

## BOARD OF SUPERVISORS

SEPTEMBER 23, 2003

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, September 23, 2003, at 9:33 a.m. Present: Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson (enters at 9:34 a.m.); 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

Supervisor Dahle has an item to add to the agenda stating he was not aware of the deadline date when the agenda was prepared.

Pursuant to Government Code Section 54954.2 (2) that the need to take action arose subsequent to the agenda being posted, and cannot wait for the next meeting, it is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried unanimously, on a roll call vote, to add to the agenda a memorandum of understanding among the USDA Forest Service, Region Five, Modoc National Forest and the Bureau of Land Management, Alturas Resource Field Office and the County of Modoc and the County of Lassen; and the designation of Supervisor Dahle as Lassen County's representative on the Big Valley Sustained Yield Unit.

County Clerk Nagel announces that Item D-2, update on Lassen Park Visitor's Center, needs to be removed as Ms. Parris is unable to be present.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to approve the agenda with the noted changes.

## PUBLIC COMMENT

Sheriff's Commander Steve Warren states that he listened to Dr. Kalmanoff's report last week, and also received the Public Defender's report, both of which were critical of the law enforcement system. He states there are some factual statements, but many distortions and also incorrect statements. The information that individuals sentenced to state prison spend 20.47 days in jail prior to transfer is not correct - they are moved out the same day they receive sentencing paperwork.

Parole holds are transported immediately; most misdemeanors are not held more than six hours. They run live scan fingerprinting on misdemeanors and have caught persons with criminal warrants outstanding. Traffic violation infractions never serve time in jail. As of this morning there were 116 inmates in the Adult Detention Facility and neither himself nor the Sheriff has authority to release any of them. Of the 116 inmates, 99 are in on felony arrests with priors (some of the felony arrests may have been reduced to misdemeanors at sentencing); 17 misdemeanors - some failure-to-appear and probation violations. He reviews the crimes the inmates are incarcerated for and notes there is not one violent felony unsolved in Lassen County at this time. He states the report is in part correct about aggressive prosecution, but that it also makes the county a safe place for everyone's kids to live. He gives an example of a state inmate whose medical treatment cost the county \$48,000 due to nine continuances requested by the defense attorney which delayed transfer to the state prison. If the continuances for medical treatment had not been requested, the cost for exactly the same treatment, in the same medical facility (Washoe Medical), would have been paid for by the state rather than the county. He gives an example of an inmate with a long list of criminal activity and domestic violence in another county who moved to Lassen County and ultimately killed one deputy and wounded another during a domestic violence incident. He states apparently the punishment for his crimes in the other county taught him nothing. He is proud of the aggressive law enforcement and prosecution in this county and thinks the board members should be also.

#### UNAGENDIZED BOARD REPORTS

1. Supervisor Keefer would like to have a study session since there is conflicting information relating to the criminal justice system. Supervisor Chapman agrees and states a dialog needs to occur between all aspects of law enforcement on a regular basis. Supervisor Dahle does not want to spend more money on a study but feels everyone needs to sit down and review the system. Chairman Chapman directs the CAO to set-up a study session.
2. Supervisor Keefer reports a Forest Service RAC meeting was held last Friday and arrangements will be made to hold a public informational forum.
3. Supervisor Keefer met with Community Development staff and CDF representatives relating to the status of the County Fire Plan. He is very disappointed that the county has gone through two consultants and unfortunately there is still lots of work to do. Hopefully it will be finished by the end of November.
4. Supervisor Dahle thanks the board members for coming to the

RCRC meeting and thanks Virginia Lemke and Bob Sorvaag's Office for the work they did. He feels it was a very productive meeting.

5. Supervisor Hanson announces there will be a planning meeting in Herlong on September 25th to begin drafting a Town Center Plan.

6. Supervisor Hanson announces the Honey Lake Conservation Team will be here on September 30th and October 1st to meet with various agencies.

7. Supervisor Hanson has received inquiries from residents in the Karlo Road area regarding the desire to obtain electrical service.

8. Supervisor Chapman reports on the progress being made on the response to the Grand Jury report.

9. Supervisor Chapman will be attending CSAC and states there will be discussions relating to a constitutional amendment to provide a mechanism to protect local government from the whims of the State.

#### IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

The Board of Supervisors recess and convene as the In-Home Supportive Services Public Authority.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to remove Patti A. Meadows and Bill Young as In-Home Supportive Services advisory board members per bylaws for not attending meetings; and appoint Rebecca "Sam" Evans.

The In-Home Supportive Services Public Authority adjourn and the Board of Supervisors reconvene.

#### MENTAL HEALTH ADVISORY BOARD

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to appoint Mary McNinch to fill a vacancy on the Mental Health Advisory Board due to the resignation of Thomas Gauthier.

#### CONSENT CALENDAR

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

#### COUNTY CLERK ITEM

Approve minutes of September 16, 2003.

#### MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Technical Advisory Committee special

meeting agenda for September 16, 2003.

#### AUDITOR

It is moved by Supervisor Dahle and seconded by Supervisor Keefer to award contract to Public Resource Management Group (PRM) to provide 2002/2003 A87 Cost Plan, State Mandate SB90 Claims, Property Tax Administration Fees and Jail Booking Fees, in the amount of \$18,500; and authorize CAO to sign the contract.

Supervisor Chapman would like to see the Auditor staff, which had their salaries beefed up last year, perform this work.

Auditor Fouch states to develop the software in order to produce the extensive cost plan and the staff time requirements would not be cost effective at this time. The first couple of years to take these functions in-house would be extremely labor intensive. It may be doable in the future and she feels it could be. Supervisor Chapman feels we should look "out-of-the-box" and would like the Auditor to take a look at this.

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

#### HEALTH AND HUMAN SERVICES - MENTAL HEALTH DIVISION

CAO Whiteman presents a report on statistics relating to mental health clients and discussions are held.

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried to approve State Department of Mental Health Agreement No. 03-73028-000 in the amount of \$326,215 for July 1, 2003 - June 30, 2004 and the Contractor Certification Clause forms; and authorize the County Administrative Officer to sign the documents.

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried to approve the standard agreement with the State Department of Mental Health for the provision of local mental health services and state hospital services for FY 2003/2004; and authorize the County Administrative Officer to sign the agreement.

#### INFORMATION FOR THE BOARD

1. CAO Whiteman announces the first meeting will be held this week to discuss Prop 10 funding in relation to establishing a Behavioral Specialist Position.
2. CAO Whiteman states the Health Fair held last week was a success.

3. CAO Whiteman announces he will be at a redevelopment seminar next week for a couple of days.

4. CAO Whiteman and Supervisor Chapman note that September 20th was Supervisor Dahle's 38th birthday.

#### BIG VALLEY SUSTAINED YIELD UNIT

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to approve a memorandum of understanding among the USDA Forest Service, Region Five, Modoc National Forest and the Bureau of Land Management, Alturas Resource Field Office and the County of Modoc and the County of Lassen; and to designate Supervisor Dahle as Lassen County's representative on the Big Valley Sustained Yield Unit.

Recess 10:34 - 10:44 a.m.

#### PERSONNEL DEPARTMENT

Personnel Director Lynne Margolies provides a power point presentation as an overview of Personnel and Risk Management responsibilities and functions.

Discussion is held throughout the presentation. Supervisor Chapman emphasizes there is not only a need to evaluate employees job performance, but to evaluate the job description to determine if the job duties are still covered by the description or if duties are exceeding the description and therefore a need for enhanced compensation.

Supervisor Chapman suggests the pages from this presentation be included with the response to the Grand Jury as an addendum.

#### BUDGET ADOPTION

Extensive discussion is held regarding the proposal to restructure the Health and Human Services Department.

CAO Whiteman states the request for an additional building inspector is based on the premise that building fee revenues will continue to come in as projected, and if not, the position will be deleted. It is also noted that proposed new positions, such as grant writer under Administration, will have to be approved by the Board prior to hiring.

Assistant to the CAO Chris Beard reviews the funds designated for transfer from the Prison Mitigation Fund - \$340,000 for the telephone system; \$500,000 as a set-aside for the Redevelopment Agency; \$30,000 as a set-aside for the Bieber Memorial Hall kitchen remodel. This will leave \$554,000 remaining in the Prison Mitigation Fund. Some savings and reimbursements are

expected for repaying this fund.

Supervisor Dahle wants it noted that the budget the Board will be considering for adoption today will maintain the current staffing in the District Attorney's Office and states the Board has continued to fund the previously grant funded positions, has funded the increased salaries from employee MOU's, and has funded the increased insurance costs. This budget will also be supporting the Sheriff's request to transfer supplemental law enforcement funding to help maintain positions this year and is funding the additional costs generated by the 3% at 50 retirement for safety employees. He states the point is, the Board is using reserves to "step up to the plate" to fund the departments even though this means deficit spending. The message he wants sent to the departments is the county will be looking at a worse budget situation next year and he wants the departments to look at addressing this through attrition and not come to the Board next year with the message that many employees will need to be laid off.

Supervisor Chapman expresses his appreciation to Chris Beard, Andy Whiteman and all other staff and department heads for the extreme efforts that have been put forth on this budget.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried unanimously, on a roll call vote, to adopt Resolution No. 03-067, establishing the appropriations limit in the amount of \$20,845,274., for Fiscal Year 2003/2004, pursuant to California Constitution Article XIII-B and Government Code Section 7910.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried unanimously, on a roll call vote, to adopt Resolution No. 03-068, establishing the Bieber Lighting District appropriations limit in the amount of \$13,080. and approving the 2003/2004 Bieber Lighting District Budget in the amount of \$12,000.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to adopt the 2003/2004 Final Budget in the amount of \$73,737,647.00; and authorize the CAO and Auditor to make appropriate changes prior to publication.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to adopt the Lassen-Modoc Flood Control Budget in the amount of \$236,600.

It is moved by Supervisor Keefer, seconded by Supervisor Hanson

and carried on a roll call vote, with Supervisor Dahle and Supervisor Chapman voting NO, to adopt the County Service Area #1 (Honey Lake TV) budget in the amount of \$168,680; and adopt 2003/2004 TV User Fee in the amount of \$25.

UNAGENDIZED BOARD REPORTS CONT.

10. Supervisor Pyle wants the CAO to look into AB 1093, relating to increasing the minimum wage, and report back to the Board.

There being no further business, the meeting is adjourned at 12:17 p.m.

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CHAIRMAN OF THE BOARD OF

SUPERVISORS

ATTEST:

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THERESA NAGEL, CLERK OF THE BOARD