

BOARD OF SUPERVISORS

MAY 13, 2003

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, May 13, 2003, at 9:30 a.m. Present: Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel John Ketelsen, County Administrative Officer (CAO) Andy Whiteman and County Clerk Theresa Nagel. Following the flag salute, the invocation is offered by Supervisor Chapman.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

Chairman Chapman announces that no closed session was held.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to approve the agenda as posted.

PUBLIC COMMENT

Chairman Chapman asks for public comment and no comments are received.

UNAGENDIZED BOARD REPORTS

1. Supervisor Hanson informs the board members that the 2003 BRAC Process has been unofficially implemented and he has enlisted the help of Rocky Deal, Arnold Young and representing the Chamber of Commerce is Larry Rogers.
2. Supervisor Hanson states the State of California is not ready to take custody of Honey Lake at this time and the federal government is looking for a non-profit organization to take custody for about a year until the State is ready.
3. Supervisor Hanson notes the LAFCO meeting was held yesterday and there will be a workshop to consider policies and procedures on June 3rd.
4. Supervisor Hanson would like a letter of support from the Board for the statewide, as well as local, University of California Extension Service. Supervisor Dahle notes he also supports sending a letter. Chairman Chapman directs that Supervisor Hanson and Supervisor Pyle work with CAO Whiteman to draft a letter of support.
5. Supervisor Pyle attended the PG&E Relicensing meeting and he discusses the plans they have for Walker Lake.
6. Supervisor Pyle would like to have an item placed on a future agenda to discuss the issue of abandoned vehicles. CAO Whiteman and Supervisor Keefer respond this matter is on next week's agenda.

7. Supervisor Pyle attended the Sheriff's Administration Building grand opening.
8. Supervisor Pyle announces that he was appointed to the Carson Wandering Skipper Recovery Team.
9. Supervisor Keefer announces they finally hit water at the Janesville Park with a 480 foot well producing 45 gallons per minute. The project to purchase playground equipment is progressing very well. He notes there is a parcel of property adjoining the park for sale that he will be discussing with the board members at a future meeting.
10. Supervisor Dahle announces the first interviews for a director for the Bieber Family Resource Center were held. He is very pleased with the good applicants and also announces they have a facility next to the school that will be rented.
11. Supervisor Dahle comments on the Agriculture Extension Service and the great need for these programs in rural areas.
12. Supervisor Dahle announces he will have to leave immediately following the meeting for RCRC Conference. He also announces the funds derived from basket raffles will go to Mt. Jewel Ranch in Little Valley which is a facility that serves mentally challenged youth.
13. Supervisor Chapman received word from Laura Roberts that Lassen County has received full funding for the South County and Susanville Family Resource Centers. Supervisor Dahle notes that he attended the COMPAC meeting to discuss the Family Resource Center for Bieber.
14. Supervisor Hanson attended the State Audit Team exit interviews for the Mental Health Department and he congratulates the department for receiving a good review.
15. Supervisor Hanson makes the following designations from his discretionary funds: \$250 to the Madeline Community Assn. for the purchase of a pressure tank for their property; and \$750 to West Patton Village CSD to be used to reopen the Herlong Library.

ALCOHOL AND DRUG ADVISORY BOARD

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to reappoint Wanda Bushong and Amber Pangborn to the Alcohol and Drug Advisory Board for expired terms of office.

FISH AND GAME COMMISSION

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to appoint Phil Nemir to fill a vacancy on the Lassen County Fish and Game Commission, created by the resignation of Tim Semon.

LASSEN COUNTY FAIR BOARD

The Board of Supervisors recess and convene as the Lassen County Fair Board.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to approve multi-year carnival contract with North American Amusements, Inc., Shamrock Shows (for FY 2003 through 2007) with the addition of County Counsel's signature stamp added; and authorize the Fair Manager to sign the agreement to adhere to policy and guidelines set by Division of Fairs and Expositions.

Fair Manager Claud Neely presents a memorandum from the State Department of Food and Agriculture congratulating the Lassen County Fair on receiving an "A" composite performance rating in the 2002/2003 Fair Performance Criteria and Measures.

The Lassen County Fair Board adjourns and the Board of Supervisors reconvene.

LASSEN COUNTY MENTAL HEALTH ADVISORY BOARD

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to reappoint Regina Shirley and Melinda Visser to the Mental Health Advisory Board for expired terms of office.

CONSENT CALENDAR

Supervisor Dahle requests that Item G-1, minutes, be removed from the consent calendar for separate consideration. Supervisor Chapman requests that Item G-7, maintained mileage resolutions, be removed for consideration following Item H-12, Zamboni Road Abandonment.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to take the noted action on the following Consent Calendar items:

AUDITOR ITEM

Award contract to Bartig, Basler & Ray, CPAs, the only bidder meeting specifications, to perform annual county audits and transportation audits for fiscal years 2002/2003 in the amount of \$63,000; 2003/2004 in the amount of \$57,000; and 2004/2005 in the amount of \$56,000; and authorize the County Administrative Officer to sign.

COUNTY COUNSEL ITEMS

Reject claim of Renee Irene Wright, in its entirety, and direct County Clerk to send Notice of Rejection.

Reject claim of Joseph C. Keegan, and direct County Clerk to send Notice of Rejection and Return of Untimely Claim.

HEALTH AND HUMAN SERVICES - ALCOHOL AND DRUG ITEM

Approve the Implementation Plan for Proposition 36, Substance Abuse

and Crime Prevention Act of 2000, and authorize the Director of Health and Human Services to sign the plan.

OFFICE OF EMERGENCY SERVICES ITEM

Ratify continuation of Declaration of State of Disaster / Drought Emergency in Lassen County for 2002.

PUBLIC WORKS DEPARTMENT ITEMS

Award the contract for "Spaulding Airport and Southard (Bieber) Airport, Seal Cracks and Patch Asphalt Concrete" to Klamath Pacific Corporation of Klamath Falls, in the amount of \$85,370.80; authorize the Director of Public Works to sign the contract; and authorize the Director of Public Works to approve change orders up to 10% of the original contract amount.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Planning Commission agenda for May 7, 2003.
- b. Lassen County Fair Advisory Board special meeting agendas for April 29, 2003 and May 13, 2003.
- c. Lassen County Technical Advisory Committee revised meeting agenda for May 6, 2003.
- d. Lassen County Fair Advisory Board unapproved minutes of April 29, 2003 special meeting.
- e. Lassen County Mental Health Advisory Board meeting agenda for May 13, 2003, and unapproved minutes of April 11, 2003.
- f. Local Agency Formation Commission (LAFCO) of Lassen County meeting agenda for May 12, 2003.
- g. Application for Alcoholic Beverage License - Hallelujah Junction Market, 753-775 Highway 70, Hallelujah Junction.
- h. Lassen Transit Service Agency meeting agenda for May 12, 2003.
- i. Lassen County Transportation Commission meeting agenda for May 12, 2003.

BOARD OF SUPERVISOR'S MINUTES

It is moved by Supervisor Pyle, seconded by Supervisor Keefer and carried, with Supervisor Dahle abstaining, to approve the Minutes of April 22, 2003.

ADMINISTRATIVE SERVICES OFFICE - PERSONNEL DIVISION

1. It is moved by Supervisor Keefer, seconded by Supervisor Hanson and carried to adopt, by title only, Ordinance No. 558, authorizing an amendment to the contract with the Board of Administration of the Public Employees' Retirement System (PERS), Safety Retirement Formula.
2. Extensive discussion is held on the subject of minimum insurance requirements for Joint Power Authorities (JPA's) and joint commissions.

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to: **1)** Establish a minimum insurance premium for JPAs and joint Commissions of no less than \$1000 plus the increased charges to Lassen County to insure the JPA or commission. **2)** Authorize the Risk Manager to complete the "Excess Insurance Agency's (EIA) Request to Add Coverage for Public Entity Forms" for any entity they have agreed to insure under this minimum premium for approval by the CSAC-EIA Underwriting and Executive Committees. **3)** Agree to cover Lassen County LAFCO and to charge a premium of \$1000 to LAFCO. That as a part of that agreement, the Board agrees to be responsible for the premium and the self-insured retention (SIR) of LAFCO (\$100,000), subject to any Memorandum of Understanding with the joint powers of that agency; **4)** Agree to cover Lassen County Transportation Commission and to charge a premium of \$1000 to that commission. That as a part of that agreement, the Board agrees to be responsible for the premium and the self-insured retention of LCTC (\$100,000), subject to any Memorandum of Understanding with the commission; **5)** Agree to cover Lassen Transit Service Agency and to charge a premium to that agency. Current premium would be \$6000 or \$1000 for SIR and \$5000 for county's buy back of excess liability. That as a part of that agreement, the Board agrees to buy back transit coverage from the CSAC-EIA, and that as a part of that agreement, the Board agrees to be responsible for the premium and the self-insured retention of LCTC (\$100,000), subject to any Memorandum of Understanding with the joint powers of that agency.

Recess 10:29 - 10:36 a.m.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

Supervisor Chapman asks about what plans have been made for parking and transporting people to and from the Susanville Ranch Park for the Civil War Re-enactment. Chamber of Commerce Manager Teresa Crowther states they have permission to use parking at Meadowview School and also the Lassen College parking lot. CCPOA will be patrolling the area and providing traffic control. She will be educating the public on where to park and other restrictions for use of the park. Chairman Chapman asks CAO Whiteman to have an item on an agenda prior to the event to discuss contingencies to deal with any problems. Supervisor Dahle wants them to have discussions with the transit agency for bussing from the college parking lot. Supervisor Chapman suggests when parking fills up near the park the area be closed to direct traffic elsewhere. Chairman Chapman directs County Counsel to review the fee being charged for this event since it was not previously discussed.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to approve the *Permit for Educational Public Exhibition Purposes on County Property* for a Civil War re-enactment event at Susanville Ranch Park on June 6, 7 & 8 of 2003.

AWARD OF TITLE III PROJECTS

Discussions are held on restrictions for use of Title III Projects.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to designate the following projects to be funded with Title III monies: 1) Emergency Services Office, \$25,000; 2) Search & Rescue Equipment, \$15,000; 3) GIS (Geographical Information Systems) start-up, \$40,000; 4) Match for USFS Grant for study in Big Valley, \$7,500; 5) Outdoor Education/Youth Camp/Day in the Forest (Lassen County Office of Education), \$90,000; 6) Summer Projects for Students/Work Crews, \$29,200; 7) Lassen County Fire Safe Council, \$60,000.

REZONE, PARCEL MAP AND MITIGATED NEGATIVE DECLARATION #2002-117, MARK MOGLICH

The public hearing concluded on April 22, 2003 for Rezone, Parcel Map and Mitigated Negative Declaration #2002-117, filed by Mark Moglich, to divide 161.80 acres into four +/- 15 acre parcels and +/- 100 acre remainder; and to rezone the 15-acre parcels from "A-2-B-19", Agricultural Residential-19 Acre Average Lot Size to "A-2-B-15," and the 100 acre remainder from "A-3," Agricultural District to "E-A," Exclusive Agriculture." The project is located on the north side of Sunnyside Road, 2 miles east of its intersection with U.S. Highway 395, in Janesville. APN: 117-700-25.

Planner Rick Simon informs the board members the archaeological study has been completed and there were no significant findings.

It is moved by Supervisor Keefer and seconded by Supervisor Dahle to adopt Resolution No. 03-038, adopting the Negative Declaration and approving the Parcel Map and Rezone; and introduce and adopt, by title only, Ordinance No. 467A-333, implementing the rezone.

Supervisor Keefer feels the issues of wells impacting other properties is not a significant issue because there is no change being made to the number of homes that can be built and he also does not feel this would set a precedent in regard to changing the minimum size from 19 acres to 15 acres.

Supervisor Chapman feels this is not a good proposal and he also feels it is setting a precedent and will put more pressure on agriculture lands.

Supervisor Pyle states this project is not placing homes on agriculture land and will not place more pressure on agriculture operations. Supervisor Hanson and Supervisor Dahle agree with Supervisor Pyle's statements.

The motion carries on a roll call vote, with Supervisor Chapman voting NO.

COMMUNITY DEVELOPMENT DEPARTMENT - ECONOMIC DEVELOPMENT DIVISION

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried unanimously, on a roll call vote, to approve the revenue and expenditure appropriation increases - repayment of loan from the Westwood Business Park to Economic Development Income funds: Increase Revenue Appropriation in 178-1781-2012200 Operating Funds by \$98,356.00; increase Revenue appropriation in 112-0941-2012200 Operating Funds by \$2,492.35; increase Expenditure Appropriation in 588-094-300700 Operating Funds by \$100,848.35.

HEALTH AND HUMAN SERVICES

1. Health and Human Services Director Tom Keeffer presents a mission statement for his department and discusses it. Supervisor Chapman would like to have the wording that Mr. Keeffer used "that this is not where we are at this time, but where we want to be" added to the statement.

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to adopt Health and Human Services Department Vision/Mission Statement, with the additional wording.

2. Health and Human Services Director Tom Keeffer presents a response to Board of Supervisor's request for information relating to Health and Human Services staffing qualifications. (Supervisor Dahle is absent 11:20-11:23 a.m.) He also discusses staff moves that have occurred in the department to better serve the public and states that was based on his decision following a review.

Extensive discussion is held between staff and board members.

Supervisor Chapman feels any person operating under a waiver should have this information available from their personnel record. He understands some employees who have been working for a long time are operating with a waiver, and may be supervising persons with higher degrees of education. Personnel Director Lynne Margolies responds this is information that was previously not tracked but is now being gathered for inclusion in the personnel files. Supervisor Chapman

wants a revised up-to-date report on the current staffing of CPS so an updated letter can be sent to the Grand Jury.

HEALTH AND HUMAN SERVICES - ALCOHOL AND DRUG DIVISION

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to approve amendment to contract with the State of California Alcohol and Drug Programs for the period July 1, 2001 through June 30, 2005, to include an increase in the FY 2002/2003 amount by \$65,979.00. (\$50,000 is the contribution from Alpine County for the youth residential treatment facility under contract with Progress House in Herlong. The additional \$15,979 is based on the cost report figures cost of doing business.)

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to approve request to pass-through \$50,000 in start-up funds (originally allocated to Alpine County) for Right Roads/Progress House Sierra Campus for Residential Treatment Youth Facility in Herlong.

HEALTH AND HUMAN SERVICES - ENVIRONMENTAL HEALTH DIVISION

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to adopt Resolution No. 03-033, authorizing Enforcement Assistance Grant Program Application to support waste facilities permit and inspection programs; and authorize Director of Health and Human Services to execute all necessary applications, contracts, agreements and amendments for the purposes of securing grant funds and to implement and carry out the purposes specified in the application.

HEALTH AND HUMAN SERVICES - MENTAL HEALTH DIVISION

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried on a roll call vote, with Supervisor Chapman voting NO, to approve Revenue and Expenditure Increase for Mental Health Appropriation to reflect total revenue received and total amount transferred to other programs: Increase Revenues for Mental Health State Medi-Cal 110-0751-2005001 by \$538,000; increase Revenues for Mental Health - State Other 110-0751-2005000 by \$527,000; and increase Expenditures for Mental Health - Operating Transfers by 110-0751-3007000 by \$1,065,000.

PUBLIC WORKS DEPARTMENT

Skyline Road:

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to adopt Resolution No. 03-034, authorizing the Public Works Director or the County Administrative Officer to Approve the Appraisals, Establish Just Compensation, Negotiate for the Acquisition of Right of Way, Execute Right of Way Contracts and Approve

Administrative Settlements for the Skyline Road East and Skyline Road Extension construction projects.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to adopt Resolution No. 03-035, Certifying the Lassen County Skyline Road Extension Project Reevaluation of the Final Environmental Impact Report (EIR) and Final Environmental Assessment (EA).

Road Abandonment:

Public Works Director Larry Millar presents information on their request to begin proceedings for the abandonment of Zamboni Road. The county has done no maintenance on this road in over twenty years. The road would remain open, but would not be maintained.

William Simpson, a resident on this road also wants the road abandoned and notes that Mr. Zamboni is in the audience. Chuck Coye has a rental on this road and he wants it abandoned.

Supervisor Chapman asks Mr. Millar to take a look at other roads in the county that need to be abandoned so they can all be taken care of at the same time.

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried to authorize the Road Department to begin abandonment proceedings for the removal of Zamboni Road from the County Maintained Road System.

Maintained Road Mileage:

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to adopt Resolution No. 03-031, Certifying the 2003 County Maintained Mileage, and Resolution No. 03-032, Certifying Changes in 2003 County Maintained Mileage.

TREASURER / TAX COLLECTOR

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to adopt Resolution No. 03-036, authorizing the Transfer of Property at 463-900 Raines Road, Janesville, (129-060-04-11).

BOARD OF SUPERVISORS

Highway 44:

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to approve and authorize Chairman to sign a letter to Ed Cole, Lassen National Forest Supervisor, regarding Phase II of Highway 44 rehabilitation from Bogard to the Shasta County line.

RCRC Scholarships:

Supervisor Dahle informs the board members that he and Supervisor Hanson reviewed fifteen applications for the RCRC Scholarships, narrowed them down to five and finally made the hard decision to designate Stephanie Curry and Jerrod Boatright as scholarship recipients.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to designate Stephanie Curry and Jerrod Boatright to receive \$500 scholarships from the Rural Alliance Inc. (RAI) Local Scholarship Program; and adopt Resolution No. 03-037, supporting and awarding the Rural Alliance Inc. (RAI) Local Scholarship Program.

BUDGET UPDATE

CAO Whiteman needs dates from the board members for the budget reviews.

RANCHERIA TRUST LANDS ACQUISITION

CAO Whiteman reports that he, County Counsel and the Community Development Director have held two meetings with the Susanville Indian Rancheria (SIR) and it is apparent they feel strongly about going forward with the application to place property in trust. Their attorney has prepared an MOU to set-up an advisory council with the county included but excluding the city. He states the county feels it is vital to have the city participate. The county has received a thirty day extension to comment and he needs direction as to how to proceed.

Supervisor Dahle wants to have a mini study session before the comment deadline. County Counsel John Ketelsen suggests the county prepare a counter proposal.

Chairman Chapman directs the CAO to schedule a study session for May 27th.

INFORMATION FOR THE BOARD

CAO Whiteman commends Chris Beard for the construction management work she did on the new Sheriff's Administration Building, and notes there was only \$2400 in change orders on the \$1 million project.

CORRESPONDENCE

1. A letter from Local Agency Formation Commission (LAFCO) of Lassen County Executive Officer John Benoit enclosing copies of LAFCO Resolution 2003-02 and their adopted proposed budget, is received and filed.

2. A letter from Lassen County Mental Health Advisory Board Chairman

Tom Gauthier regarding vacancy qualifications, is received and filed.

3. A letter from Lassen County Fire Safe Council Chair Tom Gauthier thanking the board for supporting the grazing project on Susan Ranch, is received and filed.

4. A letter from County Medical Services Program (CMSP) Governing Board Administrative Officer Lee D. Kemper advising that Lassen County's 2003-04 one-time Risk Allocation Assessment is \$40,880, is received and filed.

There being no further business, the meeting is adjourned at 12:15 p.m.

CHAIRMAN OF THE BOARD OF

SUPERVISORS

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD