

BOARD OF SUPERVISORS

JUNE 8, 2004

The Lassen County Board of Supervisors convene in Regular Session at 9:06 a.m. Vice-Chairman Keefer 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 9:07 a.m. to discuss: Public Employee Employment, pursuant to Subdivision (b) of Government Code Section 54954.5: County Administrative Officer.

Present in the Closed Session are Supervisors Robert Pyle, Lloyd Keefer, and Brian Dahle; County Counsel John Ketelsen, Human Resources Director Ron Vossler, and County Clerk Theresa Nagel. Supervisor Chapman enters at 9:10 a.m.; Supervisor Hanson enters at 9:15 a.m. Closed Session is recessed at 9:16 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, June 8, 2004, at 9:31 a.m. Present: Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel John Ketelsen, County Administrative Officer (CAO) Bill Bixby 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 Public Employee Employment, pursuant to Subdivision (b) of Government Code Section 54954.5: County Administrative Officer - no public report is required as no final action was taken.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

CAO Bixby requests the addition of a Proclamation Mourning the Passing of the United States of America's 40th President, Ronald Wilson Reagan.

Supervisor Chapman requests the meeting be adjourned in memory of Janet Sturgeon.

Supervisor Keefer requests that Item G-4, noise monitoring contract, be continued to the meeting of June 22nd to allow Mr. Wosick's attorney time to review the contract and appear before the Board.

Pursuant to Government Code Section 54954.2 (2) that the need to take action arose subsequent to the agenda being posted, it is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to add the Proclamation Mourning the Passing of Ronald Wilson Reagan to the agenda and to approve the agenda with the noted deletion.

PUBLIC COMMENT

1. Sheriff Freitas announces that a rather significant event is coming to our area - gathering of the Rainbow Family with probably in excess of 20,000 people. There will be some very interesting traffic in town. The specific location is still unknown, but it will be somewhere in Modoc or Lassen County. During the last gathering in this area, the Sheriff's Department committed two weeks of staff time to handle the issues. This time the Forest Service is geared to take on the Incident Command Leader role, and will be working with the County. It is mentioned the event may have a negative impact on some local businesses as the group tends to engage in "grazing" without paying.

2. Larry Wosick provides an update on the Honey Lake MotoCross Track. He built a major sound barrier before this season. He states that sound testing was conducted on five races last fall by Brown Button and Associates and there were no violations of the sound restrictions. The first event this year had 900 entrants and also passed. He informs the board members the first quote the County received for sound monitoring would have cost him \$100,000 for 14 events - the current quote has brought the cost per event to \$5,000 which will mean a cost for the year of \$70,000. He plans to petition the Court for reconsideration since the tests are showing they are not in violation of sound restrictions. He has not received a copy of the contract for sound monitoring and also desires to have his attorney attend the Board meeting when the contract is considered - requests the contract be placed on the June 22nd agenda.

Supervisor Chapman suggests when the monitoring is completed and no violations have occurred, the County go back to Court to ask that the monitoring end. County Counsel John Ketelsen states the proper party to go to Court is the Wosicks.

UNAGENDIZED BOARD REPORTS

1. Supervisor Chapman will be attending CSAC on Thursday and will be signing the condolence book for Ronald Reagan; discusses the fund raising arm of PSA II; provides information on his tour of the cemeteries with Public Works Director Larry Millar prior to Memorial Day and discusses the issue of stored cars & other items adjacent to the County Jail which visually impacts Lassen

Cemetery - there is a need for fencing.

2. Supervisor Pyle discusses the proposed "four fold" increase to Department of Water Resources Watermaster fees; Supervisor Keefer provides further information with the suggestion that a letter be written expressing the Board's concerns; Supervisor Pyle wants to know why the Honey Lake Conservation Team is extending their mission onto private lands - does not believe their mission should extend beyond Honey Lake; Supervisor Hanson will assist him in writing a letter to the Team.

3. Supervisor Pyle makes the following designations from his discretionary funds: \$200 - American Legion Post 162; \$450 - Westwood FFA Boosters; \$200 - Westwood Community Theatre Youth Program.

LASSEN COUNTY FAIR

Fair Manager Claud Neely provides information on the funds available from the LMUD Public Benefits Community Projects Program in the amount of \$10,360 and the requirement for matching funds. He reviews planned projects and explains the State Millennium Flex Funds that can be used for the match.

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried unanimously, on a roll call vote, to authorize establishment of county fund "Fairground's Improvement Fund" and a budget for said fund in the approximate amount of \$30,000 from State Millennium Flex Funds.

