/Student Transitioning projects; Supervisor Sullivan reported on meeting with John Hummer regarding Hwy 199, meeting with Will Schuck and Dave Brewer of the CTC, meeting with Senator Aanestad Staff member Paul Diero, attending RCRC Annual Installation Dinner, meeting with Secretary Tilton regarding Town Hall Meeting, meeting with Mike Crisman of the Department of Resources, attending a Tri-Agency Meeting, conference call with Will Kempton, Cal Trans, attending a 2x2 meeting with RNSP, and attending a DEAL meeting; Supervisor Finigan reported on a phone conference with Phil Walleen regarding Goose Creek, attending RCRC Annual Installation Dinner, meeting with Governor, CSAC and League of

Cities regarding the Budget, attending a CASA Board Meeting, attending meetings in Washington DC regarding Rural Schools, and participated in an RCRC Conference Call.

2. Public Comment was heard from Richard Miles, Robert Owen, and Susan White.

CONSENT AGENDA

Comments from members of the public may be heard at this time regarding matters on the Consent Agenda only.

Public Comment was heard from Richard Miles and Ken Smith, Agricultural Commissioner.

The Consent Agenda (Items 3 through 9 and Items 11 through 16) was adopted unanimously.

Supervisor McClure pulled Item 10 for separate discussion and vote.

Motion: Move to approve

Move: Michael Sullivan

Second: Leslie McNamer

Vote Yea: 5 Michael Sullivan, Leslie McNamer, Gerry Hemmingsen, Martha McClure, David Finigan

3. Approved the Minutes from the January 22, 2008 meeting.
4. Approved the Appointment of Jeremi Ruiz to the Office of Clerk of the Del Norte County Board of Supervisors as requested by the County Administrative Officer. (DNCO Resolution 2008-010)
5. Approved and authorized Dean Wilson, Clinton Schaad, Tim Athey, and Bill Steven to be added to the wireless device eligibility list as requested by the Sheriff-Coroner.
6. Approved and adopted the Resolution Approving Application For Regional Surface Transportation Program Funds for funding to the Del Norte Local Transportation Commission for Regional Surface Transportation Program funds for the overlay of a portion of Ocean View Drive and Authorized the Director of the Community Development Department to sign necessary documents to implement the projects as requested by the Deputy Director of Community Development. (DNCO Resolution 2008-011)

7. Approved and adopted a Resolution Authorizing the Director of Animal Control to enter into Agreement with Non-Profit Animal Rescue and Adoption Organizations for the Release and Adoption of Animals From the Del Norte County Animal Control Facility as requested by the Director of Animal Control. (DNCO Resolution 2008-012 and DNCO Agreement 2008-032)
8. Approved and adopted a Memorandum of Understanding between Del Norte County and the Humane Society of Del Norte for Use of Volunteer Labor at the Del Norte County Animal Control Shelter as requested by the Director of Animal Control. (DNCO Agreement 2008-033)
9. Approved and authorized the Sheriff to pay our newly hired Deputy Sheriff Recruit at a Step C retroactive to date of hire, December 14, 2007 as requested by the Sheriff-Coroner.
10. Approved and authorized the Chair to sign the contract for Professional Advocacy Services with Marlowe and Company as requested by the Assistant County Administrative Officer. (DNCO Agreement 2008-034)

This item was pulled for separate discussion and vote.

Motion: Move to approve
Move: Michael Sullivan
Second: Gerry Hemmingsen

Vote Yea: 5 Michael Sullivan, Gerry Hemmingsen, Leslie McNamer, Martha McClure, David Finigan

11. Approved and authorized the Chair to sign the attached Declaration of Intent Not to Contract for Emergency Medical Services Appropriation funds for fiscal year 2007/08 and authorized the State to administer the funds on behalf of the County as requested by the Director of Health and Human Services.
12. Approved and authorized the Director of Health and Human Services to sign the Memorandum of Understanding with the Del Norte County Sheriff's Department for criminal history requests as requested by the Director of Health and Human Services. (DNCO Agreement 2008-035)
13. Approved and authorized the Chair to sign the Department of Health and Human Services Agreement with The National Council on Crime and Delinquency for Child Welfare Services access to SafeMeasures® reporting as requested by the Director of Health and Human Services. (DNCO Agreement 2008-036)
14. Approved and adopted a Resolution Authorizing the Chief Probation Officer to Execute all Necessary Documents Associated with Del Norte County's Youthful

Offender Block Grant Application, Established a Supervising Deputy Probation Officer II at a range 50 and eliminated a Supervising Deputy Probation Officer I, Established a Staff Services Manager at a range 50 and eliminated a Staff Services Analyst, and Established Senior Legal Clerk and eliminated a Legal Clerk I/II/III as requested by the Interim Chief Probation Officer. (DNCO Resolution 2008-013)

15. Accepted a donation on behalf of the Department of Agriculture, Livestock Division, Animal Control Program, and directed the Director of Animal Control to send letter of appreciation.
16. Approved the County Employees as Election Poll Workers Policy as presented, effective immediately.

REGULAR ITEMS

GENERAL GOVERNMENT:

17. Reviewed and approved the Treasurer's 2008 Statement of Investment Policy and adopted the Resolution Granting Investment Authority to the County Treasurer as requested by the Treasurer-Tax Collector. (DNCO Resolution 2008-007)

Motion: Move to approve
Move: Leslie McNamer
Second: Gerry Hemmingsen

Vote Yea: 5 Leslie McNamer, Gerry Hemmingsen, Martha McClure, Michael Sullivan, David Finigan

18. Approved Proposal for Advisory Ballot Measure that Asks Whether the City and County Should Continue Exploring the Benefits of Joint Governing.

Public Comment was given by Eli Naffah, City Manager; Kelly Shellong, City Council Member; Richard Enea, City Council Member; Richard Miles, and Robert Black.

On a Motion by Supervisor McNamer, Seconded by Supervisor McClure, the Board approved by majority to table discussion until City Council and County have met.

BUDGET TRANSFERS:

ALL BUDGET TRANSFERS WERE TAKEN AS ONE ITEM

Motion: Move to approve

Move: Michael Sullivan
Second: Martha McClure

Vote Yea: 5 Leslie McNamer, Michael Sullivan, Martha McClure, Gerry Hemmingsen, David Finigan

19. Approved a Budget Transfer (02-01) within the Grants Administration Budget in the amount of \$10,960.00 for additional funding to Rural Human Services for Harrington House as requested by the County Administrative Officer.
20. Approved a Budget Transfer (02-02) within the Assessor's Office Budget in the amount of \$2,273.70 for the purchase of a scanner as requested by the County Assessor.
21. Approved a Budget Transfer (02-03) within the Indian Gaming Budget in the amount of \$244,000.00 to allow for the distribution of funding as requested by the County Administrative Officer.
22. Approved a Budget Transfer (02-04) within the Recreation and Capital Projects Budgets in the amount of \$70,600.00 to allow for the expenditure of the funding for the projects approved by the Indian Gaming Local Benefit Committee as requested by the Assistant County Administrative Officer.**
23. Approved a Budget Transfer (02-05) within the Department of Health and Human Services Budget in the amount of \$63,400.00 to recognize the Grant Award from the Indian Gaming Special Distribution Fund Grants as requested by the Director of Health and Human Services.

LEGISLATIVE AND BUDGET ISSUES:

24. Supervisor Sullivan commented on Ordinance 12.16.010 requesting that it be delegated to the Fish and Game Advisory for recommendation of revision and to be brought back to the Board for an agenda item in March. Supervisor Sullivan also suggested that Jim Smith, Supervisor for the Marine Life Protection Act, provide the board with an update, and that the Board of Supervisors send a formal letter to the Yurok Tribe requesting a presentation on the Marine Sanctuary to be brought before the Board. Supervisor Hemmingsen commented on underground power lines and Supervisor Finigan suggested that the issue be given to the Chamber Executive Director to go to the Chambers Committee for a Recommendation and Proposal to present to the Board.

CAPITAL PROJECTS:

25. A written Capital Projects update was given.

The Board adjourned at 11:47 a.m.

David Finigan, Chair
Board of Supervisors
County of Del Norte

Attest:

Jeremi Ruiz
Clerk of the Board of Supervisors
County of Del Norte
State of California