

**REGULAR MEETING OF THE BOARD OF SUPERVISORS
COUNTY OF PLUMAS, STATE OF CALIFORNIA
HELD IN QUINCY ON APRIL 03, 2007**

1. ROLL CALL

The meeting is called to order at 10:00 a.m. with Supervisors Rose Comstock, William Powers, Sharon Thrall, Robert Meacher and Chairman Ole Olsen present.

2. INVOCATION AND FLAG SALUTE

Pastor Tarleton from the First Baptist Church of Quincy offers the invocation and Supervisor Powers leads the flag salute.

3. PUBLIC COMMENT OPPORTUNITY

Taste of Plumas to be held on April 14, 2007, Fairgrounds, Quincy.

BJ Pearson addresses the Board regarding a recent meeting held in Beckwourth early this week. Mr. Pearson requests a list from Supervisor Powers of public members invited to attend the meeting.

BJ Pearson addresses the Board announcing his intent to file a lawsuit if County buildings are not brought into ADA compliance. Mr. Pearson informs the Board the Building Department has inspected his recently remodeled restaurant and is now required to reconstruct to become ADA compliant. Mr. Pearson further states he will be sending the County a bill for \$30-50,000 to cover costs for reconstruction.

Announcement by Hank Foley, Director of Public Health regarding implementation of SB 144 (Cal Code), effective July 01, 2007. Cal Code completely replaces the California Uniform Retail Food Facilities Law, the current retail food law. The primary objective of Cal Code is to reduce the incidence of food borne illness.

4. PLUMAS COUNTY DEPARTMENT HEADS COMMENT PERIOD

None.

5. CLERK/RECORDER

REIMBURSE TREASURER GENERAL REVOLVING FUND

Following brief discussion, motion is made by Supervisor Meacher, seconded by Supervisor Thrall and unanimously carried authorizing the Auditor/Controller to process a claim for \$239 to reimburse the County Treasurer General Revolving Fund from 20100-527500-Special Travel for funds stolen from county employee while attending a training session.

6. PUBLIC WORKS

LEASE FOR PLACEMENT OF ANTENNA ON RADIO HILL

This matter is continued from March 06, 2007. Following discussion regarding a request to execute a lease for the placement of a radio broadcasting antenna on Radio Hill, motion is made by Supervisor Comstock, seconded by Supervisor Powers and unanimously carried to continue this matter to a later date following resolution of concerned parties.

7. BOARD OF SUPERVISORS

AIRPORT LAND USE COMMISSION, REINSTATE

Motion is made by Supervisor Thrall, seconded by Supervisor Comstock and unanimously carried to reinstate the Plumas County Airport Land Use Commission and direct the Clerk of the Board post the required Notice of Vacancy.

SPECIAL MEETING SCHEDULE

- April 18, 2007 - Workshop between Planning Commission and Board of Supervisors
- April 30, 2007 - HR 2389-2007 Title III Board priorities and review of applications
- April 30, 2007 - Outcome of HR 2389 Secure Rural Schools (FY 2006-2007 overview and FY 2007-2008 projections)

Supervisors Comstock and Meacher leave the Boardroom.

8. PLUMAS CRISIS INTERVENTION & RESOURCE CENTER **PROCLAMATION RE: CHILD ABUSE PREVENTION MONTH**

Motion is made by Supervisor Powers, seconded by Supervisor Thrall and unanimously carried, with Supervisors Comstock and Meacher absent, to adopt a Proclamation, Proclaiming April 2007 as Child Abuse Prevention Month in Plumas County.

PROCLAMATION RE: SEXUAL ASSAULT AWARENESS MONTH

Motion is made by Supervisor Powers, seconded by Supervisor Thrall and unanimously carried, with Supervisors Comstock and Meacher absent, to adopt a Proclamation, Proclaiming April 2007 as Sexual Assault Awareness Month in Plumas County.

PROCLAMATION RE: CASA RECOGNITION DAY

Motion is made by Supervisor Powers, seconded by Supervisor Thrall and unanimously carried, with Supervisors Comstock and Meacher absent, to adopt a Proclamation, Proclaiming April 03, 2007 as Court Appointed Special Advocate Day in Plumas County.

Supervisors Comstock and Meacher return to the Boardroom.

9. COUNTY COUNSEL **CLOSED SESSION**

The Board meets in closed session from 11:50 a.m. to 12:20 p.m. and from 6:50 p.m. to 8:20 p.m. for conference with Legal Counsel.

- Potential Litigation
- Existing Litigation: Stine v. Ken Doe, et. al. Plumas County Superior Court, Case No. 27098

NOON RECESS

AFTERNOON SESSION

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

10. PLANNING & BUILDING SERVICES **CONTINUED PUBLIC HEARING – EIR 78 WINTER 2005 GPA (WOLF MEADOWS)**

This matter is a continued public hearing from March 13, 2007 regarding certification of Environmental Impact Report 78, Winter 2005 General Plan Amendment – Wolf Meadows Ranch, LLC, proposal to rezone approximately 100 acres from Important Agriculture and General Agriculture (GA) zoning to Moderate Opportunity area, Rural Designation and Rural (R-10) zoning. John McMorrow, representing the owner of Wolf Meadows informs the Board they concur with the recommendation of Planning & Building Services. There being no further comment, the public hearing is closed.

Motion is made by Supervisor Powers, seconded by Supervisor Comstock and unanimously carried to certify EIR 78 as applicable and adequate for the project and approve the general plan amendment and rezoning as per Alternative 2. in EIR 78:

Amend to Moderate Opportunity area, Rural and R-10 zoning because the property evaluated in the soils study does not qualify for designation as Important Agriculture and meets the diagram directive for Moderate Opportunity area, Rural. Amend the remainder of the property currently designated as Moderate Opportunity area, Agricultural Buffer to Moderate Opportunity area, Rural because the Agricultural Buffer designation no longer applies to these properties due to the fact that they are no longer adjacent to Important Agricultural Areas. Retain the existing area designated Moderate Opportunity area, Secondary Suburban. This will enable any division to be clustered as mitigation for the protection of the identified Important Deer Habitat and Deer Migration areas as presented in the “Deer Resource Evaluation” submitted with this proposal; and adopt required findings:

REQUIRED FINDINGS

1. That, as required by law, a public hearing was duly noticed and held by the Board.
2. That Environmental Impact Report 78 was completed in compliance with the California Environmental Quality Act and certified as applicable and adequate for the project.
3. That Environmental Impact Report 78 was presented to the Board and that the information contained in the document was reviewed and considered by the Board prior to the decision, together with any comments received during the public review process.
4. The property meets the General Plan diagram directive for Moderate Opportunity area, Rural and Moderate Opportunity area, Secondary Suburban.
5. The testimony and evidence received justify the action taken

PUBLIC HEARING/ORDINANCE RE: DEVELOPMENT AGREEMENT AMENDMENT (WHITEHAWK RANCH)

Presentation by Rebecca Herrin, Senior Planner regarding proposal to amend the existing agreement between Mohawk Valley Ranch, Inc. and the County of Plumas to allow additional permitted uses to two existing 40 acre parcels located in the “Boulder Meadow” area of Whitehawk Ranch. The public hearing is opened. There being no comment, the public hearing is closed.

Motion is made by Supervisor Meacher and seconded by Supervisor Powers to uphold the recommendation of Planning & Building Services and waive the reading of an Ordinance, amendment of existing Development Agreement for Mohawk Valley Ranch (Whitehawk Ranch) with required findings. AYES: Supervisors Comstock, Thrall, Meacher, Powers and Olsen. NOES: None. ABSENT: None. Carried and so ordered. The title of the Ordinance is read and continued to April 10, 2007 for adoption.

RECOMMENDATION

1. The allowable uses on the Boulder Meadows parcels G and H shall be a main residence, barn and outbuildings consistent with the application of the General Forest (GF) zoning.
2. These uses shall be permitted in the designated areas as shown on Exhibit A “Deed Restricted Area” dated March 22, 2007 (APN 133-130-079) and Exhibit A “Deed Restricted Area” dated November 15, 2005 (APN 133-130-080).
3. These deed restrictions shall be recorded upon the sale of the properties.

REQUIRED FINDINGS

1. That, as required by law, a public hearing was duly noticed and held by the Board.
2. That Environmental Impact Report Number 38 was previously approved for this project and the circumstances set forth in Section 15162 of the CEQA Guidelines have not arisen.
3. That the project is consistent with the General and Specific plan and zoning.

FEATHER RIVER INN GENERAL PLAN AMENDMENT – PROGRESS REPORT

John McMorrow, representing The Schomac Group (Feather River Inn), addresses the Board. Mr. McMorrow updates the Board on status of retaining an outside consultant to prepare the Environmental Impact Report. Today, a consultant has not been retained. Mr. McMorrow requests assurance that county staff is moving forward with preparing their portion of the environmental report until a consultant is retained. Mr. McMorrow further requests a written document from County Counsel explaining why the negative declaration is inadequate. This matter is informational only, no action is taken.

FIRE SAFE DRIVEWAY STANDARDS

Presentation by Brian Morris, Deputy County Counsel regarding fire safe driveways and proposal from staff to amend the County Code. In December 2006, the Board referred the matter back to staff for further review and development.

Discussion is held regarding compliance with Public Resources Code (PRC) 4290. The existing Plumas County Code provisions have been approved by the Board of Forestry, and the County is technically in compliance with PRC section 4290. The fundamental difference between current County Code and the Board of Forestry's fire safe regulation is that Plumas County only imposes standards on driveways when no part of a building is within 150 feet of the access road for the property. Supervisor Comstock recommends no revision to the County Code until notified by the State of non-compliance.

Motion is made by Supervisor Meacher, seconded by Supervisor Powers and carried, with Supervisor Comstock opposing, directing staff to return to the Board with a County ordinance complying with PRC 4290 regulations. Staff is directed to present the Board with a draft ordinance before obtaining public input.

EXTRA DUTY STIPEND – GIS DUTIES

Motion is made by Supervisor Powers, seconded by Supervisor Thrall and unanimously carried to extend extra duty stipend to Executive Assistant for performing GIS duties, and direct Human Resources to begin recruitment immediately to fill the position of Planning Technician.

11. COUNTY ADMINISTRATIVE OFFICE FY 2006-2007 MID YEAR BUDGET REVIEW

Present and overview of FY 2006-2007 mid-year budget by Jack Ingstad, County Administrative Officer. Mr. Ingstad has received numerous requests for budget transfer, and requests for appropriations from the general fund contingency. Mr. Ingstad has made a recommendation and provides the Board with backup material and information needing their approval.

Department Internal Budget Transfers

Public Works

Robert Perreault, Director of Public Works makes his argument to the Board regarding a request to purchase a backhoe in place of an asphalt zipper originally budgeted for FY 2006-2007. The request is denied as outlined in the information below.

Agriculture

Following discussion, motion is made by Supervisor Comstock, seconded by Supervisor Thrall and unanimously carried to approve a budget transfer for \$670 from salaries and benefits to cover costs for copy machine.

Following discussion, motion is made by Supervisor Powers, seconded by Supervisor Meacher and unanimously carried to approve budget transfers within department budgets as recommended by the CAO as follows:

Name	Department	Page Numbers			Amounts	
		Summary	BdgTx	Report	Budg Tx	CAO appr
Jack Ingstad	Administration	2		66A		
Karl Bishop	Agricultural Comm	3	31	67	670	670
CAO	Alcohol & Drug	4,5,6				postponed
CAO	Animal Services	7				
Chuck Leonhardt	Assessor	8	34	70	19,640	19,640
Shawn Montgomery	Auditor	9		72		
Nancy DaForno	Board of Supervisors	10		75	7,650	7,650
Michelle Blackford	Child Support Services			76		
Kathy Williams	Clerk/Recorder			78		
Barbara Thompson	County Counsel			83		
Jeff Cunan	District Attorney			86		
Sid Roberts	Facility Services		36	90	3,150	3,150
Billy Cox	Fair	11		95	40,300	40,300
Mike Delasaux	Farm Advisor	12				
Hank Foley	Health Services	13,14	38	96	57,376	57,376
Gayla Trumbo	Human Resources			101		
Dave Preston	Information Technology	15	40	103	11,500	11,500
John Gullixson	LAFCO			105		
Margaret Miles	Library	16	43	119		
John Sebold	Mental Health	17,18	45	130	18,107	18,107
John Sebold	Sierra House		48		7,100	7,100
Scott Lawson	Museum	19	51	133		
Andy Anderson	OES	20				
Jonathan Schnal	Planning & Building Svcs	21,22	54	135	87,697	87,697
Tom Frady	Probation	23,24	56	146	20,000	20,000
Robert Perreault	Public Works	25	58	148	99,163	4,163
Robert Perreault	Engineering			153		
Kelly Stane	Risk Manager		60	154		
Terry Bergstrand	Sheriff	26,27	62	156		
Terry Bergstrand	Jail	28	65	159		
Elliott Smart	Social Services	29,30		160	1,926	1,651
Ginny Dunbar	Treasurer/Tax Collector			168		
Sheryl Austin	Veteran's Services			170		
					353,609	258,334

General Fund Contingency

Local Agency Formation Commission (LAFCo)

Request for \$16,500 from the general Fund Contingency to supplement the budget for the remainder of FY 2006-2007. Following discussion, motion is made by Supervisor Comstock and seconded by Supervisor Meacher to appropriate \$16,500 from the general Fund Contingency to LAFCo to cover costs for the remainder of FY 2006-2007. AYES: Supervisors Comstock, Thrall and Meacher. NOES: Supervisors Powers and Olsen. ABSENT: None. Motion dies due to the lack of a four/fifths majority vote.

Following further discussion, motion is made by Supervisor Meacher and seconded by Supervisor Comstock to approve a loan to LAFCo for \$16,500 to cover costs for the remainder of FY 2006-2007. AYES: Supervisors Comstock, Thrall and Meacher. NOES: Supervisors Powers and Olsen. ABSENT: None. Carried and so ordered. The loan is to be repaid upon adoption of the budget for FY 2007-2008.

Supervisors Olsen and Powers are opposed because they believe an audit of LAFCo should be performed before any additional funding is approved.

Library

Request for \$6,394 from the General Fund Contingency to cover costs for fuel for the remainder of FY 2006-2007. Recommendation of the CAO is \$4,000. In the absence of the County Librarian, this matter is continued to a later date.

Museum

Request for \$3,000 from the General Fund Contingency to cover Other Wages for archival/cataloging project. The CAO does not support the request. Motion is made by Supervisor Olsen and seconded by Supervisor Powers to appropriate \$3,000 from the General Fund Contingency to Other Wages. AYES: Supervisors Powers and Olsen. NOES: Supervisors Comstock, Thrall and Meacher. ABSENT: None. Motion dies due to the lack of a four/fifths majority vote.

Probation

Request for \$20,000 from the General Fund Contingency to Juvenile Wards for the remainder of FY 2006-2007. The CAO recommends approval. Motion is made by Supervisor Meacher and seconded by Supervisor Comstock to appropriate \$20,000 from the general Fund Contingency to Juvenile Wards. AYES: Supervisors Comstock, Thrall, Meacher, Powers and Olsen. NOES: None. ABSENT: None. Carried and so ordered.

Risk Manager

Request for \$60,000 from the General Fund Contingency for ADA survey update. The CAO does not support the request. Motion is made by Supervisor Comstock and seconded by Supervisor Powers to deny the request. AYES: Supervisor Comstock, Thrall, Powers and Olsen. NOES: Supervisor Meacher. ABSENT: None. Carried and so ordered.

Jail

Request for \$22,350 from the General Fund Contingency to cover Regular Wages, Group Insurance and Overtime for the remainder of FY 2006-2007. The CAO does not support the request. Following discussion, motion is made by Supervisor Meacher and seconded by Supervisor Powers authorizing the CAO to appropriate funding from the General Fund Contingency if needed. AYES: Supervisors Comstock, Thrall, Meacher, Powers and Olsen. NOES: None. ABSENT: None. Carried and so ordered.

Sheriff

Request for \$8,041 from the General Fund Contingency for Walk-Along Program. The CAO does not support the request. Motion is made by Supervisor Meacher and seconded by Supervisor Powers to deny the request and agree to revisit costs associated with the program. AYES: Supervisors Comstock, Thrall, Meacher, Powers and Olsen. NOES: None. ABSENT: None. Carried and so ordered.

12. PLUMAS COUNTY FLOOD CONTROL DISTRICT

\$600,000 GENERAL FUND LOAN – LAKE DAVIS WATER TREATMENT PLANT

Sitting as the Plumas County Flood Control District Board and following discussion, motion is made by Supervisor Powers, seconded by Supervisor Comstock and unanimously carried to approve General Fund loan to Flood Control District in an amount not to exceed \$600,000 for construction of Lake Davis water treatment plant, to be reimbursed by California Department of Health Services State Revolving Fund Grant upon completion of eligible work.

13. CONSENT AGENDA

Motion is made by Supervisor Thrall and seconded by Supervisor Powers to approve the following consent agenda items. At the request of County Counsel, 13.A. is removed from the consent agenda. AYES: Supervisors Comstock, Thrall, Meacher, Powers and Olsen. NOES: None. ABSENT: None. Carried and so ordered.

A. COUNTY COUNSEL

Approve Letter of Agreement with the law firm of Boutin, Dentino, Gibson, Di Giusto, Hodell, Inc. regarding Motion to Compel Arbitration. **This matter is removed from the agenda.**

B. BOARD OF SUPERVISORS

Authorize the Chair to sign a letter to Caltrans for Encroachment Permits for Chester Chamber of Commerce (4th of July Parade).

C. DISTRICT ATTORNEY

Supplemental budget for \$3,600 from Asset Forfeiture funds obtained through successful prosecution of drug trafficking cases.

D. HUMAN RESOURCES

Approve recommendations from the Plumas County Critical Staffing Committee – Social Services, Social Worker I, II or III, 1.0 FTE.

E. PUBLIC HEALTH AGENCY

- 1) **RESOLUTION** 07-7366, authorizing Environmental Health to contract with the Department of Fish & Game for the Lake Davis project, authorize the Director of Public Health to sign contract and various assurances as Board designee, and approve a related supplemental budget for \$57,376. Approved as to form by County Counsel.
- 2) Approve submission of a proposal for funds to the Sierra Health Foundation with regard to bright SMILES, a school based oral health education and prevention program.
- 3) **PROCLAMATION/RESOLUTION** 07-7367, recognizing Public Health's participation in National Public Health Week, April 01-08, 2007.
- 4) Approve Professional Agreement with Les Hall to provide various services to Public Health related to Medi-Cal Administrative Activities (MAA) Program, and authorize the Director of Public Health to sign as Board designee. Approved as to form by County Counsel.

F. PLANNING & BUILDING SERVICES

Approve refund of filing fee for \$202 to Walter and Dorene Beam for withdrawal of Owner Initiated Merger application.

G. SHERIFF

RESOLUTION 07-7368, authorizing the Sheriff to sign and execute Boating Safety and Enforcement Grant Equipment and Operation Contract for \$26,000, funding awarded for purchase of equipment.

14. APPOINTMENTS

LAKE ALMANOR 2105 COMMITTEE

Motion is made by Supervisor Meacher, seconded by Supervisor Comstock and unanimously carried to appoint Bill Dennison to the Lake Almanor 2105 Committee.

15. CORRESPONDENCE

None.

16. LEGISLATION UPDATE

None.

URGENCY ITEM – BOARD OF SUPERVISORS

CLOSED SESSION

Motion is made by Supervisor Powers and seconded by Supervisor Comstock 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 Comstock, Thrall, Meacher, Powers and Olsen. NOES: None. ABSENT: None. Carried and so ordered.

The Board meets in closed session from 6:50 p.m. to 8:20 p.m. for conference with Labor Negotiator regarding employee negotiations: Operating Engineers Local #3, Sheriff's Department Employees Association, Confidential Employees, and Un-represented Department Heads.

ADJOURNMENT

The Board adjourns at 8:20 p.m. to meet again on April 10, 2007 at 10:00 a.m. as the Board of Supervisors for all purposes.

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 APRIL 03, 2007 ARE CORRECT AS RECORDED.

Nancy L. DaForno, Clerk of the Board