

BOARD OF SUPERVISORS

APRIL 15, 2008

The Lassen County Board of Supervisors convenes in Regular Session at 9:10 a.m.

Fair Manager Jim Wolcott reports to the Board on a letter he received from the California Department of Food and Agriculture (CDFA) in response to Lassen County's funding requests from the Division of Fairs and Expositions. Lassen County was not chosen to receive the infrastructure matching grant as they ran short of money. Lassen will be eligible for the grant again in 2009/2010 up to \$155,000. The interest-free Replenishment Fund was granted in the amount of \$60,000 for the message sign that will be out front of the fair when Caltrans is finished with their work. That will be paid back over a 10 year period. States he is concerned as he has not received an answer from Caltrans. He heard that advertising on the sign may be restricted and is looking into that matter. The Replenishment Fund request of \$300,000 for the RV park was not granted to Lassen but they will be looking at the proposal further. Another grant for \$7,500 may be available to get some ideas on planning and on an engineering bidding cost. The California Construction Authority (CCA) will be in Lassen on April 24th to look at the pavilion. The foundations will be started May 1 and it should be completed by June 15. Mr. Wolcott reports the arena is coming along well and states the volunteers working on it have done a very good job.

Deputy Clerk of the Board Osgood announces the Closed Session items and the Board recesses to Closed Session at 9:15 a.m. to discuss: 1) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: Ronald L. Wood , Superior Court County of Lassen Case No. 45330. 2) Claims: Claim of Rex Thompson presented March 7, 2008.

Present in the Closed Session are Supervisors Jack Hanson, Bob Pyle, Jim Chapman, Lloyd Keefer and Brian Dahle; County Counsel Craig Settlemire, County Administrative Officer John Ketelsen and Deputy Clerk of the Board Susan Osgood. Closed Session is recessed at 9:25 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, April 15, 2008, at 9:34 a.m. Present are Supervisors Jack Hanson, Robert Pyle, Jim Chapman, Lloyd Keefer and Brian Dahle; County Counsel Craig Settlemire, County Administrative Officer John Ketelsen and Deputy Clerk of the Board Susan Osgood. Following the flag salute, the invocation is offered by Chairman Hanson.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

The Deputy Clerk of the Board announces the Closed Session dealt with discussion on: 1) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: Ronald L. Wood , Superior Court County of Lassen Case No. 45330 – No reportable action taken. 2) Claims: Claim of Rex Thompson presented March 7, 2008 – The Board instructs that the claim be returned because it was filed late and that a Notice of Late Claim be given.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisors Chapman and Keefer request the meeting be adjourned in memory of Ralph Whitehead and Supervisor Dahle requests the meeting also be adjourned in memory of Clarence George.

CAO Ketelsen states that Item H1, Health and Social Service for Environmental Health, be removed from the agenda.

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

PUBLIC COMMENT

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

UNAGENDIZED BOARD REPORTS

1. Supervisor Chapman attended the Junior Fishing Derby Committee meeting and all is going well; he donates \$500 from his discretionary fund to the Fishing Derby.
2. Supervisor Chapman reports he spent last Friday entertaining about 300 third graders on Isaac Roop Day.
3. Supervisor Keefer attended the Fair Advisory Board meeting. States he is impressed with the volunteer effort Jim Wolcott has assembled to construct the new arena. States Mr. Wolcott and the Fair Advisory Board are doing a very good job.
4. Supervisor Keefer attended a LAFCO meeting with Supervisor Hanson. They approved a preliminary budget of \$55,917, which is \$4,000 less than last year. There has been a rollover from the last two years of about \$49,000 and policy requires there be a 10% contingency fund for unseen expenditures. This year it was recommended and approved to establish a \$20,000 reserve fund for potential litigation
5. Supervisor Dahle reports he spent three days on a jury trial the week before and he also got to see Supervisor Chapman's performance as Isaac Roop.
6. Supervisor Hanson reports that LAFCO will be reviewing their standards and procedures established in 2003 and updated in 2007. The need to update was mostly because of the area of concern issue that has been debated recently. It will take 2 to 3 months to deliberate. He notes the contingency fund carried unanimously. Supervisor Keefer requests CAO Ketelsen to briefly review the policy and standards and bring issues to the Supervisors attention.
7. Supervisor Hanson states that the City and County are going to have to get together on a tax exchange agreement. Supervisor Chapman presents a history of tax sharing. Discussion is held among Board members.
8. Supervisor Hanson reports on a presentation by Renergy at last week's Air Pollution Control District Governing Board meeting that he attended with Supervisors Chapman and Keefer. States there are a number of issues surrounding the plant regarding fuel supply, transmission issue and the air permit. Supervisor Chapman requests CAO Ketelsen to look at County staff as he is new and does not have a lot of experience on the air pollution side and could use some support and guidance. States he is concerned with global warming and new requirements.
9. Supervisor Hanson reports there is a Washoe County Planning Commission meeting this evening and some Community Development staff will be attending. He looks forward to a report from them.

CONSENT CALENDAR

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

HEALTH & SOCIAL SERVICES ITEM - FAMILY AND CHILDREN PROTECTIVE SERVICES

Approve contract with Mountain Circle Family Services and Environmental Alternatives for the Transitional Housing Placement Program (THPP) and Transitional Housing Program Plus (THP+), and authorize the CAO to execute the agreement documentation.

PUBLIC WORKS DEPARTMENT ITEM - BUILDINGS AND GROUNDS

Approve Engineering Service Agreement with NST Engineering for Public Works Facilities' Remodel Projects, and authorize the Chairman to sign.

SHERIFF'S DEPARTMENT ITEM - PATROL SERVICES

Authorize participation in the 2008 Controlled Substance Operation Plan with the Lassen National Forest, and authorize the Chairman of the Board and Sheriff Warren to sign.

PRISON TRIAL COSTS ITEMS - PRISON TRIAL COSTS REIMBURSEMENT PROGRAM ITEMS

Receive and file Recap of CCC Prison and High Desert State Prison Trials Cost Reimbursement Bill for March 2008.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Local Agency Formation Commission (LAFCO) of Lassen County meeting agenda for April 14, 2008.
- b. PSA 2 Area Agency on Aging - Notice of public hearing regarding the 2008-2009 Area Plan Update on April 22, 2008.
- c. Technical Advisory Committee meeting agenda for April 9, 2008.

RECOGNITION PRESENTATION

Chairman Hanson makes the following presentation for years of service:

Ten years: a letter opener to Sherry Bennett (Sheriff/Jail) .

PUBLIC WORKS DEPARTMENT - MEMORANDUM OF LAND LEASE

County Counsel Settlemyre presents information on the proposed lease between Lassen County and Verizon Wireless. Present equipment is not adequate for Verizon's use so they will install new equipment vault and tower with ownership being turned over to Lassen County. Lassen County is not paying anything, they are not giving up any opportunity to receive rent and Verizon's use is not exclusive, other users can co-locate. CAO Ketelsen thanks Senior Deputy County Counsel Traci Witry and Adrian Alford and Dan Douglas of the Public Works Department for their help with this project.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried unanimously to authorize the CAO to sign the Memorandum of Land Lease with Verizon Wireless for a communications tower on Shaffer Mountain.

HONEY LAKE TV (Service Area 1, Honey Lake TV Service)

Honey Lake TV Community Television Corporation (HLTV) President Dan Douglas presents an update in response to some complaints received by the Supervisors. States Tom Brown is available to answer technical questions. Mr. Douglas reports HLTV is faced with FCC requirements to remove them from frequencies they are currently on. The frequency levels are so low and close together they are experiencing issues that could not have been predicted. Some technical difficulties are being experienced. They are working on the problems. States they would like to send out a mailing through the Assessor informing the public on changes. Tom Brown states HLTV will have information for the public on where to purchase antennas for lower frequencies.

COMMUNITY DEVELOPMENT DEPARTMENT - BUILDING AND PLANNING

The public hearing is opened at 10:25 a.m. Lassen County Building Official Steve Fuller presents the staff report on the proposed ordinance revisions to various chapters within Title 18 of the Lassen County Zoning Ordinance and Lassen County Building Code, Title 12, as recommended by the Planning Commission. States a number of regulations exist in separate sections of the zoning and building ordinances and this is an attempt to locate them in one section. There are three areas to be revised.

Placement of Mobile and Manufactured Homes: The change would move the mobile home design criteria from the Building Code into the Zoning Ordinance where other related code is found. The main emphasis of the amendment would change the year of manufacture date that a manufactured home would not be permitted within certain zoning districts. The current ordinance restricts the placement of mobile homes older than 1976. The state allows for restriction to ten years for manufactured homes to be placed in communities. The Planning Commission and the Manufactured Home Institute both are in support of that. Staff suggests an option of 15 years might be considered in residential districts and a 20 year limitation in agricultural zones, commercial zones, etc.

Second Unit Housing: Current requirements restrict the size of a second unit to a maximum size of 1,000 square feet. It is proposed to change the maximum to 1,400 square feet or 80% of the size of the primary dwelling.

Architectural Requirements for all Permitted Buildings within Residential Zoning Districts: The General Plan states the County is to develop written architectural requirements. That would streamline the process and let the public know up front what is required to have a project approved right away. Staff initially recommended 6 in 12 roof pitch in snow load areas. States that if the board chooses, they could go back to that original language which was a variable on the roof pitch depending on the snow load such as 4 in 12 pitch for the valley or 6 in 12 pitch for higher elevations.

Extensive discussion is held on the proposals. Supervisor Dahle is in favor of changing the dates of mobile/manufactured homes. Supervisor Chapman is pleased to see the thought staff has given to the changes and fully supports them. He is glad to see flexibility on the maximum size of a second unit. Supervisor Hanson questions the roof pitch in desert areas. Mr. Fuller responds the original language depended on the snow load with 4 in 12 pitch for the valley and 6 in 12 for higher elevations. Supervisor Chapman states it should be tied in with the snow load; the Board agrees. (Supervisor Chapman is absent 10:54 – 10:56 a.m.)

No one in the audience speaks for or against the proposal and the public hearing is closed at 10:55 a.m.

County Counsel Settlemyre states the ordinance will need to be brought back with a revision tying-in the roof pitch to the snow load; the public hearing has been concluded.

U.S. FOREST SERVICE

Lassen National Forest Community Liaison Heidi Perry-McCourt distributes several pieces of information to the Board. The Lassen County Resource Advisory Committee (RAC) Project Monitoring Report is an extensive report, prepared by volunteers, that represents three years of RAC proposals. This information will be on the U.S.F.S website and available on disk. The Lassen County Resource Advisory Committee Pine Creek Fish Trap Report was the document submitted to the Washington office representing California RACs. The Pine Creek project consisted of five RAC proposals; it is a shining star and Lassen County should be proud of this project. The 2007 and 2008 RAC Proposals Overview dated April 15, 2008 demonstrates what has happened in Lassen County. This is mostly RAC but there are national fire plans, Western WUI (Wildland Urban Interface) and other completed fuel reduction projects.

INFORMATION FOR THE BOARD

CAO Ketelsen states there is a tentative agenda for the upcoming Quad meeting in the Passaround File. Doug Ames, his staff and Tom Valentino will be presenting information on the septage program. He reports the legislative season is "ramping up". There is a proposal for constitutional amendment by the Governor to stabilize the state budget; this would be a hardship for local agencies if it passes. Meetings of the Budget/Audit Legislative and Facilities Planning Advisory Committee will be starting soon and information will be brought back to the Board. There is concern regarding proposed Probation legislation, especially regarding the possible transfer to local jurisdiction approximately 71,000 nonviolent probations.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 11:18 a.m. in memory of Ralph Whitehead and Clarence George.

CHAIRMAN OF THE BOARD OF SUPERVISORS

ATTEST:

SUSAN OSGOOD, DEPUTY CLERK OF THE BOARD