

BOARD OF SUPERVISORS

MAY 11, 2004

The Lassen County Board of Supervisors convene in Regular Session at 9:03 a.m. Present: Supervisors Robert Pyle, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel John Ketelsen, County Administrative Officer (CAO) Andy Whiteman and County Clerk Theresa Nagel. Supervisor Chapman is not present.

PUBLIC COMMENT

1. Susanville Consolidated Sanitary District Manager Logan Olds is present to request a letter from the Board of Supervisors to the State Water Resources Control Board (SWRCB) in support of the Sanitary District receiving the funds from the Small Community Grant they were awarded. He just attended a meeting and found out the SWRCB is creating a policy to hold up the payments for several months. The District has moved forward with their expansion plans knowing they had qualified for the funds and this delay will cause a major hardship. He feels they are being penalized for acting responsibly to avoid a cease and desist order which would have shutdown all local construction and prevented the new hospital from going into operation. Chairman Hanson requests that Mr. Olds draft a letter for placement on the next agenda. (Supervisor Chapman enters at 9:13 a.m.)

CLOSED SESSION

County Clerk Nagel announces the Closed Session items and the Board recesses to Closed Session at 9:14 a.m. for a conference with Legal Counsel: Initiating of litigation pursuant to Subdivision (c) of Government Code Section 54956.9: 3 cases; and conference with Labor Negotiator Andy Whiteman: bargaining units - a) Lassen County Peace Officers Assn. Management Unit (LCPOAMU) and b) Management.

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, Personnel Director Ron Vossler and County Clerk Theresa Nagel. Closed Session is recessed at 9:27 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, May 11, 2004, at 9:30 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 Dahle.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

The County Clerk announces the Closed Session dealt with a conference with Legal Counsel: Initiating of litigation pursuant to Subdivision (c) of Government Code section 54956.9: 3 cases - no action taken; and conference with Labor Negotiator Andy Whiteman: bargaining units - a) Lassen County Peace Officers Assn. Management Unit (LCPOAMU) and b) Management - action taken to approve agreements concluding labor negotiations previously approved by both bargaining units.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to approve the agenda as posted.

PUBLIC COMMENT

Poet Laureate Violet Stout reads two poems entitled "An Ode to Robert or The Farmer's Plight" and "An Ode to Andy".

UNAGENDIZED BOARD REPORTS

1. Supervisor Chapman requests that a Fair Advisory Board appointment for the 2nd District be placed on the next agenda.
2. Supervisor Chapman announces the Weatherlow traffic signal project will begin next week, with work scheduled in the evenings; announces the CalTrans DEAL Committee will meet on Thursday at Diamond Mt. Casino and the Uptown Main Street traffic issues will be a major topic; reports on the Nortec meeting and their shrinking budget; reports on the Families and Children's Meeting; announces a rally will be held in Sacramento this week and the Governor will address the Local Taxpayer and Public Safety Initiative.
3. Supervisor Pyle attended a very positive Dyer Mt. meeting; served on the Westwood High School Senior Job Interview panel and made it clear that piercings should be left at home when applying for jobs; announces a Highway 44 Fencing Committee meeting will be held tomorrow.
4. Supervisor Keefer discusses some issues that have arisen in regard to the Community Fire Safe Plans and notes they are being worked on; reports he attended an excellent tour of Collins Pine last week with Assemblyman Dave Cox; talks about Economic Development and states the Coordinating Council is still waiting for the Draft Strategic Plan and therefore have postponed their meeting until June 21st; notes that City Staff seems to be representing the County's position on Economic Development much

different than what the County has discussed and he wants a joint meeting with the City to discuss this matter - he does not want staff to interpret what the Board wants; notes a Congressional Delegation wants to tour some of the RAC Projects in the North State; announces the Lassen County Fire Safe Council will tour a fuel break in the Janesville area; provides information on a call made to 911 (after 5:00 p.m.) by a Janesville resident relating to dogs killing cats - was told this is an Animal Control issue and after a second call and demand to speak to an officer, the caller was informed there is a 24 hour Animal Control Dispatcher with a separate number. This position is under the Public Works Department and Supervisor Keefer feels it should be under the Sheriff.

PROCLAMATION

Chairman Hanson reads and presents a proclamation recognizing County Administrative Officer McFerrin Anderson "Andy" Whiteman on his service to Lassen County.

CAO Whiteman expresses his appreciation in being able to serve Lassen County, and he is happy to be able to leave behind the establishment of the Employee's Recognition Committee.

RECOGNITION COMMITTEE PRESENTATION

Chairman Hanson recognizes the members of the Recognition Committee: Dan Douglas, Transportation Department; Carole Dustin, Assessor's Office; Dee Woginrich, Auditor's Office; Susan Osgood, Clerk's Office; Corrine Reed B&PHS-Public Health; Yvonne Smith, Community Social Services; Michele Salas, Public Works; and Sheri Tripp, Sheriff's Department.

Carole Dustin reads a statement about the Recognition Committee and the contribution that Andy Whiteman has provided to the Committee and presents a Certificate of Appreciation to him.

INTRODUCTION

Chairman Hanson introduces Captain Todd Chad, the new commander of the California Highway Patrol. He is the first Captain serving as commander of the Susanville Office in thirty-three years. He gives Lt. Linschoten the credit for doing the work to get a Captain back as commander.

COMMUNITY DEVELOPMENT DEPARTMENT - BUILDING DIVISION

The public hearing is opened at 10:18 a.m. to consider proposed Revisions to Lassen County Building Code; Title 12 adding Section 12.24.035 "Notice of Non-Compliance" and Section 12.24.075 "Permit Expiration" to the code; amending Section 12.24.090 "Exempt Entities" and Section 12.24.060 "Fees".

Community Development Director Robert Sorvaag announces there was an error in the newspaper hearing notice and requests continuation of the hearing.

The hearing is continued to May 25, 2004 at 10:30 a.m.

CROSSROADS MINISTRIES

It is moved by Supervisor Dahle, seconded by Supervisor Chapman and carried to approve, and authorize the Chairman to sign, a Certification of local approval for Crossroads Ministries' Grant Application.

UNAGENDIZED BOARD REPORTS CONT.

5. Supervisor Dahle announces the Big Valley Mill has sold to Big Valley Energy LLC and they are working to get the power plant operating and will also have a small mill operation; the Nubieber Mill Site has also sold, therefore two properties will be back on the tax rolls; he will be attending the RCRC meeting next week; he wants to discuss the Sierra Conservancy at next week's meeting.

6. Supervisor Hanson announces he and Tracy Totten toured the park in Doyle; further discusses the Collins Pine tour with Assemblyman Cox; discusses the good work being done by staff of the Doyle Family Clinic; announces that Amy Horn of the Sierra Business Council will be in town next Tuesday and he requests an afternoon session so she can address the Board; announces a number of folks from the State will be touring the Sierra Army Depot and will help with BRAC 2005.

CONSENT CALENDAR

Items requested to be pulled from the Consent Calendar for separate consideration: Supervisor Hanson - G-7, Waiver of Able-Bodied Adults Without Dependents (ABAWD) Program; and Supervisor Keefer - G-10, agreement for modification of the Probation Department CASE database.

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 April 27, 2004 and May 4, 2004.

ADMINISTRATIVE SERVICES - PURCHASING DIVISION ITEM

Award bid for the purchase of one 2004 1-Ton Cargo Van to Doyle Motors, Susanville, the lowest bidder meeting specifications, in the amount of \$24,024.

ASSESSOR ITEM

Authorize the Personnel Director to advertise and fill the position of Senior Assessment GIS / Cadastral Drafter on a promotional basis.

BEHAVIORAL & PUBLIC HEALTH SERVICES - PUBLIC HEALTH DIVISION ITEM

Approve the Medi-Cal Targeted Case Management Agreement with the State Department of Health Services for the period of July 1, 2004 through June 30, 2007 providing targeted case management (TCM) services to eligible Medi-Cal beneficiaries in Lassen County; allowing participating departments to bill Medi-Cal for administrative services; and authorize the County Administrative Officer to sign.

BEHAVIORAL & PUBLIC HEALTH SERVICES - ALCOHOL & DRUG DIVISION ITEMS

Approve the Agreement for Net Negotiated Amount with the State Department of Alcohol and Drug Programs for the period of July 1, 2004 through June 30, 2008 for funding in the amount of \$1,599,621 to support operation, treatment, prevention activities, youth and perinatal programs; and authorize the County Administrative Officer to sign.

Approve, and authorize County Administrative Officer to sign, amendment to FY 2003/04 State of California Alcohol and Drug Programs contract for County Prevention and Treatment Programs for the period of July 1, 2001 through June 30, 2005. The amendment is to decrease the FY 2003/2004 contract amount by \$6,833 for a new amount of \$555,409.

PRISON TRIALS COST REIMBURSEMENT PROGRAM ITEMS

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

PUBLIC WORKS DEPARTMENT - ROAD DIVISION ITEM

Adopt Resolution No. 04-021, Certifying the 2004 County Maintained Mileage.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Planning Commission meeting agenda for May 5, 2004.
- b. Indian Gaming Local Community Benefit Committee (IGLCBC) meeting agenda for May 11, 2004.
- c. Monthly meeting schedule of the Planning Commission and

Technical Advisory Committee (TAC) for 2004 and their application deadlines.

d. Lassen County Technical Advisory Committee meeting agenda for May 12, 2004.

e. Lassen County Alcohol and Drug Advisory Board meeting agenda for April 27, 2004, and minutes of March 30, 2004.

f. Lassen Transit Service Agency meeting agenda for May 10, 2004.

g. Lassen County Transportation Commission meeting agenda for May 10, 2004.

h. Lassen County Mental Health Advisory Board meeting agenda for May 11, 2004.

COMMUNITY SOCIAL SERVICES

Melody Brawley answers questions from board members as to just what the

Waiver of Able-Bodied Adults Without Dependents (ABAWD) Program requirements are.

It is moved by Supervisor Keefer and seconded by Supervisor Chapman to authorize the Director of Lassen WORKS & Community Social Services to sign a letter to California Department of Social Services Food Stamp Branch, requesting Waiver of Able-Bodied Adults Without Dependents (ABAWD) Program requirements.

The motion fails on the following roll call vote: Supervisor Chapman - YES, Supervisor Pyle - NO, Supervisor Keefer - YES, Supervisor Dahle - NO, Supervisor Hanson - NO.

PROBATION DEPARTMENT

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to approve the agreement with ISD Corporation of Corona, for the modification of the Probation Department CASE database, including a module to do mandated Department of Justice reporting on all juvenile crimes; and authorize the Chairman of the Board and the Assistant Chief Probation Officer to sign the agreement.

LASSEN COUNTY MENTAL HEALTH ADVISORY BOARD

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to reinstate the appointment of Betty Harrison to the Mental Health Advisory Board.

ADMINISTRATIVE SERVICES - PERSONNEL DIVISION

Human Resources Director Ron Vossler presents for review the County Administrative Officer (CAO) Recruitment brochure.

Suggestions for revision:

Under the "Leadership" section - strike the wording "sense of humor". Supervisor Keefer wants the wording "must carry-out the policies and directions of the Board" added in the "Board Relations" section. Supervisor Hanson - change wording to state Sierra Nevada and Cascade Mountain Ranges in the "About Lassen County" section; correct population of Susanville to not include the prison population; show government labor market as over 55%; add Sierra Army Depot; he feels there is lots of "touchy/feely" in the brochure and only two words such as firm and decisive.

The filing deadline should be thirty days from date of publication.

Supervisor Chapman states we need to find someone who is able to tackle the hard responsibilities of this position.

Recess 10:53 - 11:00 a.m.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

The public hearing is opened at 11:00 a.m. to consider adopting the updated Program Income Reuse Plan, Housing Rehabilitation Program Guidelines, and Economic Development Revolving Loan Fund Guidelines.

Community Development Director Robert Sorvaag announces there is more work to be performed on this item and requests continuation of the hearing.

The hearing is continued to June 8, 2004 at 10:15 a.m.

COUNTY CLERK - RECORDER

It is moved by Supervisor Pyle, seconded by Supervisor Keefer and carried unanimously, on a roll call vote, to approve increase in the 2003/2004 Recorder Modernization Budget by \$13,000 in the expenditure account, Special Departmental Expense, #148-0641-3002800. The fund's cash balance will support this increase.

COUNTY COUNSEL

County Counsel John Ketelsen presents a resolution to approve Family Medical Leave and Administrative Leave policies.

Supervisor Chapman wants communication from the CAO to the board members within 48 hours of use of administrative leave.

It is moved by Supervisor Keefer to adopt Resolution No. 04-022, approving Policy Amendments relating to Leave Policies (Title 2 of Personnel Rules and Regs), specifically provisions relating

to California Family Medical Leave (§§2.1 & 3.3) to conform to recent legislative changes; and Administrative Leave (§2.15) in accordance with directions formerly given to staff.

The motion dies for lack of a second and Supervisor Keefer rescinds his motion.

It is moved by Supervisor Dahle, seconded by Supervisor Chapman and carried, to adopt Resolution No. 04-022, approving Policy Amendments relating to Leave Policies (Title 2 of Personnel Rules and Regs), specifically provisions relating to Administrative Leave (§2.15), less Section 3, in accordance with directions given to staff.

COMMUNITY DEVELOPMENT DEPARTMENT - BUILDING DIVISION
Community Development Director Robert Sorvaag presents a resolution establishing guidelines for agricultural building exemptions. Building Inspector Steve Fuller reviews the guidelines.

Discussion is held on the matter of building barns within a designated flood plain, with Supervisor Chapman suggesting a disclaimer be placed in the guidelines, but not a building prohibition. He feels if a person decides to place an agriculture building within the flood plain they should accept responsibility for any loss.

County Counsel John Ketelsen states the problem he has with the proposed policy is, without a permit, if a building is improperly built, there is no real way to enforce any building requirements.

Supervisor Dahle notes the agriculture community has been building good barns for years without permits, but notes there is no enforcement on conversions. He states we need to set-up some simple/inexpensive process for permitting these structures. The current program is not being applied properly. He also feels the agriculture community needs to be more involved.

Board direction to staff is to revise the resolution and bring it back on May 25th.

BOARD OF SUPERVISORS RCRC Scholarships:

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to designate Vicky Yeager and Laura Ward to receive \$500 scholarships from the Rural Alliance Inc. (RAI) Local

Scholarship Program; and adopt Resolution No. 04-023, supporting and awarding the Rural Alliance Inc. (RAI) Local Scholarship Program.

INFORMATION FOR THE BOARD

CAO Whiteman announces the first Indian Gaming Local Community Benefit Committee meeting will be held today at City Hall.

CORRESPONDENCE

A Notice of Adoption of Waste Discharge Requirements for Lassen County for operation of Westwood Class III Municipal Solid Waste Landfill, adopted by the California Regional Water Quality Control Board, Central Valley Region, on March 19, 2004, is received and filed.

There being no further business, the meeting is adjourned at 11:52 a.m.

CHAIRMAN OF THE BOARD OF
SUPERVISORS

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD