

THE BOARD OF SUPERVISORS  
OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Regular Session

Tuesday

August 9, 2005

All Supervisors Present

Pledge of Allegiance to the Flag

The Chairman presented a resolution commending the 75th Anniversary of the Modesto Symphony Orchestra to Bev Finley, Chair and Paul Jan Zdundk, President and CEO of the Symphony.

The Chairman presented a resolution proclaiming August 2005 as Child Support Awareness Month to David Ingersol, Director of Stanislaus County Child Support Services.

Dr. Walker, Public Health Officer, gave a brief update regarding the West Nile Virus. He noted that there have been 102 documented cases in the State, with the majority of them in the Central Valley. Stanislaus County has had 12 reported cases (4 with no symptoms, 3 neuro-invasive, and 5 West Nile Fever). The task force is continuing to educate the community by a variety of means including a booth at the County Fair, flyers, electronic distribution of information, and a bilingual telephone hotline.

Lloyd Douglas, Manager of the East Side Mosquito Abatement District, reported that the positive bird counts for West Nile Virus has risen between June and July. He noted that there have been problems with infected mosquitoes in the Stanislaus River area, and that the District has diligently worked on addressing this. He emphasized the need to continue educating the public regarding backyard sources to reduce the risk.

Jerry Davis, Manager of the Turlock Mosquito Abatement District, also gave a brief update regarding the efforts of this District in addressing West Nile Virus. He noted that even if there is a low number of mosquitoes, there is still a risk. He reported that the dead bird hotline is receiving 7,000 to 8,000 calls a day. The number of horses with West Nile has been reduced in this County by utilizing the equine vaccine. The District is looking into aerial application of spray as a possibility in the future.

Howard Black spoke regarding problems with the use of illegal fireworks in his Salida neighborhood. He passed out photographs to the Board members showing illegal fireworks on the roof of his house. He asked the Board to enact a stricter ordinance concerning illegal fireworks. Gary Hinshaw, Fire Warden, gave a brief update regarding the number of citations issued for use of illegal fireworks over the 4<sup>th</sup> of July Holiday, and noted the efforts of the task force that was formed to address this issue. He commended Mr. Black for bringing this issue to his attention, and noted that in order to reduce the use of illegal fireworks they need assistance from the public.

Marie Reid spoke regarding West Nile Virus, and suggested that all citizens be given mosquito traps. She requested that more information be given to the community, and recommended that information be provided to students in school to take home to their families. She voiced concerns regarding aerial spraying for mosquitoes. Margaret Szczepaniak, Managing Director of HSA, noted that West Nile Virus information has been distributed to the Modesto City Schools and to the County Office of Education in both English and Spanish.

- Mayfield/Simon unan. Adopted the consent calendar after removing from the agenda item **\*A3**  
 Acceptance of the Resignation of Mike Burns and Approval of the Appointment of Greg Dugovic as the  
 City of Waterford's Representative on the Local Task Force on Solid Waste Management 2005-612
- \*A1** Approved the minutes of 8/02/05
  - \*A2** Adopted and waived the second reading of Ordinance C.S. 931 adding section 2.92.130 to the  
 Stanislaus County Code pertaining to the recovery of attorneys' fees for nuisance  
 abatement actions – County Counsel ORD-54-X-1 2005-602
  - \*A4a** Appointed Wayne Pacheco to the Hazardous Waste Management Advisory Committee  
 2005-603
  - \*A4b** Appointed Catalina Elsasser as the Alternate Member to the Animal Court 2005-604
  - \*A5** Approved a commendation for Richard Jantz, Deputy Executive Officer, upon his retirement  
 from the Stanislaus County Chief Executive Office 2005-605
  - \*A6** Approved resolutions honoring Stanislaus County residents Army Private First Class Oscar  
 Sanchez and Marine Corporal Michael D. Anderson, Jr., who lost their lives in Iraq while  
 in service for the United States of America 2005-606
  - \*B1** Approved Amendment No. 2 to the agreement between the City of Modesto and Stanislaus  
 County relating to administration of service agreement for the supply and acceptance of  
 solid waste, to establish a full-time Manager position to assist in the administration of the  
 Waste-to-Energy project; and, authorized the Chairman to sign Amendment No. 2 – DER  
 2005-607
  - \*B2** Approved agreements in excess of \$100,000 cumulatively for Sheriff Department service  
 providers FY 2005/06 and authorized the Sheriff, or his Designee, to sign the agreements –  
 Sheriff 2005-608
  - \*B3** Approved the addition of Article 1.9 to the Stanislaus County Employees' Retirement  
 Association (StanCERA) Bylaws as approved by the Retirement Board on 7/13/05  
 BD-36-A-14 2005-609
  - \*C1** Approved an agreement No. LF-2005-03 with Kleinfelder, Inc., for environmental monitoring  
 at the Fink Road Landfill for FY 2005/06 and authorized the Interim Purchasing Agent to  
 establish an agreement with Kleinfelder, Inc., of Sacramento, California, for the amount of  
 \$266,934 – PW 2005-610

DeMartini/Mayfield unan. **B4** Accepted the informational presentation by the Stanislaus County  
 Agricultural Advisory Board regarding the use of biotechnology in the agricultural industry in Stanislaus  
 County; and, approved a resolution in support of the use of biotechnology in the agricultural industry in  
 Stanislaus County – Agricultural Advisory Board 2005-611

**Corr 1** Referred to Planning and Community Development, the Agricultural Commissioner, and the  
 Department of Environmental Resources, a letter from the United States Department of the Interior –  
 Bureau of Land Management regarding an upcoming public meeting on the Central Valley Assessment  
 Area's Resource Management Plan.

**Corr 2** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the  
 following claims: Bobby King; Sergio Diaz; Cindy Cunningham; and, Henry Ontiveros.

The CEO gave a reminder regarding the Press Conference tomorrow at 10:00 a.m. with Senator Denham,  
 Chairman Grover, and himself concerning the Peterson trial reimbursement funds that were included in  
 the State budget. He also reported that the County received the VLF gap loan repayment from the State in  
 the amount of \$9.8 million.

Recessed to closed session at 10:02 a.m. for public employment: performance evaluation – Agricultural Commissioner and Sealer of Weights and Measures. Government Code §54954.5(e).

**Closed session announcement:** Mayfield/Simon unan. The Board of Supervisors performed an evaluation for Dennis Gudgel, Agricultural Commissioner and Sealer of Weights and Measures; the Board noted his excellent performance; and, approved a 3% salary increase 2005-613

Adjourned at 11:05 a.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus  
State of California

BY: ELIZABETH A. KING, Assistant Clerk of the Board of Supervisors  
(The above is a summary of the minutes of the Board of Supervisors. Complete minutes are available from the Clerk of the Board's Office.)