

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

REGULAR MEETING
October 17, 2016 - 3:00 p.m.

Meeting was called to order at 3:02 p.m. by Chairperson Eid.

Roll call of members present: Jim Chapman, Jeff Hemphill, Joe Franco, Kevin Stafford and Chairperson Todd Eid. Absent: Vice Chairperson Brian Wilson.

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

2. Approval of Agenda

Motion by Commissioner Franco to approve the agenda as submitted; Commissioner Hemphill provided a second and the motion carried unanimously. Ayes: Chapman, Hemphill, Franco, Stafford and Eid.

3. Correspondence

Mr. Benoit stated that the correspondence would be discussed under Executive Officer reports.

4. Minutes

Motion by Commissioner Hemphill to approve the minutes of the August 8, 2016 meeting; Commissioner Chapman provided a second and motion carried unanimously. Ayes: Chapman, Hemphill, Franco, Stafford and Eid.

5. Public Comments There were no comments.

6. Public Hearing: Honey Lake Valley RCD Municipal Service Review and Sphere Update Mr. Benoit reviewed the MSR for the Honey Lake Valley Resource and Conservation District. He stated that the MSR has been one that he struggled with, however the District has turned the corner since receiving recommendations from the Grand Jury report. The primary struggle has been related to the Water Master Program which has been one that is fraught with litigation since the Department of Water Resources divested themselves of managing those programs throughout the State. The program serves a useful function, and it is the recommendation to segregate the program in the budget, and leave the Sphere of Influence the same as the District Service boundaries. Mr. Benoit stated that the Clerk for the District has been very responsive and easy to work with and they have recently hired a new manager and should be moving forward in a positive direction.

Chairperson Eid opened the public hearing at 3:12 p.m. and requested comments from the Commission or the public.

Commissioner Chapman commented that District has faced many challenges, with the Water Master Program diverting them from the services they are supposed to be providing. To their credit, they have a new group and are moving forward in a positive direction and need to reinforce what they have in place already. He requested that the MSR be updated to reflect the new Councilmembers, and in January 2017 the Supervisors will also change.

Laurie Pippin stated that the board has three new members, and recently hired Ian Sims for the position of District Manager. The District does not receive any federal funding, so they are

limping along with grants and have hopes to be able to take advantage more funding opportunities through the IRWM program. She stated that the District has adopted a new Strategic Plan, and the MSR reflects the old plan. Their annual work plan flows from the information set forth in the Strategic Plan, and the District has seen strong improvement with the Water Master Program after the recent hire of Ben King, the new technician who has proven to be a valuable addition to the District. He is an energetic young man from out of the area with a degree in Agricultural Business who has been able to resolve disputes at his level by remaining positive and impartial. The fact that he has no knowledge to the area, is not a water user or from a local family has proven to be a very beneficial part of the process.

Mr. Benoit responded that he would be producing a final MSR document based upon the changes that have been requested.

Jesse Claypool stated that the Water Master Program needs to stay under local control, and that it has its place. The whole point was about saving money, but it has been recognized that a service has to be provided as well, and the Board is focused on providing the oversight, getting away from independent contractors and putting the right people in place to provide the services that are expected. It is unfortunate that the issues surrounding the Water Master Program have taken away from the essential services that the District has been providing.

There being no further comments, Chairperson Eid closed the public hearing at 3:29 p.m.

Motion by Commissioner Chapman, second by Commissioner Hemphill, to approve Resolution No. 2016-005; motion carried unanimously. Ayes: Chapman, Hemphill, Franco, Stafford and Eid.

Motion by Commissioner Franco, second by Commissioner Hemphill, to approve Resolution No. 16-006; motion carried unanimously. Ayes: Chapman, Hemphill, Franco, Stafford and Eid.

7. LAFCo Conflict of Interest Code / 2016 Biennial Notice for Filing

Mr. Benoit explained that the Government Code requires that each local government agency maintains a Conflict of Interest that is reviewed and updated on a biennial basis. He has reviewed the Code and is recommended that it be filed with no changes.

Commissioner Chapman explained how the document served larger agencies, and stated that the FPPC amends the format from time to time, suggesting that it may be prudent to ensure that the format is consistent with their requirements.

Motion by Commissioner Chapman, second by Commissioner Franco, to approve the 2016 Biennial Notice for Filing with the added requirement to ensure that the correct format was adopted; motion carried unanimously. Ayes: Chapman, Hemphill, Franco, Stafford and Eid.

8. Authorize Payment of Claims for August 2016 and September 2016 Mr. Benoit reviewed the claims presented for August and September 2016.

Motion by Commissioner Franco to approve the claims for August and September 2016 in the amount of \$7,145.93; Commissioner Hemphill provided a second and the motion carried unanimously. Ayes: Chapman, Hemphill, Franco, Stafford and Eid.

9. Executive Officer’s Monthly Report

Mr. Benoit provided an update and stated that the consolidation of Fall River Mills Fire Protection District and the McArthur Fire Protection District is complete and the Susanville Sphere of Influence would be coming up. He discussed the upcoming AB1234 training that would be held on November 3, 2016 at the Veterans Hall from 10:00 a.m. to 12:00 p.m. Mr. Benoit discussed the upcoming annual Calafco Conference that was scheduled for October 25 – 28, 2016 in Santa Barbara, and Commissioner Franco would be attending and serving as the voting delegate.

Mr. Benoit reviewed a report from Calafco regarding Special Districts, and discussed issues related to his status as a contracted officer to the Commission versus an employee. The City received a determination from the firm of Kronick Moskowitz Tiedemann & Girard, and the IRS determination had also been reviewed by LAFCo’s counsel, John Kenney. He is routinely audited by the IRS, and meets the requirements of what constitutes a contractor. The item was provided as information only to the Commission.

10. Commissioner Reports – Discussion. No business.

Motion by Commissioner Stafford, second by Commissioner Hemphill to adjourn until December 12, 2016; motion carried unanimously. Ayes: Chapman, Hemphill, Franco, Stafford and Eid.

The meeting adjourned at 3:54 p.m.

Todd Eid, Chairperson

Approved _____
Gwenna MacDonald, Recording Secretary