

BOARD OF SUPERVISORS

JANUARY 20, 2004

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, January 20, 2004, at 9:34 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 Pyle.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

Chairman Hanson announces that no closed session was held.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

County Clerk notes a rezone public hearing for Kenneth and Irene Doyle should have appeared on the agenda with the recommendation to continue the hearing to February 17, 2004.

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 Keefer, seconded by Supervisor Dahle and carried to add the public hearing to the agenda and approve the revised agenda.

PUBLIC COMMENT

1. Jake Spraggins, representing the Gunsmith Guild, provides information on a program they have worked to get started in the schools entitled "Eddie Eagle Gun Safety Program". The program targets pre-K through 3rd grades and uses a theme that if you see a gun or ammunition - Stop, Don't Touch, Leave the Area and Notify an Adult. He lists several groups and States who endorse the program. He is pursuing grants which, if received, will provide the program to all schools in the county at no cost.

Supervisor Chapman thinks the Children and Families Commission would be very interested and they also may have some funding available.

2. Violet Stout hopes she never sees members of the Board of Supervisors fight like a couple of the City Council members did at their last meeting.

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle announces a meeting will be held tonight in Alturas for discussions relating to the possible sale of Quail Valley Ranch to the Fish and Game Department. There is alot of talk about the lack of management on the Ash Creek Wildlife Area and not wanting

the same thing to happen on Quail Valley. He will attend the meeting and states it is hoped they will have input on how the ranch is managed.

2. Supervisor Keefer attended the Milford Fire Protection meeting and states there were discussions about fire issues in Herlong and the County Fire Plan. He announces a Schools/Coalition National meeting will be held in Reno the end of March - he cannot attend but feels it is important for someone to attend. He received a call from Ken Weaver with an offer of help in regard to economic development and information on possible availability of grants.

3. Supervisor Chapman attended the City Council meeting at which lengthy discussions were held relating to noise issues. Also the airport management matter led to a very heated dialog between two council members. Discussions were held on the Mill Site and there is a desire to have a joint meeting with the Board of Supervisors to discuss future use. He notes City staff are again talking about resurrecting a redevelopment agency. He also notes January 16th was Violet Stout's 70th birthday and he wishes her a Happy Birthday.

4. Supervisor Hanson announces a Town Hall Meeting will be held in Herlong tomorrow - one of the issues to be discussed is the long-horned cattle running loose. He also notes the Railroad is planning to abandon their lines between Wendel and Flanagan and this will be something we need to fight vigorously.

5. Supervisor Hanson designates \$1,000 of his discretionary funds for the Ft. Sage Family Resource Center for the purchase of materials for community efforts.

#### RECOGNITION COMMITTEE - PRESENTATION

CAO Whiteman presents a county coffee mug to Supervisor Keefer for five years with the county.

Chairman Hanson makes the following presentations for years of service:

Ten years: a brass letter opener to Dean Growdon, Sheriff's Department and Sharon Farano, Community Social Services.

#### CONSENT CALENDAR

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

#### COUNTY CLERK ITEM

Approve minutes of January 13, 2004.

#### MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

a. Lassen County Fair Advisory Board meeting minutes of January 13, 2004.

#### ASSESSMENT APPEALS BOARD

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to accept the letter from Kurt Bonham resigning from the Assessment Appeals Board, and direct Clerk to advertise vacancy.

#### FISH AND GAME COMMISSION

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to appoint Chris Gallagher to fill a vacancy on the Lassen County Fish and Game Commission, District One.

#### TREASURY OVERSIGHT COMMITTEE

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to accept the letter from Kurt Bonham resigning from the Treasury Oversight Committee, and direct Clerk to advertise vacancy.

#### INFORMATION FOR THE BOARD

1. CAO Whiteman has received a request from the Plumas County Board of Supervisors indicating their desire to hold a joint counties meeting the week of February 17th to discuss the State budget crisis. Supervisor Chapman feels if a meeting were held the 30th of March there would be more information available about the State budget and the election will have been held. Discussion is held with the desire of the board members to hold a meeting in Lassen County on March 30th. It is noted this request will appear on the next agenda and CAO Whiteman states he will obtain further information on what items are under consideration for the agenda.
2. CAO Whiteman is working on a joint meeting with the City Council to be held on February 17, 2004 at 5:30 p.m. Supervisor Keefer feels both the city and county should take a proactive position to identify resources available for economic development.
3. CAO Whiteman announces a letter was received from CSAC regarding a piece of legislation that will return \$31 million in court fees back to the courts. Lassen County's share is \$57,603 with half due to be paid by February 15th. Discussion is held.

#### PUBLIC HEARING - REZONE #2003-173, ESTILL

The public hearing is opened at 10:21 a.m. to consider Rezone #2003-173, proposal by Estill Ranches LLC to rezone 8,691.73 acres of land from U-C-2 (Upland Conservation / Resource Management District) to U-C-2-A-P (Upland Conservation / Resource Management, Agricultural Preserve Combining District) in association with a Williamson Act Contract approved by the Board of Supervisors on December 16, 2003. The project site is located approximately 26 miles east of Madeline.

Community Development Director Robert Sorvaag presents the staff report and Planning Commission recommendation. No one speaks in opposition to or in favor of the rezone and the hearing is closed at 10:22 a.m.

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to introduce and adopt, by title only, Ordinance No. 467A-334, implementing the rezone.

PUBLIC HEARING - REZONE #2003-174, PALMER

The public hearing is opened at 10:23 a.m. to consider Rezone #2003-174, proposal by Delores Palmer to rezone 258.98 acres of land from A-1 (General Agriculture District) to E-A-A-P (Exclusive Agriculture, Agricultural Preserve) in association with a Williamson Act Contract approved by the Board of Supervisors on December 16, 2003. The project site is located approximately 1 mile northwest of Milford.

Community Development Director Robert Sorvaag presents the staff report and Planning Commission recommendation. No one speaks in opposition to or in favor of the rezone and the hearing is closed at 10:24 a.m.

It is moved by Supervisor Pyle, seconded by Supervisor Chapman and carried unanimously, on a roll call vote, to introduce and adopt, by title only, Ordinance No. 467A-335, implementing the rezone.

PUBLIC HEARING - REZONE #2003-145, PARKS FAMILY TRUST

The public hearing is opened at 10:25 a.m. to consider Rezone Application #2003-145, proposal by Parks Family Trust to rezone 307 acres of lands from U-C-2 (Upland Conservation / Resource Management District) to U-C-A-P (Upland Conservation, Agricultural Preserve Combining District) in association with a Williamson Act Contract approved by the Board of Supervisors on November 25, 2003. The project site is located approximately 10 miles southeast of Adin, on both sides of State Highway 139.

Community Development Director Robert Sorvaag presents the staff report and Planning Commission recommendation. No one speaks in opposition to or in favor of the rezone and the hearing is closed at 10:26 a.m.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried unanimously, on a roll call vote, to introduce and adopt, by title only, Ordinance No. 467A-336, implementing the rezone.

Recess 10:26 - 10:31 a.m.

PUBLIC HEARING - NEGATIVE DECLARATION AND REZONE #2003-156, DOYLE

The public hearing is opened at 10:31 a.m. to consider Rezone #2003-156, proposal by Kenneth & Irene Doyle to rezone two parcels, total 5.1 acres of land from A-1 (General Agriculture District) to C-T (Town Service District). The project site is located on the south side of Highway 395, west of Milford Grade intersection, in the designated Town Center of Milford.

Due to the Planning Commission's action to continue this item to February 4, 2004, Chairman Hanson continues the public hearing to February 17, 2004 at 10:30 a.m.

PUBLIC HEARING - NEGATIVE DECLARATION #2003-106, GENERAL PLAN AMENDMENT #765.01.10 AND REZONE #2003-106

The public hearing is opened at 10:35 a.m. to consider Negative Declaration #2003-106, General Plan Amendment #765.01.10 and Rezone #2003-106 to change the land use designation on a 10.76 acre County owned parcel from Extensive Agriculture to public and to rezone the site from "U-C" and "U-C-PSA" (Upland Conservation and Upland Conservation-Public Safety Airport Combining District) to "I" and "I-PSA" (Institutional and Institutional-Public Safety Airport Combining District). The application is to facilitate development of a public park for the surrounding Johnstonville area. The project site is located at the southwest corner of Diane Drive and Highway 395 in Johnstonville.

Community Development Director Robert Sorvaag presents the staff report and Planning Commission recommendation. No one speaks in opposition to or in favor of the rezone and the hearing is closed at 10:36 a.m.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried unanimously, on a roll call vote, to approve the Negative Declaration; adopt Resolution No. 04-004, amending the Johnstonville Area Plan; and introduce and adopt, by title only, Ordinance No. 467A-337, implementing the rezone.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

The public hearing is opened at 10:41 a.m. to consider the Appeal by Rebecca and Rudy Walker of the Planning Commission's approval of Use Permit #2003-127, Richard Simmons, to allow minor work and welding as a home occupation in the R-1-D zone (Single Family Residential - Design Review Combining District), located at 687-805 Sycamore Way, Spalding Tract, Eagle Lake. The project is exempt from the California Environmental Quality Act under Sections 15301 and 15303 of the Guidelines.

Planner Rick Simon presents the staff report and announces two items of correspondence arrived after the Board packets were distributed: a letter from Joseph Williams and a petition with four signatures both opposing the use permit and in favor of the appeal.

Board members ask staff several questions.

Speaking in favor of the appeal:

Rebecca Walker displays a map of the area showing the parcels built on and distributes a packet of information with hi-lighted passages which she discusses.

Will Patrick speaks in favor of the appeal and addresses homeowner issues, machine shop equipment and community impact issues.

Mike Patrick feels the zoning laws are ignored and side-stepped in the Spalding Area.

Rudy Walker states the work being performed does not qualify as a home occupation. He also states the garage is bigger than is allowed (80% of the size of the house). Feels Mr. Simmons should perform this work on commercial property.

Speaking in opposition to the appeal:

Project applicant Richard Simmons states all he wants to do is help people in the area with much needed minor welding repairs - he does not want a big business. There will be no hazardous materials used as suggested by some persons opposing his project. He states many of the suggested issues relate to production work not minor repairs which he does.

Ronelle Montacelli feels the work being performed has been magnified and feels this work would be a benefit over having to drive 40 miles one way for repairs. She would like to see more businesses in the community.

Charles Hallas states the community is beginning to look nicer but there are many old trailers that are real eyesores. He states this is a small business to help people and is not an eyesore. He does not live far from the property and does not hear noise from there, although he hears noise from the store, houses being built and wood chopping.

Rose Hallas states the community is only built out 50% in this area. She does not see this as an eyesore and it is not a big business. She lives four blocks away and does not hear noise from this business. She feels this is an asset to the community.

The hearing is closed at 11:45 a.m.

Board member discussion is held.

It is moved by Supervisor Pyle, seconded by Supervisor Chapman and carried unanimously, on a roll call vote, to grant the appeal and overturn the Planning Commission approval of a use permit.

UNITED STATES FOREST SERVICE

Forest Engineer Jack Walton presents information on the results of Competitive Sourcing on local federal jobs (Supervisor Chapman absent 12:02 - 12:06 p.m.) on the Lassen National Forest along with the number of persons affected on the forest. More competitive

sourcing is expected in the future.

Noon recess 12:10 - 1:33 p.m. Supervisor Dahle is not present.

#### LOCAL REUSE AUTHORITY

The Board of Supervisors recess and convene as the Local Reuse Authority.

Assistant Community Development Director Bertotti covers the high points: development of a redevelopment plan (Sierra Army Depot Reuse Plan) and to assure it is in conformance with the County General Plan. Under marketing there is a request for approval to do several things that are known to be needed at this time. Ready to lease the Chapel Building, Community Building, vacant buildings (dormitory style with a cafeteria) - possibly negotiate to remodel into apartments. He also discusses operations and maintenance; finding of suitability to transfer additional properties (FOST); utilities; fire protection; and airfield improvements.

Chairman Hanson welcomes Arnold and Mary Young, Herlong community members; Lauri McDonald, new BRAC Officer and Susie Stevens, new SIAD Information Officer.

Supervisor Keefer wants the rental rates to be competitive so people are willing to rent the buildings. Further discussion is held.

Supervisor Keefer brings up the issue of maintenance - feels Public Work's staff is understaffed. He feels we need on-site maintenance staff. Also in regard to fire protection, he is pleased that West Patton Village CSD may be willing to take on this responsibility.

Arnold Young suggests rental rates be discussed at the Town Hall Meeting tomorrow night. He states WPVCS D has discussed fire protection, but needs some help from County Counsel to spell out how they can provide fire protection to the remainder of the area without providing all the other services they currently provide (zone of benefit).

Further in-depth discussion is held in regard to the expense of keeping buildings open during the winter months.

Following extensive discussion it is moved by Supervisor Chapman, seconded by Supervisor Keefer and carried to approve rental rates for Chapel building - \$100 per building component per day, or \$200 for entire building per day, or \$25 per hour, on a trial basis; and authorize Economic Development/Housing (ED/H) staff to execute such rental agreements.

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to authorize ED/H staff to release Request for Proposals (RFP)

for lease of the Modular Barracks (Mods), Dining Facility, CMart (mini market and gas station), Theater, and Barber Shop.

It is moved by Supervisor Keefer, seconded by Supervisor Chapman and carried to authorize ED/H staff to begin marketing residential properties.

It is moved by Supervisor Chapman, seconded by Supervisor Pyle and carried to authorize ED/H staff to release RFP for the remodel of the Mods.

It is moved by Supervisor Pyle, seconded by Supervisor Chapman and carried to authorize Project Manager or designee to negotiate lease for occupancy of all properties including the Mods, dining facility, CMart, Chapel, Theater and Community Center Building.

Supervisor Chapman suggests the Herlong Family Resource Center would be a good group to occupy one of the facilities.

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to authorize Project Manager or designee to enter into agreements for all matters pertaining to the maintenance and upkeep of the properties acquired by the LRA.

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to approve comments on the Finding of Suitability Transfer (FOST) and authorize chairman to sign the comment letter.

It is moved by Supervisor Chapman, seconded by Supervisor Keefer and carried to authorize the Chairman to sign a letter in support of the airfield expansion.

It is Board consensus that ED/H staff has the authority to hold discussions with Sierra Army Depot on all items of mutual interest.

The Local Reuse Authority adjourns and the Board of Supervisors reconvene.

There being no further business, the meeting is adjourned at 3:10 p.m.

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SUPERVISORS

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CHAIRMAN OF THE BOARD OF

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD