



SUMMARY MINUTES
BOARD OF SUPERVISORS
707 NEVADA STREET, SUSANVILLE
JUNE 24, 2008

9:32 A.M. CALL TO ORDER

PRESENT: Supervisors Jack Hanson, Bob Pyle, Jim Chapman, Lloyd Keefer and Brian Dahle; County Counsel Craig Settlemire, County Administrative Officer (CAO) John Ketelsen, Personnel Director/Risk Manager Ron Vossler and Deputy Clerk of the Board Susan Osgood.

PUBLIC COMMENT: None.

CLOSED SESSION: Chairman Hanson announces that no closed session was held. Following the flag salute, the invocation is offered by Chairman Hanson.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS:

ACTION: Approve agenda as posted.

MOVED BY: Keefer

SECONDED BY: Dahle

UNANIMOUS: Yes

UNAGENDIZED BOARD REPORTS:

Supervisor Dahle: 1) Reports on several fires in North County, one close to Little Valley and several smaller ones. Smoke is heavy but crews are doing a good job containing them. 2) Attended RCRC meeting in Del Norte County last week; reviewed several legislative proposals and would like to bring back resolutions in opposition to some of them. SB1500 (Kehoe) - regarding fire hazards in State Responsibility Areas [SRA]; The Governor's Emergency Response Initiative would add a \$1.40 surcharge to policyholders insurance and funding for CAL FIRE; the Legislative Analyst's Office (LAO) is proposing a fee be assessed on property in SRA lands that would pay for 50% of the State's General Fund baseline for fire protection; SB1617 (Kehoe) is a bill that requires those who have parcels in the SRA pay a \$50 fee per parcel for fire protection; Secure Rural Schools has been gutted out of House side of the bill but will go back to the Senate today. The Air Resources Board passed a rule that if a vehicle is stopped, the driver is not allowed to idle their engine for more than five minutes. The State also wants to require a waiver or permit to build in an SRA. Is also concerned about retrofit regulations that are to be implemented by 2012.

Supervisor Keefer: 1) Attended Air Board meeting; decided to have peer review of the entire program. Supervisor Keefer and City Councilmember Vern Templeton are members of the committee. Postponed ruling on items relating to rules and fees.

Supervisor Chapman: 1) Attended Susanville City Council meeting and mentioned the idea of a CSA for the pool. 2) Attended High School alumni annual picnic. 3) Lassen Lands & Trails Trust (LLTT), Bureau of Land Management (BLM) and others organized Bridgefest Music Festival on June 20 and 21. 4) Attended symphony; they are selling a documentary DVD of the symphony. 5) The Skyline Road project has a tentative opening date of July 14.

Supervisor Hanson: 1) Attended Community Relations Board meeting sponsored by Warden Richard Ives, Federal Corrections Institute in Herlong. He is very aggressive and a welcome addition to Herlong and Lassen County. Herlong crews have been helping Meadowview School move their campus. They are available at no cost. 2) Thanks Supervisor Keefer for taking the lead with the Air Board Committee. Supervisor Chapman suggests that an agenda item be scheduled for the next meeting to discuss Supervisor Dahle replacing Supervisor Chapman on the Air Board as he has more knowledge on current issues. Further discussion is held.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

Chief Planner Maurice Anderson presents four correcting resolutions to replace original resolutions adopted on June 10, 2008 that were missing information with regard to Rezones #2006-59(A), #2006-59(B), #2006-59(C) and #2006-59(D) for Sierra Pacific Industries.

ACTION: Adopt Correcting Resolutions #08-028, 08-029, 08-030 and 08-031.

MOVED BY: Pyle

SECONDED BY: Dahle

UNANIMOUS: No

AYES: Hanson, Pyle, Keefer, Dahle

ABSTENTIONS: None

NOES: Chapman

ABSENTEES: None

CONSENT CALENDAR

ACTION: Take the noted action on the following Consent Calendar items:

MOVED BY: Keefer

SECONDED BY: Pyle

UNANIMOUS: Yes

ADMINISTRATIVE SERVICES ITEM - PERSONNEL REPORT

Receive and file Personnel Movement Report for May, 2008.

AUDITOR & TREASURER DEPARTMENTS ITEM - REPORT

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

TREASURER/TAX COLLECTOR ITEM - REPORT

Receive and file Treasurer's Investment Report for May, 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 June 18, 2008.
- b. PSA 2 Area Agency on Aging Advisory Council meeting agenda for June 27, 2008.

COMMUNITY DEVELOPMENT DEPARTMENT / COUNTY COUNSEL - HONEY LAKE MOTOCROSS PARK (HLMP)

County Counsel Settlemire presents information on the agenda request to consider whether to initiate proceedings for revocation of Use Permit #2002-17, Larry and Lise Wosick, for non-compliance with condition #13 of said Use Permit. States this is a direction to staff item and is intended to present information in a neutral fashion so the Board can indicate what direction they would like to take on this matter. In the recent Superior Court case the Judge declined to rule and indicated the County should decide if any exceedance of the Noise Element Standards, Table III (applying to residential properties) constitutes a violation or if occasional exceedances would substantially be in compliance with the permit.

Mike Clark letter (Read by Diane Fuller): States he previously spoke of his concern regarding potential modification of the County's noise standards and the County decided not to modify them. County is being asked again to modify them by allowing some unspecified degree of violation or compliance; feels that will prove detrimental to the County's enforcement capability and would set a precedent as well. Expresses his concerns and asks the Board to revoke Use Permit #2002-17.

