

## BOARD OF SUPERVISORS

JUNE 10, 2008

The Lassen County Board of Supervisors convenes in Regular Session at 9:01 a.m. Present: Supervisors Jack Hanson, Robert Pyle, Jim Chapman, and Lloyd Keefer; County Counsel Craig Settlemire, County Administrative Officer (CAO) John Ketelsen and Deputy Clerk of the Board Susan Osgood. Supervisor Brian Dahle enters at 9:02 a.m.

### PUBLIC COMMENT

1. Honey Lake Motocross Park (HLMP) owner Larry Wosick reports on the Court's May 12 ruling; states it resolved many issues with neighboring landowners. Presents data on noise monitoring results stating that there was a total of about 586 hours of data and the accumulative time that anything registered over 70 db was approximately 5 minutes, which equates to 99.99% of the 586 hours the noise was within the guidelines. They were also able to show that the noises that registered slightly over 70 db for the .01% of the time were the same as other noises measured in the area such as the highway or other sources. He reports the March event had +1,000 entries and nothing registered over 70 db during the whole weekend. States other factors including weather, atmospheric pressure and wind affect the data. Mr. Jim Buntin of Brown, Buntin Associates, Inc., and author of Lassen County's Noise Element, gave live testimony at the hearing stating that for enforcement purposes the HLMP more than complied with Table 3 of the Noise Element. The Judge granted the Wosick's motion for no more noise monitoring beginning in September. Mr. Wosick states the analysis will be an important document to refer back to, as the Court wants to know the County's position on slight exceedences. Brown, Buntin will be working with the Planning Department on an analysis. He looks forward to putting this issue behind him and to many years of good things for the community. States Judge Darlington asks the County to supply an analysis of how it is going to interpret the Noise Element.

2. Diane Fuller states she lives beside HLMP and requests the Board not make any adjustments to the Noise Element; asking to uphold what the County already has. States only one person doing the Noise monitoring this year and monitoring has never taken place at her property line, but almost 1/4 mile from the line and that does not seem fair. States she can also hear the loud speakers from her home. Monitoring is done from 9:00 a.m. to 3:00 p.m. but noise starts as early as 7:00 a.m. and continues until 7:00 or 7:30 p.m. States bikes are now required to use quieter pipes than before. Asks the Board to enforce their regulations and not change the interpretation that gives the HLMP reasons to increase their noise level.

3. Poet Laureate Violet Stout reads a birthday poem she wrote for Susanville Mayor Lino Callegari's birthday entitled "Best of Wishes" and says it is also for everybody having a birthday.

Deputy Clerk of the Board Osgood announces the Closed Session items and the Board recesses to Closed Session at 9:17 a.m. to discuss: Conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: Citizens for a Healthy Rural Environment, Richard & Mary Morgan vs. Lassen County, Lassen County Board of Supervisors; Larry and Lise Wosick. Lassen Superior Case #36349.

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, Personnel Director/Risk Manager Ron Vossler and Deputy Clerk of the Board Osgood. Closed Session is recessed at 9:38 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, June 10, 2008, at 9:41 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, Personnel Director/Risk Manager Ron Vossler and Deputy Clerk of the Board 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: Conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: Citizens for a Healthy Rural Environment, Richard & Mary Morgan vs. Lassen County, Lassen County Board of Supervisors; Larry and Lise Wosick. Lassen Superior Case #36349 – No reportable action taken.

#### AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Chapman requests the meeting be adjourned in memory of Dorothy Hirsche and Vera Dean. Supervisor Keefer requests the meeting also be adjourned in memory of Jerry Rainey.

