

**REGULAR MEETING OF THE BOARD OF SUPERVISORS
COUNTY OF PLUMAS, STATE OF CALIFORNIA
HELD IN QUINCY ON APRIL 04, 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 Chairman, Robert Meacher present.

2. BOARD OF SUPERVISORS

CLOSED SESSION

The Board meets in closed session from 9:05 a.m. to 10:00 a.m.

- A. Potential Litigation pursuant to Government Code §54956.9(b)(1)
- B. Conference with Labor Negotiator regarding employee negotiations – Sheriff's Department Employees Association
- C. Public employee performance evaluation – County Administrative Officer. **This matter is continued to April 11, 2006.**

3. INVOCATION AND FLAG SALUTE

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

4. PUBLIC COMMENT OPPORTUNITY

None.

5. PLUMAS COUNTY DEPARTMENT HEADS COMMENT PERIOD

Hank Foley, Director of Public Health presents the Board the Plumas County Public Health Agency Annual Report for 2005.

Supervisor Meacher leaves the Boardroom.

6. PLUMAS CRISIS INTERVENTION AND RESOURCE CENTER

PROCLAMATION – CHILD ABUSE PREVENTION MONTH

Motion is made by Supervisor Dennison, seconded by Supervisor Comstock and unanimously carried, with Supervisor Meacher absent, to adopt a Proclamation, proclaiming April 2006 as Child Abuse Prevention Month in Plumas County.

PROCLAMATION – SEXUAL ASSAULT AWARENESS MONTH

Motion is made by Supervisor Dennison, seconded by Supervisor Comstock and unanimously carried, with Supervisor Meacher absent, to adopt a Proclamation, proclaiming April 2006 as Sexual Assault Awareness Month in Plumas County.

PROCLAMATION – COURT APPOINTED SPECIAL ADVOCATE RECOGNITION DAY

Motion is made by Supervisor Dennison, seconded by Supervisor Comstock and unanimously carried, with Supervisor Meacher absent, to adopt a Proclamation, proclaiming April 04, 2006 as Court Appointed Special Advocate Recognition Day in Plumas County.

Supervisor Meacher returns to the Boardroom.

7. ADVOCATION

STATE ADMINISTRATIVE PRIORITIES FOR 2006

Following discussion with Wes Lujan of Advocation, the Board concurs to the following list as Legislative and State Priorities for 2006:

1. Seek to amend legislation relating to the governance of the Metropolitan Water District of Southern California which would allow a representative from the Plumas County Flood Control District to sit on their board of directors in an official or ex-officio capacity.
2. Pursue an increase in the funding level for Plumas County in Assembly Bill 1634 (McCarthy) in the most recent version of the legislation for county reimbursements for the Recall Election of 2004. The current allocation in the bill is \$24,491; we will pursue the more appropriate amount of \$54,000.
3. Assist other consultants (as needed) on measures and funding opportunities associated with improving watersheds and water quality within the County.
4. Pursue funding from the California Energy Commission to improve opportunities for geothermal development in Indian Valley.
5. Assist the County's legislative delegation in pursuing Department of Parks and Recreation funding for the Johnsville Ski Hill and incentives for economic development surrounding the project. Coordination with Senator Dave Cox.
6. Monitor all courthouse transfer related legislation and possibly engage legislation that may work to County's advantage or disadvantage.
7. Seek to amend any affordable housing legislation that does not consider rural issues, and in particular public land ownership within a county.
8. Assist and help obtain funding for Hospital Districts in Plumas County.
9. Seek to adjust the Community Development Commission's per diem reimbursement of \$50 per meeting (approved in 1978) to reflect current inflation since its inception. Board concurs that this is a statewide issue.
10. Assist with any funding opportunities through the Department of Water Resources and Health Services associated with the Portola Water Treatment Facility, as needed.
11. Support state efforts to consolidate the numerous functions of special districts within the County into one entity or association.
12. Pursue efforts to get an additional year round CA Department of Forestry and Fire Protection (CDF) operator within appropriate areas of the County.
13. Work with California Assessors' Association to pursue the full funding in the budget of the Property Tax Loan Administration Program. Plumas County Assessor.
14. Support efforts to increase funding for probation services on a minimum allocation basis per county. Monitor legislative and initiative efforts relating to Jessica's Law. Plumas County Probation.
15. Support Senate Bill 1694 (Aanestad) Transportation: federal funds: allocation to counties and Assembly Bill 2295 (Arambula): Transportation Capital Improvement Projects.
16. Monitor all legislation relating to flood control and levee maintenance.

8. BOARD OF SUPERVISORS

GENERAL FUND CONTINGENCY APPROPRIATION - \$101,287

Motion is made by Supervisor Dennison and seconded by Supervisor Comstock to appropriate \$101,287 from the General Fund Contingency to various county departments to cover expenses for the remainder of FY 2005-2006 (\$877–County Library; \$44,320–Facility Services; \$30,000–Airport Operations; \$3,612–Victim Witness; \$22,478–County Counsel). AYES: Supervisors Olsen, Dennison, Comstock, Powers and Meacher. NOES: None. ABSENT: None. Carried and so ordered.

HR 2389-TITLE III PROJECTS FOR 2006

Upon report and recommendation of Supervisors Comstock and Meacher, motion is made by Supervisor Dennison, seconded by Supervisor Comstock and unanimously carried to approve projects under HR 2389 Title III, and schedule the required public hearing for June 06, 2006. The approved list of projects is on file with the Clerk of the Board.

RESOLUTION 06-7259 RE: ENDANGERED SPECIES ACT

Motion is made by Supervisor Comstock and seconded by Supervisor Dennison adopting Resolution No. 06-7259, Updating the Endangered Species Act. AYES: Supervisors Olsen, Dennison, Comstock, Powers and Meacher. NOES: None. ABSENT: None. Carried and so ordered.

9. PUBLIC WORKS

HEALTH & HUMAN SERVICES CENTER, CHANGE ORDERS NO. 7 AND NO. 8

Upon report and recommendation of Tom Hunter, Director of Public Works and following discussion by the Board, motion is made by Supervisor Dennison, seconded by Supervisor Powers and unanimously carried to approve Change Orders No. 7 for \$137,949 and Change Order No. 8 for \$398,319 to BMC Construction Co. for the new Health & Human Services Center with no additional days for completion of the project.

BUDGET TRANSFER FOR \$50,945 – COMPLETION OF ANIMAL SHELTER PROJECT

Motion is made by Supervisor Powers, seconded by Supervisor Comstock and unanimously carried to approve a budget transfer for \$50,945 from Health & Human Services-20136 to Animal Shelter-20139 to cover costs associated with completion of the Animal Shelter project.

10. PLUMAS COUNTY FLOOD CONTROL DISTRICT

MEETING SCHEDULE

Following discussion, the Board concurs to meet as the Plumas County Flood Control District on the first Monday of every month. The first regular meeting will be held on May 01, 2006.

CLOSED SESSION

The Board meets in closed session from 4:40 p.m. to 4:45 p.m. for conference with Legal Counsel – Anticipated Litigation (Government Code Sec. 54956.9(b)(3)(B)) Lake Davis water treatment plant.

AGREEMENT IN PRINCIPAL – LAKE DAVIS TREATMENT PLANT

Motion is made by Supervisor Powers, seconded by Supervisor Olsen and unanimously carried, with Supervisor Dennison absent, to approve an Agreement in Principal to proceed with construction of a new water treatment plant at Lake Davis.

NOON RECESS

AFTERNOON SESSION

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

11. PLANNING & BUILDING SERVICES

PUBLIC HEARING/RESOLUTION 06-7256 RE: HOUSING ELEMENT

The public hearing is opened. Betsy Schramel, representing the Plumas County Planning Commission addresses the Board. There being no further comment, the public hearing is closed. Motion is made by Supervisor Dennison and seconded by Supervisor Comstock adopting Resolution No. 06-7256, amending the General and Specific Plan to revise the Housing Element. AYES: Supervisors Olsen, Dennison, Comstock, Powers and Meacher. NOES: None. ABSENT: None. Carried and so ordered.

PUBLIC HEARING – VARIANCE FOR LESLIE AND JOANNE KYNETT

This matter is before the Board for review and possible action relating to the Board's decision of January 17, 2006 to overturn the decision of the Zoning Administrator to deny a variance for Leslie and Joanne Kynett, Lake Almanor. Board action was to approve the variance, as amended, and adopt the required findings. The public hearing is opened. Various members of the public address the Board opposed to a variance for property located at 4861 Highway 147, Lake Almanor. Leslie and Joanne Kynett, applicants address the Board requesting their approval of the variance as amended. The public hearing is closed and before the Board for decision.

Following discussion by the Board, motion is made by Supervisor Comstock and seconded by Supervisor Olsen to modify the variance as approved by the Board on January 17, 2006 as follows: AYES: Supervisors Olsen, Dennison, Comstock, Meacher and Powers. NOES: None. ABSENT: None. Carried and so ordered.

Variance:

Reduce front yard setback from 20 feet to 0 feet, the rear yard setback (lakeside) from 15 feet to 5 feet, and the side yard setback (North) from 15 feet to 5 feet for construction of a three-story dwelling.

Further adopt as follows:

Findings:

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 will 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.

Conditions:

1. Any necessary work shall commence within nine (9) months and be completed within eighteen (18) months.
2. Any work done shall conform with the approved plans as specified in the variance.
3. The violation of any condition shall be a violation of the provisions of this chapter and shall be punishable as set forth in Article 12 of Chapter 2 of Title 9 of this chapter.

12. COUNTY COUNSEL

RESOLUTION 06-7257 RE: COUNTY RIGHT OF WAY ABANDONMENT, CHESTER (ALLEY AREA)

Motion is made by Supervisor Powers and seconded by Supervisor Dennison adopting Resolution No. 06-7257, authorizing abandonment of a portion of the County right of way in Chester (20' Alley Area II). AYES: Supervisors Olsen, Dennison, Comstock, Powers and Meacher. NOES: None. ABSENT: None. Carried and so ordered.

RESOLUTION 06-7258 RE: COUNTY RIGHT OF WAY ABANDONMENT, CHESTER (RIVERSIDE DRIVE)

Motion is made by Supervisor Powers and seconded by Supervisor Dennison adopting Resolution No. 06-7258, authorizing abandonment of a portion of the County right of way in Chester (Area V – 19,162 sq. ft. near Riverside Drive). AYES: Supervisors Olsen, Dennison, Comstock, Powers and Meacher. NOES: None. ABSENT: None. Carried and so ordered.

INDIAN VALLEY HEALTH CARE DISTRICT LOAN REQUEST

The Board receives a progress report from Barbara Thompson, County Counsel regarding the Indian Valley Health Care District loan request. Following discussion, the Board directs staff to receive assurance of payment from Indian Valley Health Care District due in June 2006 before there is any further consideration of funding on the appraisal received of \$166,000.

COUNTY HEARING OFFICE

Upon report and recommendation of Barbara Thompson, motion is made by Supervisor Olsen and seconded by Supervisor Powers to establish the office a County Hearing Office and determine that the Hearing Officer position be filled by contracts on a case by case basis for administrative hearings. AYES: Supervisors Olsen, Dennison, Meacher and Powers. NOES: Supervisor Comstock. ABSENT: None. Carried and so ordered.

Supervisor Comstock is opposed because she believes that the Board should serve as the hearing board for administrative hearings.

2004-2005 GRAND JURY RECOMMENDATIONS

Barbara Thompson, County Counsel presents the Board with a report and update regarding implementation of the 2005 Grand Jury recommendations. Discussion is held and Counsel receives comments from the Board.

13. COUNTY ADMINISTRATIVE OFFICE

Weekly report by Jack Ingstad, CAO regarding meetings attended, key topics and project updates.

14. BOARD OF SUPERVISORS ANNOUNCEMENTS AND REPORTS

Various announcements and report by Board members regarding issues related to County Government.

15. CONSENT AGENDA

Motion is made by Supervisor Dennison, seconded by Supervisor Powers and unanimously carried to approve the following consent agenda items.

A) BOARD OF SUPERVISORS

- 1) Approval of expenditures from Community Services Funds.

Department 20710 – Supervisor Powers

Sierra Institute – Donation (support function for HR 2389) \$ 150.00

Feather River College – Donation (student built house project) \$1,000.00

Department 20720 – Supervisor Meacher

Sierra Institute – Donation (support function for HR 2389) \$ 150.00

Department 20730 – Supervisor Dennison

Sierra Institute – Donation (support function for HR 2389) \$ 150.00

Department 20740 – Supervisor Comstock

Sierra Institute – Donation (support function for HR 2389) \$ 150.00

Plumas Arts – Donation-Town Hall Theatre \$2,500.00

- 2) Approval of Board minutes for March 2006.
- 3) Authorize the Chair to sign a letter to Ronald Baer, Beckwourth Ranger District regarding support for the Resource Advisory Committee proposal to rehabilitate the Smith Lake Trailhead and the Meadow View Campground.
- 4) Authorize the Chair to sign a letter to the Department of Transportation requesting encroachment permits for various events to be held in Indian Valley, District 2.

B) OFFICE OF EMERGENCY SERVICES

Supplemental budget for \$70,119 for receipt of funding from the Department of Homeland Security Grant, and authorize the purchase of fixed assets.

C) LIBRARY

Supplemental budget for \$39,335 for receipt of unanticipated revenue from the California State Library (\$21,150 for implementation of Mobile Technology Grant; and \$18,185 for implementation of Community Connections Grant).

D) COUNTY COUNSEL

- 1) Approve three agreements with the City of Portola: Law Enforcement Agreement, Animal Control Agreement and Lease Agreement for the Portola Substation, and authorize the Chair to sign.
- 2) Approve a contract with Attorney Janet Hilde to provide contract legal services in the absence of County Counsel, and authorize the Chair to sign.
- 3) Approve agreements regarding the transfer of responsibilities to the State of Court facilities in the City of Portola: Transfer Agreement and Possession and Use Agreement, and authorize the Chair to sign.

E) FACILITY SERVICES

Authorization to advertise for bids for replacement of windows at the Portola Memorial Hall, Agriculture Department, and Greenville Library.

F) SOCIAL SERVICES

Approve a four/ten work week for Department of Social Services employee Rozanne ReBell.

G) PUBLIC HEALTH AGENCY

- 1) Approve a Contingency Transfer of \$20,085 in Budget 20480-Senior Transportation to cover various payroll and overhead costs for remainder of FY 2005-2006.
- 2) Approve an award of forty-five (45) bicycle helmets from California Kid's Plates, Center for Injury Prevention Policy and Practice.
- 3) Approve a contract between Roseville Subaru and Plumas County Public Health Agency for the purchase of a 2006 Subaru Forester for \$21,156, and authorize the Chair to sign.

H) PUBLIC WORKS

- 1) Approve a Federal Exchange and State Match Agreement with the State of California for \$338,395, and authorize the Chair to sign.
- 2) **Walker Ranch CSD** – Sitting as the Governing Board for Walker Ranch CSD, approve a supplemental budget for \$15,000 for receipt of funding from Lake Almanor Associates.

16. APPOINTMENTS

CHESTER CEMETERY DISTRICT

Motion is made by Supervisor Dennison, seconded by Supervisor Powers and unanimously carried to re-appoint Ron Longacre to the Chester Cemetery District.

17. CORRESPONDENCE

Motion is made by Supervisor Powers, seconded by Supervisor Dennison and unanimously carried authorizing the Chair to sign correspondence to the USDA Forest Service regarding Secure Rural School Land Sales Initiative.

18. LEGISLATION UPDATE

None.

ADJOURNMENT

The Board adjourns at 4:50 p.m. to meet again on April 11, 2006 at 9:00 a.m. as the Board of Supervisors for all purposes.