



## SAN BENITO COUNTY BOARD OF SUPERVISORS

Don Marcus  
District No. 1  
Vice-Chair

Anthony Botelho  
District No. 2

Pat Loe  
District No. 3  
Chair

Reb Monaco  
District No. 4

Jaime DeLaCruz  
District No. 5

County Administration Building – Board of Supervisors Chambers, 481 Fourth Street, Hollister, California

### SPECIAL MEETING FEBRUARY 3, 2006 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in **special session**. Supervisors Reb Monaco, Jaime De La Cruz, Anthony Botelho, Don Marcus and Pat Loe were all present. Also present was County Administrative Officer Susan Thompson, Acting County Counsel Irma Valencia and Clerk of the Board Linda Churchill. Chair Pat Loe presided.

#### 1:30 p.m. CALL TO ORDER:

- a) Pledge of Allegiance. Supervisor Botelho led the pledge of allegiance.
- b) *Acknowledged Certificate of Posting.*

#### CONSENT AGENDA:

***Upon motion made by Supervisor Monaco and seconded by Supervisor Marcus, approved Consent Agenda Items 1 and 2. (Unanimous)***

#### CLERK OF THE BOARD:

- 1) **Approved** the minutes of the January 30, 2006 special meeting.

#### COUNTY ADMINISTRATIVE OFFICE:

- 2) **Approved** agreement for legal services with Claude Biddle, Attorney At Law for services as consulting attorney with a contract term of February 1, 2006 through January 31, 2007. (CAO) *File #160*

#### REGULAR AGENDA:

*For each regular agenda item, the following schedule shall occur:*

- a) *Staff report.*
- b) *Public opportunity to address the Board on a particular agenda item. Please fill out a speaker card and present it to the Clerk prior to consideration of the item.*
- c) *Consideration by the Board.*

#### COUNTY ADMINISTRATIVE OFFICE:

- 3) **Discuss and provide direction to County Counsel and CAO regarding developing a countywide policy for use of volunteers by all County Departments. (CAO)**

County Administrative Officer Susan Thompson provided background information stating that this item was written thusly because there have been some major changes that the Board of Supervisors (BOS) needs to be made aware of since the special meeting held on Monday, January 30, 2006. Ms. Thompson explained that the MK Ballistic case and the D.A. Investigator issue had changed status significantly since Monday's special meeting.

Sheriff Curtis Hill came forward explaining what had changed about this case noting that a second complaint had been received and he has forwarded it on to the Attorney General's office for a ruling.

Acting County Counsel Irma Valencia explained that since this is now a criminal matter the BOS has no jurisdiction to take any action with regard to these matters.

Sheriff Hill answered questions by the BOS relating to POST certification and what it means.

Further discussion ensued regarding the fact that this matter has now become a criminal matter and also the proposed need for a countywide policy for use of volunteers by County departments.

The Board members provided statements relative to the District Attorney and his use of volunteers and the misuse of the government system.

Members of the public addressing the BOS were Marvin Jones and Eva Reyna, both Hollister residents.

District Attorney John Sarsfield came forward stating that he was not aware of any claim or lawsuit that has been filed against the County as a result of the use of a volunteer. D. A. Sarsfield stated that he believes the volunteer in question is qualified and he also sent a letter to the Attorney General and is awaiting a ruling.

Further discussion ensued as to the direction that needs to be provided to staff.

**BOARD ACTION:** *Chair Loe directed the County Administrative Officer (CAO) to research and bring back information to the Board of Supervisors to consider a countywide policy for use of volunteers.*

*Supervisor Monaco asked that the CAO look into a policy for contract employees also.*

*Supervisor De La Cruz suggested that a letter be sent to all department heads asking what volunteer capacity they have at present and then have it on file to make sure the county knows what is going on within the county. File #156*

#### **CLOSED SESSION:**

*Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Reportable actions taken by the Board during Closed Session will be announced during open session. (Gov. Code Section 54957.1(a) & (b), Ralph M. Brown Act.)*

#### **4) Conference with Labor Negotiator**

Authority: California Government Code Section 54957.6

Agency Designated Representative: Susan Thompson, Co. Admin. Officer

Employee Organization: Deputy Sheriff's Association (DSA)

**No reportable action. File #235.6**

The vote of each member of the Board of Supervisors upon each matter at the foregoing meeting, unless otherwise stated, was as follows:

AYES: SUPERVISORS: Monaco; De La Cruz; Botelho; Marcus & Loe

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

There being no further business the Board adjourned. to its regular meeting on Tuesday, February 7, 2006 at 9:30 a.m.

PAT LOE, CHAIR  
San Benito County Board of Supervisors

ATTEST:  
Linda Churchill  
Clerk of the Board