

**REGULAR MEETING OF THE BOARD OF SUPERVISORS
COUNTY OF PLUMAS, STATE OF CALIFORNIA
HELD IN QUINCY ON JANUARY 17, 2006**

1. ROLL CALL

The meeting is called to order at 9:00 a.m. with Supervisors Rose Comstock, William Powers, William Dennison, Ole Olsen and Chair, Robert Meacher 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

George Tarleton acknowledges David Cline, Plumas-Sierra County Fair Manager for all his help to provide space at the fairgrounds to place horses during the recent flooding.

4. PLUMAS COUNTY DEPARTMENT HEADS COMMENT PERIOD

None.

5. BOARD OF SUPERVISORS

ESTABLISH BUDGET FOR EMERGENCY ISSUES

At the request of Supervisor Olsen, this matter is continued to March 14, 2006.

AUDIO TAPING OF BOARD MEETINGS

This matter is continued from December 13, 2005. Supervisor Powers is proposing that the Board consider audio taping all regular meetings and further requests consideration to purchase the necessary technical equipment. Supervisor Powers informs the Board of technology available (FTR Reporter Deck). The technology is user friendly, transcribes, copies etc. The technology is being used by Galatin County, Montana. Supervisor Powers requests that the Clerk of the Board and the County Administrative Officer arrange for a presentation. This matter is continued to a later date.

Jack Ingstad, CAO addresses the Board regarding opportunities for recording Board meetings available at a minimal cost.

Lori Simpson, County employee addresses the Board in favor of audio taping Board meetings.

ORDINANCE 06-1041 RE: AUDITOR/CONTROLLER QUALIFICATIONS FOR OFFICE

Motion is made by Supervisor Dennison and seconded by Supervisor Olsen adopting Ordinance No. 06-1041, first read on January 10, 2006, Amending Section 2-4.651 of Article 6.5 of Chapter 4 of Title 2 of the Plumas County Code (Auditor/Controller Qualifications for Office). AYES: Supervisors Olsen, Dennison, Powers and Meacher. NOES: Supervisor Comstock. ABSENT: None. Carried and so ordered.

Supervisor Comstock is opposed because she believes the current qualifications are sufficient and the position should remain vacant until filled by election.

AB 1665 – CENTRAL VALLEY FLOOD CONTROL

Supervisor Powers addresses the Board regarding County position on AB 1665 (Central Valley Flood Control). The bill has been designated as the vehicle to address Central Valley flood management issues. Supervisor Powers continues to work on the proposed language and will update the Board as progressed. The Board receives comments from Attorney Michael Jackson regarding this matter.

SNOW PLOWING/SNOW BERM POLICY

This matter is before the Board for review of the current snow plowing/snow berm policy. The main concern of Board members is snow removal for emergency services responders. There is discussion by the Board. Supervisor Meacher believes that Public Works should contact the Fire Chiefs to determine first responders for removal of snow berms at their residence. Supervisor Dennison concurs. Tom Hunter, Director of Public Works refers to Board minutes from April 06, 1993 stating that each Board member will meet with Mr. Hunter to discuss snow removal within their district. Following further discussion, the Board members agree to work with Mr. Hunter and direct that he contact the Fire Chiefs to identify first responders. This matter is considered work-in-progress.

NRCS EMERGENCY WATERSHED PROTECTION PROGRAM

Motion is made by Supervisor Dennison, seconded by Supervisor Powers and unanimously carried authorizing the Chair to sign a letter to the Natural Resources Conservation Service (NRCS) for sponsorship of the Emergency Watershed Protection Program for flood damage.

PLUMAS COUNTY BOARDS, COMMISSIONS AND COMMITTEES, APPOINTMENTS

This matter is continued to January 24, 2006.

6. SHERIFF

\$9,000 SUPPLEMENTAL BUDGET – OHV/OSV GRANT FUNDING

Following presentation by Sheriff Bergstrand, motion is made by Supervisor Powers, seconded by Supervisor Olsen and unanimously carried to approve a supplemental budget for \$9,000 for Sheriff's OHV/OSV state grant funding.

BUDGET TRANSFER FOR \$8,845 – OHV/OSV BUDGET UNIT

Motion is made by Supervisor Powers, seconded by Supervisor Olsen and unanimously carried to approve a budget transfer for \$8,845 from Sheriff's AB 443 Contingencies to Patrol Equipment and authorize purchase of fixed assets (snowmobiles).

7. COUNTY COUNSEL

CLOSED SESSION

The Board meets in closed session from 11:35 a.m. to 12:00 p.m. for conference with Legal Counsel.

Existing Litigation – Goodman v. County of Plumas, WCAB

8. BOARD OF SUPERVISORS

CLOSED SESSION

The Board meets in closed session from 11:35 a.m. to 12:00 p.m. for conference with Legal Counsel.

Public employee performance evaluation – Chief Probation Officer

NOON RECESS

9. PLANNING & BUILDING SERVICES

CONTINUED PUBLIC HEARING – APPEAL OF ZONING ADMINISTRATOR, KYNETT

This is a continued public hearing from December 13, 2005. This matter is before the Board for consideration of a variance and modification of recorded map by certificate of correction for Leslie and Joanne Kynett. This is an appeal of the Zoning Administrator's decision to deny the variance. The subject property is located at 4861 Highway 147, Lake Almanor. The Board receives a presentation from Rebecca Herrin, Senior Planner. The subject property is unbuildable under current zoning and sewage disposal and water requirements as well as the limitation imposed by the Parcel Map. A variance must be obtained to reduce the required setbacks and allow the applicant to move forward.

The public hearing is tape recorded. The Chair receives comments from members of the public opposed to the variance.

The Notice of Appeal was filed on October 24, 2005 by attorney David Adrian for the Kynetts. Mr. Adrian is present and addresses the Board. Mr. Adrian informs the Board the Kynetts wish to build a vacation home on the subject property. Joanne Kynett addresses the Board stating they are willing to meet all the necessary requirements.

The public hearing is closed and before the Board for decision. Following discussion, motion is made by Supervisor Comstock and seconded by Supervisor Dennison to uphold the appeal and overturn the decision of the Zoning Administrator and approve as follows:

Five foot setback on east side of property (Highway 147) and a five foot setback on the west side of the property (lake side). The north and south side of the subject property shall remain to code, and as recommended by County Counsel, include an indemnification clause to Plumas County.

Further adopt as follows:

REQUIRED FINDINGS:

In order for the Board to approve a Variance and overturn the decision of the Zoning Administrator, the following findings must be made:

- 1. There are special circumstances applicable to this property under which strict application of the provisions of Chapter 2 of Title 9 of the Plumas County Code would result in deprivation of privileges enjoyed by other property owners in the vicinity and that these circumstances do not apply generally to other properties in the same zone and vicinity.**
- 2. The variance is necessary for the preservation and enjoyment of the substantial property rights of the applicant to permit the applicant what is enjoyed by other property owners in the vicinity.**
- 3. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity and may not be detrimental to the public health, safety or general welfare.**
- 4. The variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the same vicinity and zone.**
- 5. The variance will not permit uses not permitted by the zoning of the property.**

In order for the Board to approve a Modification of the Recorded map and overturn the decision of the Zoning Administrator, the following findings must be made:

- 1. There are changes in circumstances that make the condition of the map no longer appropriate or necessary.**
- 2. The modifications proposed do not impose any additional burden on the present fee owner of the property.**
- 3. The modifications proposed do not alter any right, title, or interest in the real property reflected on the recorded map.**
- 4. The map as modified conforms to the provisions of Section 66474 of the Government Code of the State because it is consistent with the Plumas County General and Specific Plan.**

AYES: Supervisors Olsen, Dennison, Comstock, Powers and Meacher. NOES: None. ABSENT: None. Carried and so ordered.

ORDINANCE RE: AMENDING CODE (GRADING AND RE-ROOFING)

Motion is made by Supervisor Powers and seconded by Supervisor Dennison to waive the reading of an Ordinance, Amending Section 1 of Chapter 1 of Title 8 of the Plumas County Code (Relating to Adoption of Appendix Chapters from the California Building Code pertaining to Grading and Re-roofing). AYES: Supervisors Olsen, Dennison, Comstock, Powers and Meacher. NOES: None. ABSENT: None. Carried and so ordered. The title of the Ordinance is read and continued to January 24, 2006 for adoption.

RESOLUTION 06-7238 RE: OPEN SPACE SUBVENTION ACT, APPLICATION

Motion is made by Supervisor Comstock and seconded by Supervisor Powers adopting Resolution No. 06-7238, authorizing the Planning Director to sign application and other documents concerning Open Space Subvention Act. AYES: Supervisors Olsen, Dennison, Comstock, Powers and Meacher. NOES: None. ABSENT: None. Carried and so ordered.

10. COUNTY ADMINISTRATIVE OFFICE

WEEKLY REPORT

Weekly report by Jack Ingstad, County Administrative Officer regarding meetings attended, key topics and project updates.

11. BOARD OF SUPERVISORS ANNOUNCEMENTS AND REPORTS

Supervisor Meacher gives a report and update on the Stewardship Council. The Council is requesting time before the Board for a presentation.

12. CONSENT AGENDA

Motion is made by Supervisor Dennison and seconded by Supervisor Powers to approve the following consent agenda items. AYES: Supervisors Olsen, Dennison, Comstock, Powers, Meacher. NOES: None. ABSENT: None. Carried and so ordered.

A) BOARD OF SUPERVISORS

Approval of expenditures from Community Services Funds.

Department 20730 – Supervisor Dennison

Plumas County Veterans Memorial – Donation \$ 250.00

Chester Elementary School – Donation, Basketball Program \$ 500.00

Department 20740 – Supervisor Comstock

Plumas County Veterans Memorial – Donation \$1,000.00

Department 20750 – Supervisor Olsen

Plumas County Veterans Memorial – Donation \$ 500.00

B) VETERANS SERVICE OFFICE

Budget transfer for \$2,500 from Fixed Assets to Office Supplies to correct a FY 2005-2006 budget error.

C) SHERIFF

- 1) Budget transfer from Sheriff's AB 443 Contingency fund for \$24,287 to cover the payoff of Xerox Copy machines for the Sheriff's Office and Correctional Facility.
- 2) Budget transfer for \$2,700 from Services and Supplies to Fixed Assets and authorize purchase of fixed assets (storage container for investigations and evidence).

D) PUBLIC HEALTH AGENCY

- 1) Approve the FY 05-06 contract with State Department of Health Services, Office of AIDS, not to exceed \$277,814 for the One-Time Augmentation of the Five County HIV Prevention Project, and authorize the Director of Public Health to sign assurances and subsequent contract as the Boards designee, and authorize the Chair to sign related subcontracts over \$10,000 in Budget Unit 70560, and approve a Supplemental Budget.
- 2) Approve subcontract #OTS-EM0610-ESF, between Plumas County Public Health Agency and Emergency Medical Services Foundation for the "North State Regional Ambulance, First Responder, and Equipment Project" funded by the Office of Traffic Safety, and authorize the Chair to sign.

E) PUBLIC WORKS

- 1) Budget transfer for \$20,300 from Solid Waste Contingencies for the Gopher Hill closure project.
- 2) Adoption of an **ORDINANCE** 06-1042, first read on January 10, 2006, amending Sections 4-3.703, 4-3.703.1 and 4-3.704 of Article 7 of Chapter 3 of Title 4 of the Plumas County Code (Speed Limits).

F) PLUMAS COUNTY CHILD CARE AND DEVELOPMENT PLANNING COUNCIL

- 1) Approval of Certification Statement of Membership, and authorize the Chair to sign.
- 2) Approval of revised Strategic Plan for July 2002 – June 2006, and authorize the Chair to sign.

13. APPOINTMENTS

PRATTVILLE-ALMANOR FIRE DISTRICT

Motion is made by Supervisor Dennison, seconded by Supervisor Powers and unanimously carried to appoint Art Blankenship to the Pratville-Almanor Fire District.

QUINCY DESIGN REVIEW COMMITTEE

Motion is made by Supervisor Comstock, seconded by Supervisor Powers and unanimously carried to appoint Claudia Vicker to the Quincy Design Review Committee.

14. CORRESPONDENCE

None.

15. LEGISLATION UPDATE

None.

ADJOURNMENT

The Board adjourns at 3:45 p.m. to meet again on January 24, 2006 at 10:00 a.m. as the Board of Supervisors for all purposes.