

**REGULAR MEETING OF THE BOARD OF SUPERVISORS
COUNTY OF PLUMAS, STATE OF CALIFORNIA
HELD IN QUINCY ON DECEMBER 20, 2005**

1. ROLL CALL

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

2. INVOCATION AND FLAG SALUTE

Pastor Tarleton from the First Baptist Church of Quincy offers the invocation and Jack Ingstad, County Administrative Officer leads the flag salute.

3. PUBLIC COMMENT OPPORTUNITY

None.

4. PLUMAS COUNTY DEPARTMENT HEADS COMMENT PERIOD

None.

5. COMMUNITY DEVELOPMENT COMMISSION

**PUBLIC HEARING/RESOLUTION 05-7229 RE: GENERAL/NATIVE AMERICAN
ALLOCATION BLOCK GRANT**

The public hearing is opened. There being no comment, the public hearing is closed. Motion is made by Supervisor Powers and seconded by Supervisor Comstock adopting Resolution No. 05-7229, approving and application and contract execution for funding from the General/Native American Allocation (Economic Development) of the State Community Development Block Grant (CDBG) Program and authorizing the execution of a grant agreement and any amendments thereto with the State of California for the purposes of this Grant. AYES: Supervisors Comstock, Powers, Olsen and Meacher. NOES: None. ABSENT: Supervisor Dennison. Carried and so ordered.

6. VETERANS SERVICES

IMPLEMENTATION OF OUTREACH PROGRAM

Upon report and recommendation of Sheryl Austin, Veterans Service Officer, motion is made by Supervisor Comstock, seconded by Supervisor Olsen and unanimously carried, with Supervisor Dennison absent, to approve the request to establish and implement an Outreach Program to the Veterans and dependents of Plumas County.

7. BOARD OF SUPERVISORS

THE FERGUSON GROUP, AGREEMENT FOR 2006

Motion is made by Supervisor Olsen, seconded by Supervisor Comstock and unanimously carried, with Supervisor Dennison absent, to approve an Agreement between Plumas County and The Ferguson Group, LLC for 2006, and authorize the County Administrative Officer to sign.

CLOSED SESSION

The Board meets in closed session from 10:30 a.m. to 10:40 a.m. for conference with Legal Counsel regarding potential litigation pursuant to Govt. Code §54956.9(b)(3)(a).

TAX INCREMENT SHARING NEGOTIATIONS

Supervisor Powers brings this matter before the Board for discussion and possible action regarding tax increment sharing negotiations; strategies for Special Districts, City, County Partnerships for efficient planning. Supervisor Powers personally thanks members of the committee for all their efforts. A survey was presented to all special districts and the response was well received.

Supervisor Powers presents the Board with a summary as follows:

From the special district surveys that I have received back from my request (21 of 48), I'm forming several critical opinions that I will present to the Board today.

Summary:

The resolution that came before us adds a negative to state law that doesn't serve anyone well. State law requires that the County negotiate with special districts in good faith. By adding the proposed resolution, any district could argue that the county is not negotiating in good faith. I request that we pull the resolution from consideration and rely on State law to guide us with building a better county service system with districts and the City of Portola, the three local government entities that have responsibility to provide service to the general public. We cannot predict the future, but we can guarantee with a degree of certainty that the service needs throughout Plumas County will change with the changes in our population, and that those changes each provide an opportunity to work with districts and the City to better serve the public.

In addition, I want to bring out a much bigger issue that is emerging; that of service districts that have not always grown to meet the needs of their expanding responsibilities. There was a time in the not-to-distant past when infrastructure and safety issues could be addressed in a fairly simple way. But with the addition of myriad State requirements and mandates, those responsibilities of the districts, city, and county have grown exponentially. I bring to your attention the following:

- All special districts serve a portion of the general public of the County
- Special districts provide a variety of services, and no two are exactly alike
- The disparity in districts makes them difficult to fund and manage by volunteers only, and many are in desperate need of paid staff
- Most districts can't afford staff
- Sharing tax revenues from the County General Fund must occur so that it does not diminish in any way services maintained to serve all Plumas County residents.
- Special districts, to stay with the intent and purpose of state LAFCo regulations and common sense, need to accept and provide for annexed areas contiguous to their service area.
- These annexed areas will by state law generate a share of the increment upon which that portion of property is predicated, and where services are transferred from the county to the district
- Service priorities, if ranked by the general population would be fire protection, emergency services, sheriff's services, water and sewer services, senior services, health services, social services, cemetery services, drug and alcohol services, mental health services, veteran's services, and many, many more; some assigned to districts and some to the county
- No service should be omitted, including several not mentioned
- Disparity in wealth in like service districts (e.g. fire protection) creates difficulties

I believe the public would be best served by working in partnership with the districts and the city to seek more efficient design in districts, find ways to provide uniform service for cost recovery, assist each other to provide better service in each community and sparse populations, and to create by consensus mutually-responsive areas of service. This question isn't about rich districts and poor, but it is certainly about better service to everyone.

I suggest that in the following months, the county create a working group in conjunction with our general plan revision and the local agency formation commission's effort to conduct municipal service reviews for all special districts, to assess the efficiency of services in all areas, from fire and emergency services, through health and human service, as well as infrastructure considerations. This will take time and energy, but with a positive approach can be achieved.

There is discussion by the Board. Supervisor Olsen believes it is important to address the needs of special district and in particular the smaller districts that continue to struggle financially. Supervisor Olsen believes that each fire district should benefit from the taxes generated within their fire protection district. Supervisor Olsen further requests that the Plumas County Flood Control District be separate from the general fund.

Supervisor Comstock believes the time is appropriate to consider the formation of a countywide fire district. Supervisor Comstock refers to the cost of a Municipal Services Review and questions if required by law. Many of the small districts are not financially solvent to cover costs associated with a Municipal Services Review.

Supervisor Meacher informs the Board that Mariposa County has formed a successful countywide volunteer fire district and agrees to gather more information. Supervisor Meacher believes it is important for special districts to establish a "bill back" system to recoup costs associated with their services. It is suggested that special districts join the California Special Districts Association.

There being no further discussion, the Chair calls for a motion. Motion is made by Supervisor Powers and seconded by Supervisor Comstock to form a working partnership between county staff, Board Members, Service Districts, LAFCo, and at-large residents to create better services for all Plumas County residents; consistent with LAFCo and General Plan Amendment efforts; and direct that the partnership address the Board with a report and update at a minimum of a quarterly basis. AYES: Supervisors Comstock, Powers, Olsen and Meacher. NOES: None. ABSENT: Supervisor Dennison. Carried and so ordered.

RESOLUTION RE: TAX INCREMENT SHARING POLICY

Following discussion, motion is made by Supervisor Powers and seconded by Supervisor Comstock to reject the Resolution before the Board regarding a policy of not sharing any portion of the County's General Fund or Flood Control District's share of the Tax Increment with any Special District unless there is a transfer of existing service responsibility, and direct staff to return with a policy for negotiating with Special Districts for sharing of the tax increment. AYES: Supervisors Comstock, Powers, Olsen and Meacher. NOES: None. ABSENT: Supervisor Dennison. Carried and so ordered.

8. INDIAN VALLEY HEALTH CARE DISTRICT \$200,000 SHORT-TERM BRIDGE FINANCING LOAN

Indian Valley Health Care District is before the Board requesting a \$200,000 loan from the County to give the current Administration time to implement a recovery program aimed at continuing quality healthcare to the community and bringing the hospital out of bankruptcy. Terry Martin, Chair of the Health Care District and Vic Biswell, Director of Indian Valley Hospital are present and address the Board. Indian Valley Hospital is going through a stressful period in operations. A significant cash flow problem must be addressed immediately or the hospital including long-term care will close. While the expenses are in line with the budget the revenues have fallen due to a lack of utilization of hospital and clinic services. A bridge loan from the County will keep the hospital open and give the current Board and Administrator time to implement a solid recovery program to return quality care to the community.

Mr. Biswell informs the Board that Indian Valley Hospital has applied for a grant from the California Department of Energy to expand the existing geothermal resources to include a Rehabilitative Hydrotherapy Spa Facility. Supervisor Meacher believes that if funded, the facility will be successful and will solve all financial difficulties of Indian Valley Hospital.

There is discussion by the Board.

Supervisor Comstock questions why capital improvement funding was not used toward the geothermal project versus purchasing new equipment for the hospital. Supervisor Comstock refers to the latest Statement of Operations and Balance Sheet and questions if the loan would be enough to keep the hospital open. Supervisor Comstock further states that it is time to face regionalization of medical care.

Supervisor Powers refers to the 2004 audit and the working capital shortfall.

Supervisor Olsen questions the hospital being unable to obtain funding from other entities. Supervisor Olsen refers to "Friends of the Hospital" that continually help Eastern Plumas District Hospital.

Jack Ingstad, CAO believes the Board needs to look at the request from a public standpoint. Mr. Ingstad does not believe that the County will be paid back within the 18 month period.

Barbara Thompson, County Counsel believes the Board needs to compare the value of health care to other public requests. Ms. Thompson reminds the Board that the subject building to be used for collateral has an assessed value of \$150,000.

There being no further discussion, motion is made by Supervisor Olsen and seconded by Supervisor Powers to approve a short-term bridge financing loan for up to \$200,000 for the Indian Valley Health Care District with condition as follows:

- Authorize an exception to the County Loan Policy.
- The loan amount is based on the appraised value of the property to be used as collateral; and secured by a Deed of Trust and Unencumbered Taxes.
- The loan is subject to approval of the Bankruptcy Court.
- The loan is not to exceed eighteen (18) months with the first installment due in six (6) months.
- The Budget Officer is directed to work with the Auditor/Controller to fund the loan assuring that the County maintains adequate reserves.

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

9. BOARD OF SUPERVISORS
CLOSED SESSION

The Board meets in closed session from 1:05 p.m. to 1:20 p.m. for conference with Labor Negotiator regarding employee negotiations – Sheriff's Department Employees Association.

NOON RECESS

AFTERNOON SESSION

The Board reconvenes at 1:45 p.m. with all Board members present as in the morning session.

10. PLANNING & BUILDING SERVICES

PUBLIC HEARING/RESOLUTION 05-05-7231/ORDINANCE RE: GPA-SIERRA VALLEY FIRE

The public hearing is opened. Various members of the public address the Board in favor of the proposed General Plan Amendment for Sierra Valley Fire Protection District. There being no further comment, the public hearing is closed.

Motion is made by Supervisor Powers and seconded by Supervisor Olsen to adopt Negative Declaration No. 579; adopt Resolution No. 05-7231, Sierra Valley Fire Protection District General Plan Amendment; and waive the first reading of an Ordinance, rezoning certain real property consistent with certain General Plan Amendments. AYES: Supervisors Comstock, Powers, Olsen and Meacher. NOES: None. ABSENT: Supervisor Dennison. Carried and so ordered. The title of the Ordinance is read and continued to January 10, 2006 for adoption.

PUBLIC HEARING/RESOLUTION 05-7232 RE: AMENDING COUNTY MASTER FEE SCHEDULE

The public hearing is opened, there being no comment the public hearing is closed. Following discussion, motion is made by Supervisor Powers and seconded by Supervisor Comstock adopting Resolution No. 05-7232, referencing Exhibit "C" as recommended by the Department Planning & Building Services, amending portion of the County Master Fee Schedule establishing and modifying service fees. AYES: Supervisors Comstock, Powers, Olsen and Meacher. NOES: None. ABSENT: Supervisor Dennison. Carried and so ordered.

11. PLUMAS COUNTY PLANNING COMMISSION
PLUMAS COUNTY FRAMEWORK PLAN

Upon report and recommendation of Jonathan Schnal, Director of Planning & Building Services, motion is made by Supervisor Comstock, seconded by Supervisor Olsen and unanimously carried, with Supervisor Dennison absent, to approve a recommendation from the Plumas County Planning Commission regarding course of action concerning development of a countywide Framework Plan. The Framework Plan will be the County's master plan that sets out overall development objectives and overriding goals the County would pursue, thus expediting the General Plan process.

12. PUBLIC WORKS
TRI-B CONSULTING AGREEMENT – AMENDMENT

Motion is made by Supervisor Powers, seconded by Supervisor Olsen and carried, with Supervisor Dennison absent and Supervisor Comstock opposing, to approve an amendment to the Consulting Agreement with Tri-B Inc. for construction administration services for the Health & Human Services Complex, and authorize the Director of Public Works to sign.

13. COUNTY ADMINISTRATIVE OFFICE
WEEKLY REPORT

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

14. BOARD OF SUPERVISORS ANNOUNCEMENTS AND REPORTS

None.

Vice Chair, Robert Meacher leaves the Boardroom.

Motion is made by Supervisor Powers, seconded by Supervisor Olsen and unanimously carried, with Supervisors Dennison and Meacher absent, to appoint Supervisor Comstock as Chair Pro-Tem.

15. COUNTY COUNSEL CLOSED SESSION

The Board meets in closed session from 3:20 p.m. to 3:45 p.m. for conference with Legal Counsel.

- Real Property Negotiations pursuant to Govt. Code §54956.8.
- Personnel Exception pursuant to Govt. Code §54957 (County Counsel)
- Environmental Defense Project v. County of Plumas et al, Plumas Superior Court Case No. 25936

TRIAL COURT TRANSFER

At the request of County Counsel, this matter is removed from the agenda.

GREENHORN CREEK CSD – STATUS OF BOARD OF DIRECTORS

Sitting as the Governing Board of the Greenhorn Creek CSD, there is a report and update regarding the status of the Board of Directors. In the November 2003 UDEL Election, the residents of Greenhorn Creek CSD approved “Measure G” which authorized election of a board of directors in the November 2005 election. According to Kathleen Williams, Plumas County Clerk-Recorder, no one ran for office in 2005. Thus, members of the current Board of Director are still holding office.

16. PLANNING & BUILDING SERVICES

RESOLUTION 05-7233 RE: RESCINDING PRIOR APPROVAL WINTER 2005 GENERAL PLAN AMENDMENTS

Motion is made by Supervisor Powers and seconded by Supervisor Comstock adopting Resolution No. 05-7233, rescinding prior approval granted for the Plumas County Winter 2005 General Plan Amendments. AYES: Supervisors Comstock, Powers and Olsen. NOES: None. ABSENT: Supervisors Dennison and Meacher. Carried and so ordered.

17. CONSENT AGENDA

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

A) BOARD OF SUPERVISORS

Approval of expenditures from Community Services Funds.

Department 20740 – Supervisor Comstock

Quincy Chamber of Commerce – Donation, Holiday Lights	\$750.00
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B) COUNTY COUNSEL

- 1) **RESOLUTIONS** authorizing abandonment of three portions of the County Right of Way in Chester. Roll call vote. **This matter is continued to a later date.**
- 2) **RESOLUTION** declaring intention to sell real property, and authorizing issuance of a notice requesting proposals on purchase of County Surplus Property located at 4309 Nelson St., Taylorsville.
- 3) Delegate authority to County Counsel, County Administrative Officer, and Public Works to approve a final take over agreement with the Surety (Issuer of Performance Bond for the Contractor) for the completion of the Animal Shelter Contract, and authorize the County Administrative officer to sign. **This matter is continued to a later date and referred to Public Works to determine visibility of right-of way.**

C) PLUMAS CORPORATION

Approve the recommendation from Plumas Corporation in regards to the Indian Valley Airport property surplus land sale.

D) PUBLIC HEALTH AGENCY

Budget transfer for \$4,049 from Special Department Expense to Fixed Assets for purchase of a specialized mobile dental compressor for the Oral Health Program funded by the California Endowment.

E) FACILITY SERVICES

Approve the purchase of a compact tractor and related equipment for \$24,731 approved in the FY 2005-2006 budget.

F) ALCOHOL & DRUG

RESOLUTION 05-7230, authorizing the Director of Alcohol & Drug to continue the approval authority on Proposition 36-Substance Abuse and Crime Prevention Act of 2000 for FY 2005-2006.

18. APPOINTMENTS

CSAC EXCESS INSURANCE AUTHORITY

Motion is made by Supervisor Powers, seconded by Supervisor Comstock and unanimously carried, with Supervisor Dennison absent, to appoint Jack Ingstad, CAO to the CSAC Excess Insurance Authority replacing Jim Stretch.

19. CORRESPONDENCE

None.

20. LEGISLATION UPDATE

None.

URGENCY ITEM – PUBLIC HEALTH AGENCY

MULTI-COUNTY NORTHERN CALIFORNIA EMS, INC. – AGREEMENT WITH STEVE TOLEN

Motion is made by Supervisor Powers and seconded by Supervisor Comstock to add this matter as an urgency item because the need for action was not apparent prior to the posting of the agenda. AYES: Supervisors Comstock, Powers, Olsen and Meacher. NOES: None. ABSENT: Supervisor Dennison. Carried and so ordered.

Motion is made by Supervisor Olsen and seconded by Supervisor Powers authorizing participation in a multi-county Northern California EMS, Inc. regional coalition, authorize the Director of Public Health to sign various assurances and subsequent contract with the State Department of Health Services, HRSA and NorCal, authorize the Chair to sign a service agreement for \$25,000 with Steve Tolen as Plumas County Local HRSA Coordinator, and authorize the Director of Public Health to sign the Conditions of Funding. AYES: Supervisors Comstock, Powers, Olsen and Meacher. NOES: None. ABSENT: Supervisor Dennison. Carried and so ordered.

URGENCY ITEM – AUDITOR/CONTROLLER

RECRUITMENT OF AUDITOR/CONTROLLER

Motion is made by Supervisor Powers and seconded by Supervisor Comstock to add this matter as an urgency item because the need for action was not apparent prior to the posting of the agenda. AYES: Supervisors Comstock, Powers, Olsen and Meacher. NOES: None. ABSENT: Supervisor Dennison. Carried and so ordered.

Discussion is held regarding the recruitment process for the position of Auditor/Controller and the possibility of changes the qualifications of the position. The matter is referred to staff for recommendation to the Board on January 10, 2006.

ADJOURNMENT

The Board adjourns at 4:00 p.m. to meet again on January 10, 2006 at 9:00 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