COMMUNITY DEVELOPMENT DEPARTMENT - HOUSING DIVISION

The public hearing is opened at 10:16 a.m. to solicit comments regarding the update of Program Income Reuse Plan, Housing Rehabilitation Program Guidelines, and Economic Development Revolving Loan Fund Guidelines.

Assistant Community Development Director Bertotti presents the staff report. No one speaks in opposition to or in favor of the plan and guidelines, and the hearing is closed at 10:23 a.m.

It is moved by Supervisor Pyle, seconded by Supervisor Keefer and carried to adopt Resolution No. 04-033, adopting the Plan and Guidelines.

Recess 10:28 - 10:34 a.m.

LASSEN COUNTY FIRE SAFE COUNCIL

Supervisor Keefer states that Tom Esgate has been the glue for the Lassen County Fire Safe Council with his excellent grant writing.

Tom Esgate provides information on the "A Day in the District" Tour of South Knob Project to be held on June 26th from 10:00 a. m. to 4:00 p.m.

He presents information on the status of grants for fuel reduction projects in Lassen County with a total of \$878,800 in grants received in 2004. The Day Lassen Bench Project is the largest grant in the amount of \$350,600. Diamond Mountain 2 received \$125,000; Janesville Fuel Break received \$80,000; Ash Valley/South Knob Fuel Break 2 received \$135,500; Big Valley Rim Fuel Reduction received \$187,700.

Mr. Esgate has found the Fire Safe Councils are the agencies that can make the partnerships with various governmental agencies work.

Supervisor Dahle asks how he (Esgate) is paid for the services that he is providing and Mr. Esgate responds that he is paid by the Fire Safe Councils -\$18,000 per year and that, maybe, pays his fuel bill. He notes that \$60,000 was provided to Fire Safe Councils for operations and he would like to see \$100,000 in the future. Supervisor Keefer notes that Tomar and Associates are paid from these funds as well as a bookkeeper. Supervisor Chapman would like to see an accounting of the funds that have been spent and he feels if Mr. Esgate is doing most of the work he should be paid adequately.

Supervisor Dahle addresses the Timber Harvest Plans and how they affect the fuel reduction projects.

Mr. Esgate appreciates the support he has received and he offers to come back with further information.

Supervisor Chapman would like to see this program expanded and it is important to properly manage the fiscal aspects.

Supervisor Dahle feels that Lassen County's Program will be a showcase for other counties and also notes the first Stewardship Contract Project will occur on the Esgate property. He feels this is great and also feels the Stewardship Contracts are key to making the programs work.

RAILROAD CROSSING

In regard to the Burlington Northern Railroad Crossing on County Road A-21, Supervisor Pyle has found that it is the responsibility of the Public Utilities Commission (PUC) to require crossing arms. He has sent a letter to the PUC requesting crossing arms be installed at this location. He

would like a letter from the Board to the PUC and would like the news media to cover this need and encourage letters from the community.

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to authorize the Chairman to sign a letter to the PUC and to give full support to Supervisor Pyle in his efforts.

CONSENT CALENDAR

Supervisor Dahle requests that Item G-5, Resolution fixing elected officials salaries, 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 ITEMS

Approve minutes of May 18, 2004, and May 25, 2004.

Receive and file Notice of Board and Commission members that have failed to file Economic Interest Form 700.

AUDITOR ITEM

Adopt Resolution No. 04-030, fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act.

PUBLIC WORKS DEPARTMENT ITEMS

Authorize the Road Department to purchase a 1984 Caterpillar 130G Motor Grader from the Bureau of Land Management in the amount of \$22,000; and authorize the Director of Public Works to sign transfer documentation.

Award bid to Miller's Custom Work, Inc., Susanville, the lowest bidder meeting the specifications, in the amount of \$53,625 for 5,000 tons of 3/8 x No. 6 Chips.

SHERIFF'S DEPARTMENT ITEM

Approve and authorize the Sheriff to sign Amendment 10 to Contract R90.107 with California Department of Corrections, encumbering an additional \$10,444,957 for fiscal years 01/02, 02/03, 03/04, 04/05 for the Lassen Community Correctional Facility (CCF) and related services thereof; and authorize the Sheriff as an authorized representative of Lassen County for the purposes of signing facility contract documents.

TREASURER / TAX COLLECTOR ITEMS

Adopt Resolution No. 04-032, renewing delegation of authority to

the Treasurer/Tax Collector for investing and reinvesting funds of the County and other depositors in the County Treasury.

Re-approve the Lassen County Investment Policy dated June 10, 2003 meeting.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Application for Alcoholic Beverage License - Toms Sierra Company Inc., Third and Ash Streets, Westwood.
- b. Lassen County Technical Advisory Committee meeting agenda for June 9, 2004.
- c. Lassen County Planning Commission meeting agenda for June 2, 2004.
- d. Lassen County Mental Health Advisory Board meeting agenda for June 8, 2004, and unapproved minutes of May 11, 2004.
- e. Lassen County Fair Advisory Board meeting agenda for June 8, 2004.

PERSONNEL DEPARTMENT

Supervisor Dahle states that when Andy Whiteman did salary surveys he was given specific direction to consider certain department heads salaries for equity with the Auditor (Treasurer/Tax Collector, Assessor and County Clerk) and bring the information back to the Board.

CAO Bixby does not know what direction Mr. Whiteman was given and wants to be sure he understands what the Board wants. From the discussions he understands an internal comparison is to be performed but asks if an external comparison is also to be performed. Supervisor Chapman feels the internal comparison was what the Board asked for, but outside comparisons would be helpful.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to adopt Resolution No. 04-031, fixing the salary of elected officials for the period of July 1, 2004 through June 30, 2006.

UNAGENDIZED BOARD REPORTS CONT.

4. Supervisor Keefer notes the Economic Development Strategic Plan will be on the next agenda.
5. Supervisor Dahle reports on the Western Interstate NACO meeting he attended - PILT Funding is currently at \$226,000 (full funding would be \$370,000); discussions were held at NACO regarding Wilderness Study Areas; NACO supported the Biomass Tax Credit legislation.

6. Supervisor Hanson attended the Lassen High School Award Presentation and presented one of the RCRC Scholarships.

ADMINISTRATIVE SERVICES - FAIRGROUNDS PARKING LOT

Supervisor Keefer reviews the past discussions relating to the use of the Fairgrounds Parking Lot.

It is moved by Supervisor Keefer and seconded by Supervisor Pyle to reject the bid from Susanville Towing for storage of items or other uses when there are no special events being sponsored by the Fair at \$100.00 per month on a month-to-month basis, and come up with a minimum price for use of the parking lot.

Fair Manager Neely provides information on the estimated value of the parking lot striping.

Supervisor Keefer feels the use of the parking lot, striping of the lot, and motel room usage should all be handled separately. (Supervisor Dahle is absent 11:45 - 11:47 a.m.)

Further in-depth discussion is held with Supervisor Chapman finally asking how this issue got so confused. He suggests giving the fair manager authority to negotiate an agreement.

Supervisor Keefer withdraws his motion.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to authorize Fair Manager Claud Neely to negotiate agreements for parking lot usage and parking lot striping, subject to approval by County Counsel.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to direct staff to proceed with the Herlong Area Rezone (file #2001-64) and General Plan Amendment (file #765.01.02) project, in conjunction with the Herlong redevelopment program. The rezone and general plan amendment are intended to carry out the goals and policies of the General Plan, Reuse Plan and Redevelopment Program to facilitate reuse of SIAD lands and revitalize the Herlong Community; and initiate the process for preparation of an Environmental Impact Report in conjunction with the Herlong Redevelopment project.

COUNTY CLERK

It is moved by Supervisor Chapman, seconded by Supervisor Pyle and carried to authorize the Clerk of the Board to enter into an agreement, subject to County Counsel review, with Classic Day

Publishing for republication of the Lassen County Code of Ordinances; code on CD-ROM, and electronic publication with internet services including CodeAlert, for an amount not to exceed \$8,000; and yearly internet storage & maintenance of the code.

PROCLAMATION

It is moved by Supervisor Chapman and seconded by Supervisor Dahle to adopt a Proclamation Mourning the Passing of the United States of America's 40th President, Ronald Wilson Reagan, which includes closing County offices on Friday, June 11, 2004.

Discussion is held on this proclamation versus another proclamation that would not include the closing of offices.

The motion is carried unanimously on a roll call vote.

CORRESPONDENCE

A letter from Lassen Land and Trails Trust Executive Director Kevin Justis requesting \$7,000 from the county's Transient Occupancy Tax for 2004-2005 to help fund the Visitor's Center because of a loss of funding from the Lassen National Forest, is received and filed.

INFORMATION FOR THE BOARD

Community Development Director Robert Sorvaag relays his concern regarding the delay in approval of the Motocross Noise Monitoring Contract. He states the consultant has performed monitoring under good faith and has also experienced difficulties with neighbors not allowing monitoring on their property until there is a signed contract. Rick Simon suggests the scope of services could be revised after approval. Further discussion is held.

Supervisor Chapman feels if there is a desire to approve the contract today, then a lunch break should be taken and a call made to Mr. Wosick to inform him of the change of plans and invite him to return to an afternoon session.

Following further discussion it is the consensus of the board members to consider this item on June 22nd as was decided earlier in the meeting.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 12:21 p.m. in memory of Janet Sturgeon, an active member of the community.

SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD