

BOARD OF SUPERVISORS

NOVEMBER 22, 2005

The Lassen County Board of Supervisors convenes in Regular Session on Tuesday, November 22, 2005, at 9:31 a.m. Present: Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel Craig Settlemire, 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

Chairman Keefer announces that no closed session was held.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Pyle states in respect for the local CHP he requests the meeting be adjourned in memory of CHP Officer Andrew Stevens, the officer slain in rural Yolo County.

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

PUBLIC COMMENT

1. Sara Duryea, Dyer Mt. Associates Board of Managers, reads a prepared statement listing their goals; noting the construction team has been strengthened; internal conflicts have been resolved and the lawsuits dropped. Purchase of 7,142 acres has been completed; they will be asking for community input. She publicly thanks staff (Robert Sorvaag and Joe Bertotti) for all their help during this lengthy process. They feel that Dyer Mt. Project has a bright future.
2. Fair Manager Jim Wolcott informs the board members that the Jensen Hall grant proposal has been sent to the State and he should know the outcome in mid-December. Proposes a joint meeting of the Board of Supervisors and the Fair Advisory Board be held on February 14, 2006. Announces that he and Roger Clark have just created a couple of new large flower beds.
3. Poet Laureate Violet Stout reads a poem entitled "Legend of the Moon", written for Diamond Mt. Casino.

UNAGENDIZED BOARD REPORTS

1. Supervisor Dahle reports on a meeting in Bieber with the Farm Bureau's attorney relating to water master fees; reports on the Lassen Senior Services meeting.
2. Supervisor Hanson reports the final environmental documents for the North Valley's Water Project have been released and staff has requested an extension of the comment period until January 30th - have also encouraged Sierra Army Depot to do the same; reports that he and Robert Sorvaag presented comments to the Washoe County Planning Commission on this subject and the Commission voted to deny the project which set in motion an appeal to the Washoe County Board of Commissioners - staff will be making a presentation at the appeal hearing; reports a meeting was held with Colonel Butler on issues involving the community and the Army Depot.
3. Supervisor Pyle reports on a Fetal Alcohol Syndrome meeting he attended.
4. Supervisor Keefer designates \$1,100 of his discretionary funds to Milford Fire District for equipment; reports on the RAC meetings to hear proposals and make recommendations; announces he will be on vacation in Hawaii November 28th through December 8th.

CONSENT CALENDAR

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

COUNTY CLERK ITEM

Approve Minutes of November 15, 2005.

ELECTIONS DIVISION

Receive and file Certification of November 8, 2005 Special Statewide Election and pursuant to Election Code Section 15400 declare the results of each measure voted on.

ADMINISTRATIVE SERVICES ITEM

Receive and file Personnel Movement report for October, 2005.

HEALTH & SOCIAL SERVICES ITEM

Approve the Children's Medical Services Program (CMSP) application; and authorize the CAO to execute the program application and documentation.

PUBLIC WORKS DEPARTMENT - SURVEYOR DIVISION ITEM

Adopt Resolution No. 05-059, to approve Parcel Map Waiver #2003-175, Geoproducts Corporation.

SHERIFF'S DEPARTMENT ITEM

- 1) Approve Financial Aid Application to the State of California Department of Boating

and Waterways for 2006/2007 fiscal year; 2) authorize the Chairman to sign the Agreement; and 3) authorize the Sheriff to sign the application for program participation.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Mental Health Advisory Board meeting agenda for November 15, 2005, and unapproved minutes of October 11, 2005.
- b. Lassen County Land Conservation Committee meeting agenda for November 9, 2005.

BIG VALLEY RECREATION DISTRICT

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to reappoint Rose Marie Thompson and appoint Michelle Hammons to fill vacancies on the Big Valley Recreation District due to the expiration of terms.

MILFORD FIRE DISTRICT

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried to appoint Francis McNally, David Senteney, and Irene Doyle to fill vacancies due to expiration of terms.

STONES-BENGARD COMMUNITY SERVICES DISTRICT

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried to appoint Joe Martinez, Ron Rebell, and James Usher to fill vacancies due to expiration of terms and resignations.

COMMUNITY DEVELOPMENT DEPARTMENT

Trail Coordinator Peter Heimbigner provides information on the work to acquire the segment of Paul Bunyan Logging Road that traverses the southern end of the Susanville Ranch Park for trail and resource management use. All the necessary documents have been prepared and upon approval from the Board the transaction can be completed.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to adopt Resolution No. 05-060, approving purchase of property from Red River Forests Partnership for inclusion within Susanville Ranch Regional Recreation area; and authorize the CAO or the Chairman to execute any and all documents following approval by County Counsel.

DISTRICT ATTORNEY

Investigator:

District Attorney Robert Burns presents a request for a part-time extra help investigator.

It is moved by Supervisor Hanson, seconded by Supervisor Pyle and carried to approve request to hire part-time extra help investigator, Richard C. Hack, at L.C.P.O.A. salary Range 22, Step E.

Prison Prosecution Program:

District Attorney Robert Burns provides an update on Prison Prosecution Program funding stating that some movement has occurred in regard to this funding. Recent legislation (SB 77) indicates that solutions have been achieved for the recurrent budget deficiencies for reimbursements to local government. The legislation will provide both short and long-term assistance. It appears the State Controller can spend in excess of the budgeted amount if there are claims on file from the counties - this has not yet been tested. In spite of this legislation, Lassen County is only paid through March, 2005 for costs - efforts are being made to find out why and there is some hope the County will get paid up-to-date soon.

Homicide Trials costs:

District Attorney Robert Burns provides information on the Benjamin Wai Silva Murder Case that has been remanded back to the County - Silva will be in court on December 14th and Mr. Burns will announce the case will be re-tried at that time. The county has to pay costs of \$199,000 prior to receiving any reimbursement from the State - Burns is hoping the costs of the first trial can be used toward meeting this figure.

It is moved by Supervisor Chapman, seconded by Supervisor Hanson and carried to authorize the District Attorney, in conjunction with the County Auditor, to make application for reimbursement and/or advance funds from the California State Controller's Office for the costs of homicide trials.

LEGISLATION

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to adopt Resolution No. 05-061, supporting passage of Forest Emergency Recovery and Research Act (HR 4200) with distribution to the House Resources Committee members.

Recess 10:24 - 10:29 a.m.

HOLIDAY PARTY

Supervisor Keefer reminds everyone of the County Holiday Party scheduled for December 6th.

LASSEN RECREATION DISTRICT

Acting CAO Sorvaag announces that CAO Ketelsen received material relating to a Lassen Recreation District the day after the agenda was set. The items before the Board are: Consider action to be taken on - 1) resolution requesting the Local Agency Formation Commission of Lassen County to Initiate Proceedings of Formation of a Park and Recreation District for placement on the next election ballot; 2) an Ordinance imposing a Transactions and Use Tax to be administered by the State Board of Equalization; and 3) resolution supporting the development of the 18 acre parcel (107-25-6) on Sierra Road into a Family Aquatic and Sports Facility.

County Counsel Craig Settlemire informs the Board that a public hearing is required to be held by the Board of Supervisors prior to adopting a resolution for submittal to LAFCO and also notice is to be sent to LAFCO twenty days prior to the public hearing. Therefore, the public hearing could not be held until December 20th.

It is moved by Supervisor Pyle, seconded by Supervisor Hanson and carried to set the public hearing date for December 20th and direct staff to send notice to LAFCO.

Discussion is held on designating the specific piece of property for the Aquatic Center and the reasons that the High Sierra Recreation Alliance has submitted a resolution supporting the development of the 18 acre parcel (107-25-6) on Sierra Road into a Family Aquatic and Sports Facility.

Discussions are held between staff and members of the public regarding the length of time this has been worked on and what requirements are needed for the Board of Supervisors to take prior to LAFCO considering the formation of a recreation district.

It is moved by Supervisor Chapman, seconded by Supervisor Pyle and carried unanimously, on a roll call vote, to adopt Resolution No. 05-062, supporting the development of the 18 acre parcel (107-25-6) on Sierra Road into a Family Aquatic and Sports Facility.

Supervisor Chapman would like to have a report from the CAO of any discussions occurring amongst Superintendents of Schools regarding building of a swimming pool or creation of a recreation district.

SAGE-GROUSE CONSERVATION STRATEGY

BLM Representative Donald Armentrout presents and discusses the Conservation Strategy for Sage-Crouse and Sagebrush Ecosystems within the Buffalo - Skedaddle Population Management Unit. (Supervisor Chapman absent 11:21 - 11:23 a.m.) He asks the board members to authorize the chairman to sign the agreement.

It is moved by Supervisor Chapman and seconded by Supervisor Hanson to authorize the Chairman to sign the non-binding Memorandum of Understanding/Conservation Agreement.

Supervisor Hanson asks if this agreement (Goal #11, Item #2) would preclude a farmer from spraying herbicide within 3.73 miles of leks (strutting grounds). Agriculture Commissioner Ken Smith believes the 3 mile buffer zone is excessive and feels that 1/2 mile would be more reasonable. It could cause serious economic impact to the agriculture industry.

Fish and Game representative Frank Hall states to his knowledge there are no leks that are closer than 5 miles of any alfalfa field.

Supervisor Dahle feels this is not a precedent setting document.

Supervisor Pyle would like to see the agriculture representatives sign the agreement prior to the Board signing the agreement.

Supervisor Dahle states it makes no sense to him that Sage-Crouse can still be hunted, but there is consideration for listing them as endangered.

Fish and Game Commission Vice-Chairman Rob Hill states the Commission voted to support the Conservation Strategy.

The motion carries on a roll call vote with Supervisor Pyle voting NO.

PUBLIC DEFENDER

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to renew contract with Robert P. Grant to provide investigative services for the Public Defender; and authorize the CAO to sign.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 11:54 a.m. in memory of CHP Officer Andrew Stevens the officer slain in rural Yolo County, as respect for the local CHP.

CHAIRMAN OF THE BOARD OF

clerk

SUPERVISORS

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD