

UNAPPROVED MINUTES
BOARD OF SUPERVISORS

SEPTEMBER 21, 2004

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, September 21, 2004, at 9:03 a.m. Present: Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Administrative Officer (CAO) Bill Bixby and County Clerk Theresa Nagel.

PERFORMANCE EVALUATION - FAIR MANAGER

Fair Manager Claud Neely informs the board members that he has corrected the grandstand and chair problems; there will be two State inspectors here on Friday; he has \$10,000 to use for upgrading the old bathroom at Smokey Bear Park; the boarders have moved in; work has begun on the premium book - reviews changes that are being considered; Floral ladies want 25 new tables; there is \$239,000 in the account which is up at least \$100,000 over this time last year. (County Counsel John Ketelsen enters at 9:06 a.m.) Mr. Neely asks that his salary be raised to a Range 30; and states we have a terrific Fair Advisory Board now.

Supervisor Dahle asks why the Fair Office does not stay open during the Fair and Mr. Neely responds this was a decision that was made years ago and there is an information phone message in place. He is considering the financial aspects of keeping the office open during fair week (office staff is not paid when the office is closed).

Supervisor Dahle asks for an explanation of what happened at the races on Sunday night. Mr. Neely stated that he had told Bill Crumb before the Fair that the races should last only 2 1/2 hours and Mr. Crumb indicated that was not possible - they agreed on 3 hour races. He stated at 10:00 p.m. (races started at 6:00 p.m.) he asked the flagman "what happened to the three hour race". He sat back down by the Search and Rescue people and the next thing he heard was an announcement that the Fair Manager had canceled the races - he denies that he canceled the races. Mr. Neely indicates he has already worked out the races for next year and there are no issues between himself and Mr. Crumb. He states the biggest money maker at the fairgrounds is storage.

Supervisor Hanson thinks there may be a need to head in a different direction as he does not feel the manager has gotten to where the Board wanted in regard to management of the Fair. He reminds Mr. Neely about the discussions earlier this year relating to personality conflicts and we have not gotten to where we want to be on this. Mr. Neely asks "in other words you want to replace me?" Supervisor Hanson responds, yes, and Supervisor Keefer agrees. Supervisor Dahle feels there is still room for improvement in communicating with all the varied people Mr. Neely has to work with - Dahle is also thinking about the need to make a change.

Mr. Neely states he is here at the Board's pleasure, states he will not resign as he feels he is a very good manager. He feels that he is a good people person and gets along with 90% of the people and will not resign. States you will have to fire me.

Supervisor Chapman states this is a tough situation - he discusses past fair problems - notes

Claud's concentration on solving past problems may have led to not paying enough attention to other issues. He was concerned about the race issues and was also disappointed with the condition of the grandstands and brought this to Mr. Neely's attention - he believes it is being taken care of. He states that Claud is not perfect but given all he has had to deal with he has done a relatively good job. He is not ready to cut Claud loose and wants to continue to work with him.

Supervisor Hanson states he has no complaints on Claud's facilities work, but a change is needed in regard to outside relationships. Supervisor Keefer states a change is needed and we need to go in a different direction.

It is moved by Supervisor Keefer and seconded by Supervisor Dahle to replace Claud Neely and to direct the CAO to work with Mr. Neely on a severance agreement.

In response to a question, County Counsel John Ketelsen states the Fair Manager is an at will employee and how the Board severs the relationship is up to them.

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

Recess 9:28 - 9:38 a.m.

OPENING CEREMONIES

Following the flag salute, the invocation is offered by Supervisor Keefer.

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 Pyle, seconded by Supervisor Dahle and carried to approve the agenda as posted. Supervisor Chapman requests the meeting be adjourned in memory of Del Hewett, a 68 year resident of Lassen County.

PUBLIC COMMENT

Chairman Hanson asks for public comment and no comments are received.

UNAGENDIZED BOARD REPORTS

1. Supervisor Chapman states that he drew a blank on what he wanted to discuss (all present agree this is probably a first).
2. Supervisor Keefer discusses Rico Oller's visit to the Lassen College Gunsmithing Program; also notes he will be attending the RCRC Conference this week.
3. Supervisor Dahle will be attending the RCRC Conference.
4. Supervisor Chapman recalls one of the items he wished to report. He discusses the visit to Lassen County by the Assistant Secretary of the Interior last week. She toured Eagle Lake, Honey Lake Power Plant, BLM Horse Corrals, Bizz Johnson Trail with discussions relating to the abandonment of the rail lines between Wendel and Alturas.
5. Supervisor Hanson further discusses the Assistant Secretary of the Interior's tour; reminds everyone the Honey Lake Management Plan will be discussed on September 23rd, 1:30 p.m. at Milford Community Center.
6. Supervisor Hanson announces that a letter was received from the Department of Water

Resources (DWR) adjusting the water master service fees - this is a mixed blessing as the fees are doubling rather than increasing 400%. He notes that Dwight Russell indicated this will be "back in spades next year". Supervisor Pyle states this does not address the Farm Bureau issues and those may end up in court. Tax Collector Egan understands that next year the DWR will have full staffing and will pass on the full costs to the users. Supervisor Hanson recognizes Assemblyman Cox for his help with this matter. County Counsel John Ketelsen reviews the mechanism taxpayers have for challenging the legality of the tax. Supervisor Pyle asks if he will put together the steps that a taxpayer would follow to protest the tax and Counsel agrees to put in a written form.

7. Supervisor Chapman notes that he attended the City Council meeting and conveyed the Board's concern about the abandonment of the geothermal line to the Veteran's Hall and reviews the discussions and a follow-up phone discussion with Councilman Lino Callegari. He states Public Works Director Larry Millar and Tracy Totten are working to make sure the Veteran's Hall has heat.

PROCLAMATIONS

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to adopt Proclamations recognizing Fred Hamilton, Public Works Department; William Bredstrand, Probation Department; and Artie Wingfield, Health & Social Services B Mental Health Department on their retirement from Lassen County.

RECOGNITION COMMITTEE - PRESENTATION

Chairman Hanson makes the following presentations for years of service:

Ten years: a brass letter opener to Norma Scheetz, Treasurer/Collections

Fifteen years: a two pen desk set to Julie Bustamante, Clerk/Recorder; Joe Uruburu, Sheriff's Department

Twenty years: a desk clock to Nancy Summers, Community Development Department

CERTIFICATES OF APPRECIATION

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to adopt a Certificate of Appreciation to Peter and Susan Couso for their work to prepare and donate maps/indexes/pictures of graves at the Susanville Cemetery and a Certificate of Appreciation to Jeremy Couso for helping with the cemetery documents and putting the information on his Asusanvillestuff.com website.

Chairman Hanson presents the certificates to Jeremy Couso following a history of the work performed by the Cousos.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

In regard to the placement of the structure known as the "Goodrich House" on the Lassen County/ City of Susanville Historic Building Registry, CAO Bixby states we are not sure the County wants to make this designation and suggests it be set aside.

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to table action on this matter to a later date.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

It is moved by Supervisor Pyle, seconded by Supervisor Keefer and carried to adopt Resolution No. 04-053, placing the structure located at 320B Ash Street, Westwood on the Lassen County/ City of Susanville Historic Building Registry.

Recess 10:23 - 10:31 a.m.

ALCOHOL AND DRUG ADVISORY BOARD

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to appoint Steve Miller to fill a vacancy on the Alcohol and Drug Advisory Board.

LASSEN COUNTY MENTAL HEALTH ADVISORY BOARD

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to accept letter from Betty Harrison, submitting her resignation from the Mental Health Advisory Board, and direct County Clerk to advertise vacancy.

CONSENT CALENDAR

Supervisor Hanson requests that Items G-4 and G-5, Probation travel requests, be removed for separate consideration.

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

COUNTY CLERK ITEM

Approve Minutes of September 14, 2004.

ADMINISTRATIVE SERVICES ITEM

Receive and file Personnel Movement Report for August, 2004.

AUDITOR & TREASURER DEPARTMENTS ITEM

Receive and file Treasurer's Fund Balance Report and Auditor's verification for the month of August, 2004.

TREASURER/TAX COLLECTOR ITEM

Receive and file Treasurer's Investment Report for August, 2004.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

a. Lassen County In-Home Supportive Services Advisory Board agenda for August 25 & September 22, 2004 and minutes of July 9, 2003 and August 25, 2004.

b. Notice of Lassen County Fair Advisory Board September 14, 2004 meeting cancellation.

PROBATION DEPARTMENT

Supervisor Hanson wonders why the two individuals cannot attend the same training. There being no one present from the Probation Department, Sheriff Freitas offers that sometimes it is

not possible to get everyone needing training into the same course.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to:

Approve travel authorization request for Joshua Hayward to attend the mandatory Standards & Training for Corrections (STC) Core Training in Red Bluff October 14, 2004 - November 5, 2004, at the estimated cost of \$3,843.50.

Approve travel authorization request for David Woginrich to attend the mandatory Standards & Training for Corrections (STC) Core Training in Sacramento, October 18, 2004 - November 17, 2004, at the estimated cost of \$3,078.

COUNTY CLERK - ELECTIONS DIVISION

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to accept Help America Vote Act (HAVA) of 2002, Voter Education and/or Pollworker Training Grant in the amount of \$18,000; and authorize the County Clerk to sign the standard agreement.

VOLCANIC LEGACY SCENIC BYWAY

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to adopt Resolution No. 04-055, approving the Memorandum of Understanding between communities, agencies, and other organizations to address cooperative planning and management of the Volcanic Legacy Scenic Byway, All American Road.

INFORMATION FOR THE BOARD

CAO Bixby announces that he has been invited to attend the CAO Conference. He observes it may be historic to have a member of the news media depart a Board meeting to attend a City Council meeting.

2004/2005 BUDGET

CAO Bixby asks that a budget be adopted realizing that this is not a budget he recommends living with for the entire year.

Supervisor Keefer asks about discussions held last week on various items and Deputy CAO Irene Doyle responds to his questions.

Extensive discussion is held on the Sheriff's budget. Sheriff Freitas assures the board members that he will continue to only spend what he needs and barring unforeseen events would expect to have another good beginning balance for next year. He does not want to be put in a position of coming to the Board for more money if something unknown happens.

Supervisor Dahle asks what happened with the District Attorney and Community Development (CDD) positions that were discussed last week. Mrs. Doyle responds the CDD has the same positions because staff did not know which position was being considered to not be filled. The District Attorney budget still has a half-time investigator and an unfilled attorney position in the budget.

Supervisor Pyle wants a summary of where we are in the budget throughout the year, so on June 30th we have no surprises. CAO Bixby notes the Auditor runs a monthly report, but Supervisor

Pyle wants a summary not a thick report. He then suggests a quarterly summary report be placed on the agenda for discussion.

Supervisor Chapman wants to be more cooperative and asks the board members to step back and look at what they are doing. He feels the good news is we have reserves to get through and acknowledges that Mr. Bixby did a lot to put the County in a relatively good financial position. He feels this Board has shown the ability to make policy decisions and hold to them. He wants it clearly understood he has nothing against anyone involved with the budget - but states the "buck stops here" and the Board must take this seriously. One of the issues that he has with voting to adopt this budget is lack of a strategic long range plan to invest the \$5 million we have. He speaks about unfunded liabilities the County has and the State's raiding of County funds. He discusses using Tobacco Funds to fund a Honey Lake Family Resource Center. He feels the Board needs to "get over" the 3% at 50 retirement issue, noting the Sheriff's Department realized savings which exceeds the costs of the retirement benefit. He is not in favor of any budget that helps some and punishes others.

Supervisor Dahle asks Supervisor Chapman just what he wants in regard to a family resource center for the Honey Lake area. Supervisor Chapman suggests \$300,000 over the next three years from Tobacco Settlement Funds to establish a center to be the focal point for Health and Social Services. He states this is a policy decision and he feels it is worth fighting for. Supervisor Dahle feels that Health and Social Services should be kicking in to help with funding the centers. Supervisor Keefer feels the center would be helpful, but it is not needed as much as those in outlying areas with no services. He wants to defer this for six to twelve months to see what financial position we are in.

Supervisor Pyle agrees with Supervisor Keefer and feels that outlying areas really benefit from the family resource centers and notes there are overlapping services already available in the Susanville area. He notes the county funding is all the centers have and when that runs out the centers may have to close. He cannot see opening a fourth center when the County is deficit spending.

Supervisor Dahle does not want to fund something that does not work and suggests giving Supervisor Chapman some funding (but not \$300,000) to start a center and prove that it can work. If any of the centers prove to not be serving many members of the public he is willing to close them - he has proof that the Big Valley Center is serving many.

Supervisor Chapman further describes his idea of the centers being a model for how to provide Health and Social Services to meet the needs of the citizens. He states this is one of two key items for him to support the budget adoption. The other item is a strategy for investing our \$5 million.

Supervisor Hanson notes the \$300,000 is actually a commitment of \$100,000 per year for three years. Supervisor Keefer states his concern is the position we are in right now, and he wants to support the centers we already have rather than branching out with a new one. Supervisor Hanson states the original plan was after three years the centers were to be self sustaining or receiving funds from some other source. The County was not going to continue their funding beyond three years.

It is moved by Supervisor Dahle and seconded by Supervisor Pyle to adopt the 2004/2005 Final budget as presented, authorize the CAO and Auditor to make appropriate changes prior to publication; and set the salary for the Assessor, County Clerk and Treasurer/Tax Collector at Range 32 effective January 1, 2005 and at Range 34 effective January 1, 2006.

Discussion is held regarding the Range changes not being on the agenda and County Counsel is consulted. Counsel states the salaries cannot be set at today's meeting but funding for the changes can be set aside. Supervisor Chapman asks if funding for the 2006 budget can be designated at this meeting.

Supervisor Dahle amends his motion to set aside the funding for salary adjustments for the Assessor, County Clerk and Treasurer/Tax Collector at Range 34 effective January 1, 2005.

Supervisor Dahle notes these are elected officials who do not receive sick leave or vacation and are here everyday.

The motion carries on a roll call vote, with Supervisor Chapman voting NO.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to adopt Resolution No. 04-055, establishing the appropriations limit in the amount of \$21,950,967, for Fiscal Year 2004/2005, pursuant to California Constitution Article XIII-B and Government Code Section 7910.

Supervisor Hanson states there has been lots of debate - he had trouble getting his hands around this budget - feels the Board has done an adequate job with this budget and reminds his colleagues that revenues are static but expenses are increasing. He wants a plan put in place during the year so the Board knows where we are going for next year. Appreciates the employees for the job done over the last year. States we are here to give services to the public not to give jobs to employees.

UNITED STATES FOREST SERVICE

Acting Forest Supervisor Jeff Withroe provides a Forest 2004 Accomplishments Update in relation to Quincy Library Group (QLG) Act. He states they are working hard to meet the QLG goals and feels they are getting there. He expresses his pleasure to hear that Jack Hanson was appointed to the State Board of Forestry.

He announces that new Forest Supervisor Laurie Tippin arrives next Monday. The Board encourages him to bring her to a meeting for introductions.

Supervisor Keefer informs him of a letter received from Sylvia Milligan relating to the Dream Trail and states this will be on the next agenda.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 12:06 p.m. in memory of Del Hewett, a 68 year resident of Lassen County.

CHAIRMAN OF THE BOARD OF

SUPERVISORS

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD