

BOARD OF SUPERVISORS

APRIL 19, 2005

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, April 19, 2005, at 9:30 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 Keefer.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

Chairman Keefer announces that no closed session was held.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Chapman requests the meeting be adjourned in memory of Lester D. "Tom" Robison.

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

PUBLIC COMMENT

1. Dave Reger talks about his commitment to back South Lassen Ambulance through the RFP process and his intent to continue operating Mountain Lifeflight. He believes REMSA will under serve ground ambulances, try to put Mountain Lifeflight out of business, and then fly "everyone with a skinned knee" out of the area for treatment. He makes a lengthy statement about what he expects to happen and states the contract the county is about to sign will be an EMS disaster and it is fatally flawed. He believes Mr. Bixby has no real concern about the success of the ambulance service because he will not be living here.
2. Lassen National Forest Information Officer Heidi Perry announces that she and Supervisor Keefer attended the Counties and Schools Coalition Meeting and the Lassen County RAC received one of six national award plaques for the Pine Creek Fish Trap Project.
3. Nick Ceaglio states we are in week one of the review of Dyer Mt. EIR and things are going smoothly. He also urges the board members to continue their efforts in regard to the proposed burning in Lassen National Park.

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 ITEM

Approve Minutes of April 12, 2005.

AUDITOR & TREASURER DEPARTMENTS ITEM

Receive and file Treasurer's Fund Balance Report and Auditor's verification for the month of March, 2005.

HEALTH & SOCIAL SERVICES ITEMS

Review the notification of decrease in Proposition 36 Funding and overview; and issue a formal Letter of Opposition to the State regarding the reduction of funding for the FY 2005/2006 Proposition 36 funding.

ENVIRONMENTAL HEALTH DIVISION ITEM

Adopt Resolution No. 05-010, approving FY 2005/2006 Environmental Health Local Enforcement Agency Grant Application (LEA 15); and authorize the County Administrative Officer to execute grant application.

ALCOHOL AND DRUG DIVISION - PLAN AND BUDGET ITEM

Approve Substance Abuse and Crime Prevention Act (SACPA) Plan and Budget for FY 2005/2006.

SHERIFF ITEM

Approve travel authorization request for two Correctional Officers to attend the Basic Law Enforcement Academy in Chico, July 11 - December 9, 2005, at the estimated cost of \$14,850.

TREASURER/TAX COLLECTOR ITEM

Receive and file Treasurer's Investment Report for March, 2005.

PRISON TRIAL COSTS REIMBURSEMENT PROGRAM ITEMS

Receive and file Recap of CCC Prison and High Desert State Prison Trials Cost Reimbursement Billing for March, 2005.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Mental Health Advisory Board meeting agenda for April 12, 2005,

and unapproved minutes of March 8, 2005.

- b. Lassen County Alcohol & Drug Advisory Board meeting agenda for April 20, 2005, and minutes of March 15, 2005.
- c. Lassen County Fair Advisory Board meeting minutes of March 8, 2005.

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle apologizes for missing the budget hearings yesterday, but he was selected by the Forest Service and BLM to serve on the Sagebrush Eco System Restoration Committee regarding removal of junipers in order to restore sagebrush lands and water systems the junipers have impaired; reports the Prop 63 - Mental Health Planning meeting held in Bieber was not very well put together and it was very confusing; announces he will be in Washington, D.C. on April 26th, lobbying for PILT funding.
2. Supervisor Hanson designates \$200 of his discretionary funds to the "Miles of Smiles" program; reports on his attendance at the Fair Advisory Board meeting; announces a Town Hall Meeting in Doyle on April 27th; will attend a Sage Grouse meeting on Friday; will attend a meeting with BLM personnel regarding keeping the Modoc-Wendel rail line intact.
3. Supervisor Pyle will be attending a Westwood meeting on redevelopment tonight; presents an extensive report on the Eagle Lake Agency meeting; designates \$3,000 of his discretionary funds for radar speed signs in Westwood.
4. Supervisor Chapman informs the board members that the State BRAC Committee Report is now available.
5. Supervisor Keefer announces that County Clerk Theresa Nagel is this year's recipient of the prestigious Irene Doyle Award and the award presentation will be held on May 17, 2005.

UNITED STATES FOREST SERVICE

Public Services Officer Liz Norton is present to provide a "Share the Dream Trail" update and request signing of "Volcanic Legacy Byway" MOU. Chairman Keefer signs the MOU which was approved on September 21, 2004.

Recess 10:11 - 10:16 a.m.

PUBLIC HEARING - ECONOMIC DEVELOPMENT HOUSING DIVISION

The public hearing is opened at 10:17 a.m. to solicit comments regarding submittal of Public Housing Authority Plan: Streamlined Annual Plan for Fiscal Year 2005 and Streamlined 5 Year Plan for Fiscal Years 2005-2009.

Linda Armstrong presents the staff report. No one speaks in opposition to or in favor of

the Public Housing Authority Plan and the hearing is closed at 10:18 a.m.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to adopt Resolution No. 05-009, approving submission of the Annual Plan and related Certifications to the U.S. Department of Housing & Urban Development.

PUBLIC HEARING - REMOVAL OF ROADS FOR MAINTAINED MILEAGE

The public hearing is opened at 10:21 a.m. to receive comments on the removal of designated roads and/or portions of roads from the County Maintained Road System: County Roads: Juniper Lake Road (108), Corral Road (202), Harrington Road (325), Burt Road (365), East Hunt Road (411), Andrews Road (414), Blue Lake Road (509), Patterson Sawmill Road (511), Dixie Valley Road (533), Hayden Hill Road (534), Nelson Reservoir Road (542) and Dry Creek Campground (543); and portions of County Roads: Kauffenberg Road (402, Four Corners Road (416) Schott Road (435), Horn Road (503) and Spooner Road (524).

Public Works Director Larry Millar presents the staff report.

A letter from Bill Mitchell in opposition to removal of County Road 435 (Schott Road), and another letter from Judith Monroe in opposition to removal of County Road 411 (East Hunt Road), was received.

Kevin Mitchell is present to speak in opposition to removal of County Road 435 (Schott Road) noting they have a lot of traffic to their operating ranch.

Lisa Fielding is in favor of the removal of Burt Road, but wants a gate installed to keep Highway 395 travelers off of the road.

Kelly Rueck, representing the owners of a 14,000 acre ranch served by Spooner Road, speaks in opposition to removal of that road.

Steu Bricker speaks in favor of removal of County Road 414 (Andrews Road) but wants the approach fixed.

Bill Stockton speaks in opposition to the removal of County Road 509 (Blue Lake Road).

Dorothy Stockton also speaks in opposition to the removal of County Road 509 (Blue Lake Road).

Todd Barkley lives at the end of Harrington Road and speaks in opposition to the removal, stating he has concerns about persons with health issues. He gives an example of a man with health problems who could not get out this past winter when the

road had not been plowed of snow. He states there are several residences on the road. Also notes he is an EMT and needs to be able to get out.

The hearing is closed at 10:45 a.m.

Larry Millar responds to a question by stating that some of the roads are short and are not a big drain on the budget, but some are long and are a big expense to maintain.

County Counsel John Ketelsen clarifies that removing a road from the Maintained Road System is not the abandonment of such road. The consequence of removal does not result in the closure of the road to the public.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried on a roll call vote, with Supervisor Chapman voting NO, to approve removal from the Maintained Road System of the listed County Roads, excluding Harrington Road (325), East Hunt Road (411), and Blue Lake Road (509); and portions of County Roads: Schott Road (435), and Spooner Road (524); and to refer the remaining roads to the Planning Commission for a 65402 Report.

(Supervisor Chapman and Supervisor Dahle depart at 10:58 a.m.)

PUBLIC HEARING - TRANSPORTATION FEES:

The public hearing is opened at 10:58 a.m. to receive comments on the establishment of a Transportation Permit Fee and an Encroachment Permit Fee.

(Supervisor Dahle returns and Supervisor Hanson departs at 10:59 a.m.; Supervisor Hanson returns at 11:00 a.m.)

Public Works Director Larry Millar presents the staff report.

(Supervisor Chapman returns at 11:01 a.m.)

No one speaks in opposition to or in favor of the proposed fees and the hearing is closed at 11:02 a.m.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried on a roll call vote, with Supervisor Keefer voting NO, to deny the request for a resolution Establishing a Transportation Permit Fee and an Encroachment Permit Fee for the Lassen County Public Works Department.

AMBULANCE SERVICE

CAO Bixby reviews the events that led to the declaration of emergency and subsequent request for proposal for ambulance service - a call was received from the CHP that Lassen Ambulance (Brad Reger) had turned in their operating permit, and South Lassen Ambulance was not approved to operate independently. He also notes that despite what Dave Reger states, he owns property at Eagle Lake and when the sewer system is complete he will be living there and does have an interest in the ambulance service.

Ted Tamborski states we need five ambulances in Lassen County.

Robert Bare speaks in favor of REMSA and notes that several previous South Lassen Ambulance employees are working for REMSA.

Westwood resident Fred Binswanger requests that Option B be chosen to have an ambulance in Westwood 24/7. He provides information from the Susanville Interagency Fire Center relating to numbers of medical calls showing that Westwood had the second highest number of calls over the past two years.

Glenn Hodgson representing Lassen County Fire Officer's Association reads a letter in support of REMSA.

Vickie Lozano is concerned about free ambulance service for youth sporting events and hopes this will be part of negotiations.

Gregg Wallace, South Lassen EMS, states they submitted two separate protests, both of which were returned and he asks if they have exhausted all manners of protest. County Counsel John Ketelsen responds the reason the protests were returned is there was no factual basis stated and therefore no protests are before the county.

Consultant Dr. Narad states that he sees no difference in the four responses to the RFP in regard to the number of ambulances. Each proposed five ambulances - three staffed ambulances with apples/oranges proposals for the back-up ambulance and on-call staffing. He also understands that sports events will be covered but specific contractual language could be negotiated.

Supervisor Hanson encourages keeping the plans fluid as things are changing in the county that may require adjustments to the sites for ambulances.

Supervisor Keefer will not support moving an ambulance out of the Janesville area. He notes development of the Herlong area may require an ambulance in the future, but he would hope the Sierra Army Depot and Federal Prison would help in that event.

Supervisor Chapman thinks it is important for the community to appreciate certain things in regard to this matter. The only reason the county is involved is because of the 911 system, and the county was stuck with taking action because Brad Reger turned in his operating permit. He notes two major issues are membership versus insurance and community sports activities. States the most important factor is that fire departments are united behind REMSA. States his vote has to be for what is best for the public interest.

Supervisor Pyle states only two ambulances were on the ground the day that Brad Reger turned in his operating permit.

It is moved by Supervisor Pyle to direct the County Administrator and County Counsel to negotiate a contract with Sierra Medical Services Alliance (SEMSA) for provision of ambulance service as described under the Lassen County Emergency Medical Services Transportation Plan and the Lassen County Ambulance Request for Proposals; select option B as the preferred option for negotiations; include the letter from Westwood CSD dated April 13, 2005 for the negotiations and to include covering sports events at no charge.

The motion dies for lack of a second and discussions are held.

It is moved by Supervisor Pyle, seconded by Supervisor Dahle and carried unanimously, on a roll call vote, to direct the County Administrator to negotiate a contract with Sierra Medical Services Alliance (SEMSA) for provision of ambulance service as described under the Lassen County Emergency Medical Services Transportation Plan and the Lassen County Ambulance Request for Proposals; and select option B as the preferred option for negotiations.

(CAO Bixby departs at 11:46 a.m.)

QUINCY LIBRARY GROUP (QLG) STATUS REPORT

Counties QLG Forester Frank Stewart provides a report on the Status of Lawsuits and QLG Legal Strategy. (CAO Bixby returns at 11:51 a.m.) Since last fall, the number of lawsuits filed against the QLG Pilot Project and/or the Sierra Nevada Framework (SNFramework) has risen to six. As of this date, the QLG has filed as an intervener on the side of the US Forest Service in the Meadow Valley Project suit, and is engaged in the preparation of the intervener filings for the two SNFramework lawsuits to support their efforts to implement the Record of Decision for the revised SNFramework. The QLG has agreed to file a lawsuit against the SNFramework to make sure that the issues and concerns of the QLG Pilot Project are protected. The QLG has agreed to limit the

intervention filings to only those lawsuits that would provide the "biggest bang for the buck". The initial lawsuit protection fund started with \$93,000 and has a remaining balance of \$53,000.

They are encouraging the Forest Service to prepare full Environmental Impact Studies (EIS) rather than Environmental Assessment (EA) because of lawsuits that have forced them to go back and prepare an EIS.

Noon recess 11:59 a.m. - 1:30 p.m. - Supervisor Chapman and County Counsel John Ketelsen absent.

COMMUNITY DEVELOPMENT DEPARTMENT - FIRE SAFETY

Planner Rick Simon presents two versions of Ordinance 502-E. Version 1 requires two hearings for appealing a decision relating to a setback variance and Version 2 requires only one hearing before the Planning Commission.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to introduce, by title only, the Version 2 of Ordinance 502-E, amending the Fire Safety Ordinance 502. (County Counsel John Ketelsen enters at 1:37 p.m.)

PLANNING DIVISION - HERLONG

Planner Rick Simon presents a resolution adopting the Herlong Town Planning and Redevelopment Project; resolution certifying the Final Environmental Impact Report; and an ordinance implementing zoning. The project includes a General Plan amendment (#765.01.02) and rezone (#2004-112) establishing specific land use designations and zoning within the project area; and the Sierra Army Depot Redevelopment Plan adopted July, 2004. The Draft EIR addresses the project and the proposed Amended Sierra Army Depot Redevelopment Plan adding approximately 842 acres to the adopted redevelopment area. (Supervisor Chapman enters at 1:41 p.m.)

It is moved by Supervisor Hanson, seconded by Supervisor Dahle and carried to adopt Resolution No. 05-011, certifying the Final EIR with findings and mitigation monitoring program.

Rick Simon notes the designation of the "Amedee Airfield Parcel" should be changed from "Open Space" to "Industrial".

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried to adopt the Resolution No. 05-012, amending the General Plan and Wendel Area Plan Land Use Maps, including the change to Amedee Airfield Parcel.

Rick Simon notes changes to zoning maps: Amedee Airfield Parcel (Map pages 1 & 2 of 30) should be "M-2, Heavy Industrial"; County Airfield Parcel (Map page 23 of 30) should be "I-1".

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to introduce and adopt, by title only, Ordinance No. 467A-343 implementing zoning within the project area, including the noted zoning map corrections.

PUBLIC WORKS DEPARTMENT

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried on a roll call vote, with Supervisor Dahle voting NO, to adopt Resolution No. 05-013, adding a 2.14 mile portion of Susanville Road (extension of the Herlong Access Road - County Road 359) into the County Maintained Road System.

CORRESPONDENCE

A notice of programming change from Adelphia Cable Company that will become effective May 2, 2005, is received and filed.

UNAGENDIZED BOARD REPORTS CONT.

6. Supervisor Keefer received a request from the Recognition Committee to determine a date for the County Holiday Party in early December - following discussion, December 6, 2005 is chosen; he reports on responses to issues brought forward at the last Economic Development Coordinating Council meeting by a new business: LMUD has installed a meter to measure electricity fluctuations to determine if the source is from electric transmission or from inside the buildings; Public Works staff have met with the Post Office to resolve the mail delivery problems created by road name variations. Announces a volunteer is needed to attend the May Fair Advisory Board meeting - Supervisor Chapman volunteers. Reports the four day (Thursday through Sunday) Counties and School Coalition meeting he attended was a very good meeting and he encourages other board members to attend future meetings. They are considered the Voice of Rural America and there has been a transition into resource issues on a national basis.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 2:10 p.m. in memory of Lester D. "Tom" Robison.

SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD