



MEETING MINUTES

BOARD OF SUPERVISORS

Terrell Swofford, 1st District
Robert A. Meacher, Vice Chair 2nd District
Sharon Thrall, Chair 3rd District
Lori Simpson, 4th District
Ole Olsen, 5th District

REGULAR MEETING OF THE BOARD OF SUPERVISORS COUNTY OF PLUMAS, STATE OF CALIFORNIA HELD IN QUINCY ON NOVEMBER 03, 2009

STANDING ORDERS

ROLL CALL

The meeting is called to order at 9:00 a.m. with Supervisors Terrell Swofford, Lori Simpson, Robert Meacher, Ole Olsen and Chair Sharon Thrall present.

FLAG SALUTE

Supervisor Meacher leads the flag salute.

PUBLIC COMMENT OPPORTUNITY

Larry Douglas addresses the Board regarding LAFCo.

ACTION AGENDA

1. BOARD OF SUPERVISORS CORRESPONDENCE

Anonymous letter regarding dress attire of Board members.

Letter from Mr. Shoffner regarding withdrawal of General Plan Amendment and request to transfer fee to new application.

NorCal RC&D meeting to be held on November 04, 2009 at 10:00 a.m. in Quincy at the Alliance for Workforce Development

Letter from Larry Douglas regarding LAFCo

STATE WATER POLICY LEGISLATION/WATER BOND

Motion by Supervisor Simpson, second by Supervisor Swofford and carried authorizing the Chair to sign a letter to Assemblyman Dan Logue requesting support of state water policy legislation and water bond.

ALMANOR RECREATION CENTER – AWARD OF CONSTRUCTION CONTRACT

Motion by Supervisor Simpson, second by Supervisor Olsen and carried, with Supervisor Meacher abstaining, to award a construction contract to Creekside Commercial for \$739,677 contingent upon resolution of remaining issues in regard to permitting and acceptance of contract schedule by the State of California.

INFORMATIONAL ANNOUNCEMENTS

Report by Supervisor Simpson regarding issues related to County Government and include Economic Recovery Committee meeting; Quincy Library Group; District 4 Townhall Meeting regarding Hospital Tax issue; Fair Boar meeting

Report by Supervisor Swofford regarding issues related to County Government and include Grizzly Lake resort Improvement District; Fire Chief Association meeting; Northern Sierra Air Quality; Plumas Tomorrow; Plumas Watershed Forum; City of Portola Council meeting

Report by Supervisor Meacher regarding issues related to County Government and include Stewardship Council; Department of Conservation; CSAC-Excess Insurance Authority; Plumas Watershed Forum

Board concurs to a request from Supervisor Olsen to send a letter to the State Legislature and Governor requesting a moratorium on new legislation that would have a detrimental fiscal effect on existing or future new business owners until the State of California has an adopted budget.

2. COUNTY ADMINISTRATIVE OFFICE RESOLUTION 09-7587 RE: PROPOSITION 1A

Motion by Supervisor Swofford and second by Supervisor Olsen to adopt Resolution No. 09-7587, approving the form of and authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the seller's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith. AYES: Supervisors Swofford, Simpson, Meacher, Olsen, Thrall NOES None ABSENT: None Carried and so ordered

Departmental Matters

SOCIAL SERVICES

Motion is made by Supervisor Olsen, second by Supervisor Simpson and carried to approve an exception to the hiring freeze and authorize Social Services to begin recruitment to fill the position of Social Worker I/II assigned to Child Protective Services.

SHERIFF

Motion by Supervisor Swofford, second by Supervisor Olsen and carried to approve an exception to the hiring freeze and authorize the Sheriff to begin recruitment to fill the vacant position of Civil Clerk.

PROBATION

Motion by Supervisor Simpson. Second by Supervisor Swofford and carried to approve an exception to the hiring freeze and authorize Probation to begin recruitment to fill the vacant position of Deputy Probation Officer.

PUBLIC HEALTH AGENCY
H1N1 FEDERAL FUNDING

Motion by Supervisor Meacher, second by Supervisor Olsen and carried to approve a supplemental budget for \$235,504; authorize funds be established in compliance with California Department of Public Health Emergency Preparedness Office for federal funding (H1N1); and approve and authorize exemptions to the FY 2009-2010 Administrative and Budgetary Controls to be exercised by the County Administrative Officer regarding limitations on extra and/or temporary help through March 2010.

3. ALMANOR BASIN WATERSHED ADVISORY COMMITTEE
STATUS REPORT

Report and update by Carl Felts regarding current status and upcoming events of ABWAC.

AIRPORT LAND USE COMMISSION
STATUS REPORT

Report and update by Carl Felts regarding current status and upcoming events of ALUC.

4. CONSENT AGENDA

Motion by Supervisor Swofford and second by Supervisor Simpson to approve the following consent agenda matters. AYES: Supervisors Swofford, Simpson, Meacher, Olsen, Thrall NOES None ABSENT: None Carried and so ordered

A. BOARD OF SUPERVISORS

Approve expenditures from Community Services Funds

Department 20730 – Supervisor Thrall

Chester Chamber of Commerce (Donation for repair of booth for Trade Show)
\$500.00

B. CLERK OF THE BOARD

Approve Board minutes for October 2009

C. MENTAL HEALTH

RESOLUTION 09-7588, approving contract with Redwood Children Services for the provision of mental health services to out of county children; and authorize the Chair to sign said contract.

D. FAIR

Approve contract with Cheree Childers for Small Animal Supervisor services during the 2009 Plumas-Sierra County Fair, and authorize the Auditor/Controller to pay claim for \$500.

E. PUBLIC WORKS

Authorize purchase of Carbide Cutting Edges for \$47,478 approved in the budget for FY 2009-2010.

NOON RECESS

AFTERNOON SESSION

The Board reconvenes at 1:30 p.m. with all Board members present as in the morning session.

**5. TREASURER/TAX COLLECTOR
PLUMAS COUNTY INVESTMENT PORTFOLIO**

Presentation by Susan Grant, Treasurer/Tax Collector regarding Plumas County's Investment Portfolio. Presentation of performance evaluation for July through September 2009 prepared by Financial Advisor, Dan Calabrese; and a history of interest earned on investments. Ms. Grant provides the Board with a report and update on the Washington Mutual, Inc. bankruptcy.

**6. PUBLIC WORKS
RESOLUTION 09-7589 RE: ENVIRONMENTAL ENHANCEMENT PROJECT, EAST QUINCY**

Motion by Supervisor Simpson and second by Supervisor Meacher to adopt Resolution No. 09-7589, authorizing the preparation and submittal of an application to the California Natural Resources Agency for Environmental Enhancement & Mitigation Program Grant for Trees and Irrigation Lines in East Quincy. AYES: Supervisors Swofford, Simpson, Meacher, Olsen, Thrall NOES None ABSENT: None Carried and so ordered

BECKWOURTH-CALPINE GUARD RAILING PROJECT – CONTRACT

Following discussion, motion by Supervisor Swofford, second by Supervisor Olsen and carried authorizing the Director of Public Works to sign Change Orders and execute the final Contract for the Beckwourth-Calpine Guard Railing, Modification of Bridge Railing and Bridge Deck Treatment Project.

R3CONSULTING GROUP, INC. – CONTRACT/AUDIT OF SOLID WASTE FRANCHISE CONTRACTORS

Upon report and recommendation of Robert Perreault, Director of Public Works and following discussion by the Board, motion by Supervisor Olsen and second by Supervisor Simpson to approve a memorandum of agreement between R3 Consulting Group, Inc. and Plumas County; authorize the Chair to execute the final agreement, subject to approval by County Counsel; and appropriate \$32,810 from Solid Waste Contingencies to fund an audit of financial statements and to conduct a review of management practices of Solid Waste Franchise Contractors (InterMountain Disposal and Feather River Disposal). AYES: Supervisors Swofford, Simpson, Meacher, Olsen, Thrall NOES None ABSENT: None Carried and so ordered

**7. ENVIRONMENTAL HEALTH
PROHIBITION OF SELF-HAULING SOLID WASTE**

This matter is before the Board for discussion and possible action regarding County policy prohibiting self-hauling solid waste out of County.

Jerry Sipe, Director of Environmental Health addresses the Board. Title 6, Chapter 10 of the Plumas County Code regulates many aspects of solid waste management including the collection, transportation, use, and disposal. Section 6-10.110(b) specifically prohibits importing solid waste into Plumas County, self-hauling solid waste out of county is not expressly prohibited. Rather, waste disposal is regulated through issuance of exclusive franchise agreements by the Board as required by Section 6-10.201 and 6-10.202, and by the mandatory collection requirements for some residential areas as well as all commercial establishments countywide as required by Section 6-10.103. Collectively these contracts, policies and codes, along with customer convenience and expense, limit or restrict self-hauling solid waste out of the county.

The policy discussion before the Board is to establish the level of flow control that is appropriate for Plumas County.

Public Comment

The Chair acknowledges the public and takes comments.

The Board is in receipt of a petition from members of the public from District 1 opposed to a rate increase and requesting an amendment to the county code to allow self-hauling out of county.

Larry Douglas addresses the Board regarding disposal of toxic material; and use of private commercial equipment for hauling versus requirement to rent a bin from InterMountain Disposal.

Dave Roberti addresses the Board requesting the Board consider an amendment to the county code to allow self-hauling out of county.

Board Discussion

Supervisor Simpson is not prepared to make a decision until the Board has received findings of the audit. Supervisor Meacher concurs and also believes the Board needs to establish some sort of methodology for rate increases and changes to solid waste contracts.

Supervisor Swofford supports an amendment to the county code to allow for self-hauling out of the county. Supervisor Olsen concurs.

Supervisor Thrall questions if the county could incur liability for not enforcing the county code.

Board Action

Motion by Supervisor Simpson and second by Supervisor Meacher to not amend the existing county code at this time. AYES: Supervisors Meacher and Simpson NOES: Supervisors Olsen, Swofford and Thrall ABSENT: None Motion dies for lack of a majority vote

Motion by Supervisor Thrall and second by Supervisor Olsen to delay decision on whether or not to allow self-hauling out of the county and direct staff to begin drafting an ordinance to change the existing policy to allow self-hauling of construction demolition out of county. AYES: Supervisors Olsen, Swofford and Thrall NOES: Supervisors Meacher and Simpson ABSENT: None Carried and so ordered

URGENCY MATTER – BOARD OF SUPERVISORS

LETTER OF PROTEST WITH PUC - ELECTRICAL SERVICE FOR PORTOLA/SIERRA VALLEY

Motion by Supervisor Swofford and second by Supervisor Simpson to add this matter to the agenda as an urgency item because the need for action was not apparent prior to the posting of the agenda. AYES: Supervisors Swofford, Simpson, Meacher, Thrall NOES: None ABSENT: None ABSTAIN: Supervisor Olsen Carried and so ordered

John Sheehan addressed the board regarding the joint application of Sierra Pacific Power Company and California Pacific Electric Company to the Public Utilities Commission for the transfer of control of certain assets affecting electrical service for Portola and Sierra Valley.

Motion by Supervisor Swofford, second by Supervisor Simpson and carried, with Supervisor Olsen abstaining, authorizing the Chair to sign a letter of protest with the Public Utilities Commission.

CLOSED SESSION

The Board meets in closed session as follows.

Conference with legal counsel regarding existing litigation – *Sierra Forest Legacy v. Rey*, Case No. CV-05-00205, U.S. District Court for the Eastern District of California (Govt. Code Sec. 54956.9(a)).

ADJOURNMENT

Adjourned meeting to Tuesday, November 10, 2009, General Plan Update Workshop, Board of Supervisors and Planning Commission, Mineral Building, Plumas-Sierra County Fairgrounds, Quincy California

I, NANCY L. DAFORNO, CLERK OF THE BOARD DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE PLUMAS COUNTY BOARD OF SUPERVISORS HELD ON NOVEMBER 03, 2009 ARE CORRECT AS RECORDED.

Nancy L. DaForno, Clerk of the Board