

BOARD OF SUPERVISORS

JANUARY 25, 2005

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, January 25, 2005, at 9:34 a.m. Present: Supervisors Robert Pyle, Lloyd Keefer, and Brian Dahle; County Counsel John Ketelsen, County Administrative Officer (CAO) Bill Bixby and County Clerk Theresa Nagel. Supervisor Chapman is absent. Supervisor Hanson is not present at the beginning of the meeting. Following the flag salute, the invocation is offered by Supervisor Keefer.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

Chairman Keefer announces that no closed session was held.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

PUBLIC COMMENT

Chairman Keefer asks for public comment and no comments are received.

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle informs the board members that a tragedy occurred at the after school program in Big Valley last week when a 7 year old boy choked on a hot dog and bun and did not survive. The community is really pulling together to help his family - a trust fund has been set up, entitled "The Ulisses Rodriguez Trust Fund" (contact Big Valley Family Resource Center, 294-5700 or Tri-Counties Bank, 294-5211 or 336-6291). The father was recently severely injured in a job related farming accident, and there are three other siblings in the family.

Supervisor Dahle will be attending the RCRC Annual Meeting; he will also be serving this year as Vice-Chairman of the RCRC Water Committee.

2. Supervisor Pyle will be attending the CSAC Board of Directors meeting next week; he asks about the status of the mid-year review and CAO Bixby responds the review will be presented at the first meeting in February; Auditor Fouch indicates she will not be here for that meeting so the review will have to be on the agenda for the second meeting in February.

3. Supervisor Keefer discusses a memo from Jim Jeskey relating to a joint meeting of the Fair Advisory Board and the Fair Board, and CAO Bixby responds this will be on the next agenda; he distributes and discusses a letter from Sylvia Milligan relating to the Forest Service restriction of Off-Highway Vehicle use on their section of the Share the Dream Trail. (Supervisor Hanson enters at 9:45 a.m.)
4. Supervisor Hanson states the item that has been occupying his time is stray cattle in Herlong and Wendel.

LATE AGENDA ITEM

Chairman Keefer requests that an item be added to the agenda relating to Lassen Park.

Pursuant to Government Code Section 54954.2 (2) that the need to take action arose subsequent to the agenda being posted, it is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried unanimously to add discussion of a proposed letter commenting on the Lassen Volcanic National Park Fire Management Plan Environmental Assessment (EA).

CONSENT CALENDAR

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

COUNTY CLERK ITEMS

Approve Minutes of January 18, 2005.

Receive and file report #05-001, filed by Captain T. A. Chadd, Commander CHP, on January 13, 2005 - NOTIFICATION OF HAZARDOUS MATERIALS RELEASE: On January 7, 2005 a Lassen County road grader and a tractor trailer combination were involved in a traffic collision on US-395 near Doyle Grade causing the fuel tank of the tractor to rupture spilling approximately 125 gallons of diesel fuel on to the paved surface. Cleanup was completed the same day by the California Department of Transportation.

ADMINISTRATIVE SERVICES ITEM

Receive and file Personnel Movement report for December, 2004.

MISCELLANEOUS CORRESPONDENCE ITEM

Receive and file the following correspondence:

- a. Lassen County Fair Advisory Board meeting minutes of November 9, 2004, December 2, 2004 (special meeting) and December 14, 2004.

COMMUNITY DEVELOPMENT DEPARTMENT - ECONOMIC DEVELOPMENT HOUSING DIVISION

Community Development Director Robert Sorvaag provides information on the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002, Per Capita Grant Program.

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried to approve Spalding Beach Project application submittal for 2002 Per Capita Grant Program funding.

COUNTY ADMINISTRATIVE OFFICE

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried unanimously, on a roll call vote, to introduce, by title only, Ordinance No. 562, amending Chapter 2.06 of the Lassen County code relating to salary, benefits and labor relation duties of the County Administrative Officer and compensation of the County Counsel.

LASSEN PARK FIRE MANAGEMENT PLAN

Supervisor Keefer discusses the Lassen Volcanic National Park Fire Management Plan Environmental Assessment (EA) and presents a draft comment letter expressing support for an aggressive fuels management approach to reduce forest fuel accumulation within the Park, also stating the preferred alternative is Ecosystem Restoration Emphasis. The goal of restoring and maintaining fire as a key ecosystem process raises a concern over the effects of smoke on public health. While supporting the use of fire as one of several management tools, we do not believe the EA adequately addresses the public health impact. The letter goes on to point out specifics in the plan and ends with the following: The Board is supportive of the use of manual and mechanical treatments to reduce fuel accumulations where applicable. We strongly recommend that the use of these treatments be increased over what is currently planned for Alternative 3. Supervisor Keefer also notes that smoke in the air over an extended period of time has a negative affect on tourism.

Supervisor Pyle has concerns over putting restrictions on the fuels management burns as he supports decreasing fuels and does not want to discourage the National Park.

Supervisor Dahle states the only thing he can see for lessening smoke impact is smaller fires.

Further in-depth discussion is held. Consensus is in support of the first and last paragraph of the draft letter with an emphasis on mechanical thinning over prescribed burns. Supervisor Pyle does not want the National Park to get the message that the

Board is against prescribed burns.

PUBLIC HEARING - REZONE #2004-137, THOMPSON

The public hearing is opened at 10:18 a.m. to consider Rezone #2004-137, proposal by Robert and Rose Marie Thompson to rezone 250 acres of land from A-1 (General Agriculture) to U-C-A-P (Upland Conservation, Agricultural Preserve Combining District) in association with a Williamson Act Contract approved by the Board of Supervisors on November 23, 2004. The project is located on the north side of Susanville Road (Co. Rd. 422) approximately 3 miles east of Bieber.

Community Development Director Robert Sorvaag presents the Planning Commission's recommendation on the rezone.

No one speaks in opposition to or in favor of the rezone and the hearing is closed at 10:20 a.m.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to introduce and adopt, by title only, Ordinance No. 467A-339, implementing the rezone of the 250 acre property from A-1 to U-C-A-P.

PUBLIC HEARING - REZONE #2004-158, MARTINUCCI

The public hearing is opened at 10:20 a.m. to consider Rezone #2004-158, proposal by George Martinucci to rezone 71 acres of land from E-A (Exclusive Agriculture District) to E-A-A-P (Exclusive Agriculture, Agricultural Preserve Combining District) in association with a Williamson Act Contract approved by the Board of Supervisors on December 21, 2004. The subject land is located approximately 3/4 of a mile north of Standish.

Community Development Director Robert Sorvaag presents the Planning Commission's recommendation on the rezone.

No one speaks in opposition to or in favor of the rezone and the hearing is closed at 10:21 a.m.

It is moved by Supervisor Hanson, seconded by Supervisor Dahle and carried to introduce and adopt, by title only, Ordinance No. 467A-340, implementing the rezone of the 71 acre property from E-A to E-A-A-P.

Supervisor Dahle announces a conflict on the next item and departs the meeting.

PUBLIC HEARING - REZONE #2004-132, BACIGALUPI

The public hearing is opened at 10:21 a.m. to consider Rezone #2004-132, proposal by Jerry and Donna Bacigalupi to rezone 120 acres of land from A-1 (General Agriculture District) to U-C-A-P (Upland Conservation, Agricultural Preserve Combining District) in association with a Williamson Act Contract approved by the Board of Supervisors on November 23, 2004. The project is located on the east side of Kramer Road (Co. Rd. 413) approximately 6 miles north of Nubieber.

Community Development Director Robert Sorvaag presents the Planning Commission's recommendation on the rezone.

No one speaks in opposition to or in favor of the rezone and the hearing is closed at 10:22 a.m.

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried, with Supervisor Dahle absent, to introduce and adopt, by title only, Ordinance No. 467A-341, implementing the rezone of the 120 acre property from A-1 to U-C-A-P.

Supervisor Dahle returns.

PUBLIC HEARING - REZONE #2004-101, COGNINA

The public hearing is opened at 10:23 a.m. to consider Rezone #2004-101, proposal by Anthony Cognina to rezone 660 acres of land from U-C-2 (Upland Conservation/Resource Management District) to U-C-2-A-P (Upland Conservation/Resource Management, Agricultural Preserve Combining District) in association with a Williamson Act Contract approved by the Board of Supervisors on November 23, 2004. The subject land is located on the west side of HWY 395, approximately 16 miles north of Litchfield.

Community Development Director Robert Sorvaag presents the Planning Commission's recommendation on the rezone.

No one speaks in opposition to or in favor of the rezone and the hearing is closed at 10:24 a.m.

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried to introduce and adopt, by title only, Ordinance No. 467A-342, implementing the rezone of the 660 acre property from U-C-2 to U-C-2-A-P.

TITLE III REQUEST - LASSEN LAND AND TRAILS TRUST

Jan Heid reviews the Children's Camp that was held using Title III funding received last year. (Supervisor Dahle absent 10:25 - 10:28 a.m.)

She presents a Title III request from the Lassen Land and Trails Trust for two Children's Nature Camps - 1 week for 8-9 year olds and 1 week for 10-12 year olds. The fee per child for the week will be \$60.

Supervisor Dahle does not feel children should be limited by their income. Supervisor Keefer did not feel last year's camp really addressed forest health in the curriculum (managing the forests by cutting trees). Supervisor Pyle also expresses the same concerns - does not want the youth to get the message that grazing is bad - wants the multiple use aspect supported in the curriculum. Supervisor Keefer suggests taking the children to areas that have been thinned to show the difference between thinned and non-thinned forests.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to approve the request for Title III funding based on the proposal for the summer Nature Camps totaling \$8,970, with stipulation the camp be at no cost to the children and information on the forest health curriculum be presented to the Board following the camp.

SHERIFF'S DEPARTMENT

Sheriff Steve Warren provides a powerpoint display and explains the benefit of purchasing police vehicles from the Salt Lake County Department of Public Works Fleet Sales which will result in substantial savings over a purchase from the State Bid.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to authorize the immediate expenditure from the Rural Crimes Budget Unit 131-2 for the purchase of police package Ford Crown Victoria patrol vehicles (8) from the Salt Lake County Department of Public Works Fleet Sales.

Recess 11:00 - 11:04 a.m.

LOCAL REUSE AUTHORITY

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

Community Development Director Robert Sorvaag introduces Fred Beard and Dennis Sumstad of Scenic Mountain Development, LLC, the single respondent to the Request for Proposal for the Herlong Residential Project.

Assistant Community Development Director Bertotti presents the Local Reuse Authority (LRA) Quarterly Report. Supervisor Keefer compliments staff on the completeness of

the staff reports. He brings up the issue of rents not being paid by HUC amounting to approximately \$8,000. Joe Bertotti responds negotiations with HUC are being conducted in regard to the unpaid rents and funds from the LRA to HUC for start-up costs.

Supervisor Hanson discusses the issues relating to snow removal and Joe Bertotti responds that agreements are being worked out with other agencies to coordinate snow removal. (Supervisor Pyle departs at 11:13 a.m.)

Dennis Sumstad provides information on their response to the RFP and their development plans. (Supervisor Pyle returns at 11:17 a.m.)

Supervisor Keefer notes the marketing for businesses to locate to the commercial facilities should focus on local businesses prior to focusing on out of the area businesses.

Supervisor Hanson states we need to be thorough in analysis of the proposal but not to the point of delaying the project. He hopes to see units available for occupancy by October.

Mr. Sumstad states that he is a resident of Herlong and will be renting office space there.

Fred Beard provides further information on the amount of their financial investment and the number of units that will be constructed. He notes that he is also a Herlong resident.

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried to: name Scenic Mountain Development, LLC as successful respondent to November 8, 2004 Request for Proposals (Herlong Residential and Mixed Use Development Project); and authorize Operations Manager to negotiate terms of property transfer.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to reject all bids received for C-Mart property lease and authorize Operations Manager to seek offers for lease of the C-Mart Property.

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried to authorize County Administrative Officer to execute an agreement for professional services necessary to create a feasibility analysis to determine the condition of existing water and sewer infrastructure and connection of LRA buildings in Herlong to the new water source. Source of funds: Community Development Block Grant. Amount of

contract: Not to exceed \$30,000.

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried to authorize Operations Manager to seek offers for either a sale or long-term lease of the Modular Barracks and associated Dining Facility.

Chairman Keefer provides direction that the agreement with Scenic Mountain Development be a high priority for staff.

County Counsel John Ketelsen announces that he has contacted an outside counsel for the negotiations with the developers and a contract with that counsel will be presented at the next meeting.

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

FOREST SERVICE - BIG VALLEY DISTRICT

Big Valley District Ranger Lawrence Crabtree presents reports on noxious weed treatment program and an update on the Modoc National Forest.

Supervisor Keefer would like to have Mr. Crabtree come to the Board occasionally to provide updates.

There being no further business, the meeting is adjourned at 12:00 p.m.

SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD