

UNAPPROVED MINUTES
BOARD OF SUPERVISORS

NOVEMBER 16, 2004

The Lassen County Board of Supervisors convene in Regular Session at 9:06 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 9:08 a.m. for a Conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: Pipes vs. County of Lassen, et. al. United States District Court Case # S-02-1521 FCD DAD.

Present in the Closed Session are Supervisors Lloyd Keefer, Brian Dahle, and Jack Hanson; Special Counsel Kathleen Williams, County Counsel John Ketelsen, County Administrative Officer Bill Bixby and County Clerk Theresa Nagel. Supervisor Pyle is absent. Supervisor Chapman enters at 9:13 a.m. Closed Session is recessed at 9:56 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, November 16, 2004, at 9:59 a.m. Present: Supervisors Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel John Ketelsen, County Administrative Officer (CAO) Bill Bixby and County Clerk Theresa Nagel. Supervisor Pyle is absent. 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 a conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: Pipes vs. County of Lassen, et. al. United States District Court Case # S-02-1521 FCD DA - no reportable action taken.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

PUBLIC COMMENT

Poet Laureate Violet Stout reads a Thanksgiving poem entitled "The Starving Cry".

RECOGNITION COMMITTEE - PRESENTATION

Chairman Hanson makes the following presentations for years of service:

Ten years: a brass letter opener to Charles Androy, (Sheriff's Department).

Fifteen years: a two pen desk set to Dan Douglas, (Public Works - Transportation) and Bart Lenihan, (Public Works - Road Department) - not present.

Twenty-five years: a desk clock/calculator to James Lane - (Public Works - Road Department) - not present.

UNAGENDIZED BOARD REPORTS

1. Supervisor Keefer reports on the RAC meetings at which 24 projects totaling \$1.2 million in requests were considered. They made recommendations to the Forest Supervisor for allocation of \$570,000 in grants - she will not be able to review these until January, 2005. He provides some specifics on the recommendations made.

2. Supervisor Hanson designates \$200 of his discretionary funds to the Lassen Aurora Network and \$200 to the Standish 4-H Club; reports on the Mental Health Advisory Board meeting; reports on the Veterans Day Ceremony; states he continues to receive inquiries about the revision of the underground water tank ordinance and he encourages staff to move forward with a solution; reports that a SIAD Restoration Advisory Board meeting was held.

PUBLIC HEARING - REZONE #2004-116, RONALD YOUNG

The public hearing is opened at 10:15 a.m. to consider Rezone #2004-116, Ronald Young, to rezone approximately 167 acres from TPZ (Timber Production zone) to U-C-2 (Upland Conservation/ Resource Management District), located approximately 6 miles south of Adin.

Community Development Director Robert Sorvaag presents the staff report stating the Planning Commission recommended denial as the location is very remote, is not a county maintained road, permanent residential use is not consistent with the General Plan and the natural resource and timber production uses. Property is mostly surrounded by Forest Service land. No one speaks in favor of, or in opposition to the rezone, and the hearing is closed at 10:22 a.m.

Board members ask staff several questions about the area. Supervisor Chapman and Supervisor Dahle both see the need to do some real planning for the entire county.

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to uphold the Planning Commission denial of the rezone application.

LOCAL REUSE AUTHORITY

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

Supervisor Hanson notes that comments taking exception to some of the contents of the LRA Quarterly Report were received from the West Patton Village Community Service District.

Assistant Community Development Director Bertotti presents and discusses the LRA Quarterly Report addressing occupied buildings, vacant buildings/lands, operations and maintenance, Sierra Army Depot interactions, co-use of airfield, Enhanced Use Leasing and Excess to Use of Military Facilities, Herlong Utilities Cooperative, Request for Proposals Herlong Residential and Mixed Use Development Project. (Supervisor Chapman is absent 10:50 - 10:52 a.m.)

Supervisor Hanson states the issues remain the same as when the county took over the property - water, sewer and fire. States it is sometimes frustrating that it takes so long to get things done.

Mr. Bertotti provides information on the suspension of the LRA participation on the Herlong Utilities Commission (HUC) Board of Directors for failure to contribute financially to the administration of the utility's start-up phases. He states, with the Board's direction they expect to pursue agreement by the (HUC) Board of Directors and the LRA over matters of costs associated with "rejoining" the Board of Directors as well as any other lingering issues. Before executing any agreement, a report will be made to the Board detailing costs necessary to participate on the Board and providing clarification of the HUC's capital improvement strategy and expected service costs, including recommended sources of funds. At that point, the LRA Board would consider the proposed agreement, proposed expenditures and could appoint a representative to the HUC. A figure of \$46,000 has been discussed as the contribution from LRA toward future service from the HUC. Hopefully there will be a developer to pick up these costs. The LRA expects any funding put into utilities will come back from development, but there are no guarantees.

Chairman Hanson directs staff to enter into discussions with the HUC.

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

UNITED STATES FOREST SERVICE

Eagle Lake District Ranger Bob Andrews distributes and discusses information on the Merrill Campground closure in 2005 for rebuilding. Facilities Engineer Heather Blevins

states that Northstar Design from Chico is working with Hat Creek Construction on design and construction. The number of camping sites will be a little less than the current number, due to the need for setbacks from the creek. There is a lot of uncertainty due to competition for funding with the other forests. Mr. Andrews notes that partnerships with other agencies is very helpful when competing for funding. There might be a concessionaire brought in and if that happens there may be funding available from that source. On Memorial Day weekend and 4th of July weekend the Forest Service will be flexible in providing other camping areas.

CONSENT CALENDAR

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

COUNTY CLERK ITEM

Approve minutes of November 9, 2004.

ADMINISTRATIVE SERVICES ITEM

Approve an exception to Article VIII, Section 803, Progression of Merit Steps, Subsection (1), Normal Progression, of the Lassen County Personnel Rules & Regulations to allow the scheduled Merit Increase for Deputy Sheriff Nathan C. Mendez to occur on October 2, 2004.

ADMINISTRATIVE SERVICES

Appoint Ms. Rhea Giannotti as acting Public Defender effective December 1, 2004.

HEALTH & SOCIAL SERVICES - PUBLIC HEALTH DIVISION

Approve the agreement and Memorandums of Understanding with the State Department of Health Services in the amount of \$45,348 for HIV/AIDS Counseling, Testing, and Surveillance for Fiscal Years 2004/2007; and authorize CAO Bixby to execute the agreement documents.

SHERIFF DEPARTMENT ITEM

Set December 14, 2004 at 10:30 a.m. for public hearing on whether to adopt a resolution imposing additional registration fees to defray cost of Electronic Fingerprint Identification System.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Fair Advisory Board meeting agenda for November 9, 2004.

SHERIFF DEPARTMENT

Sheriff Freitas states the current command structure of the Sheriff's Office is the Sheriff with three Assistant Sheriffs serving as Division Chiefs. In the absence of the Sheriff, one of the Assistant Sheriffs must be designated as Acting Department Head. The request for an Undersheriff position would formalize a command structure by permanently making that position the second in command of the department. Funding for the requested change can be absorbed in the current budget and it is an at-will position.

It is moved by Supervisor Chapman and seconded by Supervisor Keefer to approve elimination of one Assistant Sheriff position, (Range 25), and addition of one Undersheriff, (Range 28) position for the Sheriff's office.

Discussion is held among board members and Sheriff Freitas. Supervisor Chapman would like the Board to look at the Sheriff's compensation and CAO Bixby responds this is being pursued at the prior direction of the Board.

The motion carries with Supervisor Dahle voting NO.

COMMUNITY DEVELOPMENT DEPARTMENT - ECONOMIC DEVELOPMENT DIVISION

Community Development Director Robert Sorvaag presents and discusses the Updated Economic Development Strategy Plan. The plan has been reviewed by the Economic Development Coordinating Council. He is expecting lots of changes in the near future and there may be a need to revise the plan within a year.

Assistant Community Development Director Bertotti further reviews the plan noting its purpose is to be a guide for economic development.

Discussion is held on the need for coordination and cooperation between the county and city on areas of mutual focus. Mr. Sorvaag sees the city and county efforts as being on a parallel track - very compatible.

Supervisor Chapman sees the need for linking partners together. He references Plumas County and how they promote the county for tourism and development promotion. States Lassen County is still not thinking outside the box and references the Westwood Visitor's Center stating that he guarantees if Plumas County had that facility it would be open on weekends. Staff needs to find a way to man this facility and he asks how many staff are in the economic development division. Mr. Bertotti responds there are seven people with a \$250,000 budget. Supervisor Chapman asks what are we getting from this staffing and budget. He wants Lassen County to start competing on the same level, or

better, than other counties in the area are doing. He talks about the marathon held on the Bizz Johnson Trail and states we should be talking to the guy that organized that event to get ideas. Need to bring everyone together for a united effort even though it may not be what staff wants or not what some of the partners want. He is not sure the adoption of this plan will accomplish much.

Community Development Director Robert Sorvaag states economic development is a moving target and we have to be prepared to change strategies.

Supervisor Keefer states that Supervisor Chapman made good points, but he wonders how do we address it. He feels talking with the city and chamber is one need. Hopefully with development of Dyer Mt. the Transient Occupancy Tax (TOT) will be enhanced.

Supervisor Chapman states if promotion of the County is government based it is doomed to failure - need a separate entity outside the confines of government. He does not see anything in this plan to get us to critical mass to build confidence in a structure that the private sector will support.

CAO Bixby states he will work with Bob Sorvaag to put together a plan.

It is moved by Supervisor Dahle and seconded by Supervisor Keefer to accept the Updated Economic Development Strategy Plan with additional work on tourism to come to the Board early next year.

Supervisor Chapman states he will be voting no because staff needs to know "their feet are in the fire".

Mr. Bertotti states Policy #5, establish a Lassen County Tourism Coordinating Council to coordinate visitor promotion, outdoor sporting events and filming opportunities, will be moved from the second quarter of 2005 to the first quarter.

The motion carries with Supervisor Chapman voting NO.

There being no further business, the meeting is adjourned at 12:12 p.m.

SUPERVISORS

CHAIRMAN OF THE BOARD OF

clerk

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD