

BOARD OF SUPERVISORS

MARCH 23, 2004

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, March 23, 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

Supervisor Hanson requests that Item J-1, letter of support for cattle gathering, be continued to April 13th agenda. Supervisor Hanson requests the meeting be adjourned in memory of Della Heard, a life-long resident of Northeastern California and a more than 50 year resident of Lassen County.

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

PUBLIC COMMENT

1. Melody Brawley representing the Strong Families Fellowship reminds everyone that April is Child Abuse Prevention Month and provides information on planned activities.
2. Dyer Mt. Community Relations Director Nick Ceaglio reports he received a call from County staff with information that the Administrative Draft which was expected to be completed on April 1st, has been delayed by three weeks. He provides information on planning the ski runs. Also notes that IMBA contacted them regarding linking trails on their project to other existing trails for mountain bikes. Supervisor Keefer thanks Mr. Ceaglio for his update.
3. Jake Spraggins discusses the Sagebrush & Thomas Blvd. road condition, and states the resident's goal is to bring the road to county standards and eventually have the roads taken into the county road system.

PROCLAMATION

Chairman Hanson presents a Proclamation honoring Harold Abbott on his 50 years as a practicing attorney in Lassen County. Mr.

Abbott talks about his education and career and expresses his appreciation for the proclamation.

#### UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle reports on the Saw Mill Convention he attended in Portland last week - obtained information on portable mills and small size/ high production mills.
2. Supervisor Keefer reports on the Honey Lake Conservancy meeting held last week; and requests today's meeting adjournment also be in memory of Barbara Reynolds.
3. Supervisor Pyle reports on the Carson Wandering Skipper Recovery Team meeting - don't have enough information to develop a recovery plan and he really questions why the butterfly is even listed as endangered. Supervisor Dahle states the biggest problem with endangered species listings is the Fish and Wildlife Service do not designate what the species critical habitat is - this is vital information. Supervisor Pyle states there is not enough information to even determine if the species is actually declining.
4. Supervisor Chapman reports on the legislative conference he and Andy Whiteman attended. Discusses Governor Schwarzenegger's appearance at the conference and later discussions with a select group of county representatives. Notes that Dan Walter's summary that appeared in the Sacramento Bee was very accurate.
5. Supervisor Chapman makes the following designations from his discretionary funds: \$500 to Historic Uptown Susanville Assn. for the Susan's Birthday celebration; and \$390 to Lassen High School for new field hockey uniforms.
6. Supervisor Hanson designates \$500 of his discretionary funds go to Shaffer School District for the 8th grade trip to Lava Beds National Monument.
7. Supervisor Hanson reports on the Honey Lake Conservancy meeting; reports on a meeting with residents and staff relating to Sagebrush & Thomas Blvd. road conditions; notes there are two new pieces of legislation to establish a Sierra Nevada Conservancy and the Farm Bureau would like letters of opposition; announces that legislative representatives aides will be touring Sierra Army Depot on March 29th - will showcase the new mission at the base.

#### PUBLIC HEARING - COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

The public hearing is opened at 10:15 a.m. to consider the draft Lassen County Housing Element of the General Plan (File #700.05.02), and associated draft Negative Declaration #2004-028.

Community Development Director Robert Sorvaag, Planner Rick Simon (Supervisor Dahle absent 10:20 - 10:25 a.m.) and

Consultant Merle Anderson present the staff report.

Supervisor Keefer and Supervisor Chapman address the need for a narrative to explain the prison populations, the population charts and references to population to better explain the population changes. Without the narrative the figures are misleading.

Discussion is held on constraints to building in desired areas. Bob Sorvaag acknowledges it may be time to consider changes to the general plan to address these issues.

The hearing is closed at 10:43 a.m.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried unanimously, on a roll call vote, to adopt the Negative Declaration and Draft Element by Resolution No. 04-015, to include annotated corrections relating to populations; and direct staff to forward to the State Department of Housing and Community Development for certification.

#### LASSEN COUNTY FAIR BOARD

The Board of Supervisors recess and convene as the Lassen County Fair Board.

Supervisor Keefer introduces discussion relating to an agreement with Susanville Towing for storage of vehicles on the fairground parking lot in response to letters received from Fran Hemphill and Bob Reuck. He toured the area and expresses his concerns relating to adequate compensation and contamination issues. He also comments it looks like a junkyard. He received communication from a like business that this is unfair competition.

Fair Manager Claud Neely states the agreement with Susanville Towing (Brian Phillips) was in place when he became fair manager and it originally called for the striping of the front parking lot. He felt this was not adequate so he increased the obligation to do the striping four times a year and to stripe several other areas around the fairgrounds. He has no idea what the value of this work is, but has made arrangements to get an estimate of the value. He notes there has always been a good working relationship with Brian Phillips.

Supervisor Dahle states the only way to make this arrangement fair is to go to bid.

Bob Reuck informs the Board that he brought (to Claud Neely) the

matter of fair compensation for use of the parking for vehicle storage last year and feels nothing has been done. He feels fees should be uniform and even-handedly administered.

Fran Hemphill feels the fair should be compensated for use of the parking lot.

Brian Phillips states he is open to negotiations - this has been an ongoing program which began with former Fair Manager Bart Noll. He understands there is also an agreement with the Super 8 Motel to utilize the parking lot for overflow truck parking. He talks about the towing of abandoned vehicles that he performs for law enforcement and states that he does not get paid a dime for the majority of these. He also mentions other services that he provides to the fair without charge.

Further discussion is held among board members. Supervisor Keefer would like the area looked at by a qualified person in regard to contamination from vehicle lubricants. Supervisor Chapman agrees and does not want the lot to be a de facto wrecking lot.

In response to a question, Manager Neely indicates the gates to the lot are locked at night and Super 8 Motel has a combination lock they use to allow overflow truck parking. In exchange for this use, the fair receives eight rooms for five days, at no charge, during the fair. He also notes anytime the lot is needed for an event Brian removes everything promptly.

County Counsel John Ketelsen provides information relating to the current agreement and states if the Board wants to continue this program they may want to ask for proposals.

Supervisor Keefer has a problem with storing wrecked vehicles on public property. Supervisor Chapman feels if wrecked vehicles are stored, adequate fencing to screen the visual impacts is needed. This would be required of anyone constructing a storage yard. Supervisor Dahle suggests that staff look into this and come back with recommendations and the current agreement be extended until a new agreement is in place. He does not want any wrecked vehicles stored there and to make it fair he wants it to go out for proposals.

Mr. Neely also notes there is some unwritten agreement for the City to use the lot for storage of vehicles removed from City streets in relation to snow removal.

Chairman Hanson directs Fair Manager Neely, CAO Whiteman and

County Counsel John Ketelsen to work together on this matter.

Counsel announces he is anticipating bringing the Abandoned Vehicle Program to the Board in April.

The Lassen County Fair Board adjourns and the Board of Supervisors reconvene.

#### CONSENT CALENDAR

Supervisor Chapman requests that Item G-4, automobile purchase, be removed from the consent calendar, for separate consideration.

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 March 16, 2004.

#### ADMINISTRATIVE SERVICES ITEM

Authorize the Chairman to sign and submit the County's Official Entry Form to the State Fair Exhibits Coordinator.

#### BEHAVIORAL & PUBLIC HEALTH SERVICES DEPARTMENT - MENTAL HEALTH ADVISORY BOARD ITEM

Receive and file Mental Health Advisory Board 2003 Annual Report.

#### PRISON TRIALS COST REIMBURSEMENT PROGRAM ITEMS

Receive and file recap of CCC Prison Trials Cost Reimbursement Billing for the month of February, 2004; and High Desert State Prison Trials Cost Reimbursement Billing for the month of February, 2004.

#### PROBATION DEPARTMENT ITEM

Approve the placement agreements with Calaveras County, Plumas County and Modoc County for 2004-2005 and 2005-2006 at a bed rate of \$110 per day; and authorize the Chief Probation Officer to sign the agreements.

#### MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Technical Advisory Committee special meeting agenda for March 16, 2004.
- b. Lassen County Alcohol & Drug Advisory Board meeting revised agenda for March 30, 2004.
- c. Long Valley Groundwater Management District meeting agenda for March 30, 2004.

## DISTRICT ATTORNEY

Supervisor Chapman discusses a complaint he received from John Doyle regarding the lack of opportunity to bid on vehicles. Chapman feels local dealers should be given the opportunity to bid prior to purchasing from the State Contract.

Extensive discussion is held.

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried, with Supervisor Pyle voting NO, to authorize the Lassen County District Attorney to purchase one 2004 Ford Expedition 4x4, equipped with the standard law enforcement package, from Downtown Ford Sales, in Sacramento, pursuant to State of California Contract No. 1-04-23-20, at a cost of approximately \$27,762.74, to be funded using monies from the sale of two cars to the Lassen County Sheriff's Department and monies from the motor pool automobile replacement fund.

Supervisor Dahle wants staff to get the message that, in the future, whatever has to be worked out to give local dealers the opportunity to meet the price and specifications of the State contract, should be done.

## COMMUNITY DEVELOPMENT DEPARTMENT - ECONOMIC DEVELOPMENT DIVISION

It is moved by Supervisor Pyle, seconded by Supervisor Keefer and carried to adopt Resolution No. 04-013, establishing a Redevelopment Survey area for study purposes and authorizing and directing the Lassen County Planning Commission to select a proposed redevelopment project area or project areas.

## COUNTY ADMINISTRATIVE OFFICE

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to adopt Resolution No. 04-014, authorizing the Lassen Regional Solid Waste Management Authority to administer the Department of Conservation beverage recycling and litter reduction grant on behalf of the County of Lassen.

## INFORMATION FOR THE BOARD

1. CAO Whiteman reviews the processes in place in relation to the purchase of two acres adjacent to Janesville Park.
2. CAO Whiteman informs the board members that Woody Morgan suffered a stroke yesterday, and is in Washoe Medical Center. He offers to obtain a card for the members to sign.

Noon recess 11:52 a.m. - 1:31 p.m.

## STUDY SESSION - FIRE PROTECTION DISTRICTS

Supervisor Keefer begins discussions in regard to difficulties the fire districts are experiencing and discusses the Farm Bureau lawsuit in relation to the State Responsibility Area (SRA) fees. He feels there are two issues that are really impacting the local fire districts - the fee increases for the Amador Plan and tremendously expanded training requirements and costs.

Auditor Karen Fouch will be sending out some information she recently received on an insurance plan available for fire districts.

County Fire Warden Don Posten announces that word came down from the Governor's Office that CDF is to go ahead with existing SRA legislation language and try to implement it as best they can. CDF has contracted with two different contractors to define and implement the SRA fee.

Extensive discussion is held on the definition of SRA areas, how fees are expected to be assessed, possibility of fee increases, etc.

Supervisor Chapman states there are lots of scenarios circulating in Sacramento relating to this and also notes they don't really know how the small fire districts operate.

Discussions are held on the pros and cons of a county-wide fire district and realities of mandatory training.

Supervisor Dahle will be working with RCRC for legislation to get training back to something that is manageable.

Further discussions are held among the board members and representatives of the fire districts on how all of these issues are killing the fire districts ability to operate, and increasing the costs to property owners.

Chairman Hanson informs the attendees that these matters are going to be discussed at the Quad Counties meeting next Tuesday when State representatives aides will be present.

Mr. Posten commends the local fire districts for the excellent work they provide for basically nothing. He notes it is unusual to have the cooperation between districts that exists in this county.

It is noted that County Health Departments in some areas are providing the required medical exams for volunteers. Chief

Posten also notes that CDF can provide the fit testing for districts. A suggestion is put forth that equipment maintenance by the County would be helpful - districts would pay the parts expense.

Supervisor Chapman would like to have a master list of needs from the districts to see if there is something the county can help with. Supervisor Dahle would also like a list of requirements to see if county services can be of some help.

Chairman Hanson asks the district representatives to please stay in touch - the job they are doing is extraordinarily important to the community and there is a real need to get this message to legislators.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 3:04 p.m. in memory of Della Heard, a life-long resident of Northeastern California and a more than 50 year resident of Lassen County; and Barbara Reynolds, owner of Johnstonville Store and Restaurant.

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SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

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THERESA NAGEL, CLERK OF THE BOARD