



SUMMARY MINUTES
BOARD OF SUPERVISORS
707 NEVADA STREET, SUSANVILLE
OCTOBER 14, 2008

9:11 A.M. CALL TO ORDER

PRESENT: Supervisors Jack Hanson, Bob Pyle, Lloyd Keefer and Brian Dahle; County Counsel Craig Settlemire, County Administrative Officer (CAO) John Ketelsen, Agriculture Commissioner / Air Pollution Control District Officer Jim Donnelly and Deputy Clerk of the Board Susan Osgood. Supervisor Chapman enters at 9:13 a.m.

PUBLIC COMMENT: None.

ANNOUNCEMENT OF CLOSED SESSION: 1) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: Friends of Lassen Forest v. County of Lassen, County of Lassen, County Board of Supervisors, and Does 1-15, Sierra Pacific Industries and Does 16-30, Lassen County Superior Court Case No. 47432. 2) Employee performance review: Agriculture Commissioner / Air Pollution Control Officer Jim Donnelly. 3) Claims: Claim of Robert H. Thompson presented April 25, 2008. Present – As listed above. Personnel Director / Risk Manager Ron Vossler enters at 9:40 a.m. Mr. Donnelly leaves at 9:50 a.m. Closed Session ends at 9:55 a.m.

10:00 A.M. OPENING CEREMONIES: Following the flag salute, the invocation is offered by Chairman Hanson.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION: Deputy Clerk of the Board Osgood reports: 1) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (a) of Government Code Section 54956.9: Friends of Lassen Forest v. County of Lassen, County of Lassen, County Board of Supervisors, and Does 1-15, Sierra Pacific Industries and Does 16-30, Lassen County Superior Court Case No. 47432 – **No reportable action taken.** 2) Employee performance review: Agriculture Commissioner / Air Pollution Control Officer Jim Donnelly – **The Board gave Mr. Donnelly an evaluation of “some improvement needed”.** 3) Claims: Claim of Robert H. Thompson presented April 25, 2008 – **No reportable action taken.**

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS:

Supervisor Hanson requests the meeting be adjourned in memory of County Counsel Craig Settlemire’s mother, Nancy Cowdrick Settlemire.

MOVED BY: Dahle

SECONDED BY: Keefer

UNANIMOUS: Yes

PUBLIC COMMENT

Deputy CAO for Health and Social Services Kevin Mannel reports that Director of Public Health Julia Kranz has stepped down from that position but will remain as a public health nurse. Recruiting will be done for the position of Director of Public Health.

UNAGENDIZED BOARD REPORTS:

Supervisor Pyle: 1) Reports on an Eagle Lake Interagency Board of Directors meeting where the main issue was water rights and the Bly Tunnel; a great deal of discussion was held. Supervisor Pyle would like a copy of the resolution adopted by the Board of Supervisors in 1974. Reports on other information presented at the Interagency meeting. This matter will be put on a future Board of Supervisors agenda. Lake level is the lowest since 1935 and notes that Pine Creek only had 10 days of water running down it. 2) Invenergy presented an update at that same meeting. They

have filed permits for 12 more met towers with the Bureau of Land Management (BLM); there may be a visual issue in some of the areas. Two new met towers will be put on Diamond Mountain to replace what came down during the winter, one on the Lassen National Forest and one on the Plumas National Forest. 3) The Lassen National Forest states the Spalding Transfer Station has to be moved. California Department of Forestry and Fire Protection (CDF) wants everyone to clean up the yards but the transfer station can't take waste. Tom Valentino of the Solid Waste Management Authority has been notified. 4) Met with Supervisor Hanson and the peer review committee on the Air Board who provided a final recommendation summary. They recommend funding be provided to hire at least two full time employees dedicated to implementing the air pollution control program (one with engineering experience or other technical expertise) and also hire part time clerical support. Cost would probably be \$200,000; money would be paid from a \$4 fee per registered vehicle. States he is against that. 5) Reports Larry Standiford showed him rental unit for document storage. Supervisor Chapman requests a Study Session for the purpose of discussing the storage of documents, maintenance of records in County departments. 6) Designates the following from his discretionary funds: \$500 to the Friday Night Live Program; \$200 to the Westwood Theatre for Kids and \$500 for the Westwood Family Resource Center. 7) Notes that on October 10th Sierra Pacific shut down three mills in the area.

CHILD SUPPORT SERVICES

Director Beth Hyde reports that the conversion of Los Angeles County to the State System will cause state-wide problems. No checks will be issued in California from November 7 through 12. Her office has been working to get the information out in advance to clients and they wanted the Board to be aware this.

UNAGENDIZED BOARD REPORTS, Continued

Supervisor Pyle: 8) Notes the Sacramento Bee is no longer delivered in rural areas.

Supervisor Dahle: 1) Also received letter about Eagle Lake levels; defers discussion until it is on agenda. 2) Attended the Western Interstate Region (WIR - NACo) conference that was held in Susanville at Diamond Mountain Casino. Notes that Payment in Lieu of Taxes (PILT) and Secure Rural Schools and Community Self-Determination Act of 2000 was in the bailout bill that passed; there will be 4 years of full funding of those. Twenty people toured the Archery / Childrens project area with Fire Safe Council Project Manager Tom Esgate and the Honey Lake Power Plant. Forester Frank Stewart spoke on Quincy Library Group and local fire issues and dealing with Congress. Discussed WIR's top priorities: global warming; securing permanent PILT funding beyond 2012; rural health care issues; National Environmental Protection Act (NEPA) reform; Forest Service/BLM budget problems (increase cost of fire suppression); transportation reauthorization legislation and PILT formula reform. Secondary issues: RS2477 (rights of way in national parks); Endangered Species Act Reform; energy development on public lands; forest management/restoration/thinning legislation (Wyden proposal); waters of the U.S. (oppose Clean Water Restoration Act - CWRA); health benefits for inmates; emergency management response. The meetings were held at the casino and was very nice. 3) The Big Valley Autumn Market Place will be held Saturday October 18 with beer and wine tasting, a kid's carnival and fashion show of the Big Valley Cardinals uniforms from the past.

Supervisor Keefer: 1) Attended the Regional Council of Rural Counties (RCRC) Conference in South Lake Tahoe; it was a good conference. There were two speakers on global warming, one was an ex-legislator that spoke on AB32 and the impacts of man. Second speaker was a scientist who gave a different viewpoint and other options to consider on the earth's increase in temperature.

Supervisor Chapman: 1) Worked on the fifth Bizz Johnson Marathon on Sunday; it was cold but very successful. The registrations were capped at 1,000 registrations due to not enough housing. 2) Attended the Lassen National Park Visitor Center dedication ceremony on October 2. The center was named by the local Maidus and Alan Lowry did a ceremony that day. 3) Requests a study session on records management and storage.

Supervisor Hanson: 1) Attended the Air Pollution Control District peer review; it will be discussed today at the Air Pollution Control District 3:00 p.m. meeting at City Hall. 2) Recognizes Sheriff Warren and Kyle Johnson, the new deputy at Doyle who attended the Senior Lunch. Compliments the Sheriff's Department on the issue on Scott Road. 3) Toured the Sheriff's Department and facilities. 4) Also attended the Eagle Lake Interagency Board meeting. 5) The County Christmas party is scheduled for Tuesday, December 2.

Supervisor Keefer: 2) Also met Deputy Kyle Johnson and is an outstanding young man.

Supervisor Pyle: Attended Lake Forest Fire District barbeque; thanks Public Works crew.

LOCAL REUSE AUTHORITY - LEASE

(Board of Supervisors convenes as the Local Reuse Authority)

The staff report is presented by Assistant Community Development Director Joe Bertotti.

ACTION: Adopt Resolution No. 08-045 by the Lassen County Local Reuse Authority (LRA)

"declaring its intention to lease Local Reuse Authority lands in Herlong, California for the purpose of ground space for up to three additional carriers locating on the adjacent cellular tower".

MOVED BY: Dahle **SECONDED BY:** Pyle **UNANIMOUS:** Yes

(Local Reuse Authority adjourns and reconvenes as the Board of Supervisors)

PIT RESOURCES CONSERVATION DISTRICT - APPOINTMENT

ACTION: Appoint Kathy DeForest to fill vacancy on the Pit Resources Conservation District Board.

MOVED BY: Dahle **SECONDED BY:** Pyle **UNANIMOUS:** Yes

CONSENT CALENDAR

Items G4 Public Works / Transportation agreement and G8 Prison Trial Costs Items were removed from the agenda for separate discussion.

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

COUNTY CLERK ITEM - MINUTES

Approve minutes of June 24, 2008, July 8, 2008, July 15, 2008 and September 16, 2008.

AUDITOR & TREASURER DEPARTMENTS ITEM - REPORT

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

COMMUNITY DEVELOPMENT DEPARTMENT ITEM - PLANNING DIVISION

Adopt Resolution No. 08-046 designating John T. Ketelsen as the Authorized Representative for Open Space Subventions on behalf of the Lassen County Board of Supervisors pursuant to the Open Space Subvention Act (Section 14111[a] Administrative Code).

SHERIFF'S DEPARTMENT ITEM - FINGERPRINT EQUIPMENT

Authorize reimbursement to the Susanville Police Department for new electronic fingerprint equipment, utilizing the Department of Justice (DOJ) fingerprint trust fund (352-0522-7603316) for a total purchase price of \$12,256.31.

TREASURER/TAX COLLECTOR ITEM - REPORT

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

COUNTY CLERK / COUNTY COUNSEL ITEM - HERLONG PUBLIC UTILITY DISTRICT

Approve Conflict of Interest Code for the Herlong Public Utility District, which has been reviewed by County Counsel.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Susanville City Council, Susanville Community Development Agency, Susanville Municipal Energy Corporation meeting minutes of June 18, 2008, July 2, 2008, July 16, 2008, Special Meeting of July 29, 2008 and agenda for October 1, 2008.
- b. Big Valley Community Alliance, Inc. August, 2008 Report and Big Valley Newsletter September, 2008.
- c. Lassen County Alcohol & Drug Advisory Board meeting for September 29, 2008.
- d. Lassen County Air Pollution Control District Governing Board meeting agenda for August 19, 2008.
- e. PSA 2 Area Agency on Aging Advisory Council Meeting agenda for September 26, 2008.
- f. Highway 36 Town Hill Safety Task Force meeting agenda for October 22, 2008.
- g. Lassen County Planning Commission meeting agenda for October 1, 2008.
- h. Technical Advisory Committee meeting agenda for October 8, 2008.
- i. Lassen County Air Pollution Control District Governing Board meeting agenda for October 14, 2008.
- j. Local Agency Formation Commission of Lassen County notice of cancellation for meeting of October 13, 2008.

MOVED BY: Dahle

SECONDED BY: Pyle

UNANIMOUS: Yes

PUBLIC WORKS DEPARTMENT – TRANSPORTATION

Discussion is held on the multi-year agreement with R. J. Ricciardi, Inc. for audit services in the amount of \$58,140 for audit services for Lassen County Transportation Commission (LCTC) and Lassen Transit Service Agency (LTSA). The Board respects and refers to the action taken by the LCTC and LTSA and feels that is adequate. (Supervisor Dahle is absent 10:48 a.m. – 10:51 a.m.)

ACTION: None taken.

PRISON TRIAL COSTS - PRISON TRIAL COSTS REIMBURSEMENT PROGRAM ITEMS

Supervisor Chapman asks that CAO Ketelsen communicate with Laura Roberts of Lassen Diversified Management, Inc. and request she coordinate with the auditor's office to provide additional information regarding account balances in future monthly Prison Trial Costs reports.

ACTION: 1) Request additional information in future reports, and 2) receive and file recap of CCC Prison and High Desert State Prison Trials Cost Reimbursement Billing for September, 2008.

MOVED BY: Chapman

SECONDED BY: Dahle

UNANIMOUS: Yes

COMMUNITY DEVELOPMENT DEPARTMENT - CONTRACT

Chief Planner Maurice Anderson presents information to the Board on mining inspections and the proposed contract with Vestra Resources.

ACTION: Authorize the CAO to execute a consulting services contract with Vestra Resources to provide 2008/2009 Surface Mine and Reclamation (SMARA) Program inspection services, not to exceed \$65,000.

MOVED BY: Keefer

SECONDED BY: Dahle

UNANIMOUS: Yes

INFORMATION FOR THE BOARD

CAO Ketelsen: 1) Received information from RCRC that the Department of Water Resources is tentatively scheduling a public hearing in Susanville on December 12 at 7 p.m. (location to be decided) regarding Assembly Bill 885 regarding septic tank regulations. The draft should be released November 7, 2008 and the deadline for comments on the draft is February 9, 2009. 2) Lassen County should be getting \$1.7 million annual to the road department and schools each. PILT funds should be \$379,000. 3) Will be attending a CAO conference the remainder of the week.

TIME WARNER CABLE

Supervisor Chapman reports that the City Council agenda for October 15, 2008 correspondence states that Time Warner Cable is transferring or selling their facilities to another company.

ACTION: Receive and file notice that negotiations are being held with several programmers serving the communities of Susanville, Lassen County and Burney.

ADJOURNMENT IN MEMORY

There being no further business, the meeting is adjourned at 11:09 a.m. in memory of Nancy Cowdrick Settlemyre .

Chairman of the Board of Supervisors

ATTEST:

Susan Osgood, Deputy Clerk of the Board