

**REGULAR MEETING OF THE BOARD OF SUPERVISORS
COUNTY OF PLUMAS, STATE OF CALIFORNIA
HELD IN QUINCY ON AUGUST 02, 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

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

3. PUBLIC COMMENT OPPORTUNITY

John Sheehan presents the Board with a handout regarding PG&E Stewardship Lands. Supervisor Meacher, a member of the Stewardship Council, is familiar with the information provided. The Board agrees to schedule a study session regarding this matter.

4. PLUMAS COUNTY DEPARTMENT HEADS COMMENT PERIOD

The Board congratulates Dr. Hank Foley, Director of Public Health on his appointment as Chair of the County Health Executive Association of California, and a member of the Executive Committee.

**5. PLUMAS COUNTY BOARD OF EQUALIZATION
ASSESSMENT APPEALS HEARINGS**

Sitting as the Plumas County Board of Equalization, November 02 and 03, 2005 are scheduled to address Assessment Appeals.

**6. PUBLIC HEALTH AGENCY
PLATINUM LUNG AWARD**

Dr. Hank Foley, Director of Public Health and Barbara Biddle, Health Education Coordinator are present and address the Board regarding Plumas County's compliance with Labor Code 6404.5, Smoke Free Workplace Law. As of June 30, 2005, 16 months into the enforcement plan, no citations have been necessary. The Code Compliance Officer has made more than 150 visits and reached 100% of the bars and bar/restaurants in Plumas County. Because of Plumas County's excellent accomplishments, Dian Kiser, representing the American Lung Association presents the *Platinum Lung Award* to Plumas County Hospitality Businesses. The *Platinum Lung Award* is the highest award given by the American Lung Association. The award will be circulated amongst local businesses. The Board congratulates all those involved in this accomplishment.

**7. AGRICULTURE
PREDATORY ANIMAL WORK PLAN - USDA WILDLIFE SERVICES**

Upon report and recommendation of Karl Bishop, Agriculture Commissioner and following brief discussion by the Board, motion is made by Supervisor Meacher, seconded by Supervisor Olsen and unanimously carried to approve a six-month work plan for \$21,750 with the USDA Wildlife Service to provide predatory animal control in Plumas and Sierra Counties, and authorize the Chair to sign.

**8. BOARD OF SUPERVISORS
EMPLOYMENT AGREEMENT – DIRECTOR OF CHILD SUPPORT SERVICES**

Motion is made by Supervisor Meacher, seconded by Supervisor Powers and unanimously carried to appoint Michelle Blackford as Director of Child Support Services, effective August 01, 2005, approve the Employment Agreement, and authorize the Chair to sign.

USE OF PLUMAS COUNTY WEB SITE BY OUTSIDE AGENCIES

Following brief discussion regarding use of the Plumas County web site by outside agencies, County Counsel agrees to draft a policy for consideration by the Board.

RENTAL USE RATES FOR COUNTY COMMUNITY FACILITIES

Supervisor Meacher brings this matter before the Board for review and possible amendment to the current policy to set a reduced fee for other entities to use County community centers. Supervisor Meacher informs the Board that he continues to use Community Services Funds to reimburse Facility Services for costs incurred by non-governmental organizations (NGO) to use the community center in Greenville. In some districts there are governmental entities that do not have the space in their own facilities to conduct meetings that are required by state law. And, these same special districts do not have the money to pay the county's fee. Supervisor Meacher further reports that because of the donations to cover the use fees, District No. 2 Community Services Fund has incurred a debt. There is discussion by the Board. Supervisor Dennison questions how to determine what agencies are charged and what agencies are not charged a use fee. Supervisor Meacher recommends that all special districts and other government agencies be exempt from the fee. Supervisor Comstock believes that District No. 2, represented by Supervisor Meacher, is exceptional because of the lack of space to hold meetings. Supervisor Powers concurs.

Greenville Townhall Use Fees for FY 2005-2006

Motion is made by Supervisor Powers, seconded by Supervisor Comstock and unanimously carried to waive the space use fees for the Indian Valley Healthcare District, the Indian Valley Recreation & Park District, and the Indian Valley Community Services District for use of the Greenville Townhall for FY 2005-2006.

Forgive Debt Incurred for District No. 2 Community Services Fund

Motion is made by Supervisor Comstock and seconded by Supervisor Powers to forgive the debt incurred, not to exceed \$2,600, for District No. 2 Community Services Fund for FY 2004-2005. AYES: Supervisors Comstock, Powers, Meacher, Olsen and Dennison. NOES: None. ABSENT: None. Carried and so ordered.

9. COUNTY COUNSEL CLOSED SESSION

The Board meets in closed session from 12:00 p.m. to 12:10 p.m. and from 4:00 p.m. to 4:30 p.m. for conference with Legal Counsel.

Pending Litigation

- Robert Schmidt v. Plumas County, et. al., United States District Court, Eastern District of California, Case No. 2:05-CV-01125-MCE-GGH
- Christi Schmidt v. Plumas County, et. al., United States District Court, Eastern District of California, Case No. 2:05-CV-01124-GEB-DAD

Potential Litigation

- Potential Litigation pursuant to Government Code §54956.9(b)(1) (Workers' Compensation Claim)

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

PUBLIC HEARING/ORDINANCE RE: LODGING AS A USE PERMITTED ON SECOND FLOOR

Following presentation by James Graham, Senior Planner, the public hearing is opened. There being no comment, the public hearing is closed and the matter is before the Board for decision. Motion is made by Supervisor Comstock and seconded by Supervisor Powers finding that the subject Ordinance does not have a significant effect on the environment, and to waive the first reading of the Ordinance, amending the Plumas County Code to Allow Lodging as a Use Permitted on the Second Floor in the Core Commercial Zone (C-1), if the Entire First Floor is Used for Commercial Purposes. AYES: Supervisors Comstock, Powers, Meacher, Olsen and Dennison. NOES: None. ABSENT: None. Carried and so ordered. The title of the Ordinance is read and continued to August 09, 2005 for adoption.

RESOLUTION 05-7181 AND ORDINANCE RE: WINTER 2005 GENERAL PLAN AMENDMENTS

Upon report and recommendation of Rebecca Herrin, Senior Planner, motion is made by Supervisor Powers and seconded by Supervisor Meacher adopting Resolution No. 05-7181, Plumas County Winter 2005 General Plan Amendments and waives the reading of an Ordinance, Rezoning Certain Real Property Consistent with General Plan Amendments. AYES: Supervisors Comstock, Powers, Meacher, Olsen and Dennison. NOES: None. ABSENT: None. Carried and so ordered. The title of the Ordinance is read and continued to August 09, 2005 for adoption.

PUBLIC HEARING/ORDINANCE (s) RE: PLANNING AND ZONING PROCEDURE FOR ABATEMENT AND RECOVERY COSTS FOR SUBSTANDARD STRUCTURES AND PROPERTIES

This matter is before the Board for consideration to amend the County Code to assign the authority for Abandoned Vehicle Abatement to the Code Enforcement Office, and broaden the scope of application to include involuntary abatements. William Kelley, Assistant Building Official addresses the Board with an overview of the matter before them. Mr. Kelley informs the Board that there are two issues referred to in the backup material that will be addressed on August 16, 2005.

The public hearing is opened. There being no comment, the public hearing is closed and the matter is before the Board for decision.

There is discussion by the Board. Supervisor Comstock is concerned that the amendment before them may be too stringent. Supervisor Comstock refers to “Excess Inoperable” and that the property owner may only have one unregistered or inoperable vehicle. Supervisor Comstock believes that there are numerous property owners that may have more than one unregistered or inoperable vehicle and this may not be a problem to surrounding neighbors or considered a nuisance. Mr. Kelley assures the Board that an issue such as referred to by Supervisor Comstock would only be addressed if a complaint or numerous complaints were received and must be considered a “nuisance”. The State Vehicle Code sets the proposed change in definition.

Supervisor Meacher has been a member of the Plumas County Abatement Committee and views this matter as a way for the Code Enforcement Office to finally deal with various health hazard issues and vehicle abatement throughout the county. Supervisor Meacher recommends approval.

Supervisor Dennison concurs with Supervisor Meacher although is optimistic about the program being self-funded as outlined in the backup material.

Supervisor Powers is in favor of the proposal before the Board and refers to issues that he faced while a member of the Portola City Council.

Supervisor Olsen informs the Board that he has received a complaint in his district regarding horses. John McMorrow, Director of Planning & Building Services informs Supervisor Olsen that this is a zoning issue and would be addressed different than the matter before the Board.

James Stretch, Interim CAO reports that there is currently \$146,000 available in an abatement fund that could be used to get the proposed program started.

There are five separate Ordinances before the Board regarding this matter. The following action is taken.

Motion is made by Supervisor Meacher and seconded by Supervisor Powers to waive the reading of the Ordinances amending the Plumas County Code (Abandoned, Wrecked, Dismantled, or Inoperative Vehicles; Sanitation and Health; Building Regulations; Planning and Zoning; Procedure for Abatement and Recovery of Costs), and as amended by County Counsel. AYES: Supervisors Powers, Meacher and Dennison. NOES: Supervisors Comstock and Olsen. **Motion dies due to a required four/fifths majority vote.**

There is further discussion regarding concerns of Supervisors Comstock and Olsen.

Motion is made by Supervisor Meacher and seconded by Supervisor Powers to waive the reading of the Ordinances amending the Plumas County Code (Abandoned, Wrecked, Dismantled, or Inoperative Vehicles; Sanitation and Health; Building Regulations; Planning and Zoning; Procedure for Abatement and Recovery of Costs), and as amended by County Counsel. AYES: Supervisors Powers, Meacher and Dennison. NOES: Supervisors Comstock and Olsen. **Motion dies due to a required four/fifths majority vote.**

John McMorrow, Director of Planning & Building Services addresses concerns of Supervisor Comstock by clarifying the proposed amendment to the County Code and the wording as outlined in the backup material before the Board.

Motion is made by Supervisor Meacher and seconded by Supervisor Powers to waive the reading of the Ordinances amending the Plumas County Code (Abandoned, Wrecked, Dismantled, or Inoperative Vehicles; Sanitation and Health; Building Regulations; Planning and Zoning; Procedure for Abatement and Recovery of Costs), and as amended by County Counsel. AYES: Supervisors Comstock, Powers, Meacher, Olsen and Dennison. NOES: None. ABSENT: None. Carried and so ordered. The title of the five Ordinances is read and continued to August 16, 2005 for adoption.

RESOLUTION NO. 05-7182 RE: SERVICE AUTHORITY FOR ABATEMENT OF ABANDONED VEHICLES

Motion is made by Supervisor Meacher and seconded by Supervisor Powers adopting Resolution No. 05-7182, to establish a “Service Authority” for Abatement of Abandoned Vehicles, as provided in Section 22710 of the State Vehicle Code. AYES: Supervisors Comstock, Powers, Meacher, Olsen and Dennison. NOES: None. ABSENT: None. Carried and so ordered.

11. BOARD OF SUPERVISORS ANNOUNCEMENTS AND REPORTS

Supervisor Meacher gives a report and update on issues facing the PG&E Stewardship Council.

Supervisor Dennison gives an update on the PG&E 2105 FERC re-licensing issue.

Supervisor Comstock gives a report on the NACo Annual Conference that she recently attended. Supervisor Comstock provides the Board with information regarding the Public Lands Steering Committee, Community and Economic Development Steering Committee, a Prescription Drug Program through NACo, etc.

Supervisor Comstock announces that the Meadow Valley Cemetery District is celebrating their 150th Anniversary.

Supervisor Comstock is receiving complaints regarding ski boats on lower Bucks Lake and is in contact with the Sheriff Boat Patrol.

12.

CONSENT AGENDA

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

A) BOARD OF SUPERVISORS

- 1) Approval of Board minutes for July 12 and 19, 2005.
- 2) Authorize the Chair to sign a letter to the Department of Transportation for an Encroachment Permit for the Plumas-Sierra Fair Parade.

B) PLUMAS COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Approve the extension of contracts through June 30, 2006 for legal services between the County and the Flood Control District and Attorney Michael Jackson, and authorize the Chair to sign.

C) AGRICULTURE

Approve a Pest Detection Trapping Standard Agreement with the California Department of Food and Agriculture for \$7,096 for FY 2005/2006, and authorize the Chair to sign.

D) PROBATION

RESOLUTION 05-7177, authorizing the Chief Probation Officer to submit and sign the Plumas County Application for County's Comprehensive Multi-Agency Juvenile Justice Plan.

E) PLUMAS-SIERRA COUNTY FAIR

Approve the California Department of Food and Agriculture, Division of Fairs and Exposition State Operating Budget for FY 2005-2006 for the Plumas-Sierra County Fair, and authorize the Chair to sign.

F) COUNTY ADMINISTRATIVE OFFICE

Appropriate \$282 from the General Fund Contingency to cover expenses over budget for FY 2004-2005.

G) 2002 RESOURCES BOND ACT-PER CAPITA

RESOLUTION 05-7178, authorizing the Execution of an Amendment to Indian Valley Parks and Recreation District Contract with the California Department of Parks and Recreation to allow Pass-Through of 2002 Resources Bond Act (Proposition 40) Per Capita Grant funds for \$23,140 to Plumas County for Development of Taylorsville Tennis Court.

H) PLUMAS COUNTY GRAND JURY

Appropriate \$431 from the General Fund Contingency to cover expenses over budget for FY 2004-2005.

I) AIRPORTS

Approve Plans and Specifications for the Chester Rogers Field Crack Sealing project, authorization to advertise for bids for the project, and authorization for the Airport Capital Improvement Program Administrator to sign and submit federal and state grant agreements, subject to approval by County Counsel.

J) PUBLIC WORKS

Approve the final map and accept the offer of dedication for the public utility easements for Manor Subdivision at Bailey Creek.

K) TREASURER/TAX COLLECTOR

Supplemental budget for \$6,240 to increase various expenditure accounts for FY 2004-2005 offset by unanticipated revenue.

L) WALKER RANCH COMMUNITY SERVICES DISTRICT

Sitting as the Governing Board of Walker Ranch CSD, authorize the Chair to sign an agreement with Bob Merrifield to provide services as Sewer System Manager/Certified Operator. Approved as to form by County Counsel.

M) PUBLIC HEALTH AGENCY

- 1) Approve submission of an application for funding from Lassen-Plumas-Sierra Community Action Agency for Senior Nutrition Program, and authorize the Director of Public Health to sign various assurances as Board designee.
- 2) **RESOLUTION 05-7179**, amending the Personnel Allocation for the FY 2005-2006 including deletion of a .5 FTE Administrative Assistant and creation of a 1.0 FTE Office Assistant III for the Children & Families Commission Program.
- 3) Receive an update regarding the proposed statewide on-site wastewater treatment system regulations by the State Water Resources Control Board, and authorize the Director of Environmental Health to submit written comments expressing concern over the local impacts.

N) SHERIFF

Approve the Federal Equitable Sharing Agreement for Sheriff's participation in the federal equitable sharing program for asset forfeitures and the Federal Annual Certification Report for FY 2004-2005, and authorize the Chair to sign.

O) COUNTY COUNSEL

RESOLUTION 05-7180, authorizing the Plumas Unified School District to Issue Bonds without further action by the County.

P) LIBRARY

Appropriate \$1,535 from the General Fund Contingency and approve a supplemental budget for \$3,422 offset by revenue to cover expenses for FY 2004-2005.

Q) 2002 RESOURCES BOND ACT – PER CAPITA

Authorize the Chair to sign an Agreement with Wilburn Construction for the Greenville Park project (Prop 40 Per Capita Grant). Approved as to form by County Counsel.

13. APPOINTMENTS

LAKE ALMANOR BASIN ADVISORY COMMITTEE

At the request of Chairman Dennison, motion is made by Supervisor Meacher, seconded by Supervisor Powers and unanimously carried to appoint Sharon Thrall, Aaron Seandel, Carl Felts and Lorena Gorbet to the Lake Almanor Basin Advisory Committee.

14. CORRESPONDENCE

ECTOWN USA

Motion is made by Supervisor Powers, seconded by Supervisor Dennison and unanimously carried authorizing the Chair to sign correspondence in regards to support of EcTown USA and their attempt for Plumas County to be the first County in the United States to wire all interested Chamber businesses into a single selling block. The County is hopeful that this process will help capture additional TOT taxes and increase sales made by local businesses.

15. LEGISLATION UPDATE

None.

URGENCY ITEM – BOARD OF SUPERVISORS
CLOSED SESSION RE: PERSONNEL

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

The Board meets in closed session from 11:40 a.m. to 12:00 p.m. regarding personnel.
Public employee appointment or employment – County Administrative Officer

ADJOURNMENT

The Board adjourns at 4:30 p.m. to meet again on August 03, 2005 in a Special Meeting for a study session.

William N. Dennison, Chairman of the Board

ATTEST:

Nancy L. DaForno, Clerk of the Board