

UNAPPROVED MINUTES
BOARD OF SUPERVISORS

DECEMBER 19, 2006

The Lassen County Board of Supervisors convene in Regular Session at 9:09 a.m. Chairman Pyle 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 9:10 a.m. for a conference with Labor Negotiator John Ketelsen: May include the following bargaining unit - a) Lassen County Peace Officers Assn. Commanders Unit (LCPOACU).

Present in the Closed Session are Supervisors Robert Pyle, Jim Chapman (enters at 9:11 a.m.), Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel Craig Settlemire, County Administrative Officer John Ketelsen, County Personnel Director/Risk Manager Ron Vossler, and County Clerk Theresa Nagel. Closed Session is recessed at 9:17 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, December 19, 2006, at 9:30 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 Pyle.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

The County Clerk announces the Closed Session dealt with a conference with Labor Negotiator John Ketelsen: For the following bargaining unit - a) Lassen County Peace Officers Assn. Commanders Unit (LCPOACU) - no reportable action taken.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Chapman requests the meeting be adjourned in memory of Ron Stewart (former Chico Mayor and father of Rick Stewart).

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

PUBLIC COMMENT

1. Eileen Spencer introduces Lassen Animal Rescue Public Relations Director

Suzanne Monroe who will also be the liaison with the Animal Shelter. Suzanne Monroe explains her experience with Noah's Wish and the animal rescue efforts related to Hurricane Katrina.

2. Tom Esgate, Lassen Fire Safe Council, provides an update on the Archery/Children's Road fuel treatment project. He introduces their new Education Coordinator Dave Trussell. Requests an item be placed on the February agenda for consideration of the Council's request for Title III funding. There is a need for 45 days public notice on this item.

3. Henni White wants to be placed on a future agenda to find out what can be done about trash cans being left along county roads. County Counsel Craig Settlemire states this could be addressed by either the County and/or the Solid Waste Authority/Waste Franchisee/customer. He will look into this. Direction is given to staff to look into this and bring back on the January 23, 2007 agenda.

4. Elaine Jacobs and Joe Ritz, representing the Mid-Management Bargaining Unit, speak about how much their FLEX benefits are below other bargaining units, and they distribute an information sheet.

UNAGENDIZED BOARD REPORTS

1. Supervisor Chapman reports on the RCRC meeting and discussions relating to air quality issues; he would like the Board to take a look at AB32 relating to carbon diversion into the atmosphere (may be beneficial to sell carbon credits); notes a meeting is set up with the Director of Corrections relating to prison placement.

2. Supervisor Hanson reports on the Fair Advisory Meeting and discussions relating to the design of the North Arena Expansion; attended a forum re: venture capitalists and funding of small businesses.

3. Supervisor Keefer reports the pump test has been completed on the Janesville Park well and the result is 60 gallons per minute; now looking at a water system for the Park; discusses the public scoping session held last week for the Ralston Subdivision - issues seem to be access and zoning for one acre parcels (neighbors want lower density).

4. Supervisor Chapman discusses difficulties that have arisen in regard to the Lassen County Fair Sign - property is owned by CalTrans; expresses his appreciation of the symphony which is busting at the seams and that brings forth the lack of facilities for such performances; he wants an item on the next agenda to establish an Infrastructure Revitalization Task Force to quantify the needs, determine who the "players" are and what funding sources are available.

5. Supervisor Pyle reports on the Almanor Regional Transportation Assessment meeting - the funding issue is pretty bleak; Supervisor Dahle also notes the passage of legislation for the Rural Counties/Schools Funding is not looking very good either.

PROCLAMATION

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried to adopt a Proclamation recognizing Theresa Nagel (County Clerk-Recorder/Registrar of Voters/Clerk to the Board of Supervisors) on her retirement from Lassen County.

RECOGNITION COMMITTEE - PRESENTATION

Chairman Pyle makes the following presentations for years of service:

Fifteen years: a two pen desk set to Kathy W. Oberst (H&SS Alcohol and Drug).

Ten years: a brass letter opener to Francis Gery Jones (Community Development) and Kelley Kelley (Community Development) - neither are present.

RETIREMENT: Theresa Nagel (County Clerk-Recorder/Registrar of Voters/Clerk to the Board of Supervisors).

COUNTY COUNSEL

County Counsel Craig Settlemyre states that staff was directed to bring back for consideration the request from Susan River Fire Protection District for refund of \$7,199.02 paid for Building Department plan check and inspection fees. He states such a refund from the General Fund of legitimately collected fees would benefit only the taxpayers of the Susan River Fire Protection District, as opposed to the County as a whole, and would constitute an impermissible gift of County public funds. However, a transfer of money from the County to a fire protection district that serves a public purpose of the County and a public purpose of the district is permissible. While every fire district in Lassen County has experienced difficulties, Susan River Fire District was uniquely affected by the short-lived implementation of Ordinance No. 561 in a way that no other fire district experienced. If the purpose of paying \$7,199.02 from Lassen County to Susan River Fire District is to alleviate the impact of said ordinance, and to promote the ability of the District to make capital improvements that will preserve and enhance the District's ability to provide fire protection not only to its inhabitants, but also to other inhabitants of Lassen County through various mutual aid agreements, the payment for those purposes (and not as a refund of lawfully charged fees) will stand a better chance of prevailing against a claim of an unlawful gift of public funds.

It is moved by Supervisor Chapman and seconded by Supervisor Keefer that because Susan River Fire District was uniquely impacted by the short-lived implementation of Ordinance No. 561 that the Board accommodate the request and refund the District, not as a refund of a legally charged fee but as an adjustment to accommodate the fact that they wound up being in some respects victimized by this program versus the other districts that were not, that we provide them financial relief in the amount of \$7,199.02.

Supervisor Keefer and Supervisor Pyle comment on the nice new fire hall. Jim McCarthy thanks the board members and staff for all their help during the construction process for the new fire hall.

The motion carries unanimously.

WILLIAMSON ACT CONTRACT #2006-042, JOSEPH P. AND DAWN E. EGAN AND EGAN FAMILY TRUST

Supervisor Hanson and Supervisor Pyle step down and sit in the audience due to a conflict of interest as each does business with the Eigans.

Community Development Director Robert Sorvaag presents information on Williamson Act Contract #2006-042, Joseph P. and Dawn E. Egan and Egan Family Trust, to rescind and enter into new Williamson Act contracts on resultant parcels of Lot Line Adjustment #2006-042. The property is located approximately two miles south of Standish, between Alexander Lane and Capezzoli Lane. A.P.N.(s) 119-370-24 & 25; 119-470-25.

It is moved by Supervisor Keefer, seconded by Supervisor Chapman and carried unanimously on a roll call vote, with Supervisor Hanson and Supervisor Pyle absent, to adopt Resolution No. 06-088, adopting the Land Conservation Committee findings, rescinding portions of Williamson Act contracts AA-41 & AA-58 and authorizing the execution of three new Williamson Act contracts on the adjusted parcel resulting from Lot Line Adjustment #2006-042.

CONSENT CALENDAR

Supervisor Chapman requests that Item G-3, Cramer Ranch Road, be removed from the consent calendar for separate consideration.

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

COUNTY CLERK ITEM

Approve Minutes of December 12, 2006.

PUBLIC WORKS DEPARTMENT ITEMS

Adopt Resolution No. 06-084, approving Subdivision Map #2005-020, Cramer Ranch Estates.

Approve Animal Shelter Volunteer Application and Agreement and Release of Liability for Voluntary Participation to Work at the Lassen County Animal Shelter; and direct development of policies and procedures for volunteers at animal shelter.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Technical Advisory Committee Amended meeting agenda for December 13, 2006.
- b. Lassen County Mental Health Advisory Board meeting agenda for December 12, 2006 and unapproved minutes from November 14, 2006.

COUNTY MAINTAINED ROAD SYSTEM

Supervisor Chapman states he is not in favor of accepting any roads into the county maintained system without a funding mechanism for maintenance. Supervisor Keefer feels this Cramer Ranch Road serves a public purpose as an important tie between two county roads and provides access when Travis Lane floods. Supervisor Pyle agrees with Supervisor Keefer. Supervisor Hanson understands the concerns of Supervisor Chapman and feels the policy of accepting roads needs to be revisited. Supervisor Dahle will not support this due to the cost of upkeep in the future. Supervisor Keefer feels we do need to review the roads county-wide and notes there are several county roads that serve only one residence and have not been removed from the county system. Supervisor Hanson states we cannot have a policy of not taking in roads if we expect to have growth. Supervisor Dahle - we need to set a policy. Supervisor Chapman - when the subdivision was created this issue should have been addressed. Supervisor Pyle - what he expects to happen to address road maintenance is developer impact fees. Public Works Director Larry Millar notes a consultant has been hired to look at funding issues.

It is moved by Supervisor Keefer, seconded by Supervisor Hanson and carried on a roll call vote, with Supervisor Chapman and Supervisor Dahle voting NO, to adopt Resolution No. 06-085, adding Cramer Ranch Road into the County Maintained Road System.

COMMUNITY DEVELOPMENT DEPARTMENT - ECONOMIC DEVELOPMENT HOUSING

Economic Development/Housing Chief Monica Cochran introduces Carl Ribaud, President of Strategic Marketing Group. Mr. Ribaud reviews his experience and the company's approach to tourism.

Supervisor Chapman is skeptical as he has seen these studies before and nothing

happens after the study.

Mr. Ribaldo agrees with the skepticism and notes lots of plans remain on a shelf - dollars will have to be allocated to make it work. In response to a question he responds the main budget of a visitor's bureau varies from \$100,000 to \$5.5 million. Notes he is very supportive of the internet for rural communities.

Supervisor Chapman is not convinced that spending \$27,000 on a study is something he can support. Supervisor Dahle wants to see who actually benefits from tourism. It is noted the grant funds can only be used for a study.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried on a roll call vote, with Supervisor Chapman voting NO, to authorize the CAO or designee to execute a contract for professional services with Strategic Marketing Group in an amount not to exceed \$27,000, for a tourism bureau strategic marketing plan.

Recess 11:09 - 11:16 a.m.

PUBLIC HEARING - REZONE & AGRICULTURAL PRESERVE #2006-105, DAVID CHAIDEZ

The public hearing is opened at 11:17 a.m. to consider Rezone & Agricultural Preserve #2006-105, David Chaidez, application to establish an agricultural preserve on approximately 551 acres of land, enter said land into a Williamson Act Contract and to rezone the land from A-1 (General Agricultural District) to U-C-A-P (Upland Conservation, Agricultural Preserve Combining District). The subject land is located at 669-105 Susanville Road, approximately 8 miles east of Bieber.

Planner Maurice Anderson presents the staff report. No one speaks in opposition to or in favor of the rezone and the hearing is closed at 11:18 a.m.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried unanimously, on a roll call vote, to: introduce and adopt, by title only, Ordinance No. 467A-351, implementing the rezone of the 551 acres of property from A-1 to U-C-A-P; 2) receive Land Conservation Committee recommendation on the establishment of an agricultural preserve; 3) adopt Land Conservation Committee findings; 4) adopt Resolution No. 06-086, establishing an agricultural preserve and authorize the execution of a Williamson Act Contract.

PUBLIC HEARING - REZONE #2006-059(A), SIERRA PACIFIC INDUSTRIES

The public hearing is opened at 11:19 a.m. and continued until further notice, due to the

continuance of the Planning Commission hearing, on Sierra Pacific Industries, proposal to rezone 865.9 acres of land from T-P-Z (Timber Production Zone) to A-F (Agricultural Forest). The project site is located near Pike's Point on the south end of Eagle Lake. APN(s): 089-100-21 & 23; 089-090-03.

PUBLIC HEARING - REZONE #2006-059(B), SIERRA PACIFIC INDUSTRIES

The public hearing is opened at 11:21 a.m. and continued until further notice, due to the continuance of the Planning Commission hearing, on Sierra Pacific Industries, proposal to rezone 1723 acres of land from T-P-Z (Timber Production Zone) to A-F (Agricultural Forest). The project site is located 3.5 miles east of the town of Westwood, approximately one mile east of Goodrich Creek and approximately two miles northeast of Mountain Meadows Reservoir. APN(s): 113-100-16, 113-100-23 (portion), 123-130-10, 123-100-25 (portion), 127-050-12 (portion).

PUBLIC HEARING - REZONE #2006-059(C), SIERRA PACIFIC INDUSTRIES

The public hearing is opened at 11:22 a.m. and continued until further notice, due to the continuance of the Planning Commission hearing, on Sierra Pacific Industries, proposal to rezone 638 acres of land from T-P-Z (Timber Production Zone) to U-C-2-NH (Upland Conservation/Resource Management with a Natural Habitat Combining District). The project site is located 1/2 mile northeast of Silver Lake. APN: 085-120-07.

PUBLIC HEARING - REZONE #2006-059(D), SIERRA PACIFIC INDUSTRIES

The public hearing is opened at 11:22 a.m. and continued until further notice, due to the continuance of the Planning Commission hearing, on Sierra Pacific Industries, proposal to rezone 2271 acres of land from T-P-Z (Timber Production Zone) to A-F (Agricultural Forest). The project site is located adjacent to Highway 36 at its intersection with Highway 44 and Eagle Lake Road. APN(s): 099-120-26 (portion), 27 (portion), 28 (portion) & 29; 099-170-07; 099-260-01, 22, 25 & 59; 115-200-54 (portion).

AGRICULTURAL COMMISSIONER

It is moved by Supervisor Chapman, seconded by Supervisor Keefer and carried to approve, and authorize the Agricultural Commissioner to sign, Cooperative agreement with the California Department of Health Services (CDHS) for Mosquito Control for local public health protection.

LASSEN COUNTY FAIR BOARD

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to adopt Resolution No. 06-083, modifying the Lassen County Fair financial reporting period from a calendar year to a fiscal year.

HEALTH AND SOCIAL SERVICES

Melody Brawley provides a report to the Board on Addendum to Lassen County CalWORKs Plan as required by California Department of Social Services, along with their plans for enhancing participation. Extensive discussion is held.

PUBLIC HEARING - ENVIRONMENTAL DETERMINATION ON PROPOSED GENERAL PLAN AMENDMENT #765.01.18, REZONE #2006-093, SUBDIVISION MAP #2006-093, PACIFIC HOLT CORPORATION

The public hearing is opened at 11:56 a.m. and continued until further notice, due to the Planning Commission granting the applicant's request to continue the hearing to a later date, on an Environmental Determination on proposed General Plan Amendment #765.01.18, Rezone #2006-093, Subdivision Map #2006-093, Pacific Holt Corporation. The proposed General Plan Amendment involves a change in the land use designation from "Extensive Agriculture" to "Rural Residential" on the 120 acre property. In conjunction with the change in the land use designation, the applicant is proposing to change the zoning from A-1 (General Agriculture District) to A-2-B-10 (Agricultural Residential, Building Site Combining District with a 10 acre minimum parcel size) and a subdivision of the property into 12 parcels being 10 acres in size. The project site is located close to the Honey Lake shoreline and along the north side of Highway 395, approximately 1/2 mile northwest of the intersection of Highway 395 and Herlong Access Road (County Road 395). A.P.N.: 139-040-38.

ADMINISTRATION B PERSONNEL DEPARTMENT

It is moved by Supervisor Keefer, seconded by Supervisor Hanson and carried to adopt Resolution No. 06-087, extending benefits to Elected Officials, with the exception of the Lassen County Board of Supervisors and the Lassen County Sheriff, and Confidential Employees for the period of July 1, 2006 through June 30, 2009 commensurate with those of the Lassen County Management Association.

INFORMATION FOR THE BOARD

1. Joe Bertotti informs the board members that the Local Reuse Authority Property Development proposals are scheduled for review at the January 16th meeting.
2. CAO Ketelsen indicates his interest in attending the meeting with the Director of Prisons on Thursday - Board consensus is that he should attend.
3. CAO Ketelsen wishes everyone a Merry Christmas.
4. In response to a question, CAO Ketelsen reports on the current status of the Recreation District JPA.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 12:01 p.m. in memory of

Ron Stewart (former Chico Mayor and father of Rick Stewart).

SUPERVISORS

CHAIRMAN OF THE BOARD OF

ATTEST:

CLERK OF THE BOARD