

LASSEN COUNTY LOCAL AGENCY FORMATION COMMISSION
Board of Supervisors Chambers 707 Nevada Street Susanville, CA 96130

REGULAR MEETING
December 12, 2011 - 3:00 p.m.

Meeting was called to order at 3:00 p.m. by Chairperson Eid.

Roll call of members present: Joe Franco, Jack Hanson, Cheryl McDonald, Jim Chapman and Chairperson Todd Eid.

Staff Present: John Benoit, Executive Officer and Gwenna MacDonald, Clerk.

Motion by Commissioner Hanson to approve the agenda as submitted; Commissioner McDonald provided a second and the motion carried.

Correspondence

Mr. Benoit provided information regarding the 2012 Fish and Game filing fees, and information regarding a proposed increase in rural fire fees.

Public Comments

Chris Gallagher, Spalding Community Services District Manager, commented that the Spalding CSD Board sent a letter during the protest period to voice their official objection to the higher fire fee.

Commissioner Chapman explained the dilemma facing the State due to a \$1 billion dollar shortfall in revenue projections, and the impact that has on rural communities like Lassen County. He stated that Sacramento is in trouble, and one way or another everyone will be hurting by the time the smoke clears.

Minutes

Motion by Commissioner Franco to approve the minutes of the October 3, 2011 meeting; Commissioner McDonald provided a second and the motion carried. Abstain: Hanson

Public Hearing: Spalding Community Services District SOI Update

Mr. Benoit reported that the Commission conducted a workshop at the October 3, 2011 meeting to discuss the Sphere of Influence update for the Spalding Community Services District. The District provides structural fire protection, emergency medical services, fire prevention programs, mailboxes and provides recreational services through the maintenance of the marina and community hall. The Commission considered and adopted a Municipal Services Review for the District on March 14, 2011 and the proposed SOI for the Spalding CSD would be a coterminous sphere which reflects the current district boundaries.

Chairperson Eid opened the public hearing at 3:15 p.m. and requested comments either for or against the proposed Sphere of Influence update. There being no comments, he closed the public hearing at 3:16 p.m.

Motion by Commissioner Franco, second by Commissioner McDonald to adopt Resolution No. 2011-0009 approving SOI Update for the Spalding CSD; motion carried.

Herlong PUD – Request for Herlong Area MSR

Mr. Benoit referred to a letter he received from the Herlong Public Utility District requesting that LAFCO consider a Municipal Service Review and Sphere of Influence update for all special districts in the Herlong area. The request was prompted by concerns about perceived inadequacies in the operation of drinking water and sewer collection systems in the community. Mr. Benoit explained that this item was brought to his attention in October, and he requested the postponement of discussion so that Commissioner Hanson and representatives from the District could be in attendance.

Mr. Benoit explained that at the present time, he is approximately half way through a Municipal Service Review for the Susanville Consolidated Sanitary District. The MSR for West Patton Village was adopted in 2002 and it is probably appropriate to schedule it for updating and build upon the information contained in the existing document. However, the cost for the update is a concern, and it has not been budgeted for the 2011/2012 year. An update for MSR's is recommended every five years, and he acknowledged that there have been a lot of changes since 2002 that have impacted the Herlong area. He suggested prioritizing the update after completion of the SCSD MSR, and perhaps overlapping fiscal years in order to accommodate the cost of preparing the update. The ultimate goal is to comply with the law while creating a meaningful document.

Commissioner Franco asked if a serious health concern existed and stated that if so, the MSR has to be made a priority on the work schedule.

Chairperson Eid invited comments from the members of the public.

Pat Williams, General Manager for the Herlong Public Utilities District, gave an example of a sewage overflow going unreported, and the difficulty in identifying the responsible party to complete the repair. He said that there are three districts providing service in the same area, and that when Lassen County transferred property to the Rancheria, not all of the utilities were transferred so there is confusion as to who is responsible for what. There's a significant disconnect of who's responsible when these types of incidents occur.

Commissioner Franco confirmed that a service review would clarify mapping and document responsible providers from each district.

Vivian Peterson, West Patton Village, referred to the updated Fire MSR from 2009, and the cover letter which stated that the changes within the document made the MSR from 2002 outdated and inaccurate. She did not understand the content of the letter, as the duties and responsibilities for the West Patton Village have not changed significantly in the past several years. The district is responsible for water, which they purchase from the Sierra Army Depot. The Depot tests the water on a weekly basis, and the District tests monthly. It meets all health and safety standards, and she does not understand the concerns that Mr. Flores expressed in his letter to LAFCo.

Mr. Benoit explained that the proposed MSR would evaluate the services provided in the Herlong area as a whole, and not focus on the specific district. He explained that the process for completing municipal services reviews has shifted significantly in the past ten years, and the focus now is more on reviewing services provided and not just the functions and ability of one particular district to operate in that area. The Sphere of Influence updates are more District specific.

The Commission discussed growth and development in the South County and the merits of bundling service reviews in order to accommodate the limited resources of the area districts.

Jared Hancock, City of Susanville, agreed with Mr. Benoit's statement that there has been a change in the approach that LAFCo's are using to complete service reviews. There needs to be a way to more efficiently address the needs of communities and opportunities to provide services when deficiencies are identified. By looking at the service itself as opposed to the District's ability to function, we can work cooperatively and efficiently which will result in a clearly defined sphere of influence and overall it's a good direction for our community.

Commissioner Franco concurred, adding that a holistic approach while meeting the intent of the law in a timely fashion should be the goal for LAFCo.

Commissioner Chapman observed that there is a difference between conducting business in accordance with state law and a dogged adherence to regulations and timelines that only wastes limited resources and creates more bureaucracy. LAFCo was not created for rural areas such as Lassen County, and we have to adapt our situations and conduct business as much as is practical.

Commissioner Hanson requested clarification of the how old the West Patton Village MSR is, and what the cost of updating would be. He requested a timeline of when an update could be completed.

Mr. Benoit responded that he did not budget for this MSR update in the 2011/2012 fiscal year. He needs to complete the Sanitary District MSR and would like to bundle the Herlong area review with a SOI update. He expressed concern with the District budgets and ability to continue providing services when funding is getting so tight. Many of the districts are operating efficiently but at some point LAFCo may have to look at adjusting spheres of influence based upon future funding.

Commissioner Hanson asked if the West Patton Village district was considering changing water providers.

Vivian Peterson responded that the Board had been presented with a synopsis of current water rates and fees charged to the customers. For 155 customers, the total per month for water, street lights and sewer would be approximately \$185. With the wholesale price of water charged by the Sierra Army Depot, customers currently pay a flat fee of \$75 and the District has a 99 year contract with the Depot to provide water. Most of the 155 customers are retired and on fixed income, so there is no consideration to change water providers at this time.

It was the consensus of the Commission to keep the update on the radar for the upcoming work program.

LAFCo Meeting Schedule - 2012

Mr. Benoit reported that the agenda packet contained a regular meeting schedule and an alternate meeting schedule, based upon the Commission's decision to reduce the number of meetings six per year. After a brief discussion, the meeting schedule for 2012 was adopted as follows:

January 30, 2012	July 9, 2012
March 12, 2012	September 10, 2012
May 14, 2012	December 10, 2012

Motion by Commissioner Franco, second by Commissioner Hanson to adopt the 2012 meeting schedule as proposed; motion carried.

Payment of Claims– October and November 2011

Mr. Benoit reviewed claims for payment for the months of October and November, 2011 for a total of \$12,376.68.

Mr. Benoit referenced some of the items on the expense report including reimbursements for the 2011 LAFCo Conference. Commissioner Franco indicated that while the conference location seemed very expensive, he felt the conference was very productive and worthwhile. He also clarified that the receipts in the packet were his personal receipts that that he was reimbursed at the standard per diem rate for that location.

Motion by Commissioner Hanson, second by Commissioner McDonald to approve claims for payment in the amount of \$12,376.68; motion carried.

Executive Officer’s Monthly Report

Mr. Benoit discussed several upcoming work projects, including the Herlong area MSR, and an update for the Susanville Sanitary District MSR.

Commissioner Reports

There were no Commissioner reports.

At 4:23 p.m. motion by Commissioner Hanson, second by Commissioner Franco to adjourn until January 30, 2012; motion carried.

Todd Eid, Chairperson

Gwenna MacDonald, Recording Secretary