

BOARD OF SUPERVISORS

JULY 27, 2004

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, July 27, 2004, at 9:33 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 Pyle.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

Chairman Hanson announces that no closed session was held.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

CAO Bixby states that Item H-1, Alcohol and Drug Programs Agreement, needs to be moved to the next agenda. He also notes that Doug Ames would like to make a brief report on West Nile Virus at public comment. Asks that Item H-3, Code Enforcement report, be heard early in the agenda.

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

PUBLIC COMMENT

1. Environmental Health Officer Doug Ames states that West Nile Virus is moving quickly north in California - has been found in Reno and Butte County. He does not want to create any undue concern and states that most people have either very mild or no symptoms. Only 1-3% have serious symptoms and those are typically immune-suppressed individuals. If persons find dead birds they should call the West Nile Virus Hotline at 1-877-968-2473 and obtain information on how to handle the birds to be sent for testing. Crows, ravens, magpies, jays and finches are the bird most subject to infection. He cautions people to take care in the mornings and evenings to protect themselves from mosquito bites by using repellent containing Deet.

2. Nick Ceaglio, Dyer Mt. Associates, reports the administrative draft of the EIR was delivered to the county and staff has six weeks to review it. He expects public review to occur in mid-August. He states that lots of internal work is being done by Dyer Mt. Associates and notes an additional consultant is on staff - Gaylord Briggs, formerly of Beatty and Associates.

3. Poet Laureate Violet Stout reads a poem entitled "Hagata Ranch" in recognition of the Hagata Ranch 100 year Celebration.

#### UNAGENDIZED BOARD REPORTS

1. Supervisor Chapman notes the new Weatherlow Street stoplight is complete and he commends CalTrans for the good work they did; notes the first set of stationary electronic speed signs have been installed near Diamond View School and he explains how they work, there will be another set installed near McKinley School; he comments on the State budget compromise.

COMMUNITY DEVELOPMENT DEPARTMENT - CODE ENFORCEMENT DIVISION  
Building Inspector Steve Fuller provides a report on the status of code violations at 469-495 Golden Lane, off of Gold Run Road. He received a letter from Gaspar Estate Heir Chris King indicating he has had health problems, and also bad weather, which has delayed the clean-up. He states that he has hired a contractor to do the work, but gives no time frame for completion. Mr. Fuller states the Department has been working this violation for 14 months, along with ten other cases. They have asked for \$50,000 to be budgeted so they can move ahead with the most egregious cases.

Supervisor Chapman reviews a phone call he received from Chris King.

Gold Run resident Jim McCarthy notes the fire on this property occurred in February, 2001, so Mr. King has had more than three years to clean the property. He appreciates that the County is working on this.

#### COUNTY ADMINISTRATIVE OFFICE

CAO Bixby asks the Board to place \$50,000 from Tobacco Funds into a fund for use in pursuing abatements. Estimate of Golden Lane property clean-up is \$30,000, landfill costs are \$20,000 of that amount and he would hope the Solid Waste Commission would agree to payment through the tax collection process (lien on property).

Supervisor Dahle notes he has been able to use inmate crews, with owner's consent, to do some clean-ups in Bieber.

It is moved by Supervisor Pyle and seconded by Supervisor Keefer to authorize the creation of a separate fund for Health and Nuisance Abatements; and authorize the use of \$50,000 in tobacco funds for initial funding of the Health and Nuisance Abatement Fund.

Supervisor Chapman expresses his hesitation to take \$50,000 and place into this fund prior to the budget process. He also wonders if tobacco funds are appropriate for this use. Further discussion is held among board members, staff and the public.

CAO Bixby chose tobacco funds because this is for health and safety hazard abatement and he does not want to use tobacco monies for any on-going programs. He acknowledges that recoupment of assessments will go back into the fund.

The motion fails (4/5 voted required) on the following roll call vote:

Supervisor Chapman - NO, Supervisor Pyle - YES, Supervisor Keefer - NO, Supervisor Dahle - YES, Supervisor Hanson - YES.

PUBLIC HEARING, VARIANCE #2004-74, JOHN ANDERSON

The public hearing is opened at 10:31 a.m. to consider Variance #2004-74, John Anderson, variance from the minimum front yard setback. Project site is located at 687-815 Cedar Way, Eagle Lake (APN 077-283-17).

Chairman Hanson announces the variance application has been withdrawn by applicant and the hearing is closed.

Recess 10:32 - 10:38 a.m.

UNAGENDIZED BOARD REPORTS CONT.

2. Supervisor Pyle announces that he received a petition from Westwood High School students requesting help in getting the railroad crossing on County Road A-21 fixed.

3. Supervisor Dahle designates the remainder of his discretionary funds to the Ladies Pioneer Club of Nubieber; he talks about the fire in Dixie Valley.

4. Supervisor Hanson states the total cost for extending the Amedee Airfield at Herlong will be \$21 million and the possibility of getting FAA funding is being looked into; also notes he is working to get a tour of SIAD by Senator Feinstein and Congressman Doolittle and is working with both of them in regard to the railroad preservation; received a letter from the City of Susanville concurring with the County action to request an Ambulance RFP; will be attending the National Association of Installation Developers in Monterey on August 10th.

PIT RESOURCE CONSERVATION DISTRICT

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to appoint Buck Parks to fill a vacancy on the Pit Resources Conservation Board due to the resignation of Louis Haas.

## CONSENT CALENDAR

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

### COUNTY CLERK ITEM

Approve minutes of July 20, 2004.

### COUNTY CLERK / REGISTRAR OF VOTERS ITEM

Approve City Council of the City of Susanville, request to the Board of Supervisors to consolidate a special tax election, authorizing the imposition of a special transaction and use tax, with the General Election on Tuesday, November 2, 2004.

### BOARD OF SUPERVISORS ITEM

Adopt Resolution No. 04-039, calling an election regarding the formation of a new fire district, imposing a special annual tax on parcels within the proposed fire district and selecting a three member Board of Directors pursuant to Health and Safety Code Sections 13800, et. seq. and Government Code Sections 57000, et seq.

### PUBLIC WORKS DEPARTMENT - SURVEYOR DIVISION ITEM

Adopt Resolution No. 04-040, approving Parcel Map #2004-64, Garza, and accepting dedications of easements for road and utility purposes.

### SHERIFF'S DEPARTMENT ITEM

Authorize participation in the cooperative agreement between the Bureau of Land Management and the County of Lassen to provide patrol services on BLM land at Fort Sage, Eagle Lake and Hobo Camp for the period May 1, 2004 through September 30, 2008; and authorize the Chairman and Sheriff to sign the agreement.

### MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Highway 36 Town Hill Safety Task Force agenda for July 14, 2004.

### PUBLIC WORKS DEPARTMENT - ROAD DIVISION

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to approve real estate rental contract with Bertie Gravier for portion of the Gravier property in the Herlong area for an aggregate staging area for the County Road Department; and authorize Director of Public Works to sign agreement.

### BOARD OF SUPERVISORS

Supervisor Chapman again expresses his hesitation to approve a contract with no language regarding breach of contract. Supervisor Keefer adds his concerns about compromising our standards. Supervisor Dahle states this agreement is for lobbying and he looks at it as like an MOU which does not have such language.

It is moved by Supervisor Pyle and seconded by Supervisor Dahle to approve letter of retention with John Murphy of Public Private Solutions Group for professional services.

Supervisor Hanson states that the services Mr. Murphy supplies are unique and cannot be provided by anyone in the county.

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

#### CORRESPONDENCE

U.S. Department of Interior, Bureau of Indian Affairs, Notice of Decision upon the Susanville Indian Rancheria's application to have property accepted in trust for the Rancheria, is received and filed.

#### INFORMATION FOR THE BOARD

CAO Bixby informs the board members that the county budget will not be adopted on August 17th, it will be sometime later than that. He distributes a press release relating to the state budget and a CSAC memo entitled "Counties Praise Local Government Agreement as Milestone".

There being no further business, the meeting is adjourned at 11:08 a.m.

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SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

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THERESA NAGEL, CLERK OF THE BOARD