

## BOARD OF SUPERVISORS

MAY 27, 2008

The Lassen County Board of Supervisors convenes in Regular Session at 9:07 a.m. Chairman Hanson asks for public comment and no comments are received. Deputy Clerk of the Board Osgood announces the Closed Session items and the Board recesses to Closed Session at 9:07 a.m. for:

Claims: Claim of Roscoe Graves presented April 10, 2008 and claim of Shirley and Paul Stanger presented on January 7, 2008.

Present in the Closed Session are Supervisors Jack Hanson, Jim Chapman, Lloyd Keefer and Brian Dahle; County Counsel Craig Settlemyre, County Administrative Officer John Ketelsen, Risk Manager Ron Vossler and Deputy Clerk of the Board Susan Osgood. Supervisor Pyle arrives at 9:08 and is absent from the meeting 9:10 – 9:12 a.m. Closed Session is recessed at 9:31 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, May 27, 2008, at 9:33 a.m. Present: Supervisors Jack Hanson, Robert Pyle, Jim Chapman, Lloyd Keefer and Brian Dahle; County Counsel Craig Settlemyre, County Administrative Officer John Ketelsen, Risk Manager Ron Vossler 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 announces the Closed Session dealt with: Claims: Claim of Roscoe Graves presented April 10, 2008 – The Board rejected the claim and directed that notice of rejection be given; and claim of Shirley and Paul Stanger presented on January 7, 2008 – The Board rejected the claim and directed that notice of rejection be given.

### AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Dahle requests the meeting be adjourned in memory of Jim Johnston. Supervisor Chapman requests the meeting also be adjourned in memory of Virginia Aguilar.

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

### PUBLIC COMMENT

1. Poet Laureate Violet Stout states she is bitter because no flag was flying for the veterans at the Chestnut Cemetery across from the jail on Memorial Day. She had the flag pole put in many years ago. States that former Sheriff Ron Jarrell put the first flag up and continued to put it up for several years. Mrs. Stout reads her poem entitled "Broken Faith". Supervisor Chapman states the flag issue at the Chestnut Cemetery has come up several times in years past and asks if the Public Works Department could arrange to have a flag flown at the Chestnut Cemetery at least on Memorial Day.

## UNAGENDIZED BOARD REPORTS

1. Supervisor Chapman reports that Memorial Day ceremony attendance was lower than usual, maybe due to poor weather. Thinks with high cost of gas has more people staying around town.
2. Supervisor Chapman met with Diamond View student government class on May 22; they are collecting Pennies for the Pool along with other schools. Supervisor Chapman told the students about the history of the school.
3. Supervisor Chapman states that he was the commencement speaker at Lassen Community College on May 23. His speech was less than four minutes long and it was a lot of fun.
4. Supervisor Keefer reports there will be a Solid Waste meeting this afternoon. They will be taking a look at a preliminary budget then reconvene in Westwood tonight to discuss the possibility of changing Westwood land fill to a transfer station. Staff has prepared an economic analysis report. Will also talk about the possibility of franchising in the Westwood area for solid waste collection.
5. Supervisor Keefer noticed in today's Lassen County Times there was an advertisement for a workshop to discuss newly effective changes to the California Building Code that have come into play because of fire and other issues. It is being held June 4 by Lassen County Building Department and CalFire, 9:00 a.m. to noon at the Masonic Temple, 84 N. Lassen Street. Supervisor Keefer asks CAO Ketelsen to report to the Board before that meeting. He thanks the Times for letting him give information under "Where I Stand" in today's paper. He felt it was necessary to rebut the Letter to the Editor from last week that said the Supervisors gave themselves a 10% raise which was not true; no raise was given to the Supervisors in 2007. Another article reported the County was paying for noise monitoring of Honey Lake Motocross through August of this year which is not true; the Wosicks pay the full cost of monitoring of the races. Also, Supervisor Keefer was identified as an investor of the new hardware store in Janesville and he is not.
6. Supervisor Dahle attended the Western Interstate Region (WIR) Board in Salt Lake City, Utah, and was sworn in as President on Friday. They will be busy with PILT, Secure Rural Schools and water issues.
7. Supervisor Dahle reports the Sierra Nevada Conservancy will be meeting at Ingram Hall at the Shasta County Inter-Mountain Fair in McArthur on June 5 for a tour to look at Day Bench, Butte Creek and Ash Creek Wildlife area.
8. Supervisor Dahle donates from his discretionary fund: \$500 to the Pit River Rod and Gun Club for the Junior Fishing Derby to be held on Fathers Day; \$500 to Stones-Bengard Community Services District and Fire Department for their fire hall; and \$500 to the Big Valley Family Resource Center to buy computers for their partnership with the Lassen Library District.
9. Supervisor Hanson reports on a meeting held in the Chapel in Herlong May 29, 6:30 p.m. to coordinate a clean up effort in the community of Herlong. This is a ground swell effort by some of the local people and county staff will be there.
10. Supervisor Hanson met with Joe Bertotti and Sierra Army Depot personnel last week to discuss a number of issues of mutual interest, specifically the water and sewer issues that have to do with the developer, Towne Development.
11. Supervisor Hanson donates from his discretionary fund: \$250 to the Aurora Network for the fund raiser last weekend that included a ride on the Bizz Johnson Trail and included 18-20 participants; \$500 to Shaffer School and \$500 to Fort Sage School both for the same purpose as school districts and fire

districts are having an extremely difficult time with fuel and to get buses to get students to events for student body events. \$500 to the Doyle Fire Protection District and \$500 to Standish-Litchfield Fire District, also to support their fuel costs.

12. Supervisor Keefer also reports in the Letter to the Editor last week there was some reference to the Supervisors' discretionary funds under the discussion of the 10% salary raise there was an inference that the discretionary funds are used for the Supervisors own personal purposes and asked why would we need a salary raise. Supervisor Keefer responds that the discretionary funds are used for a public purpose and they are announced publicly at the Board meeting.

#### CONSENT CALENDAR

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

#### ADMINISTRATIVE SERVICES ITEM - PERSONNEL REPORT

Receive and file Personnel Movement Report for April, 2008.

#### AUDITOR & TREASURER DEPARTMENTS ITEM - REPORT

Receive and file Treasurer's Fund Balance Report and Auditor's verification for the month of April, 2008.

#### COMMUNITY DEVELOPMENT DEPARTMENT ITEM - PLANNING DIVISION

Approve contract with Wilson, Ihrig and Associates for Use Permit #2002-017, Wosick for noise monitoring services at the Honey Lake Motocross Park through August 31, 2008, and authorize the CAO to sign.

#### DISTRICT ATTORNEY ITEM - CRIMINAL DIVISION - STATUTORY RAPE VERTICAL PROSECUTION PROGRAM (SRVP)

Adopt Resolution No. 08-027 approving the continuation of the Lassen County District Attorney's Statutory Rape Vertical Prosecution Program to be funded from funds available through the State of California, administered by the Office of Emergency Services.

#### HEALTH & SOCIAL SERVICES ITEM - COMMUNITY SOCIAL SERVICES AND FAMILY AND CHILDREN PROTECTIVE SERVICES

Award bid for purchase of printers and fax machines to Western States Contracting Alliance (WSCA), the lowest bidder meeting specifications, in the amount of \$13,987.55.

#### PUBLIC WORKS DEPARTMENT ITEM - CLEAR CREEK PARK PROJECT

Authorize the Public Works Department to submit California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection of 2002, Per Capita Grant Program application for Clear Creek Park enhancement project.

#### SHERIFF'S DEPARTMENT ITEM - TRAINING

Approve travel authorization request for two Correctional Officers to attend the Basic Law Enforcement Academy at Butte College Police Academy, June 25 - December 12, 2008. The total cost for two officers

is estimated to be \$24,850, to be paid from account number 131-1312-3002901 with partial reimbursement from State POST.

#### TREASURER/TAX COLLECTOR ITEM - REPORT

Receive and file Treasurer's Investment Report for April, 2008.

#### MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Susanville City Council, Susanville Community Development Agency, Susanville Municipal Energy Corporation meeting agenda for May 21, 2008.
- b. Lassen County In-Home Supportive Services Advisory Committee meeting notice and agenda for June 11, 2008.

#### ADMINISTRATIVE SERVICES - PHONE PURCHASE

CAO Ketelsen presents information on the Health & Social Services request for replacement of problem phones.

It is moved by Supervisor Chapman, seconded by Supervisor Pyle and carried to approve the recommended purchase of replacement phones for Health & Social Services from C.M.A.S. in the amount of \$22,538.05.

#### APPEAL OF USE PERMIT #2007-066, LAFFINS ELECTRIC

The public hearing is opened at 10:00 a.m. Chief Planner Maurice Anderson presents the staff report on Appeal of Use Permit #2007-066, Laffins Electric which is an appeal of the Planning Commission's approval which would allow two duplexes on a 2.52 acre parcel. The application did go before the Technical Advisory Committee (TAC) on February 13, 2008. Recommendations and findings were submitted to the Planning Commission and the Planning Commission did approve the project. The application was made under the zoning code that allows for duplexes with a Use Permit, specifically the A-1 General Agricultural District. The General Plan designates the area as town district. The project is exempt from CEQA pursuant to 15303b which specifically exempts duplexes. The Appeal of Use Permit #2007-067 is the same as for #2007-066 on property also owned by Laffins Electric that is less than 1/8 mile away.

Speaking in support of the project, opposing the Appeal: Rick Laffins, applicant on the projects, states he is looking to do a top notch project, it will be well managed and they will do some nice architecture such as a metal roof and they will be decent sized units. He reassures the Board they are not a fly-by-night developer, they have built projects in Chico and there will be local Susanville management running it. States they are gearing to appeal to the new growth that is going on in Herlong; feels the guards are looking for places to rent. The units are going to be nicely laid out with covered garages; feels they will add to Doyle, not take away from it.

Speaking in support of the appeal, opposing the project: Roger Fine states he lives almost across the street from the project and is speaking for a neighbor, Bob Rasmussen as well as himself; their comments are very similar. States the biggest concern is the density of the project. There have been problems in other parts of Doyle with too much septic, septic too close to the water, and too many people living too close together. The water usage is a chancy thing. Primarily it is the change in density in Doyle. There is a question of who is going to live there; states there are places to rent and for sale both in Herlong and Doyle. States the application for the special Use Permit declares that the surrounding lots were all vacant; that is not true.

Mr. Fine reads Mr. Bob Rasmussen's letter stating he is against the proposed duplexes because of excessive dust that will result from having four to eight or more vehicles on the dirt roads. Two duplexes and four families would require more water than single family dwellings and that could jeopardize the water sources. There is a health concern issue from septic systems handling four families on only a 2 ½ acre parcel. Mr. Laffins is planning on building two more duplexes on another 2 ½ acre parcel just down the road from this project. States Mr. Laffins expressed his reasons for wanting to build so many units at the April 2 meeting was because rentals are needed in Doyle and that is untrue. There are many rental units and homes for sale in Doyle and Herlong. Mr. Rasmussen moved to Doyle for the country atmosphere and did not wish for the crowdedness that duplexes would cause. Asks the Board to stop the Use Permit. Chairman Hansen states the Board also received a letter signed by several neighbors.

Jeffrey Castodio states he lives next door to the project. Comments that Doyle does not get respect from Susanville most of the time. Reports that Mr. Laffins made the comment that housing was needed in the project area; Mr. Castodio states there are many houses for rent or for sale in the area. States he moved to Doyle so he could live in a country environment and his children could be safe; everybody looks out for everybody else. Three years ago Mr. Laffins came and wanted everybody in that area of the community to clean their lots; he made complaints against Mr. Castodio and several of the neighbors but not against people down the road. Reports Mr. Laffins calls Warners Trucking a wrecking yard and an eye sore. Mr. Castodio states that everybody has treasures in their yards that might be called junk by someone else. Asks about tests that need to be done by an engineer geologist; reports there is an old leach line near where Mr. Laffins wants to put a well; questions an easement using Roop Road to Laura Drive. States there are more things to put money into besides a duplex that people don't want.

The public hearing is closed at 10:20 a.m.

Supervisor Keefer states the project is consistent with the General Plan and there are a number of issues the proponents of the appeal raised that are addressed in the Conditions of Approval for the Use Permit. One issue was septic and it states clearly that the percolation and soil testing shall be performed before the Use Permit is granted to assure there is proper leaching. Another item addressed is that water testing will be necessary to determine that adequate water quality is available to serve future development. Item 10 addresses dust control for the project fairly well. States he will be supporting the denial of the appeal based on those issues. Supervisor Chapman comments that in looking at the Planning Commission decision, he does not find anything inconsistent with County policy or plans and acknowledges that the neighbors are not in favor of the duplexes. States he is distressed to hear

discussion that one community looks at another in a negative way and resents the implications that are encompassed with that; does not think it is a fair or proper attitude. Chairman Hanson states he agrees with Supervisor Chapman on that matter. Supervisor Chapman is convinced the appeal is not sustained by the arguments and he will support the project.

It is moved by Supervisor Keefer, seconded by Supervisor Chapman and carried unanimously to approve Use Permit No. 2007-066 with the conditions listed by the Planning Commission that were stated in Exhibit A, and to adopt Resolution No. 08-025.

#### APPEAL OF USE PERMIT #2007-067, LAFFINS ELECTRIC

The public hearing is opened at 10:26 a.m. Chief Planner Maurice Anderson states this project is identical to Appeal #2007-066 but it is located about 1/8 mile from #2007-066. The same conditions apply and it was approved by TAC and the Planning Commission.

Speaking in support of the appeal, opposing the project: Jeffrey Castodio states he thought Doyle was a single family dwelling zone. He got turned down when he tried to put a second trailer on his lot.

No one else speaks on the project. The public hearing is closed at 10:27 a.m.

It is moved by Supervisor Keefer, seconded by Supervisor Chapman and carried unanimously to approve the Use Permit No. 2007-067 with the conditions listed by the Planning Commission that were stated in Exhibit A, and to adopt Resolution No. 08-026.

#### PROCLAMATION

It is moved by Supervisor Chapman, seconded by Supervisor Dahle and carried unanimously to adopt Proclamation honoring Susanville Supermarket / IGA on their 8 years of success as a 5-Star rated store with the IGA Assessment Program.

#### PUBLIC HEARING - COMMUNITY DEVELOPMENT DEPARTMENT - ECONONMIC DEVELOPMENT / HOUSING

The public hearing is opened at 10:33 a.m. Chief of Economic Development Monica Cochran states the public hearing is to solicit comments for 2003/2004 and 2004/2005 Community Development Block Grant (CDBG) regarding grantee performance. Grants were obtained to assist the Community of Spalding with the development of their waste water and disposal collection system. It was a +\$8 million project which paid \$9,200 assessments for 57 households and used other grant money for new septic tanks and lateral lines for 60 households. There was a million dollars of assistance for that community.

Spalding Community Services District General Manager Merle Lay thanks the Board and staff for supporting them on this lengthy project. The public hearing is closed at 10:37 a.m.

#### INFORMATION FOR THE BOARD

CAO Ketelsen attended the CSAC conference last week. 1) Spoke with Senator Cox's Chief of Staff, Kevin Bassett regarding the desire to solve the ambulance funding issue by piggybacking it onto the

list of medical services paid for by criminal penalties. It would be available to low density rural communities that do not have trauma centers. He seemed familiar with it and understood what Lassen County was after. Later spoke with Senator Cox and he took the position of being in support of doing that and would get started on it. Talked about problems for ambulance service with MediCal.

2) Legislative Analyst's Office (LAO) Analyst Elizabeth Hill stated they were in accord with the administration of the budget shortfall estimates but think the administration is a little optimistic. They are skeptical about solving the budget problem with the lottery approach. CAO Ketelsen will be focusing on the State's cash flow problem which will be earlier than before. States there is more sense of desperation than in years past.

**ADJOURNMENT IN MEMORY**

There being no further business, the meeting is adjourned at 10:46 a.m. in memory of Jim Johnston and Virginia Aguilar.

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CHAIRMAN OF THE BOARD OF SUPERVISORS

ATTEST:

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SUSAN OSGOOD, DEPUTY CLERK OF THE BOARD