

BOARD OF SUPERVISORS

APRIL 13, 2004

The Lassen County Board of Supervisors convene in Regular Session at 9:08 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 9:09 a.m. for a conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: deCross - PERB# 03-2240, Kellen - PERB# 03-3121, Casilla - PERB# 03-3247.

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 and County Clerk Theresa Nagel. Closed Session is recessed at 9:46 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, April 13, 2004, 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 Hanson.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

The County Clerk announces the Closed Session dealt with a conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: deCross - PERB# 03-2240, Kellen - PERB# 03-3121, Casilla - PERB# 03-3247 - no reportable action taken.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Dahle requests the meeting be adjourned in memory of Ed Haas, former Modoc County Supervisor, who lost his life in a car accident.

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

PUBLIC COMMENT

Poet Laureate Violet Stout reads a poem entitled "With Our Lord".

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle will be departing for an RCRC meeting in Madera County this afternoon.
2. Supervisor Keefer would like to have another study session relating to fire districts. He feels the County has the ability to be of some help in facilitating training, helping with financial issues and dispatching; notes there was \$2 million available statewide for fire safe councils and from 350 applicants Lassen County received two - \$200,000 for the Day Bench Fuel Break Project and \$80,000 for use on the Janesville Fuel Break; announces the BLM is working on a stewardship contract next to the Esgate Project which will funnel funds from sale of co-generation materials back into the project; announces he will be meeting with Judge Bradbury and representatives from Water Resources out of Sacramento to discuss water rights enforcement in the County; discusses the SIAD tour and how impressed he was with the expansion (Supervisor Hanson suggests that Colonel Plemmons make a presentation to the Board before he returns to Iraq); notes the proposed LAFCO Budget for next year was adopted; and notes the Hwy 36 Town Hill Safety Task Force made appointments at the LCTC meeting yesterday.
3. Supervisor Keefer designates \$3,500 of his discretionary funds go to Janesville Park 1999 Trust for playground equipment.
4. Supervisor Pyle reports on Westwood Fire District and Clear Creek Community Service District meetings he attended - lots of talk about the difficulties the fire districts are facing (Supervisor Keefer notes there is legislation being worked on to revise the Amador Plan); announces he met with the Westwood Library group and they would like to expand the library if Dyer Mountain gets going.
5. Supervisor Pyle makes the following designations from his discretionary funds: \$500 to Westwood Library; \$250 to Fletcher-Walker PTA; and \$500 to Richmond Community Association.
6. Supervisor Chapman discusses the LCTC meeting and the appointments to the Hwy 36 Town Hill Safety Task Force (Ken Kane, Alice Dresel and Theater Owner Mike Smith) - there are still two slots open (Supervisor Hanson suggests the need for a trucker to be on the Task Force); discusses the speed enforcement actions by law enforcement on upper Main Street; announces that CalTrans is proposing increasing the speed limit on a nine mile section of re-build Hwy 44 from 55 MPH to 65 MPH and asks for this to be placed on the next agenda for discussion.
7. Supervisor Hanson reports on the Mormon Cricket progress northward on the east side of Doyle; reports on the Long Valley Groundwater meeting he attended last week; discusses Assemblyman Oller's legislation, AB1460, relating to State Responsibility Area Fire Fees; discusses the SIAD tour held last week - there

is a lot of activity at the Depot and they are trying to make a change to the name of the Depot; announces he held a meeting with staff to work on code enforcement issues and trying to get a more effective program.

8. Supervisor Chapman notes the Junior Fishing Derby will be held this coming Saturday with the fish planting held on Wednesday at 10:00 a.m.; announces he had the pleasure of escorting Violet Stout to Nixon, Nevada to attend the installation of Nixon's new postmaster - Violet's daughter; also announces that Westwood's Postmaster is in the running for Susanville Postmaster.

9. Supervisor Dahle makes the following designations from his discretionary funds: \$500 to Bieber Family Resource Center for five public swims this summer; and \$500 to Big Valley Days Committee to help with celebration expenses.

Recess 10:25 - 10:34 a.m.

LASSEN COUNTY HOUSING AUTHORITY

The Board of Supervisors recess and convene as the Lassen County Housing Authority Board of Commissioners.

PUBLIC HEARING - HOUSING AUTHORITY

The public hearing is opened at 10:35 a.m. to solicit comments on the Public Housing Agency Plan: Annual Plan for Fiscal Year 2004.

Project Manager Linda Armstrong presents the staff report (\$432,540 for Housing Assistance, total budget of \$499,289). No one speaks in favor of or in opposition to the Annual Plan and the hearing is closed at 10:39 a.m.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to adopt Resolution No. 04-018, approving submission of the Annual Plan and related Certifications to the US Department of Housing and Urban Development.

Supervisor Dahle thanks staff for their care in reviewing the voucher applications to be sure the families that are really in need are served. He notes they caught one application that may have been fraudulent.

The Lassen County Housing Authority Board of Commissioners adjourns and the Board of Supervisors reconvene.

CONSENT CALENDAR

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

Calendar items:

COUNTY CLERK ITEM

Approve minutes of March 23, 2004.

COUNTY CLERK - PROPOSITION 65 REPORT ITEM

Receive and file report #04-01, filed by Martin A. Winston, R.E. H.S., MPH Hazardous Materials Specialist, on April 2, 2004 - NOTIFICATION OF HAZARDOUS MATERIALS RELEASE: On March 18, 2004, Lassen County Environmental Health Department received notification that a spill of some type of fuel had taken place in the past on APN 139-320-36 owned by Mr. and Mrs. Gregg. The spill site is about 150 square feet, located about 100 feet from an existing well, and was a previous asphalt cooking facility. Removal and proper disposal of contaminated soils will be done by Lassen County Environmental Health, the Greggs and the previous owner.

BEHAVIORAL & PUBLIC HEALTH SERVICES - PUBLIC HEALTH DIVISION ITEM

Approve Amendment (effective July 1, 2003) to standard agreement for Local Public Health Services Program fiscal years beginning July 1, 2002 and ending June 30, 2005; and authorize CAO to sign the amendment.

PROBATION DEPARTMENT - JUVENILE HALL ITEM

Approve travel authorization request for Robert Roadifer and Christina Clements to attend the mandatory Standards & Training for Corrections (STC) Core Training in Red Bluff, April 26 - May 18, 2004, at the estimated cost of \$ 6,889.

PUBLIC WORKS DEPARTMENT - SURVEYOR DIVISION ITEM

Adopt Resolution No. 04-016, approving Parcel Map #2002-117, Moglich.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Technical Advisory Committee revised meeting agenda for April 6, 2004.
- b. Local Agency Formation Commission of Lassen County meeting agenda for April 12, 2004.
- c. Lassen County Planning Commission meeting agenda for April 7, 2004.
- d. Highway 36 Town Hill Safety Taskforce meeting agenda for March 24, 2004.
- e. Lassen County Fair Advisory Board meeting agenda for April 13, 2004.
- f. Lassen Transit Service Agency meeting agenda for April 12,

2004.

g. Lassen County Transportation Commission meeting agenda for April 12, 2004.

h. Lassen County Mental Health Advisory Board meeting agenda for April 13, 2004.

ASSESSMENT APPEALS BOARD

It is moved by Supervisor Chapman, seconded by Supervisor Keefer and carried to accept notice from Jean Loosemore resigning from the Assessment Appeals Board; and direct Clerk to advertise vacancy.

BIG VALLEY RECREATION DISTRICT

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to appoint Kelly Oney to fill a vacancy on the Big Valley Recreation District Board.

LASSEN COUNTY FAIR BOARD

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

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to appoint Mary Thomason to fill a vacancy on the Lassen County Fair Advisory Board from District One.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to appoint Mike Ratkey to fill a vacancy on the Lassen County Fair Advisory Board from District Five.

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

LASSEN COUNTY WATERWORKS DISTRICT

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to accept the letter from Henry Sunderman submitting his resignation from the Lassen County Waterworks District, and appoint Dan Alcorn to fill the vacancy.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

Community Development Director Robert Sorvaag provides some information on changes to the permit for the Civil War Re-enactment from what was included in last year's permit, including emergency access and sound impacts. Supervisor Dahle states all they need to do to address the cannon sound is to back-off on the powder load.

Trail Coordinator Peter Heimbigner states they will have a rearrangement of the artillery to help with the sound impacts.

Supervisor Dahle wants to be sure all campfires are carefully tended. Supervisor Chapman notes the CDF was very vigilant last year.

Tom Glenn, owner of Sierra Sue's Bar-B-Que, has a concern that all private business is excluded from the event even though admission is being charged. He feels for-profit vendors should be allowed as well as non-profit. Supervisor Keefer feels that Mr. Glenn raises a good issue.

Chamber of Commerce representative Theresa Crowther acknowledges they are limiting the vendors to non-profit in order to not become overwhelmed with vendors and to give the non-profits an ability to raise funds. The Chamber wants to keep this event in the context of an educational event and do not feel it is the proper venue for private enterprise, but they do not want this to become a sticking point and will amend their management proposal if necessary. She notes the gate admission fees have been lowered this year as they only want to cover their costs. She also notes this may be the last year for this event.

Supervisor Chapman notes the County is only issuing a permit (without charging a fee) for the event and when the Chamber walks out the door with a permit it is their call to include or exclude for-profit vendors.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to approve a *Permit for Educational Public Exhibition Purposes on County Property* for Civil War re-enactment event at Susanville Ranch Park on May 13-17, 2004, including a change to Condition #16 to designate vendors as either profit or non-profit.

COMMUNITY DEVELOPMENT DEPARTMENT - ECONOMIC DEVELOPMENT HOUSING
The Board of Supervisors recess and convene as the Community Development Commission.

Supervisor Hanson asks questions relating to the content of the Preliminary Plan for the Sierra Army Depot, specifically relating to the reference to Executive Committee. He notes the Executive Committee no longer exists and wonders about this appearing in the plan. Assistant Community Development Director Bertotti responds the important part of the resolution accepting the plan is the description and map. Supervisor Chapman suggests inserting a Whereas in the resolution to show the Executive Committee had been dissolved.

It is moved by Supervisor Chapman, seconded by Supervisor Pyle

and carried to adopt Resolution No. 04-001 CDC, accepting the Preliminary Plan for the Sierra Army Depot, including the additional suggested wording; authorize and direct staff to prepare a Redevelopment Plan; and authorize and direct staff to make such transmittals and notices as may be required pursuant to the law in preparation of the Redevelopment Plan.

The Community Development Commission adjourns and the Board of Supervisors reconvene.

BEHAVIORAL & PUBLIC HEALTH SERVICES DEPARTMENT

It is moved by Supervisor Chapman, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to authorize increases in the 2003/2004 budgeted revenues and expenditures to correct appropriations to show anticipated revenues from Public Health for California Children's Services and record County Share of California Children Services (to be refunded via Public Health Funds). Increase Revenues: General Fund Revenue - Operating Transfer In (100-9000-2012200) in the amount of \$31,500; Increase Expenditures: County Share CA Children's Services (100-1091-3007009) in the amount of \$31,500.

BEHAVIORAL & PUBLIC HEALTH SERVICES DEPARTMENT - ENVIRONMENTAL HEALTH DIVISION

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to adopt Resolution No. 04-017, authorizing the submittal of a grant application to the California Integrated Waste Management Board for an Enforcement Assistance Grant in the amount of \$17,300 for the period of 7/1/2004 through 6/30/2005; and authorize CAO to sign the grant application.

TREASURER / TAX COLLECTOR

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to approve discharge of accountability as outlined for the collection of unpaid fines, fees, and reimbursable charges in accordance with provisions of Section 6(c) of Lassen County Resolution #01-081, and authorize Chairman and Treasurer to sign.

COUNTY ADMINISTRATIVE OFFICE

It is moved by Supervisor Pyle, seconded by Supervisor Keefer and carried to create the Indian Gaming Local Community Benefit Committee (IGLCBC). Appoint the following members: County - Supervisor Dahle and Supervisor Chapman; City - Mayor Rodney E. DeBoer; Mayor pro tem Rocky T. Joy, Councilmember Lino P. Callegari; and Susanville Indian Rancheria - Deana Bovee, SIR Gaming Commissioner, and Campbell Jamieson, Diamond Mountain Casino General Manager. Designate CAO to sign for grants.

INFORMATION FOR THE BOARD

1. CAO Whiteman displays the plaques and ribbons won at the last two California State Fairs for the County's Exhibit.
2. CAO Whiteman distributes a letter from Senators Tom Torlakson, Ross Johnson, Bob Margett and Denise Duchenev requesting Board reaction and input to proposed Local Revenue Swaps. CAO Whiteman notes the deadline to respond was April 12th, therefore he worked with Supervisor Chapman to prepare a response letter, which he distributes.

CORRESPONDENCE

1. A letter from California Secretary of State Kevin Shelley to County Clerk Theresa Nagel stating Lassen County is responsible for the expenses incurred for the October, 2003 special recall election as they are not reimbursable as a state-mandated local program, is received and filed.
2. An announcement of Grant Writing Workshop being held by Grant Writing, USA, in partnership with Janesville Fire Protection District May 7 and 8, 2004, is received and filed.
3. A notice from Lassen Municipal Utility District announcing overview and training of open meeting laws (commonly referred to as the "Brown Act") April 17, 2004 from 10:00 a.m. until Noon at Middleton Hall, Lassen College, is received and filed.
4. A letter and Resolution from Johnstonville Elementary School District Superintendent/Principal Dave Urbanac advising of the increase to developer fees (\$2.24 for residential and \$.36 for commercial buildings), effective May 17, 2004, is received and filed.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 11:44 a.m. in memory of Edward J. "Eddie" Haas, Modoc County Supervisor, (1973-1976).

SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD