

**REGULAR MEETING OF THE BOARD OF SUPERVISORS
COUNTY OF PLUMAS, STATE OF CALIFORNIA
HELD IN QUINCY ON APRIL 12, 2005**

1. ROLL CALL

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

2. INVOCATION AND FLAG SALUTE

Supervisor Dennison offers the invocation and Supervisor Meacher leads the flag salute.

3. PUBLIC COMMENT OPPORTUNITY

None.

**4. PLUMAS COUNTY DEPARTMENT HEADS COMMENT PERIOD
NATIONAL COUNTY GOVERNMENT WEEK**

In recognition of National County Government Week, Rich Turner, Veterans Service Officer is present and takes this opportunity to acknowledge volunteer van drivers. The Board commends all those who volunteer their services.

Elliott Smart, Director of Social Services recognized Loretta Ramirez, Social Worker Aid. Ms. Ramirez works mostly for Child Protective Services and is recognized for outstanding accomplishments. The Board commends Ms. Ramirez.

Tom Hunter, Director of Public Works informs the Board that his department has won the "Golden Grader". The Golden Grader goes to whichever Public Works Department has the least amount of workman's compensation claims filed.

5. BOARD OF SUPERVISORS ANNOUNCEMENTS AND REPORTS

Supervisor Comstock, Supervisor Meacher and Tom Hunter, Director of Public Works recently visited Washington DC to meet with The Ferguson Group to present the County's FY 2006 federal agenda. Supervisor Comstock gives a report. Supervisor Comstock commends The Ferguson Group staff, in particular Krisit Arcularius. Supervisor Comstock commends Tom Hunter, Director of Public Works on advocating for funding for Lake Davis issues. The Sr. Center project slated for Quincy was removed from the list of projects. The Ferguson Group did not receive the required forms from the previous County Administrative Officer. The trip included meetings with Senator Feinstein, staff from Senator Boxer's office, and Congressman Doolittle and Congressman Herger. There were also meetings with staff from the Resources Committee and Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment, where they addressed issues such as the Quincy Library Group lawsuit. Overall, the trip was very productive.

Supervisor Meacher reports on a meeting with State Senator Cox who is interested in visiting Plumas County.

Supervisor Meacher and Supervisor Comstock attended the RCRC Board of Directors meeting.

6. SOCIAL SERVICES

ROLL-BACK OF STATE PARTICIPATION IN IHSS WAGES

At the request of Elliott Smart, Director of Social Services this matter is removed from the agenda.

7. BOARD OF SUPERVISORS

PUBLIC HEARING/RESOLUTION 05-7130 RE: MASTER FEE SCHEDULE, AMENDING

The public hearing is opened. There being no comment, the hearing is closed. There is discussion by the Board. The Board believes the Master Fee Schedule should be amended in the fall of each year following adoption of the budget and not before the end of the fiscal year. Supervisor Meacher will be requesting that the Department of Facility Services conduct a review to establish fees specifically for special districts and other government agencies for use of County buildings. Today, Supervisor Meacher is covering rental fees from Community Services Funds for special districts to hold their meetings.

Motion is made by Supervisor Powers and seconded by Supervisor Meacher adopting Resolution No. 05-7130, amending the Master Fee Schedule Establishing Service Fees for County Departments. AYES: Supervisors Comstock, Powers, Meacher, Olsen and Dennison. NOES: None. ABSENT: None. Carried and so ordered.

SCHEDULE FOR FY 2005/2006 BUDGET HEARINGS

Motion is made by Supervisor Powers, seconded by Supervisor Olsen and unanimously carried to schedule August 22-26, 2005 for FY 2005/2006 Budget Hearings with adoption of the final budget in a special meeting on August 30, 2005.

8. 2002 RESOURCES BOND ACT – PER CAPITA

PROPOSITION 40-PER CAPITA GRANT GANSNER PARK PROJECT

Motion is made by Supervisor Meacher, seconded by Supervisor Comstock and unanimously carried to award the bid to Burfeind Construction for \$24,605 for Proposition 40-Per Capita Grant Gansner Park project, and authorize the Chair to sign the contract.

PROPOSITION 40-PER CAPITA GRANT - SIERRA VALLEY GRANGE PROJECT

Motion is made by Supervisor Powers, seconded by Supervisor Olsen and unanimously carried to award the bid to Burfeind Construction for \$74,600 for Prop. 40-Sierra Valley Grange project, and authorize the Chair to sign the contract.

9. PLUMAS ARTS

Members of Plumas Arts address the Board with a powerpoint presentation regarding budget information, activities and the recent renovation of the Town Hall Theatre in Quincy. The Board commends Plumas Arts for their active role in community events throughout the County.

10. BOARD OF SUPERVISORS

CLOSED SESSION

The Board meets in closed session from 11:35 a.m. to 1:10 p.m. and from 3:35 p.m. to 4:20 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.

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

APPEAL OF DIETER AND URSULA KLEINHANS – BUILDING PERMIT FOR ACCESSORY BUILDING, PORTOLA

Dieter and Ursula Kleinhans have appealed the decision of the Building Official not to invoke the provisions of County Code §8-10.04(c) to deny the issuance of a building permit for an accessory building. John McMorrow, Director of Planning & Building Services is present and addresses the Board. The Section states as follows:

The exterior style of all structures and occupied mobile homes which are constructed, reconstructed, or placed in the County shall be subject to the Approval of the Building Official as to compatibility with the existing structures and habitations in the neighborhood, and any such facilities which are incompatible shall be prohibited.

The code section was enacted prior to 1972 and only utilized to prohibit a geodesic dome. After 1972, the provision has never been invoked to deny a permitted use. The code section does not incorporate any standards or policies to insure consistent and impartial application. The Board does have the option to grant the appeal and deny the structure based upon the County Code Section. If the Board intends to take such action, Mr. McMorrow recommends that County Counsel review the impact this may have. The parcel in question is part of a subdivision, which has deed restrictions that may prohibit the subject structure. These restrictions are not enforceable by the County.

The Chair receives comments from the public. Attorney David Adrian, representing the property owner, addresses the Board. The accessory building is approximately 50% complete. The subject property is one of 17 parcels within a subdivision. The subdivision has CC&R's although they have never been enforced. Mr. Adrian requests that the Board deny the appeal.

Various members of the public and property owners within the subject subdivision are opposed to the issuance of the building permit and request that the Board uphold the appeal. There is concern that the subject accessory building has decreased the value of their properties.

There is discussion by the Board. Supervisor Olsen clarifies that the accessory building will not be used for a commercial business. Supervisor Comstock clarifies that the State Department of Real Estate would enforce the deed restrictions or CC&R's. Supervisor Powers is concerned that property owners do not care about the integrity of the neighborhood. The subdivision sits on a meadow and has different surroundings and personality. Supervisor Powers believes there are good intentions on both sides and is sorry that this matter had to come to an appeal before the Board.

Motion is made by Supervisor Comstock and seconded by Supervisor Dennison to uphold the recommendation of the Director of Planning & Building Services and deny the appeal filed by Dieter and Ursula Kleinhans. AYES: Supervisors Comstock, Meacher and Dennison. NOES: Supervisors Powers and Olsen. ABSENT: None. Carried and so ordered.

12. PLUMAS COUNTY SHERIFF

\$10,000 FROM GENERAL FUND CONTINGENCY FOR FACILITY MAINTENANCE COSTS

Motion is made by Supervisor Olsen and seconded by Supervisor Comstock to appropriate \$10,000 from the General Fund Contingency to 70380-52130 Maintenance Bldg. Grounds to cover facility maintenance costs expended for FY 2004/2005 per Facility Services. AYES: Supervisors Comstock, Powers, Meacher, Olsen and Dennison. NOES: None. ABSENT: None. Carried and so ordered.

13. HUMAN RESOURCES

CONTRACT FOR EXECUTIVE SEARCH SERVICES – COUNTY ADMINISTRATIVE OFFICER

As directed by the Board on March 29, 2005, the Department of Human Resources solicited and received 5 proposals from executive search firms to assist the County in recruiting a new County Administrative Officer. Following review and as recommended, motion is made by Supervisor Powers and seconded by Supervisor Comstock authorizing the Interim CAO to execute an agreement with Ralph Andersen & Associates for such services and upon approval by County Counsel. AYES: Supervisors Comstock, Powers, Meacher and Dennison. NOES: Supervisor Olsen. ABSENT: None. Carried and so ordered.

14. COUNTY ADMINISTRATIVE OFFICE

\$66,166 FROM GENERAL FUND CONTINGENCY

Motion is made by Supervisor Powers and seconded by Supervisor Meacher and unanimously carried to appropriate \$66,166 from the General Fund Contingency to various accounts in the CAO's Budget Unit 0001-20030. AYES: Supervisors Comstock, Powers, Meacher, Olsen and Dennison. NOES: None. ABSENT: None. Carried and so ordered.

15. COUNTY COUNSEL

TAX AND REVENUE ANTICIPATION NOTES (TRANS)

Upon report and recommendation of Barbara Thompson, County Counsel, motion is made by Supervisor Olsen, seconded by Supervisor Powers and unanimously carried authorizing the Clerk of the Board to sign a notice indicating that the County of Plumas will not authorize issuance of Tax and Revenue Anticipation Notices (TRANS) on behalf of the Plumas County Board of Education or the Plumas Unified School District, thus authorizing those entities to issue TRANS on their own behalf.

16. PLUMAS COUNTY AND FLOOD CONTROL DISTRICT

AGREEMENT WITH FOREST COMMUNITY RESEARCH – PROP. 13 GRANT

This matter is before the Board for approval of an agreement with Forest Community Research for specific work related to the Proposition 13 Grant. There is discussion by the Board regarding the expanded budget presented by Forest Community Research. The Board questions the Administration line item and the formula used to determine the dollar amount presented. This matter is continued to April 19, 2005, following review of the expanded budget by Tom Hunter, Director of Public Works.

CLOSED SESSION RE: INITIATION OF LITIGATION

This matter is continued to April 19, 2005.

17. PLUMAS COUNTY AND FLOOD CONTROL DISTRICT

CLOSED SESSION

The Board meets in closed session from 3:15 p.m. to 3:35 p.m. for conference with Legal Counsel regarding anticipated litigation (Government Code Sec. 54956.9(b)(3)(C)). Correspondence from City of Portola regarding Lake Davis Water Treatment Plant.

18. COUNTY COUNSEL

CLOSED SESSION RE: PENDING LITIGATION

This matter is continued to April 19, 2005.

19. CONSENT AGENDA

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

A) BOARD OF SUPERVISORS

- 1) Approval of expenditures from Community Services Funds.
Department 20740 – Supervisor Comstock
Quincy Certified Farmers' Market – Donation \$500.00
- 2) Authorize the Chair to sign a letter to the CA Department of Transportation in support of encroachment permits for the Graeagle 4th of July annual events.
- 3) **RESOLUTION** 05-7131, in Support of Identifying the Historic US Highway Route 40.

B) PLUMAS COUNTY SHERIFF

Supplemental budget for \$9,999.99 to implement the Every 15 Minutes program at Portola High School, and authorize the Sheriff to sign the contract.

C) COUNTY CLERK/RECORDER

Budget transfer for \$1,505 to cover costs associated with the purchase of a color scanner for the Records Management department.

D) FACILITY SERVICES

- 1) Appropriate \$1,375 from Criminal Justice Construction Contingencies to Capital Improvements to cover costs for fencing enclosure around electrical transformer at the Correctional Facility.
- 2) Appropriate \$1,426 from Criminal Justice Construction Contingencies to Capital Improvements to cover costs for five-year inspection and service of the automatic fire sprinkler system at the Correctional Facility.

E) PUBLIC HEALTH AGENCY

- 1) Supplemental Budget for \$2,289 for receipt of unanticipated revenue from the Area Agency on Aging for Senior Services Transportation for FY 2004/2005, and authorize the Interim Director of Public Health to sign the Contract Modification.
- 2) Supplemental budget for \$9,257 for receipt of unanticipated revenue from State Public Health Subvention funds for FY 2004/2005, and authorize Dr. Gladden, Plumas County Health Officer to sign the Certificate of State Financial Assistance.

F) DISTRICT ATTORNEY

- 1) Supplemental budget reduction for \$4,530 to eliminate the Workers' Compensation Fraud Grant for FY 2004/2005 and approval to transfer the unused Workers' Compensation Grant contingency funds to Special Department Expense for return of funding.
- 2) Supplemental budget for \$475 for anticipated revenue from the establishment of fees for Xerox, CD, videotape and audiotape copies.

G) AGRICULTURE

- 1) Agreement with Division of Measurement Standards for \$750 for weigh master auditing, and authorize the Chair to sign.
- 2) Agreement with Division of Measurement Standards for \$1,725 for petroleum products inspection, and authorize the Chair to sign.

H) PROBATION

- 1) Approval of Collaborative Justice Court/Substance Abuse Focus Grant Contract and supplemental budget for \$14,000 for receipt of funding from the Administrative Office of the Courts.
- 2) **RESOLUTION** 05-7132, authorizing a Contract with the California Youth Authority to Obtain Diagnostic and Treatment Services, and authorize the Chief Probation Officer to execute Agreement No. 04-932.

I) SOCIAL SERVICES

Approval of a contract for funds granted from the California Endowment for a Communities First Dental Hygiene grant, and authorize the Director of Social Services to sign; and approval of a supplemental budget for \$241,245 to fund the services.

J) PLANNING & BUILDING SERVICES

Partial refund of Special Use Permit application fee for \$419.05 to Kirsten Roling.

K) ELECTIONS

- 1) **RESOLUTION** 05-7133, authorizing the County Clerk to Conduct a Special Election on July 26, 2005 for the Almanor Recreation and Park District.
- 2) **RESOLUTION** 05-7134, authorizing the County Clerk to Conduct a Special Election on July 26, 2005 for the Prattville/Almanor Fire Protection District.

L) MENTAL HEALTH

- 1) Approve Professional Office Lease associated with the Children's System of Care and Wraparound project for space located at 395 Jackson Street, Quincy and authorize the Director of Mental Health to sign.
- 2) Supplemental budget for \$500 for receipt of grant funding from the Plumas County Child Abuse Prevention Council for Children's System of Care.

M) PLUMAS CORPORATION

Authorize the Chair to sign a letter in support of an upcoming application to the Region 5 Forest Service under the State and Private Forestry Economic Action Program-Economic Recovery Program for the Forests in California (Visitor's Bureau in Chester).

N) PUBLIC WORKS

- 1) Approval of Final Map for Foxglenn, Phase 5, Lake Almanor, and authorize the Chair to sign the Subdivision Agreement.
- 2) Approval of Final Map for Foxhollow, Phase 2, Lake Almanor, and authorize the Chair to sign the Subdivision Agreement.
- 3) Approve a contract with Hutchins Paving & Engineering, Inc. for the East Quincy Pathway Project and authorize the Director of Public Works to sign. Approved as to form by County Counsel.
- 4) Sitting as the Governing Board of the Grizzly Ranch CSD, approve a Vendor Service Agreement with Plumas Sanitation for pump and haul services, subject to approval by County Counsel.

O) BECKWOURTH FIRE PROTECTION DISTRICT

RESOLUTION 05-7135, authorizing the County Clerk/Elections Official to Permit the Beckwourth Fire Protection District to Conduct a Mailed Ballot Election on July 26, 2005.

20. APPOINTMENTS

None.

21. CORRESPONDENCE

None.

22. LEGISLATION UPDATE

None.

ADJOURNMENT

The Board adjourns at 4:20 p.m. to meet again on April 19, 2005 at 9:00 a.m. as the Community Development Commission and at 10:00 a.m. as the Board of Supervisors for all purposes.

William N. Dennison, Chairman of the Board

ATTEST:

Nancy L. DaForno, Clerk of the Board