

Does the board ignore constituent comments on consent agenda?

July 26, 2023



Public speaker Branden Bieber of Smith River was escorted by a Del Norte deputy sheriff from the July 11 Board of Supervisors meeting while attempting to deliver comments during the consent calendar agenda. Public speakers are permitted three minutes to address the board on any agenda item.

On the latest consent agenda calendar, there were 17 items, which required a single vote per Rosenberg's Rules of Order. Some of the items were routine like approval of recent meeting minutes. Many of the items were a little more controversial. The time limit of three minutes to raise questions on these items is and remains unchanged.

Bieber attempted to address supervisors, in his words, "...the impudence of rubber stamping approval of the consent agenda." Bieber continued, "...the continued approval of these consent agenda items is detrimental to the community, economically unsustainable and further burdens taxpayers... ten of the items involve almost \$2.7 million expenditure of public money. The one agency changing the face of Del Norte County is

the Department of Health and Human Services. I do not see conditions improving, quite the contrary. DHHS effort is propelling inflation and decreasing our dollar value. For every client DHHS attracts, the agency creates systemic dependence working families pay for. DHHS has expanded its employee base 35 percent over the last 12 years, while other county departments have seen a less than 5 percent increase.”

As the 180 seconds were quickly elapsing, constituent Bieber transitioned to another consent agenda item, objecting to the board awarding part-time public health officer Aaron Stutz, MD, a \$39,000 raise on top of the \$156,000 salary through the first nine months of the fiscal year. Bieber reminded supervisors Dr. Stutz is a 50 percent part time public health director, works a bi-weekly emergency room weekend shift with Sound Physicians under contract to provide emergency room services to Sutter Coast Hospital, while also acting as the 50 percent part-time public health officer for Siskiyou county.

According to Bieber, “The hours don’t add up. It’s a 10-hour round trip car ride between Siskiyou county and Crescent City.” Bieber alleges billing inconsistencies with public money.

His revelation to the board was met with apparent indifference. Chairman Short warned the speaker’s three minute timeframe had lapsed. Bieber continued to speak and raise his issues. Another admonishment from Chairman Short was similarly ignored by the speaker. Short called on the deputy to remove Bieber from the chamber after a third warning. Bieber was escorted out the door.

The optics show a less than satisfactory manner and tolerance for elected officials to pay attention, look up from their computers, take notes and listen to constituents’ concerns whose opinions which may have significant merit. Short appeared more concerned with the clock rather than Bieber’s message. No one from the board spoke up and objected to the public speaker’s awkward expulsion.

This recent ejection from the board is the second incident involving Branden Bieber. The circumstances were near identical, during a March consent agenda calendar, Bieber exceeded the three minute limit, was admonished three times by Short upon which the chairman called for a recess for the disobedient public speaker. Bieber also stated he was refused entry to a 2X2 city/county public meeting, with no explanation why he was denied access.

Past abuse on the consent agenda is noteworthy. In 2018, DHHS attempted to break a ten year lease, with eight years remaining, involving alcohol and other drugs, which would have cost taxpayers about \$200,000. The vote deadlocked 2-2. Eventually, the lease termination was settled for under \$80,000. A second abuse was avoided on consent agenda in 2019, when the board planned to send former supervisor Lori Cowan to Rikunzentakata, Japan for a goodwill sister city visit. The item was pulled from consent for discussion but failed to gather a motion vote or needed second. The message was clear. Supervisors were poised to approve the Cowan item until it was revealed they’d have to go public; then the the four supervisors reverted to silence. The item saved Del Norte County about \$4,000 from its general fund.

Bieber says he will continue to raise issues at future board meetings and hopes the entire board, including Short will consider his perspective. Bieber underscored, “The three minute rule is an abuse of the consent agenda’s intent; it’s the approved policy of the board that is most concerning.”

