

Chairman:
Robert Meacher

Commissioners:
Jim Krantz
Bill Kennedy
Terry Swofford
John Larrieu

Executive Officer
(Interim)
John McMorrow

Clerk:
Nancy Fluke



*The Local Agency Formation
Commission Serving Plumas County*

MEETING MINUTES
AUGUST 17, 2009

CLOSED SESSION

The Commission meets in closed session at 9:32 a.m. for the following item.

1. **CONFERENCE WITH LEGAL COUNSEL**—Anticipated Litigation Pursuant to Government Code §54956.9, one case, JOHN M. GULLIXSON, Executive Officer vs. Plumas Local Agency Formation Commission.

No action is taken in closed session.

OPEN SESSION

1. **CALL TO ORDER**

The scheduled and noticed meeting of the Plumas Local Agency Formation Commission is called to order by Chairman Meacher at 10:05 a.m. on August 17, 2009, in the Board of Supervisors Room of the Plumas County Courthouse, located in Quincy, California.

2. **ROLL CALL**

Meacher notes that a quorum is present and asks the Clerk to call the roll. The Clerk calls the roll and records the results as follows:

Present: Supervisor Meacher, Supervisor Swofford, Jim Krantz, John Larrieu, and Bill Kennedy.

Absent: None.

Also Present: John McMorrow, Interim Executive Officer, and Nancy Fluke, Clerk.

3. **PUBLIC COMMENT OPPORTUNITY**

Members of the public are invited to address the Commission on any matter of interest to the public that is not on the agenda for a period of time not exceeding 5 minutes. Pursuant to the Brown Act, the Commission cannot take any action on items not listed on the posted agenda but may add to a future agenda matters brought up under public comments for appropriate action at a future meeting.

Meacher invites members of the public who are present to comment on matters not on the agenda. There are no comments from the public.

4. **PUBLIC HEARING(S) / RESOLUTION(S)**

- A. Public Hearing Re: Plumas LAFCo File No. 2007-ANNX-004, an application to annex all territory currently served with lighting services by **East Quincy Services District** into the **Quincy Lighting District**, and to relinquish lighting powers by **East Quincy CSD**.

McMorrow presents his staff report explaining that this application would essentially combine all the street lighting in Quincy into the Quincy Lighting District. Meacher asks McMorrow if the issue was brought to LAFCo by East Quincy Services District because their tax structure can no longer afford to pay the lighting bill to PG&E. McMorrow indicates that is correct. McMorrow recommends to the Commissioners that they approve the proposed relinquishment of powers and annexation. Meacher opens the Public Comment Opportunity. McMorrow introduces a Memorandum dated August 15, 2009, that was sent to LAFCo from Bob Perreault, Manager, Quincy Lighting District. McMorrow says the Memorandum asks for a continuance on this annexation to resolve some outstanding questions pertaining to revenue streams and expenses, especially in regard to the timing of tax exchange payments. McMorrow advises against continuing this matter and reiterates his recommendation that the Commission provides approval. Discussion takes place among Meacher, Mary Henrici of EQSD, and McMorrow about the question of who makes payments and when payments are made. Meacher states he thinks it is in the best interest of the Districts not to continue the matter but to approve and work together to resolve the handling of payments. Meacher adds that if there are problems after approval, they can be brought before LAFCo at that time. Krantz states he would prefer to honor Perreault's request for a continuance. Larrieu voices his preference to approve. Henrici mentions that information has been slow to reach Perreault and that he has just recently received some of the pertinent material; however, Henrici adds that timing is somewhat important now because the State only provides approval in January. Meacher asks if there are any other comments. Hearing none, Meacher closes the hearing.

Meacher calls for a motion. Larrieu makes the motion to approve Resolution No. 2009-01. Swofford seconds the motion, and the following roll call vote is recorded:

Ayes: Meacher, Kennedy, Swofford, and Larrieu.
Noes: Krantz.
Abstain: None.
Absent: None.

- B. Public Hearing Re: Plumas LAFCo File No. 2008-CSOC-001, an application to consolidate the **Chester Fire Protection District** and the **Chester Public Utility District**.

McMorrow presents the request for consolidation of the Chester Public Utility District and the Chester Fire Protection District under the title: **Chester Public Utility District**. McMorrow mentions that this consolidation has been discussed for approximately the last fifteen years and it is finally coming to fruition. McMorrow explains that the two districts have both passed similar resolutions for consolidation. McMorrow adds that upon approval of the resolution for consolidation, all the revenue brought in by the Chester Fire Protection District and all the revenue brought in by the Chester Public

Utility District will be going to **Chester Public Utility District**. McMorrow recommends approval of this consolidation. McMorrow states that the Board of Directors of the resulting district will consist of seven members chosen as follows: 3 members from the existing Chester Fire Protection District (Ross, Thompson, Knopf) and 3 members from the existing Chester Public Utility District (Plakk, Withrow, Scott) chosen by their respective districts; and one member chosen at random by the Commission from the remaining directors wishing to serve.

Meacher opens the Public Comment Opportunity. McMorrow mentions one more point about various annexation applications that are pending. McMorrow elaborates that by LAFCo approving this resolution first, these entities won't have to pay fees twice.

Krantz expresses concern about the quality of education or expertise required to do the various jobs, and also asks how salaries and benefits would be handled in a fair manner to the taxpayers. Meacher explains those would be matters for the District to work through.

Meacher asks if there are any more comments. Hearing none, Meacher closes the Public Comment Opportunity.

Meacher calls for a motion. Larrieu makes the motion to approve Resolution No. 2009-02. Swofford seconds the motion, and the follow roll call vote is recorded:

Ayes: Meacher, Krantz, Kennedy, Swofford, and Larrieu.
Noes: None.
Abstain: None.
Absent: None.

Minute Order: Meacher directs the Executive Officer to select the seventh member for the Chester Public Utility District's Board of Directors from the names of the remaining Directors from the old Boards who wish to serve on the new Board. Larrieu makes the motion. Kennedy seconds the motion and a unanimous voice vote is recorded.

5. CONSENT ITEMS

A. Approval of Agenda.

Meacher calls for a motion. Swofford makes a motion to approve the agenda. Larrieu seconds the motion and a unanimous voice vote is recorded.

B. The minutes of the Commission meeting(s) held June 8, 2009, June 22, 2009, and July 6, 2009, are not available at this time.

6. ADMINISTRATIVE REPORTS BY EXECUTIVE OFFICER

A. Appointment of an Alternate Executive officer for processing the annexation of **Feather River Inn to Graeagle Fire**.

McMorrow presents his staff report that explains his conflict of interest with this project and the need for the appointment of an alternate Executive Officer. McMorrow also provides his recommendation that the Commission approves Randy Wilson, Planning

Director, for that position. Meacher expresses his concern that Wilson would also have a conflict of interest where this project is concerned because of the history of Feather River Inn applications and review by the Planning Department. Wilson explains that he is not currently involved with any issues pertaining to the Feather River Inn. Larrieu expresses his objection to having Wilson serve as an alternate Executive Officer. Meacher explains that having Wilson serve would be a one-time occurrence and it would save on the cost of hiring somebody. A brief discussion takes place among the Commissioners about public perception in this matter. Meacher calls for a motion. Kennedy makes the motion to approve Randy Wilson as an alternate Executive Officer in regards to the Annexation of the Feather River Inn. Swofford seconds the motion, and the follow voice vote is recorded:

Ayes: Meacher, Swofford, Larrieu, and Kennedy.
Noes: Krantz.
Abstain: None.
Absent: None.

B. CALAFCo Annual Conference.

Brief discussion occurs among the Commissioners with Swofford stating he wants to go and Meacher saying he is considering going. Meacher asks McMorrow if there is a budget for conferences. McMorrow responds affirmatively.

C. Review of *Request for Proposals* and establishment of review and selection process.

McMorrow opens discussion with the Commissioners about how they would like to proceed with the interview process. McMorrow recommends that each Commissioner narrows his choices to 5, or even 3, and that they provide the Clerk with their choices within one week. McMorrow shares his opinion that all of the candidates appear to be qualified with the possible exception of one. Meacher asks McMorrow when he would like the interviews to take place. Discussion takes place among McMorrow and the Commissioners with the suggestion made of having the interviews on the September 14, 2009. Meacher asks McMorrow how he envisions the structure of the interviews. Discussion takes place between McMorrow and Meacher concluding with the following suggestions:

- The Commissioners submit any questions they would like to ask the candidates to the Clerk in advance of the interviews.
- The interviews take place in Closed Session.
- The Commissioners avoid serial discussions about the candidates.

7. MATTERS PRESENTED BY COMMISSIONERS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

There being no further business on the agenda, Meacher adjourns the meeting at 11:00 a.m. to the next scheduled meeting of Plumas LAFCo on Monday, September 14, 2009, (9:30 a.m. – Closed Session, 10:00 a.m. – Open Session) in the Board of Supervisors Room, Plumas County Courthouse, Quincy, California.

Supervisor Robert Meacher
Plumas LAFCo Chairman

Nancy Fluke
Clerk