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

#### PUBLIC COMMENT - Continued

4. Darrell Ridenoure states he owns property in the County at the end of North Fairfield and has applied for a parcel split on one of them and that was approved January 3, 2007. Part of the mitigation measures for the split were that he build to City of Susanville standards and that he supply City water and gas and install some fire hydrants. In January, 2008 LAFCo Executive Officer John Benoit informed Mr. Ridenoure that the property would need to be annexed by the City in order to have the rights to services. At the LAFCo meeting June 9 it appeared there were still some issues regarding the master tax sharing agreement between the City and the

County. Mr. Ridenoure requests that his project be considered under the old standards when the County brought in parcels in the past (college, hospital, WalMart and north side of town known as Indian Hills property). He states he would like the benefit of the old formula or process the County used for his parcel. States he is looking for an opportunity to become a part of the City and get on with his activities. CAO Ketelsen states a draft agreement will be shared with City staff tomorrow and, as Mr. Ridenoure suggested, that is the process they will be using. States the master agreement has expired and the County is trying to patch the two. Supervisor Keefer states that he will be commenting on this under Unagendized Reports later in the meeting. He did speak with Mr. Ridenoure after yesterday's meeting and has some concerns in terms of what Mr. Ridenoure has been told by City staff. Requests Mr. Ketelsen go into more detail on time frames as Mr. Ridenoure is under the impression that the County was noticed back in November regarding this issue. CAO Ketelsen states March 10 was the date of official notice from LAFCo.

5. Noelle Haller-Riggs defers to Realtor Association President Tina Cordoba and is in support of what she discusses.

6. Lassen Association of Realtors President 2008 and broker/owner of Town and Country GMAC Real Estate, Tina Cordoba speaks on behalf of the association and herself as broker/owner. States they are asking for the Board's consideration to rehear the manufactured housing ordinance that was adopted in May. There have been a lot of calls from the public with concerns from customers and her colleagues. Manufactured housing is something that allows affordable housing to the community. There is a need for some restrictions on housing and some of the things that are brought in and they support that as an association of realtors and members of the community but they feel there are other ways this can be accomplished without discriminating against the housing market. There is VA and conventional financing available for this type of housing. The County passed an ordinance that will now allow this and that affects housing in the local market, which is already down. States there are many things that have changed in the industry and one more change that adds so many restrictions is not what this community needs. They ask for a chance to re-hear and maybe amend the ordinance that was passed; feels the way it is written is too restrictive. Supervisor Dahle states there was no opposition to the ordinance when it was passed but he would be in favor of looking at it again. Supervisor Keefer agrees and Supervisor Chapman states the Board needs some additional input. (Supervisor Chapman leaves at 9:49 a.m.)

7. Jim McCarthy, Gold Run Realty, reports on the history of manufactured homes, stating there remains market resistance from banks and the market but that they fill a need in the community. States there could be a discrimination issue regarding manufactured homes and states the Board cannot arbitrarily pick a year. Reports that manufactured homes survive very well when they are on a parameter foundation and they are a very usable product. Would like to encourage affordable housing and avoid the County having a lawsuit in that regard.

8. Joe Mezger states his family has 160 acres in Doyle and they are trying to move a manufactured home in for family members. He heard about the ordinance from the Building Department. States there are already good checks and balances

on manufactured homes with the snow load requirements. He is in the business of selling new manufactured homes in Reno. States that the FHA and VA will finance a 1976 or newer manufactured home and feels a veteran should not be prejudiced against and have their opportunities limited by the ordinance. This ordinance would affect realtors, lenders, appraisers, contractors and the school fees on permits. States he would appreciate the Board looking at this again.

9. Carroll Realty agent Annie Westerbeke states she has extensive experience with manufactured homes and has remodeled older ones that have turned out well and provided affordable housing. States the rules and regulations were already in place and worked well. She asks the Board to take into consideration what the previous speakers have said.

10. Susan River Realty agent Brenda Witt from Doyle agrees with the previous statements. States she is also concerned with the added restrictions and how they can set limits higher for the age will eliminate a certain class and group of people who will not be able to meet the standards. She recently received the ordinance and has a lot of questions about it but commends the County for wanting to better the community.

Chairman Hanson states that while the County could have done a better job of notifying the community, the ordinance was advertised three times in the Lassen County Times and he encourages the public to read legal notices as the Board would like to hear comments prior to adopting ordinances. He appreciates everyone's input and states the consensus of the Board is to go through a reconsideration process regarding the ordinance. Discussion is held on the best way to do that. County Counsel Settlemire reports that the ordinance adoption and the zone change for manufactured homes was a final act and in order to be changed, it must go back before the Planning Commission. That could happen in July or a little earlier if the Commission agreed to a special meeting. Mr. McCarthy states that the noticing of meetings is a problem, that not everyone reads the local paper and he feels that County government needs to do more outreach to stakeholders. An ordinance amendment would also have to go to the Planning Commission and then to the Board.

#### LAW ENFORCEMENT CHALLENGE

Lt. Eric Liband of the California Highway Patrol presents information on the 2007 California Law Enforcement Challenge (CLEC). It is an annual national contest where each department competes with all others of their department size. Presents information on the Susanville command. Area of responsibility covers roughly Nevada to the East, Termo Grasshopper to the North, West to Shasta on 44 and about halfway to Chico and South to Redrock Road. They have a communications center at the Susanville area which dispatches for three CHP areas, Alturas, Quincy and Susanville and several resident posts in Portola, Chester and the Greenville resident posts; dispatch is for Lassen, Modoc and Plumas Counties and a portion of Tehama County. There are 28 uniformed members assigned to Susanville command, one to Narcotics Task Force, one mobile road enforcement officer and they may be getting a second; there are 19 non-uniformed with dispatch staff for a total of 47 employees. Primary mission of the Highway Patrol is to

provide the highest level of safety service and security to the people of CA; the bottom line mission is to save lives. States there is increased presence on Highway 395. Statistics for 2007 show 4 fatalities compared to a prior 3 year average of 11; there were also 11,125 enforcement contacts, 109 DUI arrests, 42 felony arrests, such as auto thefts or DUI with priors and miscellaneous drug type offenses.

Recess from 10:24 – 10:27 a.m. Supervisor Chapman arrives at 10:28 a.m. and CAO Ketelsen arrives at 10:29 a.m.

**PUBLIC HEARING - REZONE #2006-59(A) SIERRA PACIFIC INDUSTRIES (SPI)** Chairman Hanson opens the public hearing at 10:29 a.m. Chief Planner Maurice Anderson presents information on the Sierra Pacific Industries request for Rezone #2006-59(A) to rezone approximately 865.9 acres from "TPZ" (Timber Production Zone) to "A-F" (Agricultural Forest) via the "Ten Year Phase Out" rezoning process detailed in Government Code Section 51120. The subject properties are located near Pike's Point on the south end of Eagle Lake.

Mr. Anderson reports that staff and the consultant Pacific Municipal Consultants (PMC) spent considerable time working on the staff report. States that in analysis CEQA does not allow agencies to analyze "speculation". The County's Environmental Review Officer determined that a Mitigated Negative Declaration should be prepared because there is no sufficient evidence indicating that the project could have a significant adverse effect on the environment. A draft document was circulated for comments during a 30-day public review period. He cites comparisons of "TPZ" and "AF" zoning districts stating that AF is a bit more restrictive than TPZ. The land use is not changing; what is changing is that at the end of 10 years they will be paying a different tax structure and there may be more owners. A future project cannot be presupposed; the applicant would need to present information at that time. It was felt a negative declaration was proper for this project at this time. Deputy Clerk Osgood states a packet of information has been submitted that was received after the posting of the agenda.

Speaking in opposition to the rezone: Steve Robinson of Mountain Meadows Conservancy states this is a disregard of area plans and general plan; there are also specific area plans in Eagle Lake and Clear Creek. States they propose to protect Native American burials; this looks like a ten year plan to develop these properties. Feels an environmental review should be done; states it is common in this County to go from AF to mountain resort and that the County is setting a precedent.

Speaking in favor of the rezone: Attorney Bill Abbott speaking for SPI, states his comments will apply to all of the rezoning requests and incorporates by reference his citation to page 2-23 of the County General Plan on interpretation. States TPZ is a unique zoning statute; it does not take effect for ten years but would position a future Board of Supervisors with a broader range of planning options but does not

commit them to anything. The rezone requested would change the zoning of the affected parcels from TPZ to A-F, which is a more restrictive designation. The zoning would take effect in ten years. States there is no plan and in the absence of a project an EIR cannot be done on something that does not exist and it would be a waste of money at this stage. The Board of Supervisors would have full opportunity for CEQA at a future time. The public hearing is closed at 10:53 a.m.

Supervisor Keefer is comfortable with staff report concerning the mitigated negative declaration. As pointed out, CEQA does not provide for speculative projects and the AF zoning allows and provides for timber production. Feels it is consistent with the General Plan. Supervisor Pyle agrees the land use is not changing. Supervisor Chapman states his concerns regarding enforceability and that once land is removed from TPZ zoning it is no longer subject to the protection afforded by the "Timberland Productivity Act". Feels that what SPI is contemplating will have major ramifications and disagrees with the final assessment and will be voting to sustain the Planning Commission's decision. Discussion is held regarding an indemnity agreement with SPI. County Counsel Settlemire reports that an indemnity agreement can be a condition of this approval. He recommends an accumulation of funds for expenses totaling \$250,000, SPI's counter offer was \$25,000 only if there was litigation. Supervisor Chapman states that Commissioner Totten made a relevant point at a Planning Commission meeting April 2, that "SPI has the option to opt out immediately of the timber production zone with a fee so that they do not have to wait for the ten year phase out as proposed with this particular project." Supervisor Pyle responds that such a request would have to come to the Board of Supervisors.

It is moved by Supervisor Pyle to approve the rezone application #2006-059A, adopt Resolution #08-028 and introduce and adopt, by title only, Ordinance No. 467A-353 effecting the rezone with the condition of an appropriate indemnity agreement in the amount of \$25,000 as proposed by Sierra Pacific Industries. The motion is seconded by Supervisor Keefer and carried on a roll call vote with Supervisor Chapman voting NO.

**PUBLIC HEARING - REZONE #2006-59(B) SIERRA PACIFIC INDUSTRIES**  
Chairman Hanson opens the public hearing at 11:16 a.m. Chief Planner Maurice Anderson presents information on the Sierra Pacific Industries request for Rezone #2006-59(B) to rezone approximately 1723 acres from "TPZ" (Timber Production Zone) to "A-F" (Agricultural Forest) via the "Ten Year Phase Out" rezoning process detailed in Government Code Section 51120. The subject properties are located near Mountain Meadows Reservoir to the east of Westwood. The previous staff report also applies to this rezone request. County Counsel clarifies that Mr. Anderson offers to have his comments with regard to the previous application incorporated by reference; the Board accepts that. Deputy Clerk Osgood states the packet of information received after the posting of the agenda is the same that was presented for the previous rezone.

Speaking in opposition to the rezone: Steve Robinson of Mountain Meadows Conservancy states that it was brought up at the Planning Commission meeting that the AF zone is restrictive on grazing and there is a large amount of grazing done in the meadows. This now deals with timber and grazing. There are also headwaters in Mountain Meadows with areas that have significant value to the waters of California which is becoming a big issue. States that when we lose our forests, we contribute to the global warming effort. If forest lands are taken out of commission in any way, it adds to a larger problem. This rezone now deals with timber and grazing.

Speaking in favor of the rezone: Attorney Bill Abbott for SPI requests to incorporate by reference his earlier comments and incorporate by reference our citation to page 2-23 of the County General Plan on interpretation. In response to Supervisor Chapman's comment about using the immediate rezone as an option, states that TPZ is the only rezone in California in which the State can veto the Board's decision and states the ten year rezone is a better option long term. States that since 1986 SPI has put over 50,000 acres of additional land into TPZ. They probably have the longest term vision of any property owner in California. They are a timber operator and will continue to be a timber operator and whether it is looked at as a global warming issue or just land management, they have done more probably than any other entity in California to preserve timber lands for the greater good.

Mr. Abbott asks for clarification on the indemnity agreement, is the Board talking about one agreement and one deposit. County Counsel Settlemire replies the agreement submitted earlier did list all four applications and that would mean one deposit. The public hearing is closed at 11:23 a.m.

Supervisor Pyle states the Board's decision is not to take this property out of the production of timber, the land use stays in the production of timber so Mr. Robinson's comment that it will add to global warming is not correct. The land will be kept in the production of timber and harvest of timber. Supervisor Pyle asks for clarification on the grazing issue. Mr. Anderson states that while he was absent from the Planning Commission discussion, he states it was a determination of the Planning Commission that in the AF zone 1872.020 #2 says "the management of land and forest in a manner designed to provide protection from fire caused either by man or nature insects disease or catastrophe" and the Planning Commission found it was consistent to use grazing as a tool to combat that and that is the use that is permitted by right and would be consistent with the AF zone.

It is moved by Supervisor Dahle, seconded by Supervisor Pyle and carried on a roll call vote with Supervisor Chapman voting NO, approve the rezone application #2006-059B adopt Resolution #08-029 and introduce and adopt, by title only, Ordinance #467-A-354 effecting the rezone with the condition of an appropriate indemnity agreement as previously noted.

PUBLIC HEARING - REZONE #2006-59(C) SIERRA PACIFIC INDUSTRIES: Chairman Hanson opens the public hearing at 11:26 a.m. Chief Planner Maurice Anderson presents information on the Sierra Pacific Industries request for Rezone #2006-59(C) to rezone approximately 638 acres from "TPZ" (Timber Production Zone) to "A-F" (Agricultural Forest) via the rezoning process detailed in Government Code Section 51120. The subject property is located 1/2 mile northeast of Silver Lake. A.P.N.: 085-120-07. Mr. Anderson requests that his comments with regard to the previous two applications be incorporated by reference.

Mr. Anderson states that this property was previously proposed to go to U-C-2 but that has been changed to be consistent with the others to be rezoned to AF. Deputy Clerk Osgood states the packet of information received after the posting of the agenda is the same that was presented for the previous two rezones. Supervisor Chapman states his points still stand and he is opposed to the resolution and ordinance.

Speaking in opposition to the rezone: Steve Robinson of Mountain Meadows Conservancy states this piece of property is unusual from the rest of them. Not only is it isolated but it is also the headwaters of Pine Creek, which is the only spawning grounds now for the Eagle Lake Trout. States this has a direct effect on an endangered species of California and of interest because it supports Lassen County's economy. Anything that happens to this property can directly have an effect on that spawning so he thinks the Board of Supervisors should take a close look at this request. This property is also the headwaters of the Susan River. States the Board is dealing with headwater streams, one that has a direct effect on the economy and the tourists that come to Lassen County to fish for Eagle Lake Trout.

Speaking in favor of the rezone: Attorney Bill Abbott for SPI requests to incorporate by reference his earlier comments and incorporate by reference the citation to page 2-23 of the County General Plan on interpretation. States again that the opposition to the project presupposes a particular development or a development scenario that does not exist. The property will continue to be managed and subject to the timber harvest rules; those rules are subject to extensive environmental protections as they relate to among other resources, spawning grounds as evidenced by the most recent case last week of the California Supreme Court reviewing a timber harvest plan proposed by SPI. SPI is intimately familiar with those regulations and those that are administered by the state thru California Department of Forestry (CDF). The public hearing is closed at 11:30 a.m.

It is moved by Supervisor Pyle, seconded by Supervisor Keefer to approve the rezone application #2006-059C, adopt Resolution 08-030 and introduce and adopt, by title only, Ordinance NO. 467A-355 effecting the rezone with the condition of an appropriate indemnity agreement as previously noted. Staff notes there was a typographical error in the resolution on page 11 where it incorrectly states the

finding for 2B had the General Plan designation as the same as the Eagle Lake proposal. The correct designation is Extensive Agriculture pursuant to General Plan 2000 and that is what the replacement resolution reads. The maker of the motion and second agree to the correction. The motion is carried on a roll call vote with Supervisor Chapman voting NO.

PUBLIC HEARING - REZONE #2006-59(D) SIERRA PACIFIC INDUSTRIES  
Chairman Hanson opens the public hearing at 11:33 a.m. Chief Planner Maurice Anderson presents information on the Sierra Pacific Industries request for Rezone #2006-59 to rezone 2271 acres from "TPZ" to "A-F" and is located at the intersection of Highways 36 and 44. Mr. Anderson requests that his comments with regard to the previous two applications be incorporated by reference. Deputy Clerk Osgood states the packet of information received after the posting of the agenda is the same that was presented for the previous three rezones.

Speaking in opposition to the rezone:  
None.

Steve Robinson of Mountain Meadows Conservancy states "you can go ahead and rezone this". States this rezone is the only one that makes any sense at all; he has no opposition.

Speaking in favor of the rezone: Attorney Bill Abbott for SPI requests to incorporate by reference his earlier comments and incorporate by reference the citation to page 2-23 of the County General Plan on interpretation.

Supervisor Chapman asks for clarification on where the parcels are located on a map. Cedric Twight of SPI clarifies the location of Desmond Meadows to this rezone; states he understands the property would be south and west of Desmond Meadows. Supervisor Chapman asks that further clarification be given on that at some point but declines taking a recess so staff can provide further information.

The public hearing is closed at 11:41 a.m.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle to approve the rezone application #2006-059D, adopt Resolution #08-031 and introduce and adopt, by title only, Ordinance No. 467-AE-356 with the condition of an indemnity agreement as previously noted. The motion is carried on a roll call vote with Supervisor Chapman voting NO.

LASSEN COUNTY FAIR BOARD

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to continue sponsorship of \$3,500 for the Lassen County Fair's 4th of July Celebration and Free Fireworks Display to be held at the fairgrounds.

#### AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried, to approve the agenda as posted.

#### CONSENT CALENDAR

Deputy Clerk of the Board Osgood requests the minutes of February 26, 2008 be pulled for separate consideration as Supervisor Pyle was not in attendance at that meeting.

It is moved by Supervisor Keefer, seconded by Supervisor Dahle and carried, to approve the agenda as corrected.

#### COUNTY CLERK ITEM - MINUTES

Approve Minutes of February 19, 2008.

#### COMMUNITY DEVELOPMENT DEPARTMENT ITEM - ECONOMIC DEVELOPMENT / HOUSING

Receive report regarding California Emerging Technology Fund.

#### HEALTH & SOCIAL SERVICES ITEMS

##### ALCOHOL AND OTHER DRUG PROGRAMS

Approve the Amendment to State Net Negotiated Amount Agreement for Alcohol and Other Drug Programs for FY 2007/2008, and authorize the CAO to sign.

#### MENTAL HEALTH DIVISION

Approve State Department of Mental Health Standard Agreement for services to Medi-Cal Beneficiaries #07-77180-000 for FY 2007/2010, and authorize the CAO to sign agreement documentation.

#### SHERIFF'S DEPARTMENT ITEM - PURCHASE

Authorize purchase of vehicle (4-wheel drive crew cab truck) through California Department of General Services CMAS Contract. The vehicle will be used by a Sergeant who is going to be assigned to the California Multi-Jurisdictional Methamphetamine Enforcement Team (CAL-MMET).

#### 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 Billing for May 2008.

#### MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Planning Commission meeting agenda for June 4, 2008.
- b. Lassen County Technical Advisory Committee meeting agenda for June 11, 2008.

- c. Local Agency Formation Commission (LAFCO) of Lassen County meeting agenda for June 9, 2008.
- d. Big Valley Community Alliance, Inc. May 2008 Report and Big Valley Newsletter June, 2008.

#### COUNTY CLERK ITEM

It is moved by Supervisor Dahle, seconded by Supervisor Keefer and carried, with Supervisor Pyle abstaining, to approve the minutes of February 26, 2008.

#### COMMUNITY DEVELOPMENT DEPARTMENT - BUILDING DIVISION

Building Official Steve Fuller presents a report on the newly effective changes to the California Building Code including Wildland Urban Interface (WUI) Building Standards, which will affect the type of materials that can be utilized for new construction within most areas of Lassen County.

Mr. Fuller reports the former building code was based on the Uniform Building Code; California recently adopted code that is based on the international building code and is a different format with a new set of code references. The codes are all inclusive and cover everything from residential, commercial to industrial. California is considering adopting international residential code which might make things considerably easier, would condense everything into one code but that will probably not happen until 2012. A lot of jurisdictions no longer allow homeowners to do their own plans; people would need to hire a professional to design any structure. Lassen County allows owners to draw their own plans and the Planning Department wants to try to maintain that as long as the Board is in agreement.

The Planning Department held two training workshops this year, one in conjunction with the City of Susanville that covered some of the residential changes. Last week a training session was held on Chapter 7A that dealt with Wildland Urban Interface Building Standards, including types of materials that can be used for building in most areas of Lassen County which are mostly in State Responsibility Area (SRA) for fire protection and in a fire hazard area. The workshop was attended by about 20 people. Mr. Fuller presents detailed information on new restrictions which include types of siding, roofing and windows required in the Wildland Urban Interface areas, new framing requirements, professional design requirements, soil report requirements and roof vent restrictions. Extensive discussion is held between Board members and staff. Mr. Fuller would like to bring something back to the Board on the requirement to have a geotechnical engineer do soil reports. States local jurisdiction does have authority on accessory buildings. Supervisor Dahle states that RCRC is working on several of these areas; they have discussed coming up with zones or areas with like soil classifications and try to get something passed. County Counsel Settlemire reports the State is taking a larger role in building codes which are more restrictive and taking more discretion away from local agencies. (Supervisor Pyle is absent 12:04 – 12:06 a.m.)

Mr. Fuller states that he would like the Board's opinion on an unrelated matter. There are a lot of expired permits that were not finalized for one reason or

another and he would like to be able to offer the applicant a discounted fee to finalize their project without starting the project process all over again. Supervisor Chapman feels it is a good opportunity to clean up some matters but states the current fee structure would need to be changed. Chairman Hanson suggests Mr. Fuller work with County Counsel on these issues and bring them back to the Board at a later date.

#### COUNTY ADMINISTRATIVE OFFICE – COMMUNITY POOL

CAO Ketelsen states Supervisor Chapman had indicated a possibility of renewing the discussion of the pool using a Community Service Area (CSA) which would be a little easier to create than a Community Service District (CSD) that had previously been discussed. The difference would be in the way it is managed or governed. He presents different ways to raise revenues (taxes, assessments and fees) and what legislature will allow. Supervisor Chapman states the County can be a partner to help enable the project but not the lead agency and suggests the long range option of creating a recreation district. He would like to see money collected for the operation or maintenance of a pool. Suggests the City of Susanville could pass a resolution in support of establishing a ballot measure with a proposed fee for the pool. Feels it would be a progressive step that would make it easier for any community partners to take further action towards the building of a pool. Further discussion is held. The Board agrees the people need to be asked if they want this put on the ballot and staff is asked to bring it back to the Board with anticipated costs including LAFCo and election fees.

#### INFO FOR BOARD

CAO John Ketelsen reports there will be a meeting at Jensen Hall at noon on Thursday, June 12 concerning broadband issues.

#### CORRESPONDENCE

Supervisor Chapman requests the Chairman send a letter of response to Time Warner Cable in response to their May 21, 2008 letter stating that Channel 12 KHSL from Chico is no longer available to viewers in Susanville and Lassen County. He finds that unacceptable as it is the only station with northern California coverage for local politics and sports. He will work with CAO Ketelsen to have it on next week's agenda.

#### UNAGENDIZED BOARD REPORTS

1. Supervisor Chapman thanks voters for supporting him in last week's election. He is proud of his long term service to the community and the county and serving on this board.
2. Supervisor Chapman reports on a Community Action Agency meeting; they will be receiving an additional \$21,755 funding enhancement for at least one year. The Senior Nutrition Project will receive \$11,755, Crossroads Ministry will receive \$7,500 and Salvation Army will receive \$2,500 to stock food shelves.
3. Supervisor Chapman will attend the broadband meeting at Jensen Hall.

4. Supervisor Chapman reports that June 7 was National Trails Day and Lassen County Trail Coordinator Joel Rathje hosted an event.
5. Supervisor Chapman donates \$500 of his discretionary money to the Carrie Your Blanket Program.
6. Supervisor Keefer attended the May 27 Solid Waste board meeting in Westwood to discuss the proposed transfer station and possibility of franchising garbage service for Westwood. There was not a big turnout but it was a great meeting. The franchise issue will be held over until the next meeting.
7. Supervisor Keefer attended a LAFCo meeting June 9 and feels he walked into an “orchestrated ambush” regarding the Ridenoure annexation that occurred under public comment. He takes exception to the way it was set up. He spoke with Mr. Ridenoure after the meeting and it was obvious he had been receiving information that was not correct. The City had stated the County had information since November which is not true; the County had it since March 10 and the Assessor and Auditor have performed their duties within the established time frames. City staff also stated the City and County were so far apart on negotiations that there basically wasn’t any hope for resolution of this issue. Further discussion is held. Supervisor Chapman reports he had heard that if the tax sharing agreement didn’t get into place in time to accommodate the Ridenoure annexation proposal the City would do an out of district service agreement . They could have accommodated him earlier. Supervisor Keefer has assured Mr. Ridenoure that the County would fulfill their part of the agreement. Also discussed at the LAFCo meeting: The by-laws were reviewed and the area of concern was dropped. The suggestion on the Meet and Confer prior to annexation to review details was included.
9. Supervisor Chapman reports this morning at the City Council meeting Kurt Bonham was elected Mayor and Vern Templeton was elected Mayor pro tem.
10. Supervisor Dahle thanks his constituents for electing him.
11. Supervisor Dahle attended a Sierra Nevada Conservancy meeting in McArthur which was well attended. There was a tour of Day Road, Butte Creek and Ash Creek wildlife areas. They did fund some projects in Lassen, Modoc and Shasta Counties and cleaned up the funds for 2007.
11. Supervisor Pyle also thanks his constituents and thanks Barbara France for positive comments in the paper today.
12. Supervisor Pyle thanks the people for coming to the Westwood meeting regarding the transfer station.
13. Supervisor Hanson reports there is an Air Board meeting at 3:00 p.m. today. States there are a lot of things moving around the Air Board right now and there will need to be a discussion on staffing.
14. Supervisor Hanson attended a meeting in Herlong two weeks ago with Joe Bertotti and Conrad Montgomery and community members to try and make the community a more cohesive unit. There will be another meeting June 12. Patrick Shillito did a nice article for the Lassen County Times. Warden Richard Ives of the Herlong Federal Correctional Institution has really stepped out in front for the community; his employees have adopted Garnier Road and have done a good job cleaning it up.

15. Supervisor Hanson states the next Fair Advisory Board meeting will be held June 17.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 12:52 p.m. in memory of Dorothy Hirsche, Vera Dean and Jerry Rainey.

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CHAIRMAN OF THE BOARD OF SUPERVISORS

ATTEST:

\_\_\_\_\_  
SUSAN OSGOOD, DEPUTY CLERK OF THE BOARD