

BOARD OF SUPERVISORS

AUGUST 9, 2005

The Lassen County Board of Supervisors convene in Regular Session at 9:03 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 9:04 a.m. for: 1) conference with Labor Negotiator John Ketelsen: May include the following bargaining units - a) Lassen County Peace Officers Assn. (LCPOA), b) United Public Employees of California (UPEC) c) Lassen County Road Workers Assn. (LCRWA), d) Mid-Management, e) Lassen County Peace Officers Assn. Management Unit (LCPOAMU), and f) Management; and 2) Employee performance evaluation: Fair Manager Jim Wolcott.

Present in the Closed Session are Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel Craig Settlemire, County Administrative Officer John Ketelsen, Fair Manager Jim Wolcott and County Clerk Theresa Nagel. Jim Wolcott departs at 9:42 a.m. and Personnel Director Ron Vossler enters. Closed Session is recessed at 9:50 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, August 9, 2005, at 9:52 a.m. Present: Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel Craig Settlemire, County Administrative Officer (CAO) John Ketelsen 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: 1) Employee performance evaluation: Fair Manager Jim Wolcott - no reportable action taken; and 2) conference with Labor Negotiator John Ketelsen: May include the following bargaining units - a) Lassen County Peace Officers Assn. (LCPOA), b) United Public Employees of California (UPEC) c) Lassen County Road Workers Assn. (LCRWA), d) Mid-Management, e) Lassen County Peace Officers Assn. Management Unit (LCPOAMU), and f) Management - no reportable action taken.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Hanson and Supervisor Chapman request the meeting be adjourned in memory of David Anderson, Banner Lassen Hospital Administrator - it is noted Mr. Anderson was instrumental in the construction of the new hospital.

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

PUBLIC COMMENT

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

CONSENT CALENDAR

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

COUNTY CLERK ITEM

Approve Minutes of July 12, 2005 and July 19, 2005.

ADMINISTRATIVE SERVICES ITEM

Receive and file Personnel Movement report for June, 2005.

COMMUNITY DEVELOPMENT DEPARTMENT-ECONOMIC DEVELOPMENT HOUSING ITEM

Award Community Development Block Grant Agreement No. 01-EDBG-906, for construction of Rocky Ridge Drive infrastructure to Miller's Custom Work, Inc., in the amount of \$427,585; and authorize CAO to sign contract.

HEALTH & SOCIAL SERVICES ITEMS

Approve and authorize the CAO to sign Declaration of Intent Not to Apply for Rural Health Services Funds for FY 2005/2006.

Approve State Department of Mental Health Standard Agreement for Services to Medi-Cal Beneficiaries #05-75082-000 for Fiscal Year 2005/2006; and authorize the CAO to sign this and subsequent agreement documentation.

PROBATION DEPARTMENT ITEMS

Approve travel authorization request for Priscilla Ruiz and Michelle Bresolin to attend the mandatory Standards and Training for Corrections (STC) Core Training in Red Bluff, September 7 - September 30, 2005, at the estimated cost of \$5,393.56.

Approve travel authorization request for Trudi DeVoss and Erin Metcalf to attend the mandatory Standards and Training for Corrections (STC) Core Training in Red Bluff, September 12 - October 12, 2005, at the estimated cost of \$6,926.26.

PUBLIC WORKS DEPARTMENT - ROAD DIVISION ITEMS

Authorize Public Works to proceed with the repair of the Kodiak Snow Blower with Kodiak Northwest, Paul, Idaho, in the amount of \$11,789.24.

Adopt Resolution No. 05-041, accepting Disadvantaged Business Enterprise (DBE) Program and annual goal of 2.25% for the Federal Fiscal Year (FFY) 2005/2006.

Adopt Resolution No. 05-042, approving the execution of Program Supplement No. M029 to Local Agency-State Agreement No. 02-5907 for the Hartson Slough Bridge Replacement Project, Bridge 7C-51, on Lambert Lane, CR 302; and authorize the Chairman to sign agreement.

Adopt Resolution No. 05-043, approving the execution of Program Supplement No. M028 to Local Agency-State Agreement No. 02-5907, for the Long Valley Creek Bridge Replacement Project, Bridge 7C-12, on Hackstaff Road, CR 322; and authorize the Chairman to sign.

Adopt Fiscal Year 2005/2006 Budget for Capital Projects Budget in the amount of \$695,782.

SHERIFF DEPARTMENT ITEMS

Approve participation in the 2006 Controlled Substance Operations Plan with the Lassen National Forest; and authorize the Sheriff to sign the Operations Plan.

Approve and authorize Sheriff to sign Lassen and Modoc National Forest 2006-2010 Master Agreement and 2006 Cooperative Plan to provide patrol services for the 2006 recreational season.

ADMINISTRATIVE SERVICES ITEMS

- 1) Approve the hiring of one additional CSS (Child Support Services) Officer I/II and one additional CSS Officer III position.
- 2) Abolish the position of Senior Child Support Assistant, Range 12 and establish the position of Office Assistant III, Range 10.
- 3) Abolish one Senior Account Clerk, Range 11, position and establish one Account Technician, Range 15, Child Support Services.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Alcohol & Drug Advisory Board meeting agenda for August 2, 2005, and minutes of July 6, 2005.
- b. Local Agency Formation Commission of Lassen County (LAFCO) meeting agenda for August 8, 2005.
- c. Lassen County Planning Commission meeting agenda for August 3, 2005.
- d. The Lassen Transit Service Agency meeting agenda for August 8, 2005.
- e. The Lassen County Transportation Commission meeting agenda for August 8, 2005.
- f. Lassen County Mental Health Advisory Board meeting agenda for August 9, 2005, and unapproved minutes of July 5, 2005.

LASSEN COUNTY WATERWORKS DISTRICT

Due to an error on the agenda the resignation from the Lassen County Waterworks District is continued to the next meeting.

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle reports on his attendance at the Day Bench BBQ - fund raiser for the fire department. He notes that fire departments are struggling financially and Northwest Lassen Fire District has a desire to join with McArthur Fire.
2. Supervisor Hanson reports that LAFCO adopted the sphere of influence for Westwood; reports that Madeline Fire District will no longer be able to provide fire protection due to lack of volunteers - he is working with the CAO and County Counsel on this; reports on a meeting with the new commander of the Sierra Army Depot; wants discussion on a future agenda to discuss code enforcement and speeding up the process.

NORTHEASTERN RURAL HEALTH CLINICS

Janet Lasick, Coordinator of Northeastern Rural Health Clinic is present to discuss the benefits of rural health clinics.

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to adopt a Proclamation declaring the week of August 7 - 13, 2005 as "National Health Center Week" in Lassen County.

UNAGENDIZED BOARD REPORTS CONT.

3. Supervisor Pyle reports on the Almanor Regional Transportation Assessment meeting he attended - was disappointed at the poor public attendance.
4. Supervisor Chapman reports on the Nortec meeting he attended; discusses issues relating to the interactions with the Likely Fire Department responding to events in Lassen County - suggests there might be a possibility of Madeline Fire contracting with Likely Fire; discusses a conversation that began with Bob Andrews of the Forest

Service in regard to the Eagle Lake Triathlon and his frustration with the promoter. Mr. Chapman goes on to express his disappointment with the Forest Service and their lack of cooperation to get this event approved. The Triathlon has been canceled for this year. It is noted that Public Works Director Larry Millar had no problems dealing with the promoter and the crack sealing of Eagle Lake Road has already taken place. He states there was a lot of work by the county and Chamber of Commerce to get this event. He states we can have good events here if we could have cooperation, but that is not happening with the Forest Service.

BUREAU OF LAND MANAGEMENT

Eagle Lake Field Manager Dayne Barron provides a status report on resource development of management plans. Expresses appreciation of the county's involvement in the planning process to date and being a cooperating agency in the truest sense of the term. The draft Resource Management Plan (RMP) is expected to be published late this fall. The next opportunity for cooperation with the county is during the 90-day review period following publication.

In regard to the Bizz Johnson Trail tunnel closure, the east tunnel has been closed for safety reasons. The concern was rockfall through a failed portion of the roof 200 feet into the tunnel. They are aware of the importance of the trail and the tunnels and recognize that over 700 runners will be hitting the trail for the second annual Bizz Johnson Marathon in October. Since repairs could probably not be made by then he will have the bypass improved prior to the race and will have signs asking bikers to walk their bikes through the trail. The goal is to have the damaged roof repaired before the 2006 Marathon and to develop a long-term maintenance plan.

Supervisor Chapman suggests allowing the runners to use the tunnel by constructing a temporary structure inside the tunnel. Mr. Barron will talk with the engineers about this suggestion.

Supervisor Dahle wants more information on the possible Wild and Scenic designation for Pitt River. Mr. Barron states the Pitt River is not within the Eagle Lake Ranger District, but he understands a segment of the Pitt River has been found suitable for such a designation.

UNAGENDIZED BOARD REPORTS CONT.

5. Supervisor Keefer reports the Resource Advisory Council (RAC) will be taking a trip to Day Bench to view work in the area and will also be viewing a riparian project that received RAC funding; has offered his office to be used once a month by Dave Keller, staff member for Senator Dave Cox.

AGRICULTURAL COMMISSIONER

Mosquito Control

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried to approve acceptance of Mosquito Control Award #VBDS-MCF-026 from the California Department of Health Services, in the amount of \$100,000; and authorize the Agricultural Commissioner to sign the award form.

Form B of the application proposed a two prong approach and based on lack of full funding a revision to Form B is required. Mr. Smith will bring back proposals for revising Form B at a later date.

Report

Agricultural Commissioner Ken Smith presents a report on the Agricultural Regulation Compliance Education Project which will be held on September 8, 2005 from 4:00 to 6:00 p.m. at Lassen College - Middleton Hall. The workshop will summarize the myriad of regulations that face farmers, ranchers and other agricultural operators.

HEALTH & SOCIAL SERVICES

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to approve amendment to Net Negotiated Agreement with the State of California Alcohol and Drug Programs to decrease funding for the FY 2004/2005 by \$95,706; and authorize the CAO to sign documents.

PUBLIC WORKS DEPARTMENT

Public Works Director Larry Millar presents a report on the availability of Union Pacific Railroad property near Susanville Railroad Depot (7.4 acre site). (Supervisor Chapman absent 10:50 - 10:51 a.m.) Union Pacific has received an offer, but has given the county first option as long as it can be closed by the end of this year. The parcel has been on the market for a cost of \$55,000. He states the Transportation Commission has been pursuing possible acquisition of the parcel for use in mitigating acquisition issues in the future as a transportation corridor and for preservation of open space. He provides information on possible funding sources.

Supervisor Chapman notes we need to obtain an appraisal prior to negotiating on the property. States this is the tip of the iceberg in regard to obtaining the railroad corridors. Supervisor Hanson asks if an environmental appraisal of the property will be performed and Supervisor Pyle wants to know what that will cost.

Board direction is to obtain an appraisal cost and cost of environmental appraisal.

LASSEN COUNTY LAW LIBRARY

Law Librarian Nancy Holsey presents a request to increase the Law Library portion of the Civil Court Filing Fees. She provides information on the relocation of the law library to a street level office and help that is provided to the public.

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried to adopt Resolution No. 05-044, authorizing an increase in the Law Library portion of the Civil Court Filing Fees in the Superior Court from \$25.00 to \$28.00 effective January 1, 2006, pursuant to Business and Professions Code Section 6322.1.

AMBULANCE ORDINANCE & CONTRACT

CAO Ketelsen presents an urgency ordinance and contract relating to ambulance service and provides information for the board members.

Supervisor Chapman asks about a subscription service. SEMSA (REMSA) Representative Clark Staffan responds they have a program ready to be rolled out and they will be advertising the program entitled "Gold Saver". They will also be providing first responder training. Supervisor Chapman notes the Life Support Air Ambulance is a separate program and we need to make that clear to the public.

Supervisor Pyle notes there is no subsidy being paid for the ambulance and that also includes no subsidy that was previously paid by Westwood.

CAO Ketelsen notes Norcal is still involved in relation to clinical aspects with the County contract addressing operations.

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried unanimously, on a roll call vote, to introduce and adopt, by title only, Urgency Ordinance No. 564 amending Chapter 11.15 of the Lassen County Code relating to ambulance services; and approve contract with SEMSA Ambulance Company as exclusive operator in newly established exclusive operating area.

BUDGET

Chairman Keefer thanks the CAO for the form in which the budget changes were presented.

CAO Ketelsen thanks the Chairman for the compliment and goes on to review items that still require Board decisions.

Public Defender David Marcus presents information on the high costs of defending the

1988 Wayne Bowen murder case and the need for additional funds.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to transfer \$50,000 from the conflicts budget to the Public Defender's 2005/2006 fiscal year budget.

Following discussion, it is determined the first and second items on the list relating to the Probation Department and Cemetery budgets will not be considered at this time.

It is moved by Supervisor Pyle and seconded by Supervisor Hanson to not transfer any funds to Capital Projects Fund, but leave those funds where they are. The motion fails on a roll call vote: Supervisor Chapman - NO, Supervisor Pyle - YES, Supervisor Hanson - YES, Supervisor Dahle - NO, Supervisor Keefer - NO.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried on a roll call vote, with Supervisor Chapman and Supervisor Keefer voting NO, that \$50,000 of the County's beginning balance be added to the code abatement program in the 2005/2006 fiscal year budget.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried on a roll call vote, with Supervisor Chapman and Supervisor Keefer voting NO, to deny the transfer of \$300,000 from the Tobacco Settlement funds to the fairground capital improvement account.

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried on a roll call vote, with Supervisor Chapman voting NO, that: \$100,000 of the County's beginning balance be identified in the 2005/2006 budget for upgrading the County's Financial system; and \$100,000 of the County's beginning balance be identified in the 2005/2006 budget for the acquisition of permits tracking software for the Community Development Department.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried on a roll call vote, with Supervisor Keefer voting NO, to leave Animal Control in the Public Works Department.

It is moved by Supervisor Chapman, seconded by Supervisor Hanson and carried on a roll call vote, with Supervisor Dahle voting NO, to fund the 1/2 FTE appraiser position, in the Assessor's Office, in order to replace the money the State deleted from the coming year budget.

No action is taken on the prior suggestion that the early repayment of 1/2 of the VLF

loan to the State in the amount of \$368,000, be used for General Fund Reserve purposes.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 12:04 p.m. in memory of David Anderson, Banner Lassen Hospital Administrator who was instrumental in the construction of the new hospital.

CHAIRMAN OF THE BOARD OF

SUPERVISORS

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD