

## BOARD OF SUPERVISORS

APRIL 26, 2005

The Lassen County Board of Supervisors convene in Regular Session at 9:10 a.m. Chairman Keefer 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 9:11 a.m. for a conference with real property negotiator: a) Location - 560 Hospital Lane, Susanville; APN #107-260-53-11; b) Negotiator -Lassen College Foundation, Inc.; c) Subject - Authorize County Administrative Officer to enter into negotiations.

Present in the Closed Session are Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, and Jack Hanson; County Counsel John Ketelsen, Community Development Director Robert Sorvaag, Assistant to the CAO Julie Morgan and County Clerk Theresa Nagel. Supervisor Dahle and County Administrative Officer (CAO) Bill Bixby are absent. Closed Session is recessed at 9:29 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, April 26, 2005, at 9:31 a.m. Present: Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, and Jack Hanson; County Counsel John Ketelsen, Acting County Administrative Officer (CAO) Robert Sorvaag and County Clerk Theresa Nagel. Following the flag salute, the invocation is offered by Supervisor Keefer.

### ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

The County Clerk announces the Closed Session dealt with a conference with real property negotiator: a) Location - 560 Hospital Lane, Susanville; APN #107-260-53-11; b) Negotiator - Lassen College Foundation, Inc.; c) Subject - Authorize County Administrative Officer to enter into negotiations - direction provided to staff to investigate value, site condition and costs related to clearing the property and report back to the Board.

### AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Keefer requests the meeting be adjourned in memory of George Fruehan and the addition of Unagendized Reports by Board Members. Supervisor Chapman requests the meeting also be adjourned in memory of Leota Brewen.

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

### PUBLIC COMMENT

Poet Laureate Violet Stout reads two poems for Lloyd Keefer in recognition of his birthday on May 5th - "Best Wishes for the Year Ahead" and "Day in Your Life".

## UNAGENDIZED BOARD REPORTS

1. Supervisor Chapman reports on the Junior Fishing Derby and how four year-old Will Baker's tremendous enthusiasm made the day. Unfortunately there were some seventeen year-old youths that tried to "work the system" by getting younger siblings to register and then fishing themselves, but fortunately, Fish and Game caught them.

Supervisor Chapman discusses a phone call that he received complaining about medical information of an employee appearing on the internet - following investigation it was determined this information was included in a claim against the county filed by the individual's attorney. He checked with Assistant County Counsel Craig Settlemire who verified that when a claim is filed with the County Clerk's Office it becomes a public record. Supervisor Chapman would like County Counsel to look at this matter and develop a policy. He also was shown memos from the former personnel director to the department head for this same employee and a response back - he states both memos were very offensive and fortunately these individuals are no longer working for the county.

2. Supervisor Pyle reports on a meeting held in Westwood last week relating to redevelopment; he asks Robert Sorvaag for information on the BLM Environmental Impact Study on the water project in the South County.

3. Supervisor Hanson reminds everyone that a Town Hall Meeting will be held in Doyle tomorrow night at 7:00 p.m.; thanks the news media for coverage of the BRAC issue - he notes even if a base is not on the closure list they will have to "bullet-proof" their operation from hits coming from bases on the closure list and will need to look at taking on missions from bases planned for closure; he discusses the Family Resource Centers need to look at sustainability as the start-up funding runs out; announces a meeting will be held on May 25th (7:00 - 9:00 p.m.) at the BLM Eagle Lake Resource Office relating to Granite Fox Power Facility; wants staff to look into Code Enforcement Officers having the ability to issue citations in relation to abatement cases.

4. Supervisor Keefer also wants the abatement issues addressed; reports on the Economic Development Council meeting - the new owner of the Gables was present to discuss his experiences in starting a business - everything went very well with this individual and Mr. Keefer feels it was a real benefit that the owner initially contacted Patti Hagata at the Chamber of Commerce who walked him through many things. The reasons this businessman came to Lassen County from Reno are: country setting, golf course, low crime rate, junior college, hospital, youth sports and the friendly people. Eric Gould was also present to discuss the plans for the marathon - expects many more participants this year.

## BID OPENING - FAIRGROUNDS PROPERTY

County Counsel John Ketelsen announces that two bids were received for the purchase of certain property adjacent to the Lassen County Fairgrounds (APN #105-310-12-11 - one for \$60,000 as is, from Brian Phillips; and one for \$175,000 with reasonable conditions, from Joy Realty (Interra-Vision Development LLC). The City Planning Commission will need to perform a 65402 review before the sale can proceed.

## PIT RIVER WATERSHED PLAN

Mark E. Steffek presents a request for letter(s) of support for a funding proposal by North Cal-Neva RC&D Council and Pit River Watershed Alliance. Proposal is to the

State Water Quality Control Board and/or the California Department of Water Resources for a Pit River Watershed Plan.

It is moved by Supervisor Chapman, seconded by Supervisor Pyle and carried to authorize a letter of support and direct staff to prepare the letter for the Chairman's signature; designate Supervisor Dahle as the liaison to attend planning sessions and review draft and final documents.

Mr. Steffek thanks the Board and indicates the deadline for submittal of the application is May 12th and he needs the letter to accompany the application.

#### CONSENT CALENDAR

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

#### COUNTY CLERK ITEM

Approve Minutes of April 19, 2005

#### BOARD OF SUPERVISORS

Approve and authorize Chairman to sign a letter to Senate and Assembly members opposing AB667, relating to child support enforcement.

#### MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Application for Alcoholic Beverage License - Moe's Pizza, 111 Hwy 299E, Bieber.
- b. Lassen County Air Pollution Control District Governing Board meeting agenda for April 27, 2005, and minutes of March 23, 2005.

#### IN-HOME SUPPORTIVE SERVICES ADVISORY BOARD

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried to accept the letter from Betty De Moulin resigning from the In-Home Supportive Services Advisory Board, and direct County Clerk to advertise the vacancy.

#### PSA 2 AREA AGENCY ON AGING

It is moved by Supervisor Chapman, seconded by Supervisor Hanson and carried to appoint Rebecca "Sam" Evans to fill a vacancy on the PSA 2 Area Agency on Aging Advisory Board to fill a long-standing vacancy.

#### PUBLIC HEARING - COMMUNITY DEVELOPMENT DEPARTMENT

The public hearing is opened at 10:15 a.m. to receive comments on an ordinance to correct both the zoning shown within Lassen County Ordinance No. 467A-216, Sheet 45 of 57, (Establishment of Specific Zoning within the Territory of the Standish/Litchfield Planning Area) and the legal descriptions and/or map index numbers stated within Lassen County Rezone Ordinances 467A-235, 467A-320, 467A-314, and 467A-200. The proposed ordinance would also rezone properties previously approved by the Board on February 20, 1990 but not implemented by ordinance at that time.

Planner Kent Hector presents the staff report explaining the errors being corrected by

this ordinance. No one speaks in opposition to or in favor of the ordinance and the hearing is closed at 10:25 a.m.

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-344 implementing both corrections to Zoning Ordinances and zoning previously approved by the Board.

**COMMUNITY DEVELOPMENT DEPARTMENT - ORDINANCE 502 - FIRE SAFETY**  
It is moved by Supervisor Pyle and seconded by Supervisor Hanson to adopt, by title only, Ordinance No. 502-E, amending Fire Safety Ordinance 502.

Supervisor Chapman feels the multiple access issue is still not being addressed - he will vote for the ordinance, but is disappointed this has not been fully addressed.

The motion carries unanimously on a roll call vote.

#### **SHERIFF'S DEPARTMENT**

Sheriff Steve Warren presents a request to abolish the position of Sheriff's Sergeant, Range 20, and establish the position of Sheriff's Lieutenant (Range 22) in the CCF/ADF Division of the Sheriff's Department - states it is essentially cost neutral and explains why.

It is moved by Supervisor Chapman, seconded by Supervisor Hanson and carried to approve the requested change, effective July 1, 2005.

#### **LOCAL REUSE AUTHORITY**

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

Regina Schaap presents and discusses the Local Reuse Authority (LRA) Quarterly Report. C-Mart - two respondents to the request for proposal to lease and operate; interviews will be conducted. Barber Shop - in contact with former operator to ascertain interest in reopening. Building 2067 - West Patton Village CSD vacated and Scenic Mountain Development has expressed interest in leasing office spaces for administrative functions. Scenic Mountain Development Project - developer is performing due diligence and preparing an exclusive negotiation agreement for staff review; staff conducted a site visit with the developer and their real estate appraiser to view other LRA owned buildings and vacant lands. Community Fire Protection - West Patton Village CSD approved a resolution requesting LAFCO to begin the proceedings for a change in organization, annexation of additional territory to the District and amend the District's sphere of influence to include Sierra Army Depot annexed territory in order to provide permanent fire protection within the new District boundaries. Operations and maintenance - door locks and corresponding keys continue to be required as office spaces are leased at Building 2067. Monthly janitorial services and waste disposal services continue, most expenses in the last quarter included heating fuel, restroom repairs and lock replacement. Pursuing alternatives for landscaping and maintenance needs.

The Board of Supervisors reconvene.

## LASSEN COUNTY FAIR BOARD

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

Fair Manager Jim Wolcott thanks Supervisor Pyle for appointing Henry Bietz to the Fair Advisory Board and states he will be a good member. He presents a report on needed capital improvements and long-term projects due to long-term wear and tear on the facilities. He notes the people in the community have benefited from the multi-use, public assembly facility but need the county's financial support to help modernize, maintain, and improve the fairgrounds - this property should be the jewel of Lassen County. He provides information on the many different community organizations that have demonstrated their support by donating time, services and money - Susanville Rotary will have invested \$55,000 into the fairgrounds by the start of the 2005 Fair.

Immediate Needs: 1) A 12 foot wide section of asphalt the length of the parking lot and on the east side of the trees; repair of sink hole in front of Jensen Hall to protect and enhance the improvement project that was completed last year (\$15,000). 2) The Rotary and LMUD are working together on a lighting project - if finalized the fairgrounds could have six more energy efficient light poles in the parking lot. This is a community energy conservation grant of up to \$25,000. 3) Remodel Jensen Hall Kitchen and purchase professional media equipment. This project would allow the Fair to advertise that Lassen County has a full service convention center. This would also bring immediate value to the City and County in new revenue.

Long Term: 1) Completely pave the front parking lot. 2) Industrial Building - replace all siding, spray the roof, insulate entire building. 3) Race track & media sound center - new wall and certified fencing in front of the main grandstands, relocate the rodeo to North Arena. 4) Pavilion Building - remove weight scales and pour a cement floor (\$5,000) and insulate the entire building.

Costs for these projects are being obtained. Mr. Wolcott asks the Board to look at how much the community has contributed and to envision what this fair could become.

Supervisor Chapman notes the proceeds from the sale of APN #107-260-23-11 will go to the fair - bid amount is \$175,000.

Supervisor Hanson states that when Skyline Road construction paving occurs there will be rejected loads of asphalt and with coordination that material could be used toward paving the remainder of the parking lot.

The Board of Supervisors reconvenes.

Recess 11:03 - 11:07 a.m.

## PLANNING DIVISION - WILLIAMSON ACT

Planner Rick Simon presents the staff report providing background and summary of what is contained in the Board packet. Actions being requested are: 1) Direct staff to

investigate proposed sale of lands under Williamson Act Contracts in the County regarding compliance with applicable statutes, ordinances and contractual obligations. 2) Direct staff to propose changes to Lassen County Subdivision Ordinance, land conservation ordinances and regulations to strengthen requirements for processing land use applications on Williamson Act lands. 3) Direct staff to develop and distribute an information handout explaining the County's Williamson Act process and policies.

County Counsel John Ketelsen provides further information on the evolution of the Williamson Act.

Attorney Don Sokol, representing Adair Brown, owner of the "Old Buckner Ranch" indicates there are 13 patented parcels (previously agricultural operations) and Mr. Brown desires to sell some of them. He finds nothing in County Counsel's opinion that would prevent such sale. Mr. Sokol states that smaller tracts of the land will have more attention from owners than the large ranch which is lying almost fallow.

Realtor Rocky Joy, also representing Mr. Brown's concerns, states the County's Williamson Act Guidelines do not really fit today's needs. He states alfalfa operations average 40 - 80 acres. He states there are 6 buyers interested, all of which have agricultural intentions, but they are waiting for the issues to be resolved.

Assessor Ken Bunch ran a list of Williamson Act Parcels and spotted 11 houses and industrial buildings that are on small parcels, and it is hard to see these as incidental to an agriculture purpose. He is concerned that owners may not realize the problems they will encounter if they desire to get a building permit for remodeling, if the home burns and they want to replace it, disclosure problems when they sell the property, and stiff penalties they may be subject to.

Patrick Hennigan is one of the persons desiring to buy an 80 acre parcel in order to "get back to the soil". He wants to improve the soil so it does not blow away. He feels if the ranch is left as a large unit it will eventually be subject to subdivision.

Chester resident Gary Kluge's son wants to buy a 75 acre parcel and, because it is not feasible to commute, he wants to build a house, garage and pole barn in order to grow good hay on ground that has not been growing anything for a long time.

Buckner Ranch owner Adair Brown believes that breaking down the large ranch to smaller parcels will be beneficial to the land - it has been in bad shape for a long time. He does not think there is anyone with deep enough pockets that would develop the entire ranch back to what it used to be.

Theresa Nagel states she has no interest in either side of this matter, but remembers the Buckner Ranch when it was in production and it "tears her heart out" to see it lying fallow. She asks the Board to keep an open mind in order to get this land productive again.

Supervisor Pyle is in favor of small ranching operations, but he cannot support breaking up agriculture land in thirteen parcels to build thirteen houses. He feels that any parcel

taken out of the Williamson Act should be able to stand on its own as a viable agricultural operation. He disagrees that smaller ranches are the way things are going and states you have to have large tracts of land in order to make it a viable operation. He acknowledges there are some parcels that could be productive but expects buyers to begin development of the land, become disappointed at the poor quality of the soil, sell the property and leave it with a home and no production. He states that small parcels from the Buckner Ranch will not work because of the Class 3 & 4 soils. He states if the county is out of compliance with the Williamson Act, subvention payments will be lost. He asks why someone should get a tax break under the Williamson Act and still be able to sell non-viable agriculture parcels.

Supervisor Hanson states we need to be debating the Williamson Act as it operates in the entire county - not focusing on specific properties. He needs more time to review the county policies and states they may not be clear and may need revisions.

Supervisor Chapman is concerned about winding up with thirteen houses and the fields still will not be green. Also has concerns of farming impacts on adjacent homes. He acknowledges it may be easier to sacrifice Class 3 & 4 lands to housing over Class 2 lands, but he is not convinced that an 80 acre Class 3/4 parcel is a viable agriculture parcel. He feels this matter needs to be continued to a future meeting - possibly a study session.

Chairman Keefer directs staff to arrange for a study session and bring back some options for consideration.

#### PUBLIC WORKS DEPARTMENT

It is moved by Supervisor Hanson, seconded by Supervisor Chapman and carried to approve and authorize the Chairman to sign Amendment No. 1 to the Department of General Services Standard Lease Form, Project No. 119048, for the CDF Helicopter Base, Bieber.

#### COOPERATING AGENCY

It is moved by Supervisor Hanson, seconded by Supervisor Chapman and carried to approve and authorize Chairman to sign a letter to Bureau of Land Management (BLM) applying for cooperating agency status relating to the proposed Granite Fox Coal Fired Power Plant to be located near Gerlach, Nevada.

#### ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 12:16 p.m. in memory of George Fruehan and Leota Brewen.

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SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

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THERESA NAGEL, CLERK OF THE BOARD