

BOARD OF SUPERVISORS

DECEMBER 16, 2003

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, December 16, 2003, at 9:32 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 Keefer.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

Chairman Chapman announces that no closed session was held.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Chapman requests the meeting be adjourned in memory of Harold Miles.

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

PUBLIC COMMENT

Poet Laureate Violet Stout reads a poem entitled Christmas Love.

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle attended the RCRC meeting and reports the State revenues are up about \$1.9 billion and there are plans for making cuts in the amount of \$1.2 billion, but things are still looking very grim. There is also talk about raiding special district reserves.

He notes the Healthy Forest Initiative was signed by the President and there is a need for County-Wide Community Fire Protection Plans to be prepared and adopted by the Board.

He presents information received from Attorney Allan Saltzman who has been investigating PILT payments which have never been fully funded as required by Federal law. There is case law, in the past, and he wants to sue the Federal Government for the money that has never been allocated to counties. There is a need for funding a lawsuit and Lassen County's share would be \$18,000. County Counsel John Ketelsen states his initial reaction is skeptical of the success of such a lawsuit, but he will further study the case law and make a future report to the Board.

2. Supervisor Keefer reports on the RAC meetings where \$1.4 million in requests were presented. The RAC will make recommendations with the final decision being made by Forest Supervisor Ed Cole. They are 90% finished but need additional information, from some project applicants, to make the determination on the last \$100,000 to be awarded. A final recommendation will go to the Forest Supervisor on February 24, 2004.

He reports the Community Fire Plan is getting very close to finalization and will probably be submitted to the Board the first part of January.

Once again he addresses the Mental Health Department 10 hour, 4 day work week stating that he met with the Auditor and examined the timesheets from May 30 through September 5, 2003 and found that on most Fridays only one person worked the entire 10 hour day. There were one or two other persons working on Fridays, but they worked less than 10 hours. He states that he finally got the answers he was looking for and will not be addressing this issue again.

3. Supervisor Pyle reports on the Highway 44 Fencing presentation he made to the RAC last week. The project will improve safety of motorists, improve rangelands and improve the watershed. He thanks the members of the fencing committee who worked hard to come up with ideas.

4. Supervisor Hanson reports that he and CAO Whiteman attended the Herlong Utilities Cooperative meeting last week, had lunch with the Doyle Senior Citizens, and attended the reopening of the library at Herlong.

He participated in a conference call relating to Congressman Doolittle's 2557 Plan, that will provide \$25 million for water projects to several Northern California counties. Each county will receive \$5 million with phased distribution over several years.

He notes it is a dark day for Lassen County with the announcement that Sierra Pacific Industries (SPI) is closing their Susanville mill. There is one small bright spot because some jobs at Sierra Army Depot will dovetail with the mill positions. He states there is no manufacturing left in Lassen County - agriculture could be the next victim - it is going to be tough.

5. Supervisor Chapman states the closing of SPI is not only a dark day but a very sad day for Lassen County.

He reports that Los Angeles County has voted to endorse the Local Taxpayers and Public Safety Protection Act and he was waiting for that action before recommending that Lassen County endorse the initiative. With Los Angeles on board the initiative has a better chance of passing.

RECOGNITION COMMITTEE - PRESENTATION

CAO Whiteman presents a County coffee cup to Supervisor Pyle for five years of employment.

Chairman Chapman makes the following presentations for years of service:

Fifteen years: a two pen desk set to Jeffery Nelson (Public Works) and Michelle Schull (Health and Human Services) who was not able to be present.

ENVIRONMENTAL HEALTH

Environmental Health Chief Doug Ames introduces the Certified Unified Program Agency (CUPA) Contractor Martin A. Winston.

SUSANVILLE RANCH PARK

Trail Coordinator Peter Heimbigner presents a progress report on Susanville Ranch Park.

Chairman Chapman presents appreciation plaques to Susanville Ranch Committee

members for their service: Catherine Wheeler and Stan Bales are present to receive their plaques. Members Melanie Ernaga, Delores Guitierrez, Walt Zinko, Marcena Welker, Rosalee Bradley, John Abbott and Jim Reichle are not present.

Recess 10:39 - 10:48 a.m.

CONTINUED PUBLIC HEARING - ZONING ORDINANCE AMENDMENT #318.24, LASSEN COUNTY

The public hearing is reopened at 10:49 a.m. to consider an amendment to various chapters within Title 18, Lassen County Zoning Ordinance 467 to update language and add definitions of terms; implement minor changes to regulations within some zoning districts and within the general and special provisions, add chapter 18.33 "Commercial-Residential District" to the code, and other similar changes. The amendment will not change the zoning of any parcel of land.

Planner Rick Simon presents the staff report reviewing the changes

contained in the proposed ordinance.

No one speaks in opposition to, or in favor of the amendment and the hearing is closed at 11:07 a.m.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried unanimously, on a roll call vote, to introduce and adopt, by title only, Ordinance No. 467-AC, implementing the amendment.

UNITED STATES FOREST SERVICE

Community Liaison Heidi Perri distributes and reviews a fact sheet on the implementation of the Healthy Forests Initiative. Discussion is held on what needs to be done with the small diameter material that will be coming off of the forest. The Energy Bill still needs to be passed to address this issue.

She distributes the Lassen RAC 2004 Proposals (22) and indicates that \$524,636 has been recommended by RAC for funding, out of a total \$632,831 available. The following proposals will receive RAC recommendation: Lassen County Combined Efforts for Weed Control; Tribal Summer Youth Crew; Champs Flat & Gordon Creek Restoration; County AG Commission A-Rated Noxious Weed Eradication; Pine Creek Archaeological Investigations; Eagle Lake Trail Repair; Bizz Johnson Trail Stabilization; Day Bench Fuel Reduction; Highway 44 Fencing; Big Valley Rim Fuel Reduction; Ash Valley Fuel Reduction; and Repaving Swain Mtn. Trailhead.

In regard to the closing of SPI she states that Lassen National Forest (LNF) has been the largest timber producing forest in Region 5 over the last ten years. Supervisor Keefer notes there has been a large reduction in the board feet of saw logs produced. Supervisor Chapman reads from SPI's press release which shows the timber sales from LNF has gone from 108 million board feet in 1990 down to 17.9 million in 2002. He asks that Ed Cole be informed the Board would like to hear from him on these discrepancies. Supervisor Dahle feels it is too late to save the mill.

PSA 2 - AREA AGENCY ON AGING

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to appoint Diane Grose, for a two year term, to fill a vacancy on the Lassen County Advisory Council.

CONSENT CALENDAR

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

COUNTY CLERK ITEM

Approve minutes of December 9, 2003.

ADMINISTRATIVE SERVICES - PERSONNEL ITEM

Receive and file Personnel Movement report for October, 2003.

AGRICULTURE COMMISSIONER ITEMS

Approve contracts with the Department of Pesticide Regulation for FY 2003/2004 pesticide regulations for pesticide enforcement (\$6,043) and for pesticide use data entry (\$376); and authorize the Chairman to sign the contracts.

Approve contract with the California Department of Food and Agriculture (CDFA) for Organic Producer Registration and Inspection in the amount of \$500; and approval of a contract amendment with CDFA for Contract #03-0137, Nursery Stock Nematode Inspections in the amount of \$900; and authorize the Chairman to sign the contracts.

BOARD OF SUPERVISORS ITEM

A letter from Local Agency Formation Commission (LAFCO) to Board of Supervisors regarding the Request for Attorney General's Opinion on Conflict of Interest is referred to County Counsel.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Air Pollution Control District Governing Board Meeting agenda for December 17, 2003, and minutes of October 21, 2003.
- b. Alcohol and Drug Advisory Board meeting agenda for December 18, 2003.
- c. Mental Health Advisory Board meeting agenda for December 9, 2003.

CORRESPONDENCE

A letter from the Governor's Office of Emergency Services stating the U. S. Small Business Administration (SBA) has declared the counties of Alpine, El Dorado, Inyo, Lassen, Modoc, Nevada, Placer, San Bernardino and Sierra a disaster area due to damages caused by drought and insect infestation that occurred on January 1, 2003, and continuing in the neighboring State of Nevada, is received and filed.

ADMINISTRATION SERVICES - PURCHASING AND COUNTY CLERK

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to waive the formal bidding process; and approve the purchase of LegisStream Paperless Agenda, Questys Document Imaging System, and associated licenses, training and maintenance agreements for the purchase price of \$29,030.16.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

Community Development Director Robert Sorvaag presents information on Agricultural Preserve #2003-174, Delores E. Palmer: to consider approval of application to enter 258.98 acres into a Williamson Act contract. The project site is located approximately 1 mile northwest of Milford, (APN No. 135-060-20).

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to: 1) receive the Land Conservation Committee recommendation on the amendment of an agricultural preserve and offer of a Williamson Act contract; 2) adopt Land conservation committee findings; 3) adopt Resolution No. 03-085, amending agricultural preserve (Resolution #84/85-520); 4) authorize Chairman to execute a Williamson Act Contract; and 5) authorize County Recorder to record without a fee.

Community Development Director Robert Sorvaag presents information on Agricultural Preserve #2003-173, Estill Ranches LLC: to consider approval of application to enter 8,691.73 acres into a Williamson Act contract. The project site is located approximately 26 miles east of Madeline.

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried to: 1) receive the Land Conservation Committee recommendation on the amendment of an agricultural preserve and offer of a Williamson Act contract; 2) adopt Land Conservation Committee findings; 3) adopt Resolution No. 03-086, amending agricultural preserve (Resolution #82/83-70); 4) authorize chairman to execute a Williamson Act Contract; and 5) authorize County Recorder to record without fee.

ADMINISTRATION SERVICES - PERSONNEL DIVISION

Reclassifications-Mental Health Department:

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried, to reclassify Position #9124 from Psychiatric Nurse (Range U24, Classified, NonExempt) to Chief, Clinical Records/Administration, Position (Range MM26, Classified, NonExempt); reclassify position #2005 from Secretary (Range U12, Classified, NonExempt) to Senior Admin Clerk (Range U10, Classified, NonExempt); and reclassify Position #9138 from Admin Clerk (Range U8, Classified, NonExempt) to Senior Admin Clerk (Range U10, Classified, NonExempt).

Salary adjustments:

Personnel Director Lynne Margolies states that in response to a request to look at internal inequities in salaries between certain

positions, she is submitting a list that contains requests from Department Heads covering 27 positions/38 employees and from the Unions covering 18 positions/57 employees. She reviews what a study would entail and the estimated costs. Her recommendation is that an overall analysis be delayed and instead consider commissioning an outside study in fiscal year 2005/2006.

Supervisor Chapman states that obviously inequities exist but this is the worst time to address them given the fiscal crisis.

Supervisor Keefer expresses his frustration with this list because only a few positions were brought up and it has mushroomed into this.

Supervisor Dahle has three positions he wants to be looked at, Assistant Treasurer/Tax Collector, Assistant County Clerk and Assistant Assessor, and that is because the Board has messed around with the Auditor and CAO Assistants and created inequities.

Assessor Ken Bunch felt the inequities in his department began two years ago. He reviews the things that have occurred to create the inequities between his appraisers and the Community Development Planners.

Chairman Chapman directs the CAO and Personnel Director to prepare an appropriate analysis for the assistants to the Assessor, Treasurer/Tax Collector and County Clerk and in the appraisers category, and bring it back on January 13, 2004.

CAO Whiteman asks "wasn't the Fair Manager on the original list" and Supervisor Dahle responds to just do what you have been directed to do.

Supervisor Hanson notes there are two ways to address inequities between positions, one of which is to drop the higher one down.

Reclassification-Probation Department:

Assistant Chief Probation Officer Debbie Rives provides information on the need to upgrade two positions due to their lead responsibilities requiring them to work out of their classification within the department.

Discussion is held among board members.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to approve reclassification of two Deputy Probation Officer I/II positions (Position numbers 9216 and 2008) to Senior Deputy Probation Officer positions.

Recess 12:13 - 1:37 p.m. (Supervisor Hanson enters at 1:42 p.m.)

VLF FUNDING STUDY SESSION

CAO Whiteman presents and reviews a packet of information on the Vehicle License Fee (VLF) Funding.

Supervisor Chapman has a sample letter that the public can use to communicate with the State representatives relating to local government funding.

Discussion is held in relation to the Local Taxpayers and Public Safety Protection Act Initiative and direction is given to place a resolution on the next agenda.

Supervisor Dahle feels if nothing has happened early in January some plans need to be put together.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 2:27 p.m. in memory of Harold Miles, a life-long member of the community.

SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD