

UNAPPROVED MINUTES
BOARD OF SUPERVISORS

OCTOBER 12, 2004

The Lassen County Board of Supervisors convene in Regular Session at 9:12 a.m. Chairman Hanson 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 9:13 a.m. for an Employee performance evaluation: Agriculture Commissioner Ken Smith.

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 enters at 9:14 a.m. Closed Session is recessed at 9:31 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, October 12, 2004, at 9:35 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 an Employee performance evaluation: Agriculture Commissioner Ken Smith - no reportable action taken.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Chapman requests the meeting be adjourned in memory of Woody Goddard.

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

PUBLIC COMMENT

BLM representative Stan Bales tells the board members about the 1st Marathon held on the Bizz Johnson Trail with 460 participants from 34 states and a couple of countries. Supervisor Chapman worked as a volunteer and discusses local residents who ran in the marathon. He also spoke to the promoter and learned that \$10,000 was spent to promote this event and the promoter expects the event to grow to around 1000

participants next year.

David Sowers, Lassen Land and Trails Trust, discusses the part The Depot played in helping the promoter.

HEALTH & SOCIAL SERVICES - ALCOHOL AND DRUG DIVISION

Dandy the Smokeless Dragon and "Unee" the Drug-Free Unicorn are present, along with Alcohol and Drug Program Deputy Director Michael Beard, Michele Urrutia, and Kathy Oberst to promote Red Ribbon Week - Don't Do Drugs.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried to adopt Proclamation declaring October 20-29, 2004 as Red Ribbon Week, encouraging Lassen County citizens to participate in drug prevention and education activities and to make a visible statement that we are firmly committed to a drug-free, tobacco-free and alcohol-free community.

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle announces he will be attending a week-long WIR (Wilderness Study Areas) Board of Directors Retreat.
2. Supervisor Keefer notes that he attended the Fire Safe Council meeting and Supervisor Pyle will expand on the meeting.
3. Supervisor Pyle reports on the Fire Safe Council meeting at which fire breaks in the Diamond Mountain area ("has a ways to go"), River Bench area, and Elysian Valley were discussed; attended meeting with Westwood Chamber of Commerce and Economic Development staff members relating to landscaping for the Visitor's Center - he feels Darren Winham is an asset to the County and will be working with the Westwood and Lassen County Chambers of Commerce.
4. Supervisor Chapman reports he and Kay White attended the PSA II meeting; reports on the Prop 10 Commission meeting and announces a mini grant was provided for Day Care Facility equipment - notes the Commission is being proactive in getting these types of services to areas around the county; discusses the Susanville Symphony Concert that he attended.
5. Supervisor Hanson states that hopefully staff from the offices of Feinstein, Boxer, Doolittle and Herger will be at Sierra Army Depot on October 28th; announces that he is no longer on the Board of Forestry because of a determination of incompatible offices - states this was selectively directed at him.

PUBLIC HEARING - TITLE III ALLOCATION REQUEST - OFFICE OF EDUCATION

The public hearing is opened at 10:16 a.m. to consider request for Title III Allocation funds.

Assistant to the CAO Julie Morgan presents the staff report. Superintendent of Schools Robert Owens speaks in favor of the request and explains the funding is for expenditures of the 2003/04 Outdoor Education/Youth Camp Program. No one speaks in opposition to the funding request and the hearing is closed at 10:23 a.m.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to allocate Title III funds as requested to Lassen County Office of Education in the amount of \$89,742. for 2003/04 Outdoor Education/Youth Camp Program.

LASSEN COUNTY FAIR BOARD

The Board of Supervisors recess and convene as the Lassen County Fair Board.

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to accept a letter from Jim Jeskey resigning from the Lassen County Fair Advisory Board, and direct County Clerk to advertise the vacancy.

The Board of Supervisors reconvene.

Recess 10:26 - 10:32 a.m.

PUBLIC COMMENT CONT.

Mike Smith encourages the board members to attend the Susanville Symphony and suggests to Supervisor Dahle that a Lassen Transit Bus could be rented for a group from the North County to come to a performance.

CONSENT CALENDAR

Supervisor Hanson requests that Item G-5, travel request, and Item G-9, drought emergency, be pulled from the consent calendar for separate consideration.

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

COUNTY CLERK ITEM

Approve Minutes of September 28, 2004

PROPOSITION 65 REPORT B HEARD'S MARKET

Receive and file report #04-03, filed by Martin A. Winston, R.E. H.s., MPH, Hazardous Materials Specialist, on September 21, 2004
NOTIFICATION OF HAZARDOUS MATERIALS RELEASE: On September 13,

2004, Lassen County Environmental Health Department was notified of a diesel spill that had been occurring for an unknown time in front of Heard=s Market, Litchfield. The spill was discovered when an underground storage tank was removed. Removal and proper disposal of contaminated soils will be performed by Lassen County Environmental Health, Everett Heard and his consultant.

PROPOSITION 65 REPORT B SUPERIOR COURT

Receive and file report #04-04, filed by Martin A. Winston, R.E. H.S., MPH, Hazardous Materials Specialist, on September 21, 2004 - NOTIFICATION OF HAZARDOUS MATERIALS RELEASE: On September 16, 2004, Lassen County Environmental Health Department discovered a diesel spill that had been occurring for an unknown time in the rear of the Lassen County Superior Court, Susanville. The spill was discovered during a routine inspection. Lassen County Environmental Health will work with Lassen County to assure removal and proper disposal of contaminated soils.

COMMUNITY DEVELOPMENT DEPARTMENT ITEMS

Approve change in Community Development Department office hours to be open to the public from 7:00 a.m.to noon and 1:00 p.m. to 4:00 p.m..

DISTRICT ATTORNEY ITEM

Approve the contract with the University of California, Davis, for the provision of forensic evidentiary medical examinations beginning July 1, 2004 per rate schedule, and authorize the District Attorney to sign.

HEALTH & SOCIAL SERVICES - ALCOHOL AND DRUG ITEM

Review and approve the Lassen County Alcohol and Drug Advisory Board By-laws.

HEALTH & SOCIAL SERVICES - PUBLIC HEALTH ITEM

Award bid for the purchase of a generator to allow alternative sources of electrical power for the Public and Environmental Health Departments in the event of power failure during a local, regional, or state disaster or other bioterrorism event to Amps Electric Company, Susanville, the lowest bidder meeting specifications, in the amount of \$22,995.44.

PUBLIC WORKS DEPARTMENT ITEM

Adopt Resolution No. 04-062, approving Parcel Map #2001-117, Miner.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Planning Commission agenda for October 6,

2004.

b. Lassen County Alcohol & Drug Advisory Board meeting agenda for October 12, 2004, and minutes of September 14, 2004.

c. Lassen County Technical Advisory Committee meeting agenda for October 13, 2004.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

Supervisor Hanson asks questions about the travel request for a Planning Commissioner to attend a conference.

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to approve travel authorization request for Planning Commissioner Mark Totten to attend the California County Planning Commissioners Association annual state conference in Pleasanton, November 11-14, 2004, at an estimated cost of \$725.

OFFICE OF EMERGENCY SERVICES

Emergency Services Director Chip Jackson states this is the last time the drought declaration will need to be ratified and he reports on the more simplified procedures for declaring emergencies. He also notes we are experiencing exceptional fire danger conditions.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to ratify continuation of Declaration of State of Disaster - Drought/Emergency in Lassen County.

BOARD OF SUPERVISORS

RANGE CHANGE

It is moved by Supervisor Dahle and seconded by Supervisor Keefer to approve changing the elected positions of Assessor, Treasurer/Tax Collector, and County Clerk from Range 30 to Range 34 on the Management Association salary schedule with an effective date of January 1, 2005.

Supervisor Hanson states the manner in which this was brought up during budget adoption made him uncomfortable.

Supervisor Dahle states that three years ago he asked former CAO Whiteman to put this action before the Board and later, when he had not done so, he demanded that it be placed before the board. The Board gave direction to the former CAO and former Personnel Director Lynne Margolies to move forward with changes to the elected officials pay and it never happened. He felt since all previous direction had been ignored, taking action during budget adoption was needed. Supervisor Keefer states the Board gave direction to CAO Whiteman and it was never taken care

of. Supervisor Chapman states there was Board direction and he supports the motion. He feels the Sheriff's salary needs to be looked at also.

The motion carries unanimously on a roll call vote.

CSAC

Following extensive discussion on who will be the director, it is moved by Supervisor Dahle, seconded by Supervisor Chapman and carried to appoint Supervisor Pyle as California State Association of Counties (CSAC) Board of Director for 2005, and Supervisor Keefer as alternate.

COUNTY COUNSEL

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to adopt Resolution No. 04-063, establishing the "Y" Step, Range 38 (1.215% of the official Range 38, Step E) for County Counsel.

COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING CODE ORDINANCE

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried on a roll call vote, with Supervisor Chapman and Supervisor Pyle voting NO, to adopt, by title only, Ordinance No. 561, implementing 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".

HEALTH & SOCIAL SERVICES - PUBLIC HEALTH DIVISION

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to approve State of California Department of Health Services Agreement #04-35095, in the amount of \$240,000 for Medi-Cal Administrative Activities (MAA) for the period of July 1, 2004 through June 30, 2007, and authorize the CAO to sign.

OFFICE OF EMERGENCY SERVICES

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to adopt Resolution No. 04-064, designating Chester G. Jackson, Emergency Services Chief and Brenda Spaniol, Administrative Secretary as Designated Agents to sign for, apply for and receive Homeland Security funds.

PUBLIC WORKS DEPARTMENT - ROAD DIVISION

Discussion is held in regard to roads proposed for abandonment and the possibility of losing access to public lands. Supervisor Dahle notes this is going to get very difficult.

Supervisor Chapman suggests moving this item to a future agenda to allow time for board members to discuss with staff and define policy. Supervisor Dahle would like a cost analysis on all the roads.

County Counsel John Ketelsen asks if this is truly abandonment of the roads or removing them from the maintained system. If this matter is continued for a couple of weeks he can put together information for the board members.

Chairman Hanson tables, to a future meeting, action to authorize the Road Department to begin abandonment proceedings for the removal of the following roads and/or portions of roads from the County Maintained System:

County Roads: 202, Corral Road; 329, Hall Road; 365, Bert Road; 405, Thompson Road; 409, Mathews Road; 411, East Hunt Road; 414, Andrews Road; 429, Totten Road; 432, Iverson Lane; 434, Walker Road; 436, Leonard Road; 445, Hillside Station Road; 509, Blue Lake Road; 511, Patterson Sawmill Road; 533, Dixie Valley Road; 534, Hayden Hill Road; 537, DeVose Drive; 542, Nelson Reservoir Road; 543, Dry Creek Campground; and portions of 238, Johnstonville Road North; 402, Kauffenberg Road; 415 Bieber Dump Road; 416 Four Corners Road; 423, Albaugh Road; 427, Guttry Road; 435, Schott Road; 503, Horn Road; 524, Spooner Road.

GRAND JURY RESPONSE

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to approve sending a letter to the Superior Court Judge responding to the Grand Jury Report recommendations for Animal Control.

HEALTH AND SOCIAL SERVICES

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried unanimously, on a roll call vote, to transfer \$71,800 from Contingency to Fund 120 to fund new Social Workers Health & Social Services - Children's Protective Services (CPS).

INFORMATION FOR THE BOARD

CAO Bixby announces he will be attending the CAO Conference this week and the CAO Association is paying for his tuition and meals - Community Development Director Robert Sorvaag will be acting CAO.

BOARD OF SUPERVISORS

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to approve and authorize Chairman to sign a letter to Secretary of State Kevin Shelley supporting the following efforts and methods to prevent voter fraud: a) requirement for stronger voter identification procedures while registering or

voting, including presentation of proof of citizenship and photo identification; b) strengthened penalties for persons convicted of voter fraud; and c) the zero tolerance policy for voter fraud of the Secretary of State.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to approve, and authorize the Chairman to sign a letter to Senator Dianne Feinstein requesting assistance in sponsoring a visit to the Sierra Army Depot (Sierra Expeditionary Logistics Base) by Deputy Under Secretary of Defense Ray Dubois to allow him a full appreciation of Sierra's inherent military value and capabilities.

UNAGENDIZED BOARD REPORTS

6. Supervisor Dahle announces the Energy Bill for Power Generation has been signed - will mean a tax credit for Honey Lake Power and Westwood Power.

7. Supervisor Hanson announces the Holiday Party is tentatively scheduled for December 14, 2004, 5:00 - 6:30 p.m. at Jensen Hall - this date is fine with the board members.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 11:38 a.m. in memory of Woody Goddard, a former longtime involved community member.

CHAIRMAN OF THE BOARD OF SUPERVISORS

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD