



SUMMARY MINUTES
BOARD OF SUPERVISORS
707 NEVADA STREET, SUSANVILLE
JULY 22, 2008

9:31 A.M. CALL TO ORDER

PRESENT: Supervisors Lloyd Keefer, Bob Pyle, Jim Chapman and Brian Dahle; County Counsel Craig Settlemire, County Administrative Officer (CAO) John Ketelsen and Deputy Clerk of the Board Susan Osgood.

ABSENT: Supervisor Hanson.

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

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS:

ACTION: Approve agenda as posted.

MOVED BY: Pyle

SECONDED BY: Dahle

UNANIMOUS: No

AYES: Keefer, Pyle, Chapman, Dahle

ABSTENTIONS: None

NOES: None

ABSENTEES: Hanson

PUBLIC COMMENT

Property owner Tim Zadel states he is not a resident but is a taxpayer in Lassen County and has some concerns. He feels the noticing requirements for the Planning Commission are not adequate. Currently a developer only has to notify people within 300' of a project and he feels that in a rural area 1000' should be the minimum. Additionally feels if a proposed development would intend to use an easement or an alleged easement across someone else's property those property owners should be notified no matter how far they are from the development as traffic flow and increased traffic would impact them. States the ten day appeal period after the Planning Commission approves or disapproves a project is not long enough because it includes weekends or holidays and sometimes the minutes of the meeting are not available that early. Mr. Zadel requests the Board agendaize this for discussion at a later meeting and the Board agrees to bring this matter back on August 19, 2008.

UNAGENDIZED BOARD REPORTS

Supervisor Dahle: 1) Attended the National Association of Counties (NACo) Conference in Kansas City and will distribute copies of resolutions they passed. They are still lobbying for Secure Rural Schools and PILT. NACo is lobbying against the wording change of The Clean Water Act (CWA); they do not want to remove the word "navigable" from the bill. If "navigable" was taken out, it would mean the Corps of Engineers could be regulating bar ditches, and any run off of private property into the streams. 2) Reports that NACo's Western Interstate Region (WIR) Board will be meeting in Lassen County October 8 - 10. As President this year, he will be coordinating the meeting.

There are plans to have Tom Esgate do a presentation and to tour the Honey Lake Power Plant.

Supervisor Chapman: States he received a letter from Jill Spriggs, Chief of the Bureau of Forensics for the State. Supervisor Keefer states he also received the letter and he gave his copy to CAO Ketelsen for review.

Supervisor Keefer: 1) States he will contact Sylvia Milligan regarding her email to the Supervisors on Road Designations on National Forests. 2) Requests a Study Session be scheduled in early August regarding Certificates of Compliance and the amount of time it is taking an application to work through the County process. Reports there was an incident at the building at 707 Nevada Street this morning where an upset individual made some staff feel they had been threatened.

Discussion is held. County Counsel Settlemire suggests the following wording: "1) a community pool to be constructed by Lassen Union High School; or 2) other comparable pool project of the same size, scope and scale."

ACTION: It is moved to adopt Resolution No. 08-032 to Make Application to Lassen County Local Agency Formation Commission (LAFCO) for Formation of County Service Area for Community Swimming pool purposes with stated changes.

MOVED BY: Dahle

SECONDED BY: Pyle

UNANIMOUS: No

AYES: Keefer, Pyle, Chapman, Dahle

ABSTENTIONS: None

NOES: None

ABSENTEES: Hanson

PUBLIC HEARING - SPECIAL TAX FOR COMMUNITY SWIMMING POOL

The public hearing is opened at 10:27 a.m.

CAO Ketelsen presents information on resolution for a special tax measure to levy a parcel tax. It should reference the service plan, size, scope and cost of operating a pool as noted in Resolution No. 08-032 that was just adopted by the Board. County Counsel Settlemire provides information on applicable Government Code; it would require a 2/3rd vote of the Board of Supervisors and a 2/3rd vote by the voters. This would also direct Lassen County's Election Official to consolidate it with the November, 2008 General Election which is also a presidential election. The estimated cost would be about \$17,000, based upon a previous election within the area of Lassen Union High School (LUHS) District. Supervisor Chapman requests the wording for this resolution be changed to reflect the wording in Resolution No. 08-032 as noted.

Tim Zadel: States he is not necessarily opposed to the project but would like to bring up a couple of points. Suggests County Counsel review current California laws and provide opinion; suggests that other entities such as high school, college, gate fee or city could be a source of funding for pool so the parcel tax might eventually be lowered or dropped. Supervisor Chapman states the intent is for the fee not to exceed \$25 and it would be adopted by the Board on a yearly basis or the amount could be changed; states the tax would not be implemented until a pool is built. County Counsel Settlemire states the tax would be \$25 per dwelling unit. CAO Ketelsen states the County will continue to work with the Joint Powers Authority (JPA) in order to fill the gap in funding.

Cindy Lobuglio: Is in favor of the \$25 tax.

Dennis Gifford (Merrillville Road): States he is in support even though he will not get usage from it; it is a good community project and is needed.

Tim Zadel: States he is in favor of it; does not mind some of his tax money going towards that.

Joe Lobuglio: States \$25 is a cheap price to get kids off the streets. Since there is no pool, no bowling alley or skating rink and only Memorial Park as a place for kids to hang out. Feels \$25 is a cheap price to pay to keep kids out of prison.

Nancy Cardenas (Treasurer / Tax Collector's office): Works at Treasurers office where Pennies for the Pool are collected; received \$65 in pennies from collection drives. The kids in the community are taking a stand and they are telling you they want a pool. Hopes the voters realize the children can't vote; their parents can.

Maralee Perez (Merrillville Road): States it would be nice to have a place for children to learn how to swim. States \$25 is cheap for safety measure; people spend that at Starbucks.

Noelle Riggs: Speaks as a competitive swim parent. States she would use the pool; it is not only good for the children. Does not think \$25 is enough of a parcel tax; hopes concern can be communicated to the voters.

Joellen Wood: Challenges everybody in the room to get information out to people. This is a huge challenge.

The public hearing is closed at 10:49 a.m.

Supervisor Chapman states the language should reflect that of the previous Resolution No. 08-032: "1) a community pool to be constructed by Lassen Union High School; or 2) other comparable pool project of the same size, scope and scale."

ACTION: Adopt Resolution No. 08-033 Proposing a Special Tax for the Operation of a Community Swimming Pool and Calling for an Election to Approve the Levy of Such Special Tax with stated changes.

MOVED BY: Chapman

SECONDED BY: Pyle

UNANIMOUS: No

AYES: Keefer, Pyle, Chapman, Dahle

ABSTENTIONS: None

NOES: None

ABSENTEES: Hanson

COUNTY ADMINISTRATIVE OFFICE - TAX SHARING AGREEMENT - RIDENOURE ANNEXATION

CAO Ketelsen presents information on the request to approve Agreement for Division of Property Tax Applicable to Ridenoure Annexation only. After several meetings and negotiation between the County and the City of Susanville, County staff recommended a division of 75% County and 25% City. City staff did not specifically agree to that but they did not offer anything else; they stated to bring the agreement to the Board of Supervisors. Staff on both sides agreed to proceed from there.

Supervisor Keefer feels the word "govern" on the first page of the agreement is too strong; suggests it be changed. CAO Ketelsen states the word could be changed to "guide". Also states they would like an outside financial consultant's opinion.

Supervisor Chapman reports that last week the City took action to enter into a service agreement with Mr. Ridenoure to provide water and gas for his project so that issue has been temporarily resolved by the City. States he appreciates County staff's efforts put forth in terms of dealing with the whole process.

ACTION: Approve agreement for Division of Property Tax Applicable to Ridenoure Annexation only, changing the word "govern" on page one to "guide"; and authorize the Chairman to sign.

MOVED BY: Dahle

SECONDED BY: Pyle

UNANIMOUS: No

AYES: Keefer, Pyle, Dahle

ABSTENTIONS: None

NOES: Chapman

ABSENTEES: Hanson

PUBLIC WORKS DEPARTMENT - PUBLIC WORKS / ROADS

Public Works Director Larry Millar presents information to the Board on maintenance that has been done on Merrillville Road. There are complaints of rutting and wash boarding on the initial section of roadway off State Route 139 and complaints of dust toward the end of the road where most of the residents are located. States there is a new product that they could try.

Supervisor Dahle states it is obvious the material used was not very good; it seems they do not have the ability to bind and needs to be removed. The road gets more use because of its access to Eagle Lake. Mr. Millar states that about two years ago material that was used did not pack down the way it should have. Grading has been done recently. The material costs about \$4,000 per one mile section of road with labor another \$20,000, grading costs about \$1,000 each time it is done.

Dennis Gifford, 697-390 Merrillville Road: Presents a handout and a sample of the material that is currently on the road as well as letters of complaint from residents. Complaints are of ruts, wash boarding the length of the road through the subdivision, horrible dust, and heavy traffic going up to the Lassen County youth camp, Chico State Biology Lab and the lake. Currently the soft gravel is pushed to the side in some areas so there is a hard based track in the middle of it which is very unstable. These are health and safety issues; asks the Board to try to resolve this.

TREASURER/TAX COLLECTOR - PROPERTY TAX SALE

ACTION: Approve claims for excess proceeds filed with the Lassen County Tax Collector from the May, 2007 Tax Sale, pursuant to Revenue and Tax Code §4675 as follows:

MOVED BY: Dahle

SECONDED BY: Pyle

UNANIMOUS: No

AYES: Keefer, Pyle, Chapman, Dahle

ABSTENTIONS: None

NOES: None

ABSENTEES: Hanson

APN	Claimant	EXCESS PROCEEDS	Recommended Amount	Unclaimed Excess Proceeds
019-051-01-11	IDA M. ELLISON	\$4,307.46	\$800.59	\$3,506.87
019-200-43-11	DONNA KAY COTTET	\$6,667.65	\$6,667.65	
019-210-19-11	NONE	\$5,360.00		\$5,360.00
019-210-50-11	GLOBAL DISCOVERIES	\$6,739.46	\$6,739.46	
019-280-27-11	SAHIB MANN	\$5,795.11	\$5,795.11	\$0.00
019-280-29-11	SAHIB MANN	\$5,995.11	\$5,995.11	\$0.00
019-290-57-11	NONE	\$4,989.30		\$4,989.30
031-160-78-11	GLOBAL DISCOVERIES	\$8,068.64	\$8,068.64	
031-190-21-11	R.W. GEORGE LTD	\$3,999.16	\$3,999.16	
043-110-05-11	NONE	\$6,504.56		\$6,504.56
043-110-20-11	NONE	\$5,375.46		\$5,375.46
043-210-37-11	NONE	\$7,525.42		\$7,525.42
047-091-47-11	NONE	\$700.32		\$700.32
047-100-27-11	RODNEY & FELICIA ELAM	\$10,853.46	\$7,923.15	
047-100-27-11	UNITED PACIFIC ASSETS	\$0.00	\$2,930.31	
047-100-60-11	PAUL SUJEWICZ	\$4,744.79	\$4,744.79	\$0.00
057-140-52-11	PAUL C. SIMS	\$16,771.64	\$8,385.82	
057-140-52-11	SHELDON O. SIMS	\$0.00	\$8,385.82	
061-120-23-11	ROBERT C. BEGGS	\$6,904.65	\$1,380.93	\$0.00
061-120-23-11	TIME ZONE	\$0.00	\$5,523.72	
103-303-04-42	F&M Bank	\$12,244.72	\$12,244.72	
116-300-09-11	ROBERT C. BEGGS	\$29,923.35	\$5,984.67	\$0.00
116-300-09-11	TIME ZONE	\$0.00	\$23,938.68	
139-080-37-11	NONE	\$337.35		\$337.35
TOTALS		\$153,807.61	\$119,508.33	\$34,299.28

INFORMATION FOR THE BOARD

CAO Ketelsen distributes material to the Board on current State budget issues. Reports that it is being seriously considered to declare an emergency and set aside Prop 1A and 42; suggests Board members alert legislators that it would do significant damage to Lassen County's budgetary process, if they have an opportunity to speak with them.

ADJOURNMENT

There being no further business, the meeting is adjourned at 11:55 a.m.

Chairman of the Board of Supervisors

ATTEST:

Susan Osgood, Deputy Clerk of the Board