

BOARD OF SUPERVISORS

DECEMBER 21, 2004

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, December 21, 2004, at 9:38 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

Chairman Hanson announces that no closed session was held.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

County Clerk Nagel requests that Item G-7, parcel map, be removed from the consent calendar for consideration under department reports.

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

PUBLIC COMMENT

1. Poet Laureate Violet Stout reads a poem entitled "Christmas". Supervisor Chapman announces that he has collected Violet's poems all year and will be placing them in a booklet of 2004 poems entitled, "The Best is Yet to Come".
2. Chairman Hanson expresses to Sheriff Freitas his appreciation of the Sheriff's Deputies involved in the Ravendale domestic violence incident. Sheriff Freitas responds to "keep them in your prayers".

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle wishes everyone Happy Holidays.
2. Supervisor Keefer wishes everyone Happy Holidays.
3. Supervisor Pyle wishes everyone Happy Holidays; designates \$500 of his discretionary funds to Westwood Volunteer Firefighters Association.
4. Supervisor Chapman expresses his best wishes to everyone for the holiday season; discusses a letter he has written expressing his hope that those in authority of State Government will honor the commitments previously made to

parole state inmates to the county of origin; speaks about the grant for purchase of vans for the Senior Center and the PSA II funding stream; announces he will be appointed to the Lahontan Water Quality Control Board; makes designations of his discretionary funds - \$1000 to Susanville Library District and \$1000 to the Lassen County Arts Council.

5. Supervisor Hanson designates \$600 of his discretionary funds to Ft. Sage Family Resource Center for their community recognition efforts; announces that he had knee replacement surgery last week.

LASSEN COUNTY FAIR BOARD

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

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to approve the revised Lassen County Fair Budget for the period of January 1, 2005 to December 31, 2005 with the total "Proposed" Resources Available of \$660,189 and total "Proposed" Expenditures of \$531,434, with a "Proposed" Reserve Percentage of 19.4%.

Supervisor Hanson thanks Jim Jeskey for stepping into the position of Interim Fair Manager.

CAO Bixby asks board members when they want to conduct the Fair Manager interviews of four candidates. Consensus is the afternoon of January 11th.

Mr. Jeskey states the Fair Advisory Board is looking forward to a joint meeting with the Fair Board. CAO Bixby suggests the joint meeting be held in mid-January when a new manager is in place.

The Board of Supervisors reconvenes.

PROCLAMATION

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried to adopt Proclamations honoring the following employees on their retirement from Lassen County:

Sgt. Richard Poor - Sheriff's Department

Jackie Stovall - Probation Department

Steve Anderson - Assessor's Office

Sheriff Bill Freitas - Sheriff's Department

Spencer Templeton - Health and Social Services Department

Sgt. Curtis Gatie - Sheriff's Department

Supervisor Chapman reads and presents proclamations to Jackie Stovall and Sheriff

Freitas.

Chairman Hanson reads the proclamation for Steve Anderson and presents it to an associate appraiser.

Spencer Templeton's proclamation will be presented at the next meeting.

Sgt. Richard Poor and Sgt. Curtis Gatie are not present.

RECOGNITION COMMITTEE - PRESENTATION

Chairman Hanson makes the following presentations for years of service:

Fifteen years: a two pen desk set to Robin Jones - (Child Support) and Melody Brawley - (Lassen Works).

CAO Bixby states we need to recognize all of the hard work put forth by the Recognition Committee consisting of: Julie Morgan, Carole Dustin, Susan Osgood, Dan Douglas, Sheri Tripp, Dee Woginrich, Michele Salas, Corrine Reed, Yvonne Smith, Linda Armstrong.

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:

ADMINISTRATIVE SERVICES - PERSONNEL DIVISION ITEM

Approve Step "E" for the temporary appointment of Ms. Kristine Mahan in the position of Social Worker III in the Family and Children Protective Services Department, Health and Social Services Agency.

ADMINISTRATIVE SERVICES ITEMS

Approve contract for special investigative services with John Abbott, to cover the period of January 1, 2005 through December 31, 2005.

Approve contract for special investigative services with James (Pat) Devlyne to cover the period of January 1, 2005 through December 31, 2005.

HEALTH & SOCIAL SERVICES - LASSEN WORKS DIVISION ITEMS

- 1) Accept the subcontract between Northrop Grumman and Health and Social Services;
- 2) adopt Resolution No. 04-079, authorizing the CAO to sign grant documentation for the SAMHSA/Northrop Grumman administered grant for the Fetal Alcohol Project for

eligible persons in Lassen County; and 3) authorize the establishment of a new fund within the County for the revenue and expenditure of these funds.

PUBLIC WORKS DEPARTMENT - SURVEYOR DIVISION ITEM

Adopt Resolution No. 04-080, to approve Subdivision Map #2003-125, Oak View Estates.

PUBLIC WORKS DEPARTMENT - ROAD DIVISION ITEMS

Adopt Resolution No. 04-082, approving the execution of Program Supplement Agreement No. MO 27, for the Leavitt Lane Bridge (7C-61) Replacement and Rehabilitation (HBRR) Project, in the amount of \$80,000 for the Preliminary Engineering phase (the County is eligible for 80% reimbursement); and authorize the Chairman to sign.

Approve and authorize the Director of Public Works to sign an agreement for Environmental Studies with Pacific Northwestern Biological Resources Consultant's, Inc. for the Lambert Lane Bridge 7C-66 Replacement Project.

COMMUNITY DEVELOPMENT DEPARTMENT ITEM

Authorize Community Development Department to purchase three new 8-passenger vans for the Senior Center off the State Cooperative Purchasing Agreement.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Copy of letter from Attorney Sean P. Beatty of Cooper, White & Cooper LLP to Consumer Protection and Safety Division of the California Public Utilities Commission giving notice that California Rural Service Area #1, Inc., a cellular licensee in California Rural Service Area Nos. 1, 2 and 9, has obtained all requisite land use approval for the site name Black Mountain Temporary Cell Site.
- b. Lassen County Air Pollution Control District Governing Board meeting agenda for December 21, 2004, and minutes of October 19, 2004.

BOARD OF SUPERVISORS

Chairman Hanson presents a Certificate of appreciation to Jim Jeskey as Fair Advisory Board member; and a Certificate of appreciation to Dan Douglas for his work on the state fair exhibit.

Dan Douglas presents the State Fair Exhibit plaque and gold award ribbon to Chairman Hanson.

PUBLIC HEARING - SHERIFF'S DEPARTMENT

The public hearing is opened at 10:17 a.m. to consider Electronic Fingerprint Identification System Funding and imposition of vehicle registration fees.

Steve Warren presents the staff report. No one speaks in favor of or in opposition to the imposition of registration fees and the hearing is closed at 10:27 a.m.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to adopt Resolution No. 04-084, imposing additional registration fees to defray cost of the Electronic Fingerprint Identification System.

Recess 10:28 - 10:35 a.m.

PLANNING DEPARTMENT - FIRE ORDINANCE

Planner Rick Simon states they have worked with the County Fire Warden and the Fire Chief's Association on proposed revisions to Lassen County Fire Safety Ordinance 502. Charlie McCall of the County Fire Warden's Office headed up a committee to work on the revisions. The committee included Chip Jackson, Glenn Hodgson, and Planning personnel. Mr. Simon states in response to concerns from the public and fire protection personnel three issues have received focus: providing alternatives to the multiple access requirement; a variance or waiver process from the 30-foot building setback; and alternatives to individual water storage tanks on properties outside fire protection districts. The proposed revisions would: add and amend definitions; clarify the authority of the County Fire Warden and responsible fire protection agencies to consider and recommend alternatives to multiple access based on findings; provide alternatives to individual water storage tanks, including larger centralized tanks; and add provisions for a variance or waiver process from the 30-foot building setback requirement for parcels equal to or greater than one acre.

Community Development Director Robert Sorvaag states the draft ordinance has been reviewed by the Planning Commission, but further thought has determined the County Fire Warden could make practical calls relating to setbacks, on a case by case basis, on waiver evaluations.

Board consensus is to have some flexibility built into the ordinance and to be more cost effective. Chairman Hanson would like to see this ordinance expedited. Supervisor Keefer hopes the Planning Commission would consider the opinion of the expert (Fire

Warden) in regard to multiple access.

Charlie McCall notes that water tanks may still be required in areas outside of fire districts.

TITLE III REQUEST - EAGLE LAKE RANGER DISTRICT

Lisa Sedlacek, Jill Poulsen and Terri Rameriz of the Eagle Lake Ranger District present a power point presentation to support their Title III request to purchase 30 pair of snowshoes, totaling \$3,600, for winter environmental education.

Supervisor Keefer states this proposal meets the guidelines for Title III Funding, but notes we also have to go through a 45-day notice period prior to final approval.

It is moved by Supervisor Dahle, seconded by Supervisor Chapman and carried to approve request to purchase 30 pair of snowshoes, totaling \$3,600.

UNITED STATES FOREST SERVICE

Forest Supervisor Laurie Tippin is present to provide an update on the Share the Dream Trail (Loop). She has met with the Recreation Outdoor Coalition (ROC) on the issue of supporting non-street legal motorized vehicles (mixed use) usage of Forest Service roads. She states the current policy is in support of street legal motorized and non-motorized use of Forest Service Roads, but further study is needed (working with the ROC) on the mixed use. Forest Service management will meet the end of January and she feels there is support for mixed use. She is from Wisconsin where they have mixed use and she favors it.

Supervisor Keefer received a call from ROC member Sylvia Milligan following the meeting with Ms. Tippin and she was upbeat.

Supervisor Chapman brings up the issue of the forest being open to the public unless steps are taken to close specific areas for specific reasons versus the proposed change to make forests closed to the public unless steps are taken to open certain areas. Ms. Tippin responds that this is the Travel Management Proposal and no decisions have been made yet. Supervisor Chapman requests an update on this matter and how such a proposal relates to the Lassen Forest.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

Community Development Director Robert Sorvaag has received a request from Lassen Land & Trails Trust to refund \$754 Parcel Map fee for Parcel Map Application #2004-128.

Lassen Land & Trails Trust representative Kevin Justice presents a map of the property and discusses their request. He states the lots will only be sold if they do not receive enough grants to pay off the property. They did sell seven lots at Eagle Lake to help with the cost of this property.

In response to a question from Supervisor Dahle, Mr. Sorvaag states this property is not designated open space land in the general plan.

Discussion is held regarding the precedence this might set. CAO Bixby suggests this item could be continued to the next meeting to allow staff time to gather information on possible deed restrictions and he notes it will only set a precedence if the Board lets it be so.

It is moved by Supervisor Pyle to grant the request for a refund. The motion dies for lack of a second.

CAO Bixby asks if this can be brought back to the next meeting and board consensus is to authorize that.

Williamson Act Contract:

Planner Maurice Anderson presents the Land Conservation Committee recommendation on Agricultural Preserve #2004-158, Martinucci, application to amend Agricultural Preserve #AA-18, (adding approximately 71 acres) and enter said land into a Williamson Act Contract. The subject land is located approximately 3/4 of a mile north of Standish. APN's: 119-260-04 (portion); 119-020-33.

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to offer a Williamson Act Contract; 2) adopt Land Conservation Committee findings; 3) adopt Resolution No. 04-083, amending agricultural preserve #AA-18; 4) authorize Chairman to execute a Williamson Act Contract; and 5) authorize County Recorder to record without fee.

CORRESPONDENCE

A letter from State of California Resource Agency Secretary for Resources Mike Chrisman regarding appointment of a conferee to Sierra Nevada Conservancy is received.

It is moved by Supervisor Pyle, seconded by Supervisor Keefer and carried to appoint Supervisor Dahle as the conferee with Supervisor Hanson as the alternate.

INFORMATION FOR THE BOARD

1. CAO Bixby wishes everyone a Merry Christmas.
2. CAO Bixby announces the Chief Probation Officer has submitted her resignation effective the end of the month and recruitment will be opened and run until the position is filled. Judge Bradbury has appointed Ron Jarrell as Acting Chief Probation Officer.

PUBLIC DEFENDER

Supervisor Keefer requests reconsideration of the rate the Board of Supervisors approved on December 7, 2004 in Toni Healy's contract to adjust it to Superior Court rate of \$75 per hour.

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to adjust the hourly rate in Toni Healy's contract to \$75.

County Counsel John Ketelsen notes this causes a problem with the contract he has with Traci Witry. She has asked for her rate to be adjusted and he has told her to wait. Supervisor Chapman states everyone should be treated the same and this should be placed on the next agenda.

PUBLIC WORKS DEPARTMENT - SURVEYOR DIVISION

County Clerk Nagel received information from Marty Diehl of the Surveyor's Office that the conditions of approval for Parcel Map Waiver #2004-31, Cruikshank, have not been met, therefore the resolution of approval needs to be pulled from this agenda.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to authorize the County Clerk to record the "Notice of Withdrawal of Nonrenewal" submitted by John Comino, as related to the Williamson Act contract on Assessors Parcel numbers: 116-070-16, 117-510-01, 117-510-02.

Recess 11:58 a.m. - 1:33 p.m. Supervisor Chapman is not present.

EMERGENCY MEDICAL SERVICES TRANSPORTATION PLAN

CAO Bixby provides a summary of events relating to ambulance services. (Supervisor Chapman enters at 1:35 p.m.) The Board will be awarding an interim ambulance provider contract for the Lassen Ambulance Company area, only for the thirty day Declaration of Emergency period. Norcal EMS will award the provider contract for the period beyond the thirty days until the end of the RFP process.

A Norcal representative indicates their intent is to work with the interim provider who will

be appointed as the provider until the end of the RFP process.

County Counsel John Ketelsen further explains the ordinance requirements for handling the ambulance service emergency.

Fire Chief Charlie Harrison, Janesville Fire Department, does not understand why South Lassen Ambulance is now saying they cannot serve the area they have been serving for several years without having a larger service area. He also states regardless of who the ground provider is should not impact the air provider.

Jim Brown feels we need a change and this is an excellent opportunity for change.

Supervisor Pyle states his concerns were: providing ambulance service to Westwood, loss of local jobs, and having all needed information. He will make the decision that is best for his constituents and the county. He has received a letter from REMSA with a guarantee that if South Lassen Ambulance discontinues service to Janesville or Westwood areas, REMSA will provide the same services currently being provided, as soon as possible, and will continue such services throughout the interim period until a long term solution is provided through the RFP process. He has received many calls from constituents wanting to keep REMSA. He understands REMSA is holding a job fair today for EMT's and Paramedics. He has to respect the overwhelming support of the community to keep REMSA. He thanks all the people that he has been working with - ambulance providers, county staff, EMCC members - they have all been very helpful.

Steve Datema, Susanville Airport Manager, speaks of the future viability of Mt. Lifeflight - his biggest customer for fuel and airport fees. Notes that very few rural communities this size have air ambulances and he feels this is something to keep in mind.

Interim ambulance agreement:

It is moved by Supervisor Dahle and seconded by Supervisor Keefer to direct the CAO to prepare an interim agreement with REMSA for ambulance service pending award of ambulance provider agreement by NORCAL EMS for area formerly covered by Lassen Ambulance Co.

Supervisor Chapman expresses his thoughts regarding the ambulance service.

The motion carries.

Dave Reger has a piece of advice - take a break - he will financially back South Lassen Ambulance until the end of the RFP process. He states South Lassen will evaluate the

operation and either come up with a proposal by the end of June or let everyone know they cannot.

Recess 2:16 - 2:22 p.m.

Minimum qualifications:

CAO Bixby introduces consultants Diane Akers and Dr. Richard Narad.

Ms. Akers states the RFP standards are to provide a set of guidelines to be used in evaluating the proposals that are received. She reviews the standards and states these standards will take service out of the realm of "doing the best I can" and put it in the realm of holding a provider to a set of standards. There are three options for providers to consider: Option A - meeting the standards; Option B - including Westwood Service area; Option C -adding a subscription service.

Supervisor Keefer would like to see an Option D - Janesville ambulance.

It is moved by Supervisor Pyle, seconded by Supervisor Chapman and carried to approve the minimum qualifications for ambulance services.

Bonnie Drinkwater and team from REMSA distribute comments regarding the draft RFP standards, which includes many helpful suggestions made in the spirit of taking Lassen County's ambulance services to the highest possible level of performance and stability regardless of who may prevail in the RFP process.

Heather Emmot (formerly a local resident) states she developed the maps that local ambulance providers are using. Knowing the distances involved she is concerned the response times set in rural and wilderness areas are too stringent. She suggests considering designation of rural and wilderness areas and what remote areas can mean to response times.

Emergency Medical Services Transportation Plan:

Dr. Narad reviews aspects of the Transportation Plan which includes two zones. Zone One - Susanville, Westwood, Janesville and south; Zone Two - North County (Bieber area). There are no plans for changing the air ambulance service areas.

Board members make suggestions for corrections and changes to the Transportation Plan. A question is asked about how often a subsidy is paid for ambulance service by a government agency. Dr. Narad responds in rural areas it is frequent, but he also notes that in-kind services such as dispatch services and facilities to park ambulances are very

helpful, in-lieu of a monetary subsidy.

It is moved by Supervisor Pyle, seconded by Supervisor Chapman and carried to adopt Resolution No. 04-085, approving the Lassen County Emergency Medical Services Transportation Plan with all the corrections/changes provided by board members.

REMSA Medical Supervisor Joseph Ryan urges the Board and consultants to specify the quality of services in the RFP so the competition will be on price alone. Be precise, for instance, for a response time of 8 minutes, is that 8 minutes 1 second, or 8 minutes 59 seconds?

CAO Bixby states we need to think about what we want in response times, 8 minutes for a broken finger in a snow storm through school zones is different than for a serious accident in good weather. We do not want to hold a provider to unreasonable standards. Need to think about restructuring the EMCC to be a hearing board for complaints, need to cooperate and be a partner to the ambulance provider.

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried to direct staff to deliver the plan to Northern California EMS, Inc. with a recommendation that it be forwarded to the California Emergency Medical Services Authority as an amendment to the regional EMS plan and such other action as may be necessary.

There being no further business, the meeting is adjourned at 3:35 p.m.

SUPERVISORS
ATTEST:

CHAIRMAN OF THE BOARD OF

THERESA NAGEL, CLERK OF THE BOARD