

BOARD OF SUPERVISORS

FEBRUARY 24, 2004

The Lassen County Board of Supervisors convene in Regular Session at 9:07 a.m. Chairman Hanson asks for public comment and no comments are received. County Clerk Nagel announces the Closed Session item and the Board recesses to Closed Session at 9:08 a.m. for an Employee performance evaluation: Fair Manager Claud Neely.

Present in the Closed Session are Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, and Jack Hanson; Fair Manager Claud Neely and County Clerk Theresa Nagel. Supervisor Dahle enters at 9:25 a.m. Closed Session is recessed at 9:55 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, February 24, 2004, at 10:00 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

The County Clerk announces the Closed Session dealt with an Employee performance evaluation: Fair Manager Claud Neely - the Board established criteria for future job performance.

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 Hanson asks for public comment and no comments are received.

UNAGENDIZED BOARD REPORTS

1. Supervisor Chapman apologizes to staff for any wrong impression he may have conveyed by his comments last week regarding the handling of the Dyer Mountain negotiations following a meeting in February, 2003.
2. Supervisor Pyle clarifies the allocation of \$1000 from his discretionary funds goes to the Spalding Volunteer Fund.

3. Supervisor Keefer announces a meeting is finally scheduled with Department of Water Resources to address problems related to water users on Lower Baxter Creek. Meeting to be held February 25th at 10:00 a.m. at the Janesville Fire Hall.

4. Supervisor Dahle announces he will be leaving for Washington D.C. to attend the Western Interstate Region Board for CSAC and notes the expenses are paid for by RCRC; he urges the board members to work on getting State representatives tuned into the BRAC 2005 process.

5. Supervisor Dahle designates \$500 of his discretionary funds to Northwest Lassen Fire District for their equipment fund; and \$500 to Stones-Bengard CSD for their building fund.

6. Supervisor Hanson reports on BRAC 2005; requests the CAO place something on a future agenda relating to Economic Development; discusses funds to help Modoc County purchase the railroad bed between Alturas and Wendel.

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:

ADMINISTRATIVE SERVICES - PERSONNEL ITEM

Receive and file Personnel Movement report for January, 2004.

SHERIFF'S DEPARTMENT ITEM

Approve travel authorization request for Erica Mowery to attend the mandatory Basic Correctional Officer Core Training in Redding, March 7, 2004 through April 9, 2004, at the estimated cost of \$3,505.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Alcohol and Drug Advisory Board meeting agenda for February 24, 2004, and minutes of January 21, 2004.
- b. Local Agency Formation Commission of Lassen County Notice of Public Hearing on March 8, 2004.
- c. Lassen County Fair Advisory Board meeting minutes of February 10, 2004.

COUNTY ADMINISTRATIVE OFFICE

CAO Whiteman informs the board members that three very good applications have been received for the Human Resource Officer position, but until that position is filled there is a need for services of a personnel specialist and he asks for approval of a consultant contract. He estimates the position will be filled the first part of April.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to approve the Personnel Services Contract with Nickolaus and Haeg, LLC (Consultants) for a monthly retainer fee of \$2,000; and authorize the CAO to sign the contract.

COUNTY COUNSEL - SPALDING CSD

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to adopt Resolution No. 04-011, consenting to proceedings and boundaries of assessment district under the Municipal Improvement Act of 1913 by Spalding Community Services District.

INFORMATION FOR THE BOARD

CAO Whiteman asks for topics to place on the agenda for the Quad County Meeting which will be held on March 30th. Supervisor Chapman - State Budget; Supervisor Dahle - Fire Safe Council coordination in communities located on county lines; Supervisor Keefer - Regional Solid Waste Facility; Supervisor Chapman - update on Sierra Nevada Framework/Quincy Library Group. Suggestions are made on persons to invite to the meeting.

Recess 10:29 - 10:34 a.m.

PUBLIC HEARING: NEGATIVE DECLARATION AND PARCEL MAP #2003-091, MICHAEL HANN

The public hearing is opened at 10:34 a.m. on an appeal by the applicant, of the Planning Commission denial of Parcel Map #2003-091, to divide 20.46 acres into three 6.82-acre lots. The project site is located on Old Country Road approximately 2 miles north of the Day Road and Hwy 299 intersection, approximately 5 miles northeast of Pittville. (APN: 001-090-30)

Planner Rick Simon presents the staff report on the denial of the parcel map application.

Speaking in opposition:

Linda Ross, adjacent property owner, reads a statement expressing her opposition to the parcel split because of access issues.

Speaking in favor:

Michael Hann speaks in favor of the appeal stating that half-truths and misinformation has been put forth. He disputes Don Posten's designation of this property being in a very high fire danger area and states politics play a role in these decisions. Asks if Don Posten has a relationship with Planning Commissioners or his neighbors. States he will have the real estate fraud department look into this. Addresses the roads and

suggests if they are a problem the County should fix them or designate the property unsplitable.

Deborah Hann states they were told by realtors that the property could be split into four lots and also signed papers that state the property was not in a high fire danger area. She states there is something that is not right. The hearing is closed at 10:59 a.m.

Supervisor Keefer notes the CDF fire hazard designation made in the mid-1980's basically placed all wildland property in Lassen County in either high or very high designations. He points out the requirements in Ordinance 502A relating to minimum road lengths and requirements for dual access.

Supervisor Chapman comments on the reference made by Mr. Hann to representations made to him by real estate agents and states these are not binding on decisions relating to parcel splits. He states the Hanns would have to create dual access for circulation. He states the Planning Commission determination is consistent with decisions made in other areas of the county.

Supervisor Dahle states the land is splitable, but only if Ordinance 502A requirements are mitigated. He states there are issues with fire in the Day Road area and there have been some close calls. Also the secondary route has to be satisfied before more splits occur.

It is moved by Supervisor Dahle, seconded by Supervisor Chapman and carried unanimously, on a roll call vote, to uphold the Planning Commission and deny the appeal. (County Counsel John Ketelsen departs at 11:13 a.m.)

UNITED STATES FOREST SERVICE

Forest Supervisor Ed Cole distributes and reviews information on the Sierra Nevada Framework (SNF) and Forests with a Future. (County Counsel returns at 11:16 a.m.) He states their plans for the coming year will treat more than double the number of acres treated this year. They have an outline for the next six years. He discusses the Forests with a Future Campaign aimed at trying to educate those in urban areas that something has to be done to manage forests to control fire danger. He offers more in-depth workshops/field trips. Notes the end of the 90 day appeal period on the SNF is April 21st. (Supervisor Dahle absent 11:39 - 11:43 a.m.; Supervisor Chapman departs at 11:42 a.m.)

ADMINISTRATIVE SERVICES

CAO Whiteman provides information on the FY 2003-2004 Mid-Year

Budget Review. He notes the legislature is hearing lots of feedback from the public that taking money from local government is not acceptable, so it is possible the \$400,000 shift in funding might be reversed, but, (Supervisor Chapman returns at 11:44 a. m.) if the State Bond Measure passes it will mean a loss of 1/4 percent sales tax to local government in exchange for keeping more property taxes (known as the triple flip). He states there are lots of unknowns. For next year the public safety fund will have to be closely looked at during the budget process. Discussion is held. (Supervisor Dahle departs at 11:53 a.m.)

COMMUNITY DEVELOPMENT DEPARTMENT - ECONOMIC DEVELOPMENT DIVISION
Community Development Director Robert Sorvaag announces the Economic Development/Housing staff and the Local Reuse Authority staff will be moving into the offices previously occupied by the Public Defender.

He notes the Economic Development Strategy Plan is now out-of-date, discusses engaging a person to help bring it up-to-date and makes suggestions on how to fund this. He asks for direction from the Board.

Supervisor Keefer thinks there is a need to update the plan but wonders how it will impact other projects already assigned to the Community Development Department.

Assistant Community Development Director Bertotti provides information on where they are in regard to economic development in Herlong and Westwood.

Supervisor Keefer suggests a study session be held in the next month because ideas are coming from the community. Supervisor Chapman suggests waiting until after the Quad Counties Meeting and notes that Plumas County has been very successful with economic development and their visitor's bureau and suggests maybe we can learn from them.

CORRESPONDENCE

A letter from Susan River Fire Protection District requesting a loan from the county for completion of fire hall in Johnstonville, is received.

Chairman Hanson directs staff to respond in writing to this request. Assistant Community Development Director Bertotti suggests the USDA Rural Development funds may be available.

There being no further business, the meeting is adjourned at 12:16 p.m.

SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD