

BOARD OF SUPERVISORS

NOVEMBER 15, 2005

The Lassen County Board of Supervisors convene in Regular Session at 9:04 a.m. Chairman Keefer asks for public comment and no comments are received. County Clerk Nagel announces the Closed Session item and the Board recesses to Closed Session at 9:05 a.m. for a conference with real property negotiator: a) Location - APN #101-150-13 Chestnut Street, Susanville; b) Negotiator - CAO John Ketelsen; c) Subject - Report on property appraisal.

Present in the Closed Session are Supervisors Robert Pyle, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel Craig Settlemire, County Administrative Officer John Ketelsen and County Clerk Theresa Nagel. Supervisor Chapman is absent. Closed Session is recessed at 9:21 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, November 15, 2005, at 9:32 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. 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

The County Clerk announces the Closed Session dealt with a conference with real property negotiator: a) Location - APN #101-150-13 Chestnut Street, Susanville; b) Negotiator - CAO John Ketelsen; c) Subject - Report on property appraisal - no reportable action taken.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

County Clerk Nagel announces the Recognition Committee presentation needs to be postponed to December. Supervisor Keefer announces that Forest Service Community Liaison Heidi Perry will not be here today due to illness. Requests for adjournment in memory: Supervisor Keefer in memory of Corinne Maendle and Bertha Conrad; Supervisor Chapman in memory of Betty Poulsen.

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

PUBLIC COMMENT

Doyle Camp states he is having a problem trying to build a house on Hackstaff Road in Doyle. He is having problems with building department staff regarding the setback from an earthquake faultline. The county is requiring a setback of 500' but he has consulted with the State and found it is only necessary to set his house back 50'. (Supervisor Hanson enters at 9:36 a.m.) Supervisor Hanson offers to meet with Mr. Camp and staff after today's meeting if he can wait. Mr. Camp indicates he can wait.

UNAGENDIZED BOARD REPORTS

1. Supervisor Pyle reports on the Eagle Lake Interagency meeting; discusses the Transportation Commission meeting.
2. Supervisor Hanson reports on the HUC meeting and states the organization will be changing from Herlong Utilities Cooperative (HUC) to Herlong Utilities, Inc. a Public Benefit Corporation; reports on the LAFCO meeting; states the Final EIS from the BLM for the North Valley's Water Project has been released - the County will be requesting an extension of the comment period.
3. Supervisor Dahle announces the Big Valley area received 12-16" of very wet snow the evening before election day which broke trees and downed lots of power lines. He gives the Bieber pollworkers a lot of credit for doing a very good job on election day when they were without electricity all day. The town also ran out of water as there are no backup generators for the water system - he is working with Emergency Services Director Chip Jackson to obtain some generators.
4. Supervisor Chapman extends congratulations to the County Clerk and staff and especially the pollworkers in Bieber - noting that Lassen County was again the first county to report final unofficial results to the Secretary of State.
5. Supervisor Keefer discusses the Amador Plan and the big increase in labor costs that made the Plan unaffordable for local districts - there is a piece of legislation to bring the costs down but it is unknown at this time what those costs will be.
6. Supervisor Keefer provides information on the RAC proposals - 15 proposals amounting to \$757,870 with \$580,000 available funding. The proposals will be heard tomorrow with meetings to make decisions beginning on Thursday.

CONSENT CALENDAR

Supervisor Chapman requests that Items G-8 and G-10, bid awards, be pulled for separate consideration.

It is moved by Supervisor Hanson, seconded by Supervisor Dahle and carried to take

the noted action on the following Consent Calendar items:

COUNTY CLERK ITEM

Approve Minutes of October 25, 2005.

ADMINISTRATIVE SERVICES ITEM

Approve Step E, without longevity pay, for extra help appointment of Nancy E. Urionaguena in the position of Cadastral Drafter in the Office of the Assessor.

HEALTH & SOCIAL SERVICES ITEMS

Approve amendment to agreement with William Graf for on-call services; and authorize the County Administrative Officer to sign.

Approve lease, with option to purchase, with E. Dale Soule and Linda K. Soule for property located at 1445 Paul Bunyan Road; and authorize the County Administrative Officer to sign.

Approve the FY 2005/2006 State Department of Health Services Agreement for participation in the AIDS Drug Assistance Program; and authorize the County Administrative Officer to sign this and subsequent agreement documentation.

PROBATION DEPARTMENT ITEM

Approve Truancy Reduction Program Memorandum of Understanding between the Big Valley Joint Unified, Fort Sage Unified, Janesville Union Elementary, Johnstonville Elementary, Lassen County Office of Education, Richmond Elementary, Shaffer Elementary, Susanville School District, Westwood Unified School District, Westwood Charter School, and the Lassen County Probation Department.

PUBLIC WORKS DEPARTMENT ITEMS

Award bid to Play Works of San Jose, the lowest bidder meeting specifications, in the amount of \$11,076.59 for one (1) each Single Post Swing and three (3) each Spring Toys.

Award bid for tires for the period of November 1, 2005 through October 31, 2006 for the Public Works Department (Road Division) and the Sheriffs Department (Motor Pool Division) to Les Schwab Tires, Susanville, the lowest bidder meeting specifications; and award bid for tires for the period of November 1, 2005 through October 31, 2006 for the Sheriffs and Probation Divisions to Lassen Tire, Susanville, the lowest bidder meeting specifications.

PRISON TRIAL COSTS REIMBURSEMENT PROGRAM ITEMS

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

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. PSA 2 Area Agency on Aging Advisory Council meeting agenda for October 28, 2005.
- b. In-Home Supportive Services Advisory Board meeting agenda for November 16, 2005 and unapproved minutes of October 19, 2005.
- c. Lassen County Alcohol and Drug Advisory Board meeting agenda for November 9, 2005, and minutes of October 18, 2005.
- d. Lassen County Technical Advisory Committee meeting agenda for November 9, 2005.
- e. Lassen County Planning Commission meeting agenda for November 2, 2005.
- f. Sierra Army Depot Restoration Advisory Board meeting agenda for November 16, 2005.
- g. Highway 36 Town Hill Safety Task Force meeting agenda for November 2, 2005, and minutes of June 2, 2005.
- h. Lassen County Land Conservation Committee meeting revised agenda for November 9, 2005.
- i. Local Agency Formation Commission of Lassen County (LAFCO) meeting agenda for November 14, 2005.
- j. Lassen County Air Pollution Control District Governing Board meeting agenda for November 15, 2005, and minutes of October 18, 2005.
- k. Lassen Transit Service Agency meeting agenda for November 14, 2005.
- l. Lassen County Transportation Commission meeting agenda for November 14, 2005.

PUBLIC WORKS DEPARTMENT

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried on a roll call vote, with Supervisor Chapman abstaining, to:

Award bid to Corning Ford-Mercury, Corning, CA, the lowest bidder meeting the specifications, in the amount of \$40,650.24 for the purchase of two (2) 2006 1/2 Ton Standard Cab 4x4 Pickups.

Award bid to Corning Ford-Mercury, Corning, CA, the lowest bidder meeting specifications, in the amount of \$56,583.30, for the purchase of two (2) 2006 3/4 Ton Standard Cab 4x4 Pickups.

REGIONAL COUNCIL OF RURAL COUNTIES (RCRC) JUVENILE WARD AUTHORITY, JPA

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to adopt Resolution No. 05-058, approving termination of the Regional Council of Rural Counties' Juvenile Ward Authority.

TREASURER/TAX COLLECTOR

It is moved by Supervisor Chapman, seconded by Supervisor Hanson and carried to approve discharge of accountability as outlined for the collection of unpaid fines, fees, and reimbursable charges in accordance with provisions of Section 6 (c) of Lassen County Resolution #01-081, and authorize Chairman and Treasurer to sign.

INFORMATION FOR THE BOARD

CAO Ketelsen reads a letter from the State Controller awarding Lassen County Auditor Karen Fouch the Excellence in Financial Reporting for the fourth year in a row.

DONATION TO CHAMBERS OF COMMERCE

CAO Ketelsen presents for consideration a draft letter to Chambers of Commerce requesting proposals on how each chamber will use funds to promote Lassen County.

Supervisor Dahle proposes that each Chamber submit a grant with their proposals for use of the funds and at the end of the year he wants to see results of the fund expenditures.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried, with Supervisor Chapman voting NO, to authorize the CAO to send the letter to Chambers of Commerce and Family Resource Centers.

Recess 10:11 - 10:18 a.m.

CONTROL BURNS

Supervisor Keefer notes the CAO has prepared draft letters to Plumas National Forest and copies to Lassen National Forest and Lassen National Park re: control burns and the smoke generated by them. Supervisor Keefer has received calls from Dayne Barren (BLM) and Laurie Tippin (Lassen Forest Service) and there is a real effort for the agencies to coordinate their control burns. He feels the biggest smoke impacts to populated communities comes from Plumas National Forest and Lassen National Park. Supervisor Keefer has also written another draft letter for consideration.

Supervisor Chapman feels the control burns should not be started on a Friday as there

is no one in the agencies to answer calls if the smoke is really bad and also the public is off work and want to be outside.

BLM representative Jeff Fontana reports that representatives from all the agencies have met and are taking steps to strengthen the internal controls and also strengthen ways to communicate with the public. They are also looking at special community events and taking those into consideration when planning control burns. He is happy to hear the board members express their support of control burns.

Lassen National Park Fire Manager Michael Lewelling notes in the agency meeting, there was no one that did not recognize that too much smoke was put in the air a couple of weeks ago. He talks about the the efforts being made to have better coordination. He explains the circumstances that led to the excess smoke - weather conditions that did not evolve as forecasted.

Supervisor Dahle, Supervisor Hanson and Supervisor Pyle all express their support for prescribed burns.

Lassen National Forest Supervisor Lauri Tippin states that coordination is vital and real efforts are concentrated in that direction.

Supervisor Keefer feels limiting the amount of acreage that can be controlled in a day is very important. Supervisor Chapman makes suggestions for changes to the draft letter. CAO Ketelsen asks the board to determine if a letter is needed since the agencies seem to be working on coordination.

Following discussion regarding the draft letter prepared by Supervisor Keefer, it is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried, with Supervisor Chapman voting NO, to approve the letter with the deletion of the last sentence in the first paragraph.

HEALTH AND SOCIAL SERVICES - ENVIRONMENTAL HEALTH

Environmental Health Officer Doug Ames provides an update regarding the status of AB 885 as local impacts could represent a considerable increase in costs for some users of septic systems. The State Water Quality Control Board has prepared a draft of very prescriptive standards (one size fits all) that will not work in most places. Directors of Environmental Health are all opposed to the proposed standards. State regulations would require nearly drinking water quality effluent within 600 feet of the waterline at Eagle Lake before it hits the ground which would require retrofitting sewage treatment at a cost of \$30-40,000 and regular monitoring. It would be devastating. The Directors of

Environmental Health are trying very hard to get the regulations prepared reasonably.

Supervisor Dahle states "keep up the good work and let us know what we can do to help".

Recess 11:12 - 11:15 a.m.

LOCAL REUSE AUTHORITY

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

Assistant Community Development Director Bertotti introduces Joe Williams, Manager of the Herlong Utilities, Inc., formerly the Herlong Utilities Cooperative.

Joe Bertotti presents the LRA Quarterly Report. The items for action are as follows:

1. Authorize extension of Exclusive Negotiating Agreement with Scenic Mountain Development for up to ninety days.
2. Authorize Chairman to execute Memorandum Agreement with West Patton Village CSD for maintenance services.
3. Authorize Operations Manager to enter into a short-term cooperative agreement, pending ratification by the LRA at its next Quarterly meeting, for snow removal services.
4. Refer proposed transfer of real property to the Herlong Utilities, Inc. to accommodate the construction of a water tank and distribution lines, in exchange for water service provision to all LRA-owned facilities, to the Lassen County Planning Commission for a report as to General Plan conformity, pursuant to Government Code Section 65402.

Discussion is held on the request for a ninety day extension for Scenic Mountain Development. CAO Ketelsen states the agreement is different than just opening an escrow, it is much more like designing a city and it takes time as both parties are in a learning curve in regard to redevelopment.

In response to a question about the status of fire protection, Vice-President of West Patton Village CSD (WPVCSD) Arnold Young reports they have volunteers and a fire chief. They are applying for annexation of the LRA lands. The Federal Prison and the Army Depot are cooperating and there will be mutual aid agreements. WPVCSD has been working with other fire district chiefs and the County Fire Warden and have received great help.

Mr. Young reads a letter sent to Herlong Utilities Inc. (HUI) regarding the lack of payment by the LRA of the membership fees.

Supervisor Hanson introduces WPVCSD President Alex McGinnis; Ft. Sage School District Superintendent Dan Piel; HUI President Felix Flores.

HUI Manager Joe Williams explains their need for a parcel of LRA property for their water tank and distribution lines. He also explains the change from Herlong Utilities Cooperative to the Herlong Utilities Inc., a public benefit corporation. Supervisor Hanson commends Assessor Bunch for his help to HUI in this reorganization.

It is moved by Supervisor Hanson, and seconded by Supervisor Dahle to authorize extension of Exclusive Negotiating Agreement with Scenic Mountain Development for up to ninety days with the stipulation that staff commit to accelerating the process.

Mr. Williams urges moving the process forward as negotiations with other entities are awaiting finalization of this agreement.

Supervisor Hanson withdraws his motion and the second concurs.

It is moved by Supervisor Hanson, seconded by Supervisor Dahle and carried on a roll call vote, with Supervisor Chapman voting NO, to authorize extension of Exclusive Negotiating Agreement with Scenic Mountain Development for up to sixty days with the stipulation that staff commit to accelerating the process.

It is moved by Supervisor Hanson, seconded by Supervisor Chapman and carried to authorize the Chairman to execute Memorandum of Agreement with West Patton Village CSD for maintenance services, and recognize that West Patton Village has been supporting services since September without an agreement.

Chairman Keefer directs the Operations Manager to put together a short-term cooperative agreement for snow removal services.

It is moved by Supervisor Hanson, seconded by Supervisor Chapman and carried to refer proposed transfer of real property to the Herlong Utilities, Inc. to accommodate the construction of a water tank and distribution lines, in exchange for water service provision to all LRA-owned facilities, to the Lassen County Planning Commission for a report as to General Plan conformity, pursuant to Government Code Section 65402.

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

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 12:02 p.m. in memory of

clerk

Corinne Maendle, Bertha Conrad and Betty Poulsen.

SUPERVISORS
ATTEST:

CHAIRMAN OF THE BOARD OF

THERESA NAGEL, CLERK OF THE BOARD