Diane Fuller: States the Lassen County noise standard is not broken and it is important that extreme noise be held in check by a standard. She presents detailed information on HLMP noise monitoring reports and reported violations. States she spoke with Wilson, Ihrig Associates (WIA) representatives for clarification of the reports and feels the analysis is clear. She was told that Lassen County has not requested a baseline ambient study be done; strongly feels that should be

done. She asks the Supervisors to review data and states the reports show that HLMP is not able to control its own noise pollution from rolling over the countryside and into homes.

Mary Morgan: Presents detailed data, reports and charts that she created from 2004 – 2007 information that shows sound readings in excess of Table III standards. Notes there are many violations of up to 80 db which may not be significant to some people but states it is significant to close neighbors. States the noise element states “new projects shall be controlled so as not to exceed the noise level standards set forth below as measured at any affected residentially designated land”; there should be no deviation. If there are to be deviations, she would like to see that in writing. Asks why the County would have policies or standards if they are not going to be enforced.

HLMP owner Larry Wosick presents overview. Reports that ambient noise studies have been done, with one done when they first started racing and states the total monitoring time is about 586 hours. States every report shows ambient noise (noise from other sources). Reports he was notified of this meeting Friday night in a voice mail that his project would be voted on about revocation proceedings. Is concerned with the wording noncompliance and revocation and how that looks to the public. States they have not been found to be noncompliant. Reports that Noise Element author Jim Buntin (of Brown-Buntin Associates, Inc. [B-BA]) stated in Court that in his opinion HLMP was in compliance for enforcement purposes of the Noise Element Table III. Mr. Wosick reports on last 4 events at HLMP showing very few exceedances and states weather plays a large role in the monitoring. Lists all of the things they have done to the park to make it better and quieter. Feels it is time to bring closure to this matter and let this be case study should other activities get challenged by individuals who do not want it.

Supervisor Keefer reports on his detailed evaluation of noise monitoring reports. States there are a lot of variables including traffic, weather (wind, rain, thunder), background noise, and whether the monitoring companies are using the same type of equipment, etc. Feels WIA and B-BA monitor in a similar manner with similar standards, but with a different model of equipment. B-BA stops monitoring after a certain level of wind; WIA has similar standards but some monitoring was done in the rain. Discusses specific reports and states the sequencing of events back to back may affect the results as well as other outside issues. States a lot of races show no exceedances, questions what the difference is and asks if more can be done to reduce the exceedances. If exceedances are short “blips” that go to 71 or 72 for a second or so, that might be acceptable. (Supervisor Chapman is absent 11:28 – 11:29 a.m.) Has spoken with many of his constituents and states most people state HLMP needs to be held to some standard, but he does not know what that would be. Feels people with reasonable minds should be able to come up with an answer. (Supervisor Hanson is absent 11:39 – 11:40 a.m.)

Supervisor Chapman states some people will not be happy as long as the motocross races are going on. The noise element was not adopted as an enforcement tool, but as a guideline to make reasonable decisions. The Court has said the County needs to determine what the noise element means in terms of applying it. States a lot of activities exceed the noise element but he does not feel there are grounds to revoke the HLMP permit. Supervisor Dahle would like to know what 70 db sounds like; Supervisor Chapman would like the Board to convene at one of the monitoring sites.

Further discussion is held. Supervisors feel the exceedances are within limits but that does not mean HLMP can do anything they want. The noise needs to be kept under control and Mr. Wosick has proven he can do that. Mrs. Morgan states she does have positive things to say about Mr. Wosick and HLMP. He has made improvements, keeps the dust down and has quieted the process; he is showing his neighbors respect. He has done a lot of good and she hopes he continues to be courteous to his neighbors.

CAO Ketelsen reports if the Board does not want to begin revocation procedures, the dispute with the neighbors does not stop and they can bring nuisance action and fight it out legally and the County would do nothing further with this permit. County Counsel Settlemire states the matter can be brought back if it is noted at a later date that HLMP is operating in a different manner.

ACTION: As stated by Supervisor Chapman, action is to direct staff not to initiate revocation of Use Permit #2002-17, on the premise that the documented exceedances of established standards of the Noise Element (70 db) is not out of bounds.

MOVED BY: Chapman

SECONDED BY: Dahle

UNANIMOUS: Yes

COUNTY ADMINISTRATIVE OFFICE

COUNTY SERVICE AREA

CAO Ketelsen presents information on the Application to Local Agency Formation Commission (LAFCO) requesting proceedings to form a County Service Area for Recreation. Reports the High School District staff feel they have the potential to get \$2 million in grant money but would need a use partner who would give the equivalent amount. Information presented in today's agenda packet is no longer accurate. If the Board of Supervisors agrees to go forward with the ballot measure for the operation and maintenance, that could be the \$2 million equivalent match. Discussion is held on what needs to be done to get the measure on the ballot and what needs to be done to create the CSA.

ADMINISTRATIVE SERVICES - BUDGET

Assistant to CAO Julie Morgan presents information on the 2008/2009 Preliminary Budget. States report shows department requests and because they are aware of status of the State's budget, requests have been conservative. Expenditures do not include any additional staff; some departments may bring that to the Budget Committee. Information is still changing; probation just received some revenues. This is a starting point and a lot of work still needs to be done. Public safety is looking for 1.4 million more than last year; Probation is looking for \$475,000 more. The budget committee will meet later today.

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION (CDCR)

CAO Ketelsen presents information on expansion at High Desert State Prison. The County had been assured there would not be any expansion but Senator Cox's office informed staff last week that CDCR is planning to expand 500 spaces for about 1,000 inmates at High Desert. Supervisor Dahle states the County needs public safety money, probation, pool and ambulance assistance.

ADJOURNMENT

There being no further business, the meeting is adjourned at 12:45 p.m.

Chairman of the Board of Supervisors

ATTEST:

Susan Osgood, Deputy Clerk of the Board