

BOARD OF SUPERVISORS

DECEMBER 23, 2003

The Lassen County Board of Supervisors convene in Regular Session at 9:11 a.m. Chairman Chapman asks for public comment and no comments are received. County Clerk Nagel announces the Closed Session item and the Board recesses to Closed Session at 9:12 a.m. for a conference with Legal Counsel: Initiating of litigation pursuant to Subdivision (c) of Government Code section 54956.9: 1 case.

Present in the Closed Session are Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel John Ketelsen, Acting County Administrative Officer Bob Sorvaag and County Clerk Theresa Nagel. Supervisor Dahle departs at 9:24 a.m. Closed Session is recessed at 9:25 a.m.

The Lassen County Board of Supervisors reconvenes in Regular Session on Tuesday, December 23, 2003, at 9:34 a.m. Present: Supervisors Robert Pyle, Jim Chapman, Lloyd Keefer, Brian Dahle, and Jack Hanson; County Counsel John Ketelsen, Acting County Administrative Officer (CAO) Bob Sorvaag and County Clerk Theresa Nagel. Following the flag salute, the invocation is offered by Supervisor Chapman.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

The County Clerk announces the Closed Session dealt with a conference with Legal Counsel: Initiating of litigation pursuant to Subdivision (c) of Government Code section 54956.9: 1 case - action by the Board was to give approval to legal counsel to intervene in litigation, the particulars of the action will be disclosed to any person upon inquiry once the action has been formally commenced.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

PUBLIC COMMENT

1. Poet Laureate Violet Stout reads a poem entitled "It's Just Christmas".
2. Former Sheriff Ron Jarrell states that he misses the interaction he had with the Board. He has been reminded, for the past year and a half, on a daily basis, that Lassen County is indeed a great place to live and he appreciates what the Board of Supervisors do to keep it that way. He wishes each and everyone, and their families, a very

happy holiday.

UNAGENDIZED BOARD REPORTS

1. Supervisor Hanson wishes everyone a Merry Christmas and thanks the board members for their support over the past year.
2. Supervisor Pyle received a letter from the Lassen County Fish and Game Commission indicating that David Huhtala had been removed from the commission because he had missed more than three meetings without excuse. He expresses his disappointment that the commission had not spoken to him prior to taking this action. He asks the Clerk to advertise the vacancy. Supervisor Chapman agrees the way it was handled was not appropriate and hopes the commission members would not take such action in the future without contacting the Supervisors.
3. Supervisor Dahle wishes everyone a good holiday and states this is the best Board of Supervisors he has served on. Even when we disagree it is not disagreeable.
4. Supervisor Keefer announces that he traveled with Assemblyman Dave Cox to Alturas last week and this gave him the opportunity to discuss several local issues with Mr. Cox. He feels that Dave Cox will be a good representative for this area. Supervisor Chapman agrees that Cox will be an excellent representative.
5. Supervisor Chapman wishes everyone a Merry Christmas and thanks the board members for their support, patience and cooperation. He appreciates the work by the board members and Supervisor Dahle's dedication to RCRC; appreciates the County Clerk and the Clerk's website; appreciates the valuable help provided by County Counsel.

COMMUNITY DEVELOPMENT COMMISSION

The Board of Supervisors recess and convene as the Community Development Commission.

Assistant Community Development Director Bertotti provides information on the lack of timely submitted responses to the Request for Proposal (RFP) for preparation of documents necessary to adopt redevelopment plans. One firm submitted a response, although it was one day late, and at a cost more than the County expected to pay. The request is for authorization to negotiate for the services.

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to authorize the CAO to enter into contracts for consultant services not to exceed \$100,000 to prepare Redevelopment Plan(s) for Lassen County based on services defined in the Request For Proposal Scope of Work.

The Community Development Commission adjourns and the Board of Supervisors reconvenes.

CONSENT CALENDAR

Supervisor Hanson requests that Item G-5 and G-6, Prison Trials Cost Reimbursement Program, be removed from the consent calendar for separate consideration.

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

COUNTY CLERK ITEM

Approve Minutes of December 16, 2003.

COUNTY CLERK - PROPOSITION 65 REPORT ITEM

Receive and file report #03-09, filed by Chester Jackson, OES, on December 15, 2003 - NOTIFICATION OF HAZARDOUS MATERIALS RELEASE: On December 10, 2003, a traffic collision occurred on US Hwy 395 about 4 miles North of State Highway 70, involving a commercial truck that spilled about 240 gallons of diesel fuel on the highway shoulders. Appropriate agencies were notified and Cal-Trans is completing the clean up.

ADMINISTRATIVE SERVICES - PERSONNEL ITEM

Receive and file Personnel Movement report for November, 2003.

BOARD OF SUPERVISORS ITEM

Adopt Resolution No. 03-087, dissolving Susanville Ranch Regional Recreation Area Advisory Committee.

MISCELLANEOUS CORRESPONDENCE ITEMS

Receive and file the following correspondence:

- a. Lassen County Fair Advisory Board meeting minutes of December 9, 2003.

PRISON TRIALS COST REIMBURSEMENT PROGRAM

Supervisor Hanson notes the last payment for Prison Trials Reimbursement was received for the period ending July 31, 2003 and he wants to know how long this goes on without payment from the State. Supervisor Chapman states this is an ongoing problem each year and suggests it be discussed with Assemblyman Dave Cox. The Recap of CCC Prison Trials Cost Reimbursement Billing for the month of November, 2003, and High Desert State Prison Trials Cost Reimbursement Billing for the month of November, 2003, is received and filed.

AGRICULTURE COMMISSIONER

Agriculture Commissioner Ken Smith presents a report on the findings

of a survey to form a Pest Abatement District in Honey Lake Valley, and requests direction for him to proceed with formation of a District Formation Committee. Discussion is held in regard to who should serve on the formation committee. Chairman Chapman delegates Supervisor Pyle to work with Ken Smith and bring back a recommendation for action, and to include the County Clerk and County Counsel on the formation committee.

UNITED STATES FOREST SERVICE

Forest Supervisor Ed Cole reports a meeting was held last week with Quincy Library Group (Congressman Herger and representatives from Doolittle's and Feinstein's staff were present). The Sierra Nevada Framework will be coming out in January, 2004. He states the canopy closure requirements and diameter limitations creates tremendous restrictions in regard to timber sales. They are treating defensible zones around communities which allows cutting up to 30" diameter trees but these are also small sales. They try to do as much as they can with the restrictions. Their work has shifted to fuels treatment which is thinning from below which produces smaller diameter material. He is very concerned with mill closures because in Southern California they have no place to get rid of material produced by their vegetation management projects due to lack of mills. It is expected The Framework will bring the diameter up to 30", canopy closure will go away on the east side and on the west side it will go down to 40% with a target of 50%. He notes the same people who are now complaining about the government not moving forward fast enough in Southern California in regard to harvesting bug trees, are the same people that have, and continue, to stop management efforts by fighting all logging plans on public lands. He acknowledges that 50% of the volume moved now is biomass and that is a big affect on the mills. His proposal on the Lassen is to increase the acreage planned for 2003 which is to triple the acreage to 30,000 with 22,000 acres in the QLG Implementation Area.

Extensive discussion is held between board members and Mr. Cole.

Supervisor Chapman wants Mr. Cole to convey to the Regional Forester the need to support promotion of recreation since logging has been so drastically cut. He discusses a recent incident where the "Forest Cops" were very unfriendly toward a group of mountain bikers. He wants Mr. Cole to realize there are people in the Forest Service that are not putting forth the philosophy that he has expressed "that logging and recreation are complimentary to each other".

Supervisor Dahle states that we still have a few mills operating and he hopes some sense comes about so the forests can be managed sensibly

and produce enough material to keep those mills open.

Supervisor Hanson notes the private land owners fire restoration programs make so much more sense than what the public agencies are doing which is to just leave the burned trees stand and rot. (Supervisor Dahle departs at 11:04 a.m.)

Supervisor Keefer has received some information that community assistance grant projects will have to be tied to prescribed Forest Service burning projects and this will narrow the opportunities to get grants for treatment of areas near communities if there is no Forest Service land adjacent to the project area. This is a great concern to him. Mr. Cole indicates he is not aware of this restriction but will check into it. (Supervisor Dahle returns at 11:08 a.m.)

PUBLIC WORKS DEPARTMENT

Extensive discussion is held among board members on how to use Local Transportation Fund (LTF) money from prior years.

It is moved by Supervisor Dahle and seconded by Supervisor Pyle to use the \$287,437 county share of prior year LTF money to backfill the Road Department Operation Funds which were used to finance Center Road Rehabilitation.

Supervisor Chapman would like to use \$110,998 to aid the city with the Weatherlow Street stoplight.

The motion carries on a roll call vote, with Supervisor Chapman voting NO.

BOARD OF SUPERVISORS

It is moved by Supervisor Dahle, seconded by Supervisor Hanson and carried to adopt Resolution No. 03-088, supporting the Local Taxpayers and Public Safety Protection Act.

It is moved by Supervisor Keefer, seconded by Supervisor Pyle and carried to approve, and authorize the Chairman to sign, support letters endorsing the efforts of: the Day/Lassen Bench Fire Safe Council and Lassen County Fire Safe Council, Inc. in their grant application for Phase 3 Fuel Reduction Project; and the Lassen County Fire Safe Council, Pit Resource Conservation District and Lassen County RAC supporting the fuel reduction project on Ash Valley Ranch.

COUNTY COUNSEL

County Counsel John Ketelsen presents a response to Regional Council of Rural Counties (RCRC) white paper on a Payment-In-Lieu-Tax (PILT)

proposed law suit. He has reviewed the cases cited in the white paper and although intriguing, they are not on point. He reviews the cases and states that he is not optimistic about the success of such a lawsuit and recommends against participating.

The consensus of the board members is to wait to see what action is taken by other involved counties and have a follow-up report to the Board.

There being no further business, the meeting is adjourned at 11:43 a. m.

CHAIRMAN OF THE BOARD OF
SUPERVISORS

ATTEST:

THERESA NAGEL, CLERK OF THE BOARD