

BOARD OF SUPERVISORS

OCTOBER 14, 2003

The Lassen County Board of Supervisors convene in Regular Session at 8:38 a.m. Chairman Chapman asks for public comment and no comments are received. County Clerk Nagel announces the Closed Session items and the Board recesses to Closed Session at 8:40 a.m. for: 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9: 1 case; 2) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: McCain vs. Lassen County, Case #24431; and 3) Employee performance evaluation: County Administrative Officer McFerrin A. Whiteman.

Present in the Closed Session are Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel John Ketelsen, County Administrative Officer Andy Whiteman; Interim Health and Human Services Director Tom Gauthier, Personnel Director Lynne Margolies and County Clerk Theresa Nagel. Tom Gauthier and Lynne Margolies depart at 9:09 a.m. John Ketelsen departs at 9:15 a.m. Closed Session is recessed at 9:43 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, October 14, 2003, at 9:49 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 Dahle.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

The County Clerk announces the Closed Session dealt with: 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9: 1 case - no public report required because no final action was taken; 2) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: McCain vs. Lassen County, Case #24431 - approval given to legal counsel to seek a compromise with appellants with respect to the interest portion of the judgment regarding costs; and 3) Employee performance evaluation: County Administrative Officer McFerrin A. Whiteman -the Board

completed its evaluation of the CAO and established objectives for the coming year.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

PUBLIC COMMENT

1. Violet Stout announces that October 16th is Chairman Chapman's birthday and she reads a poem entitled "Loving Thoughts" and wishes him happy birthday.

2. Richard Parker representing Sierra Financial Network provides information on the availability of 20,000 sq. ft. of office space at 2102 Main Street, along with record storage space, pickup and delivery of records service and paper shredding.

HEALTH AND HUMAN SERVICES - ALCOHOL AND DRUG DIVISION

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to adopt a Proclamation declaring October 23-31, 2003 as Red Ribbon Week, encouraging Lassen County citizens to participate in drug prevention education activities and to make a visible statement that we are firmly committed to a drug-free, tobacco-free and alcohol-abuse-free community.

Alcohol and Drug Program Deputy Director Michael Beard introduces Michele Urrutia, Kathy Oberst, Dandy the Smokeless Dragon and Uni the Drug Free Unicorn. Michele provides information on their travels to all schools in the county and attendance at the uptown Halloween event with Dandy and Uni.

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle reports there is aggressive work being done to get someone to purchase the Big Valley Lumber Power Plant.

2. Supervisor Keefer notes that he asked for information on the mental health therapists working four, 10 hour days, and he wants a report back.

3. Supervisor Pyle attended and reports on the Westwood CSD and Clear Creek CSD meetings; reports the Fletcher-Walker Second Grade Class won national recognition for submitting a book they created in a book contest.

4. Supervisor Pyle makes the following designations from his discretionary funds: Fletcher-Walker PTA - \$500, Westwood Family Services After School Program - \$500, Westwood Breakfast for Kids Program - \$500, Westwood Community Theater Youth Program - \$200.

5. Supervisor Hanson reports: that he will attend a meeting in

Carson City relating to water transmission from Honey Lake Valley; he attended a meeting with Honey Lake Conservancy which included law enforcement representatives and others; met with a representative from Congressman Doolittle's office re: trying to secure funds for Herlong water/sewer services; attended a couple of meetings relating to Herlong Family Resource Center; held discussions with Tax Collector Richard Egan and Assistant Community Development Director Bertotti relating to electric service for the Secret Valley area.

6. Supervisor Chapman attended and reports on the: Prop 10 (Children and Families Commission) meeting; and PSA II meeting. He did not attend the CSAC Executive Meeting, but discusses the item that was on the agenda. (County Counsel is absent 10:15 - 10:17 a.m.) He attended and reports on the Community Action Agency meeting. He discusses the work that has been done to prepare the response to the Grand Jury.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

Community Development Director Robert Sorvaag informs the board members that Lassen County has been invited to participate in a cooperative agency status with Carson City Field Office of the Bureau of Land Management to formally participate in the Environmental Impact Statement (EIS) process to analyze impacts resulting from two separate water supply and transmission projects from Fish Springs Ranch LLC and Intermountain Water Supply LTD, proposing to construct and operate water wells and pipelines in Washoe County, Nevada.

He notes that BLM Environmental Planner Terri Knutson and Sierra Army Depot legal representatives Lee Denoyer and Helen Evans are present.

Terri Knutson states they received applications for two transmission projects each of which asked to be considered first. What they will be doing is a joint EIS for both applications. She reviews how the process will work and who will be involved. She states they have a fairly aggressive schedule. Maxim Technologies from Helena, Montana will be writing the EIS.

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried to approve cooperating agency status with the Carson City field office of the Bureau of Land Management for the North Valleys Water Project EIS; and designate Robert Sorvaag as the single point of contact representative.

PUBLIC HEARING - ZONING ORDINANCE AMENDMENT #318.24, LASSEN COUNTY

The public hearing is opened at 10:40 a.m. to consider the amendment of various Lassen County Code chapters within Title 18, Zoning Ordinance 467 to: update and clarify language; add definitions of terms; implement minor changes to regulations including allowing day care facilities in employment centers, allowing outdoor operations in "B-P" and "M-L" zones with a use permit, establish front and rear setbacks in the "M-1" zone, clarify minimum area required for large animals in the "A" and "AA" combining districts and the Special Provisions, authorize an application to amend an existing use permit under the same procedures for new use permits, and allow reconstruction of a legal non-conforming residence with a use permit, other similar changes; add Chapter 18.33 Commercial-Residential District. The amendments will not change the zoning of any parcel of land. The project is exempt from the California Environmental Quality Act under Section 1561(b)(3) of the Guidelines.

Chairman Chapman notes the Planning Commission hearing on the amendments was continued to November 5, 2003 and a request has been received from Community Development that this hearing be continued to November 25, 2003. Chairman Chapman continues the hearing as requested.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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 Keefer and carried unanimously, on a roll call vote, to add to the agenda a resolution in support of HR 1904 The Healthy Forests Restoration Act.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to adopt Resolution No. 03-070, in Support of HR 1904 The Healthy Forests Restoration Act.

Recess 10:45 - 10:54 a.m.

ALCOHOL AND DRUG ADVISORY BOARD

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to accept letter from Allen Wilcox submitting resignation from the Alcohol and Drug Advisory Board, and appoint Sidney Bazett.

CONSENT CALENDAR

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

COUNTY CLERK ITEM

Approve minutes of September 23, 2003.

COUNTY CLERK - ELECTIONS DIVISION ITEM

Receive and file certification of votes cast at the October 7, 2003 Statewide Special Election.

ADMINISTRATIVE SERVICES - PURCHASING DIVISION ITEM

Award bid to Les Schwab Tire, Susanville, CA the lowest bidder meeting overall specifications for FY 2003-2004 tire purchases.

COUNTY COUNSEL ITEM

Reject claim of Lawrence Harlan, in its entirety, and direct County Clerk to send Notice of Rejection.

DISTRICT ATTORNEY ITEM

Adopt Resolution No. 03-069, authorizing the District Attorney to destroy felony case files 3 years after the case is closed, misdemeanor case files 2 years after closure, and juvenile case files after the juvenile turns 18 years old.

HEALTH AND HUMAN SERVICES ITEMS

Approve Standard Agreement for FY 2003/2004 AIDS Drug Assistance Program; and authorize Director of Health and Human Services to sign the agreement.

Approve the Declaration of Intent Not to Apply for FY 2003/2004 Rural Health Services Program funding; and authorize the Director of Health and Human Services to sign the declaration.

PROBATION DEPARTMENT ITEM

Approve travel authorization request for Jennifer Heston to attend the mandatory Standards & Training for Correction (STC) Supervisory Training in Santa Clara, October 26 - November 7, 2003, at the estimated cost of \$ 2,500.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

a. Lassen County Planning Commission meeting agenda for October 1, 2003.

b. Lassen County Technical Advisory Committee meeting and special meeting agendas for October 7, 2003.

c. Lassen County In-Home Supportive Services Advisory Board special meeting agenda for October 22, 2003.

d. Lassen County Alcohol & Drug Advisory Board meeting agenda for September 30, 2003.

e. Lassen Transit Service Agency meeting agenda for October 14, 2003.

f. Lassen County Transportation Commission meeting agenda for October 14, 2003.

g. Lassen County Fair meeting agenda for October 14, 2003.

h. Mental Health Advisory Board meeting agenda for October 14, 2003.

DEPARTMENT OF CHILD SUPPORT SERVICES

Beth Hyde reports on the very successful computer conversion their department just completed, and gives special acknowledgement to her staff for the good work they did. Supervisor Keefer compliments Ms. Hyde on her response to an issue he brought to her attention about a month ago.

It is moved by Supervisor Keefer, seconded by Supervisor Hanson and carried to approve contract with Print N Mail Inc., to do the monthly mailings of bills and Barnes notices and to provide e-pay services in an amount not to exceed \$15,000; and authorize the Chairman and CAO to sign.

PUBLIC WORKS DEPARTMENT

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to award bid to North State Playgrounds of Redding, the lowest bidder meeting specifications, in the amount of \$19,558.00, for 1 play system structure, 1 arch swing, 1 arch tire swing and 1 redwood bench for the Janesville Park.

BOARD OF SUPERVISORS - CALIFORNIA STATE ASSOCIATION OF COUNTIES

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to appoint Jim Chapman as director and Lloyd Keefer as alternate to the California State Association of Counties (CSAC) Board of Director Members for 2004.

COUNTY ADMINISTRATIVE OFFICE

Interim Health and Human Services Director Tom Gauthier reviews the extensive reorganization of Health and Human Services and (Supervisor Dahle absent 11:10 - 11:12 a.m.) answers questions from the board members. (Supervisor Dahle absent 11:14 - 11:15 a.m.)

It is moved by Supervisor Pyle and seconded by Supervisor Hanson to approve recommendations for: 1) reorganization of Community Social Services Department, Family and Child Protective Services, Behavioral and Public Health Services, Mental Health, Drug and Alcohol; 2) creation of new job descriptions for Director of Community Social Services, Director of Family and Child Protective Services, Director of Behavioral and Public Health Services, Deputy CAO, Health and Human Services Fiscal Manager; 3) approval of position changes; and 4) approval of

revised revenue and expenditure budgets.

Treasurer/Tax Collector Richard Egan points out the proposed action of assigning salaries without analysis of how they fit with existing positions and how it creates inequities. He notes this is what the Board said they did not want to happen but this is what they are now doing. Supervisor Chapman responds that since this is complete organization of the HHS structure it is different than handling just one department. He states the board members are very sensitive to the creation of inequities.

The motion carries unanimously on a roll call vote.

GRAND JURY RESPONSE

Chairman Chapman presents and reviews the draft response to 2002/2003 Grand Jury. He proposes, besides publishing this response that additional copies be produced for distribution to outlying areas that do not receive the Lassen County Times. He asks the board members to go through the draft response and get any changes to him so a final response can be presented to the County Clerk on Thursday.

INFORMATION FOR THE BOARD

1. CAO Whiteman has scheduled a study session on the Criminal Justice System for the afternoon of October 28th. Following discussion it is decided to set the time for 1:00 p.m.
2. CAO Whiteman will be attending another meeting tomorrow relating to the Behavioral Specialist.
3. CAO Whiteman received a call from the Deputy Secretary of the Army thanking the County for the transfer of the Herlong property. A formal signing ceremony is scheduled for October 23rd in Herlong. Supervisor Chapman would like the CAO to arrange a tour of the Federal Prison on that day if possible.

CORRESPONDENCE

A letter from Voting Modernization Board Staff Consultant Jana M. Lean to County Clerk Theresa Nagel enclosing a check in the amount of \$105,635.48 which is Lassen County's total Phase 1 disbursement of the initial formula allocation established by the Voting Modernization Board, is received and filed.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 12:12 p.m. in memory of Beverly Beard who was a longtime active member of the community.

SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD