

BOARD OF SUPERVISORS

JULY 20, 2004

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, July 20, 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

Chairman Hanson announces that no closed session was held.

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

1. Jim McCarthy expresses his appreciation for the fire suppression clearing work that is being performed in the Gold Run Area. He then distributes letters and pictures of the Gaspar property showing the burned buildings that have not yet been cleared from the property. He has been talking with Lewis Dean and Bob Sorvaag regarding this matter and signed a formal complaint on May 9, 2003. He expresses his concern over pollution to Gold Run Creek from runoff. He speaks of his extreme frustration that he cannot get anything to happen and asks the Board to take action to get this property cleaned up. Supervisor Pyle has spoken with Code Enforcement and feels the County is doing all they can, but that is probably not enough. CAO Bixby states this will be placed on next weeks agenda.

2. John Zenith states he is the litigation manager for a lawsuit relating to Lassen College (False Claims Action) and he claims that damages could amount to \$2 billion. He states those in the community who will be touched by this lawsuit includes "three judges, a slew of attorneys and a great deal of individuals in the education community". He serves papers on Mr. Pyle relating to his prior positions on the Lassen High School Board and the Lassen Community College Board and on Mr. Hanson relating to his prior position on the Susanville School District Board.

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle attended and reports on the NACO Conference. He wants the Board and RCRC to discuss and take a stance on the Wilderness Study Areas.
2. Supervisor Keefer discusses issues relating to the County Fire Ordinance and the need to look at mitigations relating to access roads.
3. Supervisor Pyle notes the County Clerk and assistant will be counting the Spalding Community Services District Sewer System Assessment ballots tonight, and he will also be there.
4. Supervisor Hanson announces that a call was received from Senator Feinstein with the information that \$13.6 million is in the Military Construction Bill for the Amedee Airfield; he met with County Counsel, the County Fire Warden and Herlong Utility Cooperative to discuss fire issues in the Herlong area; notes that Kevin Mannel is working to reduce transportation costs in the Health and Social Services Department; notes he attended the Herlong Utilities Cooperative meeting.

#### PUBLIC WORKS DEPARTMENT

Public Works Director Larry Millar presents and reviews the 2004-2005 Road Budget.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to approve the 2004-2005 Fiscal Year Road Budget in the amount of \$8,646,280 (\$5,439,280 Road Operating and \$3,207,000 Road Construction).

It is moved by Supervisor Chapman, seconded by Supervisor Keefer and carried to approve the 2004-2005 Fiscal Year Capital Projects (Animal Shelter project) in the amount of \$50,000.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to approve the 2004-2005 Fiscal Year Capital Projects (Janesville Park project) in the amount of \$30,000.

#### COMMUNITY DEVELOPMENT DEPARTMENT-BUILDING DIVISION

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to adopt Resolution 04-037, designating the Westwood Masonic Lodge as an historic building.

#### PROCLAMATIONS

It is moved by Supervisor Chapman, seconded by Supervisor Pyle and carried to adopt proclamations recognizing Virginia Lemke upon her retirement from Administrative Services, Christine Beard upon her retirement from Administrative Services and John Luond upon his retirement from Public Works Department - Road Division.

Chairman Hanson reads and presents the retirement proclamation to John Luond (Public Works Department - Road Division).

Chairman Hanson reads and presents the retirement proclamation to Virginia Lemke (Administrative Services). Chairman Hanson reads a poem written by Violet Stout in honor of Virginia Lemke's retirement.

Chairman Hanson reads the retirement proclamation for Christine Beard (Administrative Services. Michael Beard accepts the proclamation for his wife and reads a statement from Christine.

#### RECOGNITION COMMITTEE - PRESENTATION

Chairman Hanson makes the following presentations for years of service:

Ten years: a brass letter opener to: John Bohl, (Sheriff's Department) - not present; Shirley Foltz, (B&PHS - Alcohol and Drug); and Brenda Spaniol, (Sheriff's Department).

Fifteen years: a two pen desk set to Mirian de Cross, (B&PHS).

#### BOARD OF SUPERVISORS

The Board has prepared, for presentation, Certificates of Recognition for past service on the Lassen County Fair Advisory Board (1996 - 2004): District 1: Vicki Pyle, January 1997 - March 2004; Richard Egan, January 1997 - April 1997; Bob Taylor, April 1997 - September 2002. District 2: Warren Chapman, November 1996 - April 1998; Carrie Satica, April 1998 - February 2004. District 3: Beverly Blickenstaff, December 1996 - December 2000. District 4: Bernie Lewis, November 1996 - April 1998; Jeff Hemphill, April 1998 - March 2004; George Marsters, April 1997 - March 2004. District 5: Arnold Reddick, November 1996 - October 1999; Nancy Satica, October 1999 - March 2004; Colleen Silkwood, November 1996 - January 1998; Helen Williams, January 1998 - April 1999; Bill Waltman, April 1999 - March 2003.

Helen Williams is present to receive her certificate.

Supervisor Dahle departs at 10:30 a.m.

#### UNITED STATES FOREST SERVICE

Acting Forest Supervisor Jeff Withroe reviews their Recreation Facility Program in regard to three recreation areas: Swain Mt. Parking Area -scheduled completion is September 2004 as well as the Ash Pan Project. Merrill Campground - will award a contract the end of September. He states a delay in obtaining match funding for the grants they received has contributed to the

delay in moving forward with these projects, but he acknowledges they have not been as aggressive as they should have been in pursuing the completion of these projects. He is pleased with the stepped-up effort to do better.

Mr. Withroe announces the first meeting to receive public input on proposed new rules relating to OHV use and inventoried roadless areas will be held at the Forest Service Building on August 12th at 6:30 p.m.

#### CONSENT CALENDAR

It is moved by Supervisor Pyle, seconded by Supervisor Chapman and carried, with Supervisor Dahle absent, to take the noted action on the following Consent Calendar items:

#### COUNTY CLERK ITEM

Approve minutes of July 13, 2004.

#### ADMINISTRATIVE SERVICES - PERSONNEL DIVISION ITEM

Adopt Resolution No. 04-038, amending Policy 03-P06, "County Paid Time Off and Paid or Unpaid Leave" to add Military Administrative Leave for regular and probationary employees who are called to active duty for ninety (90) days or longer.

#### PRISON TRIALS COST REIMBURSEMENT PROGRAM ITEMS

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

#### SHERIFF'S DEPARTMENT ITEMS

Approve participation in the 2005 Controlled Substance Operations Plan with the Lassen National Forest; and authorize the Chairman of the Board and Sheriff to sign the Operations Plan.

Approve participation in the Lassen and Modoc National Forest 2005 Cooperative Plans to provide patrol services for the 2005 recreational season; and authorize Sheriff to sign the Cooperative Plans.

Approve travel authorization request for Correctional Officer Timothy Heffley to attend the mandatory Correctional Officer Core Course in Sacramento, August 8 - September 9, 2004, at the estimated cost of \$ 5,188.

#### MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

a. Lassen County Alcohol & Drug Advisory Board meeting agenda for July 20, 2004.

b. Lassen County Air Pollution Control District Governing Board meeting agenda for July 20, 2004, and minutes of June 15, 2004. (Additional information available in passaround file.)

COMMUNITY DEVELOPMENT DEPARTMENT - BUILDING/ECONOMIC DEVELOPMENT  
Building Official Steve Fuller presents information on the costs for relocating and renovating the "Goodrich House" (old Westwood Dairy) (\$75,000 to \$100,000). Funding would come from the Loan Repayment Fund.

CAO Bixby suggests, based on the County's fiscal position, that we wait for a year before doing anything more than paying for insurance.

Supervisor Chapman feels the Historic Building Committee should review the building, and also staff start looking at site preparation necessary for the various sites under consideration. Also remodeling of buildings such as the Museum and the Constantia Church in regard to need should be included in funding searches.

Beatty and Associates representative Len Lindstrand states they would like to see the building moved as soon as possible, but they do understand the fiscal situation and would not have a problem with a year or two delay.

Recess 11:03 - 11:09 a.m.

#### LOCAL REUSE AUTHORITY

The Board of Supervisors recess and convene as the Local Reuse Authority.

Assistant Community Development Director Bertotti presents the Quarterly Local Reuse Authority (LRA) report. Discussion is held on the strategy for marketing the property. The big need, at present, is for water and sewer to the property.

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried, with Supervisor Dahle absent, to authorize submittal of Advance Planning grant to the Office of Economic Adjustment and, if funded, circulation of a Request for Proposal to conduct community planning effort.

It is moved by Supervisor Pyle, seconded by Supervisor Chapman and carried, with Supervisor Dahle absent, to authorize County Administrative Officer to sign Quitclaim Deed for the Sierra

Army Depot South Cross Depot Access Parcel and Susanville Road Parcel.

It is moved by Supervisor Pyle, seconded by Supervisor Keefer and carried, with Supervisor Dahle absent, to authorize County Administrative Officer to sign an Easement for Electric Distribution System; and receive and file correspondence to U.S. Army Corps of Engineers regarding Bill of Sale for the Electric Distribution System at Sierra Army Depot.

Contract for services:

Discussion is held on the breakdown in communications between Mr. Murphy (consultant) and County Counsel in regard to the wording of the services agreement. County Counsel John Ketelsen states the outstanding issue is related to damages for breach of contract. CAO Bixby notes if Mr. Murphy does not perform then the contract can be canceled and the dollar loss would be minimal. Counsel states on a risk assessment in this case it is probably not much risk but he does not want to set a precedence.

It is moved by Supervisor Pyle to approve a letter of retention with John Murphy of Public Private Solutions Group for professional services. The motion dies for lack of a second.

CAO Bixby withdraws the item and will place it on the next agenda.

The Local Reuse Authority adjourns and the Board of Supervisors reconvene.

BOARD OF SUPERVISORS

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried on a roll call vote, with Supervisor Dahle absent, to adopt, by title only, Ordinance No. 560, adopting Redevelopment Plan for the Sierra Army Depot Redevelopment Project.

UNAGENDIZED BOARD REPORTS CONT.

5. Supervisor Hanson has been approached by the Madeline Plains Citizens Committee with a request that the county donate the use of a grader to grade 1 1/2 miles of Bailey Creek Road. CAO Bixby notes that no action can be taken today and the request would have to be placed on a future.

There being no further business, the meeting is adjourned at 11:39 a.m.

---

CHAIRMAN OF THE BOARD OF

SUPERVISORS  
ATTEST:

---

THERESA NAGEL, CLERK OF THE BOARD