

UNAPPROVED

BOARD OF SUPERVISORS

OCTOBER 19, 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 items and the Board recesses to Closed Session at 9:13 a.m. for an Employee performance evaluation: Child Support Services Director Beth Hyde

Present in the Closed Session are Supervisors Robert Pyle, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel John Ketelsen, and County Clerk Theresa Nagel. Supervisor Chapman and CAO Bixby are absent. Closed Session is recessed at 9:28 a. m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, October 19, 2004, at 9:34 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 Chapman.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

The County Clerk announces the Closed Session dealt with an Employee performance evaluation: Child Support Services Director Beth Hyde no reportable action taken.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

CAO Bixby notes a representative of Public Health will provide an update on flu shots during public comment.

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

PUBLIC COMMENT

1. Public Defender Toni Healy discusses the challenge for cause she brought against Judge Lazard and announces the independent Judge hearing the challenge rendered a decision on October 15th, granting her challenge and she reads sections from the decision. She states the decision is a scathing review of Judge Lazard and there is no criticism of the Public Defender or

staff. She states that she has learned her position has not been flown and she has heard of actions taken by CAO Bixby which show a consideration of a private contractor (John A. Barker and Associates) to take over the Public Defender function. She asks where the bidding process is, negotiations with unions, consideration of Public Defender staff. Comments this is only an effort to save money, not to serve the constituents. Asks why the Public Defender is the only department being considered for privatization. States she knows there has been pressure put on the board members. States shame on those who have put such pressure, shame on the Sheriff, District Attorney Burns, private attorneys and court interpreter for putting pressure on the Board. She thanks the board members for never putting pressure on her and thinks they need to replace her with someone just like her.

CAO Bixby states there are so many untruths in Mrs. Healy's statements. States advertisements for Public Defender and an Assistant began preparation yesterday, and there will be a Request for Proposal. He states Mrs. Healy is a very emotional person and should get her facts straight before making allegations. He also states he will always bring any cost saving measure to the Board.

2. Kimberly Pipes states she is here to ask for -- her family and the county needs help. She states that CAO Bixby is using Peggy Crosby and Melody Brawley as attack dogs, also states that Linda Waddle at CPS and Peggy Crosby are thick as thieves. States attacks against her family **will** stop! She **will** walk into Federal Court! Asks board members to put Peggy Crosby on administrative leave - to watch Brawley and speaks about the "in-house Nazis" - must get someone in here to replace Bixby. Refers to accusations of child molesting. Calls Attorney Kathleen Williams a loser as a female and states she will "draw her out". States "I will take all measures to stop this and any attacks to my children. Emotional or not it will be time to lock and load". States directly to CAO Bixby "Mr. Bixby how dare you".

3. Public Health Representative Patsy Jimenez states only 200 flu shots are available at Public Health. She lists the persons that are suggested for receiving the vaccine (over 65, pregnant, chronic medical conditions, 6 months to 18 years, care givers, health care workers.) Public Health will hold a flu shot clinic on October 20th - 8:30 - 11:30 a.m. for persons 75 years or older. They have hopes of getting more vaccine, but are not sure.

RECOGNITION COMMITTEE - PRESENTATION

Chairman Hanson makes the following presentations for years of

service:

Fifteen years: a two pen desk set to Peggy Lee, (County Clerk/Recorder) and Russell Hewett, (Public Works - Road)

Twenty years: a desk clock to Jerry Buberl, (Public Works - Road)

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle reports on the WIR Conference he attended for RCRC - a legislative package was developed: PILT Full Funding, working on formulas; Endangered Species Act, reforms and including good sound science; Energy, support all types of alternative energy and become less dependent on foreign sources. Notes it was nice to be able to report that the Bio-Mass Tax Credit legislation had passed.

2. Supervisor Hanson reports briefly on the Mental Health Advisory Meeting and LAFCO meeting. Notes the Wildlife Conservation Board agenda includes grants to California Wildlife Foundation, Inc. for project administration of Fish and Game Land Management for Willow Creek and Honey Lake Wildlife areas.

ALCOHOL AND DRUG ADVISORY BOARD

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

VETERANS MEMORIAL BUILDING TASK FORCE

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to appoint Morris "Jim" Ward, American Legion, to fill a vacancy on the Veterans Memorial Building Task Force.

CONSENT CALENDAR

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 October 12, 2004.

AUDITOR & TREASURER DEPARTMENTS ITEM

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

COUNTY COUNSEL ITEM

Approve one year contract with Attorney Traci Witry for assistance with Children and Family Services cases and authorize Chairman to sign.

HEALTH & SOCIAL SERVICES

Approve the State Employment Development Department agreement in

the amount of \$31,447 for operation of the CalWORKS Job Services and Support Activities Project for FY 2004/05; and authorize the CAO to execute the agreement.

PUBLIC WORKS DEPARTMENT ITEM

1) Award bid for liquid propane for various County facilities to Ed Staub & Sons (Susanville), the lowest bidder (all firm margin above BPN) in the amount of \$0.279/gallon for Susanville area, \$0.299/gallon for Standish area; \$0.347/gallon for Doyle area; \$0.349/gallon for Westwood area and \$0.389/gallon for Bieber and Ravendale areas.

2) Award bid for heating oil, Diesel #2 for various County facilities to Don Harbert Oil Company (Bieber), the lowest bidder, (firm margin above OPIS) in the amount of \$0.085/gallon for Bieber area and \$0.10/gallon for the Susanville and Westwood areas.

Award bid for tires for the period of October 1, 2004 through September 30, 2005 to Lassen Tire, the lowest bidder meeting specifications.

TREASURER/TAX COLLECTOR ITEM

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

PRISON TRIALS COST REIMBURSEMENT PROGRAM ITEMS

Receive and file Recap of CCC Prison and High Desert State Prison Trials Cost Reimbursement Billing for September, 2004.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Fair Advisory Board meeting agenda for October 12, 2004.
- b. Local Agency Formation Commission (LAFCO) of Lassen County regular meeting agenda for October 18, 2004.
- c. Lassen County Technical Advisory Committee meeting revised agenda for October 13, 2004.
- d. Big Valley Family Resource Center August 2004 Report.
- e. Highway 36 Town Hill Safety Task Force agenda for October 13, 2004, and minutes of September 8, 2004.

INFORMATION FOR THE BOARD

CAO Bixby reports on the CAO Conference he attended last week, noting that the issue of equity of redistribution of sales taxes will be a major discussion before CSAC. The big counties will be fighting over the spoils with small counties just getting the crumbs. Supervisor Chapman expands on this subject.

GRAND JURY RESPONSE

It is moved by Supervisor Chapman, seconded by Supervisor Keefer and carried to approve, and authorize Chairman to sign a letter responding to the 2003-2004 Grand Jury complaint against the Board of Supervisors.

Recess 10:25 - 11:01 a.m. Supervisor Chapman is absent.

UNITED STATES FOREST SERVICE

Forest Engineer Jack Walton provides an update on Competitive Out Sourcing Studies and affects on local employees. (CAO Bixby absent 11:04 - 11:05 a.m.)

The Business Operations Transformation Program is a significant, agency-wide, organizational efficiency improvement initiative that will span multiple years and impact the entire Forest Service. There are three projects involved, Financial Management Improvement Project, Information Technology Competitive Sourcing Project, and Human Resources Business Process Reengineering Project which will locally affect 17 employees. The centralization in Albuquerque, New Mexico will reduce the number of employees needed at District, Forest, Station, Regional, and Washington Office levels.

Noon recess 11:25 a.m. - 1:30 p.m.

LOCAL REUSE AUTHORITY - QUARTERLY REPORT

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

Chairman Hanson postpones the scheduled meeting to a time certain on November 9, 2004.

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

STUDY SESSION - FAIR MANAGER

CAO Bixby notes the Fair Advisory Board expressed the desire to meet at least annually with the Board of Supervisors to discuss fair issues.

Fair Advisory Board Member Mike Ratkey presents their suggestions for Fair Manager qualifications and states they would like to be involved in screening the applicants.

Supervisor Dahle wants to make it clear to the Fair Advisory Board that what they have to say is important to the Board of Supervisors. Supervisor Hanson and Supervisor Keefer agree. Supervisor Keefer states that public relations is a key point for him and the manager and advisory board need to collaborate.

CAO Bixby states one way to handle that is by setting guidelines that require the fair manager to show the recommendation of the advisory board when the manager brings an item before the Board of Supervisors.

Supervisor Chapman provides a background on how the fair management has evolved and expresses his opinion on how the fair should go forward. Notes that Claud Neely has gotten the facilities in much better shape (toilets flush and electricity works).

Supervisor Keefer again notes the need to have a joint meeting with the advisory board and new manager so the Board can provide direction on what their expectations are.

Acting Fair Manager Jim Jeskey is glad to hear the comments made by board members. He informs the board members that a rewrite of the Fair Advisory Board guidelines is being done with help from County Counsel and plans are underway for the Advisory Board President to write an informational column for the newspaper.

Supervisor Dahle suggests that semi-annual joint meetings be held between the Board of Supervisors and Fair Advisory Board.

CAO Bixby notes a manager is needed who can market the fairgrounds during the year, not just for the fair.

Supervisor Keefer really likes the wording submitted by the Advisory Board "Ability to work cooperatively and communicate effectively with staff, Board of Directors, Advisory Board, governmental agencies, local businesses, media and the community", and would like this added to the job description. Supervisor Chapman would also like to add "interest groups" to that wording.

CAO Bixby states he will move forward with the recruitment and will bring back a final job description for the Board to approve. He recommends that a committee of five, but no more than seven, persons initially screen the applications.

Personnel Director Ron Vossler provides a timeline - 45 days to get a list of applicants to the screening committee, and 7-10 days to set-up interviews. He expects to have the job announcement out next week.

There being no further business, the meeting is adjourned at

clerk

2:19 p.m.

CHAIRMAN OF THE BOARD OF
SUPERVISORS

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD