

**UNAPPROVED MINUTES**  
**BOARD OF SUPERVISORS**

SEPTEMBER 28, 2004

The Lassen County Board of Supervisors convene in Regular Session at 9:07 a.m. Chairman Hanson asks for public comment and no comments are received. County Clerk Nagel announces the Closed Session items and the Board recesses to Closed Session at 9:08 a.m. for an employee performance evaluation: Public Defender Toni Healy.

Present in the Closed Session are Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel John Ketelsen, and County Clerk Theresa Nagel. Supervisor Chapman and Administrative Officer Bill Bixby are not present. Supervisor Chapman enters at 9:11 a.m. Closed Session is recessed at 9:48 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, September 28, 2004, at 9:52 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 Dahle.

**ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION**

The County Clerk announces the Closed Session dealt with an employee performance evaluation: Public Defender Toni Healy - no reportable action taken.

**AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS**

Supervisor Hanson requests the meeting be adjourned in memory of Don Armstrong.

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

**PUBLIC COMMENT**

1. Acting Forest Supervisor Jeff Withroe introduces the new Lassen National Forest Supervisor Laurie Tippin. Board members welcome Ms. Tippin and Supervisor Keefer reminds Mr. Withroe an item is on the agenda this morning relating to the Dream Trail.
2. Poet Laureate Violet Stout reads a poem entitled "Way Back When" that she wrote for the Retired Teacher's Assn.

**UNAGENDIZED BOARD REPORTS**

1. Supervisor Chapman notes that it is again time to make appointments to CSAC and he would like to see someone besides himself be the Board representative, as he wants to move into regional matters; announces he received a letter from the Secretary of the Interior appointing him to the Northeast California BLM Resource Advisory Council to represent interests of local governments.

## PUBLIC HEARING - COMMUNITY DEVELOPMENT DEPARTMENT - ED

### HOUSING

The public hearing is opened at 10:04 a.m. to solicit comments regarding submittal of a grant application for the 2004/2005 Community Development Block Grant (CDBG) Planning and Technical Assistance (P/TA) Economic Development Allocation to be funded by the State Department of Housing and Community Development (HCD) through the Community Development Block Grant Program.

Assistant Community Development Director Bertotti presents the staff report. No one speaks in support of or in opposition to the grant application and the hearing is closed at 10:06 a.m.

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to adopt Resolution No. 04-060, making an application for a feasibility analysis for a theater/performing arts center in Herlong, and authorizing execution of contracts, circulation of a Request for Proposals (RFP) and related documents, if funded.

## PUBLIC HEARING - COMMUNITY DEVELOPMENT DEPARTMENT - ED

### HOUSING

The public hearing is opened at 10:07 a.m. to solicit comments regarding submittal of the 2004/2005 Community Development Block Grant (CDBG) Planning and Technical Assistance (P/TA) Allocation, a grant application to be funded by the State Department of Housing and Community Development (HCD) through the Community Development Block Grant Program.

Assistant Community Development Director Bertotti presents the staff report. No one speaks in support of or in opposition to the grant application and the hearing is closed at 10:08 a.m.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to adopt Resolution No. 04-061, making an application for a feasibility analysis to determine condition of existing infrastructure and connection of LRA buildings in Herlong to new source water and authorize execution of contracts, circulation of Requests for Proposal (RFP) and related documents, if funded.

## UNAGENDIZED BOARD REPORTS CONT.

2. Supervisor Keefer attended the RCRC Conference last week and discusses an excellent presentation on risk management and gives the CAO some literature he brought back from the presentation.

3. Supervisor Dahle felt the RCRC Conference was excellent and he discusses presentations on the State Budget - they learned a lot about where the State is heading - raising taxes accomplishes nothing due to Prop 98 - the controlling lobbying interests are the State Worker's Union, Indian Gaming, and Trial Lawyers; he attended the Governor's signing of the Sierra Conservancy Legislation, got to shake hands with the Governor and spoke with Tim Leslie.

## PUBLIC HEARING - TITLE III FIRE SAFE COUNCIL

The public hearing is opened at 10:16 a.m. to solicit public comment on a Title III Allocation request.

Assistant to the CAO Julie Morgan presents the staff report. No one speaks in support of or in opposition to the grant application and the hearing is closed at 10:17 a.m.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to allocate Title III funds to Lassen County Fire Safe Council in the amount of \$100,000, to support their operating budget for 18 months.

#### BOARD OF SUPERVISORS

Chester "Chip" Jackson has received information that we are 19" behind in precipitation at this time, and the level of Eagle Lake is 6' 2" deep in Bucks Bay and was at 10' 6" at the same time last year. He recommends adoption of an Emergency Drought Resolution.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to adopt Resolution No. 04-059, declaring State of Disaster/Emergency in Lassen County based on severe drought conditions, with direction to forward the resolution to the Governor's Office of Emergency Services for processing.

#### COMMUNITY DEVELOPMENT DEPARTMENT

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

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to authorize County Administrative Officer to sign Quitclaim Deed, Sierra Army Depot, for the North East Shore, West Airfield, North Cross Depot Access and Amedee Electrical Substation parcels.

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

#### UNAGENDIZED BOARD REPORTS CONT.

4. Supervisor Hanson met with Leavitt Lake Community Services District to discuss the use of 2002 Park Bond Funds and notes he made them aware of the uncertainty of receiving the funds.

#### CONSENT CALENDAR

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

#### COUNTY CLERK ITEM

Approve minutes of September 21, 2004.

#### PUBLIC WORKS DEPARTMENT ITEM

Adopt Resolution No. 04-057, approving Subdivision Map #2004-43, Young Acres.

Adopt Resolution No. 04-058, approving Parcel Map Waiver #2004-73, DeForest.

#### COUNTY CLERK

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to appoint nominees to District Boards that did not have sufficient nominees to be placed on the November 2, 2004 ballot (Elections Code 10515).

#### HEALTH & SOCIAL SERVICES

Health and Social Services Director Kevin Mannel presents a request for elimination of Family & Children Protective Services full-time secretary position, creation of a Social Worker II position;

and creation of two additional Social Worker III flex positions within Family & Children Protective Services. He provides information to support his request.

Supervisor Chapman thanks Mr. Mannel for his presentation and asks if we have funding to cover the costs of the positions.

It is moved by Supervisor Chapman and seconded by Supervisor Keefer to approve elimination of Family & Children Protective Services full-time secretary position, and creation of a Social Worker II position; and creation of two additional Social Worker III flex positions within Family & Children Protective Services.

Mr. Mannel responds the impact will be on the general fund unless changes are made to the federal funding mechanism - which he thinks will happen. Supervisor Keefer has no problem with the first part of the request but from a budget standpoint he is concerned with the creation of two new positions and using general funds up-front in the hopes of saving overtime in foster care. He feels if we can achieve this that would be great but his concern is with possible on-going costs to the general fund and sees the need to keep track of costs and savings. Further discussion is held. (County Counsel John Ketelsen is absent 10:57 - 10:59 a.m.) Supervisor Keefer states he could support this request if they keep track of overtime and outside foster care costs.

The motion carries unanimously.

CAO Bixby requests direction on where to take the money from to pay for this action. Supervisor Chapman requests an item be placed on the next agenda to designate from what fund the costs are to be paid.

Recess 11:05 - 11:10 a.m.

#### PUBLIC HEARING - VARIANCE #2004-100, LARRY DOSS

The public hearing is opened at 11:10 a.m. to consider Variance #2004-100, filed by Larry Doss, to allow for the construction of a new single family dwelling approximately 10 feet into the required rear yard setback (20 feet), located at 688-000 Hickory Way in the community of Spaulding at Eagle Lake (APN 077-244-32).

Planner Kent Hector presents the staff report and Planning Commission's recommendation to deny the variance.

Mr. Doss speaks in support of the variance stating the neighbors are in support of the placement of his house, and stating he hates to take out two beautiful trees.

No one speaks in opposition to granting the variance and the hearing is closed at 11:14 a.m.

Supervisor Pyle asks questions about what the drawbacks would be to granting a variance. Community Development Director Robert Sorvaag responds the Planning Commission gave in-depth consideration to this matter and found there are areas where the home could be built without removal of trees.

It is moved by Supervisor Dahle, seconded by Supervisor Chapman and carried to adopt Resolution No, 04-056, disapproving Variance #2004-100, as recommended by the Planning Commission.

## **PUBLIC HEARING - COMMUNITY DEVELOPMENT DEPARTMENT - BUILDING DIVISION**

The public hearing is opened at 11:18 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; amend Section 12.24.090 "Exempt Entities" and Section 12.24.060 "Fees".

Building Official Steve Fuller presents the staff report. No one speaks in support of or in opposition to the building code revisions and the hearing is closed at 11:20 a.m.

Community Development Director Robert Sorvaag notes this ordinance includes expedited plan check procedures.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried on a roll call vote, with Supervisor Chapman and Supervisor Pyle voting NO, to introduce by title only, Ordinance No. 561, implementing the revisions to the Lassen County Building Code, Title 12.

## **DREAM TRAIL**

Sylvia Milligan and Lorraine Forrester-Hansen are present and request a letter be sent to the Forest Service requesting reconsideration of their decision relating to the Dream Trail.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to approve and authorize the Chairman to sign a letter requesting United States Forest Service reconsider their decision to only allow licensed motor vehicles on the Dream Trail.

## **AMBULANCE SERVICES**

Dr. Michael Narad and EMS/Organizational Consultant Diane Akers are introduced by CAO Bixby. Dr. Narad reviews the proposed process to be followed in obtaining ambulance services.

Chester "Chip" Jackson wants to be sure the County has plenty of input to the consultants and suggests the EMCC be involved. Board members agree with this suggestion.

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to approve contract with the Chico Research Foundation for Ambulance related services as described in Exhibit A and authorize the CAO and County Counsel to sign; 2) approve the timeline and resultant assignment of responsibility; 3) authorize the expenditure of approximately \$84,000 as described in Appendix B; 4) approve the expenditure of \$50,000 from Fund 136 and \$35,000 from Fund 100.

## **COUNTY ADMINISTRATIVE OFFICE**

### **GRAND JURY RESPONSE**

Supervisor Chapman makes suggestions for changes to the draft letter of response to the Grand Jury.

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to authorize the CAO to forward the Adult and Child Protective Services response to the Grand Jury, with the suggested changes.

#### BOARD/COMMISSION TRAVEL

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to require that all members of Boards and Commissions obtain Board approval for travel over \$500 per trip.

#### RECRUITMENT OF FAIR MANAGER

In regard to recruitment for a new Fair Manager, CAO Bixby suggests the Board reach out to the community for assistance in choosing a new manager - not just use county staff for screening. He suggests some persons that could serve on a screening panel would be representatives from the Fair Advisory Board and someone chosen by the City Council. He suggests such a committee do the initial screening of applicants with the final interview and choice made by the Board of Supervisors.

Supervisor Dahle wants an open recruitment and time to advertise widely for a replacement. Supervisor Chapman feels we need to define what the new direction for the fair is before recruiting.

CAO Bixby suggests that he and Personnel Director Ron Vossler meet with the Fair Advisory Board to get their ideas and then schedule an afternoon workshop with the Board of Supervisors.

Chairman Hanson directs the Board Workshop be held on October 19th which will follow the October 12th Fair Advisory Board meeting.

#### HISTORIC BUILDING

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to approve and authorize the Chairman to sign a letter supporting the application made by Scott and Susan McMillan to have the Standish Hall/Mercantile building placed on the National Register of Historic Places, State Office of Historic Preservation.

#### ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 12:10 p.m. in memory of Don Armstrong, an involved member of the Herlong Community.

---

SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

---

THERESA NAGEL, CLERK OF THE BOARD