

## BOARD OF SUPERVISORS

AUGUST 31, 2007

The Lassen County Board of Supervisors convenes in Special Session at 4:00 p.m.

Deputy Clerk of the Board Susan Osgood announces the Closed Session item to be discussed: 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. Superior Case #36349.

### PUBLIC COMMENT

1) Mary Morgan (neighbor of Honey Lake Motocross Park) presents a letter dated August 31, 2007 to Board and presents the Clerk with copies of noise monitoring reports from Wilson, Ihrig & Associates, Inc.(WIA) dated September 25 and 26, 2004, September 24 and 25, 2005, September 23 and 24, 2006, April 28 and 29, 2007 and May 12 and 13 2007. Mrs. Morgan relates information to the Board regarding noise monitoring exceedences she states are noted in the reports.

Mrs. Morgan presents a letter from Steve Pettyjohn (Principal, The Acoustics & Vibration Group) stating his qualifications to do sound monitoring and a report or resume on Jim Buntin's (Principal, Brown-Buntin Associates, Inc.) experience. Mrs. Morgan states that Jim Buntin is not qualified. Supervisor Hanson asks Mrs. Morgan to explain that statement and she asks the Board to compare both sets of qualifications presented by her. She states that Mr. Buntin has a degree in zoology, he is not an engineer, he does not have a P.E. in acoustic engineering and does not have a Ph.D.; she then states the court should decide who is qualified.

Mrs. Morgan states Mr. Pettyjohn's bid for noise monitoring was lower than WIA's. She feels it is the County's responsibility to comply with the court order and requests the County continue monitoring all events on each day of the races.

2) Diane Fuller, also a neighbor of Honey Lake Motocross Park, explains that she is not well prepared as she did not know about this hearing or the one held on last Tuesday. She asks the Board to consider her questions and comments: A) she asks what happens when people violate noise levels; B) asks if there is revenue information proving the course is a great benefit to the County; C) asks if environmental issues have been followed by the Lahontan Water Quality District; D) states the monitoring has not been done at her property line but well within it; E) asks is mitigation being take care of environmentally, noise-wise. She suggests the noise monitoring take place without prior notice.

The Board recesses to Closed Session at 4:12 p.m. Present in the Closed Session are Supervisors Brian Dahle, Bob Pyle, Jim Chapman, Lloyd Keefer and Jack Hanson;

County Counsel Craig Settlemyre, County Administrative Officer John Ketelsen, County Personnel Director/Risk Manager Ron Vossler, Treasurer/Tax Collector Richard Egan and Deputy Clerk of the Board Osgood. Closed Session is recessed at 5:21 p.m.

**ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION**

The Deputy Clerk of the Board announces the Closed Session dealt with discussion on: 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. Superior Case #36349 – On a 3 to 2 vote, with Supervisors Chapman, Keefer and Dahle voting aye, and Supervisors Hanson and Pyle voting NO, the Board authorizes staff to present a proposed settlement agreement to Mr. and Mrs. Wosick.

There being no further business, the meeting is adjourned at 5:22 p.m.

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CHAIRMAN OF THE BOARD OF SUPERVISORS

ATTEST:

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SUSAN OSGOOD, DEPUTY CLERK OF THE BOARD