

**Chairman:**  
Robert Meacher

**Commissioners:**  
Jim Krantz  
Bill Kennedy  
Terry Swofford  
John Larrieu

**Executive Officer :**  
John Benoit

**Clerk:**  
Nancy Fluke



# LAFCo

*The Local Agency Formation  
Commission Serving Plumas County*

## MEETING MINUTES

**MONDAY, NOVEMBER 9, 2009**

**10:00 AM**

**BOARD OF SUPERVISORS CHAMBERS**

**PLUMAS COUNTY COURTHOUSE**

**QUINCY, CALIFORNIA**

### **1. CALL TO ORDER and Roll Call – 9:55 A.M.**

**Present:** Robert Meacher, Terry Swofford, Jim Krantz, John Larrieu,  
and Bill Kennedy

**Absent:** None

**Also Present:** John Benoit, Executive Officer, Dan Wilson; Alternate LAFCo Commissioner;  
and Nancy Fluke, Clerk

### **2. Approval of Agenda**

Meacher asks if there are any changes or corrections to the Agenda. Kennedy asks that *Item #10* takes place either before or after *Item #5*. The Commissioners agree that the Chair should accommodate that request.

### **3. Correspondence**

Benoit refers to the following correspondence received:

- A letter from the Plumas County Special Districts Association, dated November 3, 2009, whereby the desire to participate in various aspects of Plumas LAFCo's organization and operation were expressed.
- A letter from Larry Fites, dated November 3, 2009, whereby he expresses his observations and provides suggestions regarding LAFCo Policies and Procedures.
- A memo from Peter Detwiler, Senate Committee on Local Government, regarding converting Municipal Improvement Districts to Community Services Districts.

Meacher suggests that a LAFCo Working Group is formed to begin dialogue with the PCSDA at their January meeting. Both Kennedy and Krantz express an interest in being a part of the Working Group.

**4. CONSENT ITEM(S)**

Larrieu makes the motion to approve the consent items which include the minutes of June 8, June 22, July 6, August 17, September 14, September 28, and October 16, 2009. Krantz seconds the motion and a unanimous affirmative voice vote is recorded.

**5. Public Comment**

Meacher opens the Public Comment Opportunity.

Larry Douglas expresses his dissatisfaction with the way LAFCo handled the termination of former Executive Officer, John Gullixson, and describes it as a fiasco that has been costly and embarrassing for Plumas County.

Meacher asks if there are further Public Comments. Hearing none, Meacher closes the Public Comment Opportunity.

**6. Authorize Payment of Claims for October 2009**

*a. Authorize payment of claims for the month of October 2009*

Benoit explains the spreadsheet he presented and points out the fund balance at around \$120,000.00 after the invoices have been paid. Swofford makes a motion to authorize the claims for the month of October, 2009. Kennedy seconds the motion and a unanimous affirmative voice vote is recorded.

**7. Appoint Legal Counsel in Accordance with Government Code Section 56384 (b)**

*a. Appoint P. Scott Browne as Plumas LAFCo Legal Counsel*

A brief discussion takes place among Benoit and the Commissioners regarding the appointment of P. Scott Browne as Plumas LAFCo legal counsel.

*b. Approval of Agreement between Plumas LAFCo and P. Scott Browne, Attorney at law for Legal Services*

A motion is made by Larrieu to approve an agreement between Plumas LAFCo and P. Scott Browne, Attorney at law, for Legal Services. Swofford seconds the motion and a unanimous affirmative voice vote is recorded.

**8. Workshop and Discussion of Commission Bylaws**

*a. The Commission will review and discuss the draft bylaws document handed out at the October 16, 2009, Special Meeting and provide direction to staff*

Benoit methodically goes through sections of the *LAFCo Discussion Draft - Bylaws* document. The following key points are brought out during the bylaws discussion:

- The “guts” of LAFCo is to discourage urban sprawl;
- Have the County General Plan reflect LAFCo principles;
- Need to select a Public Alternate after the first of the year;
- Alternates encouraged to attend meetings and they should be seated at the table with Commissioners;
- Commissioners need to inform Chair when they will have an alternate take their place at a meeting;
- Consider a four year term of service for Commissioners;
- Most Commissioners agree that the new term should start July 1<sup>st</sup>;
- Possibility of COLA added to stipend for Commissioners;
- Keep meetings in Quincy, however, the Commission may choose to hold meetings in alternate locations as needed;
- Further development of a Webpage;
- Agendas and packets sent by mail at least five days prior to meeting;
- Ability for Commissioners to have performance evaluation of Executive Officer put on an agenda;
- Wording for agenda items - *Discussion and Possible Action*;
- Distinguish Bylaws from Policies and Procedures.

## **9. Executive Officer’s Monthly Report**

### *Annual CALAFCo Conference Discussion*

Benoit states that the Annual Conference was good and that there were approximately 300 in attendance. Benoit elaborates that climate change and water were key topics of discussion. Benoit adds that some other topics discussed were staffing and use of consultants, organization of fire agencies, agricultural land conservation, annexation of open space lands, and coping with fiscal stress.

### *Legislative Update*

Benoit provides a brief update concerning legislative issues, particularly legislation pertaining to environmental health.

## **10. Commissioner Reports**

Kennedy brings to the table several topics starting with the suggestion that LAFCo could save money by holding meetings in Portola rather than Quincy. Benoit states that a good time to discuss this point would be when the Commissioners formulate their bylaws. Second, Kennedy expresses his concern about the validity of the recent forensic audit since a portion of LAFCo’s records were discovered to have been withheld by Mr. Gullixson and therefore were not available during that audit. Third, Kennedy states he is disturbed that Meacher spoke about the Gullixson case in a public forum which was against the LAFCo attorney’s advice. Kennedy adds that such an infraction leaves LAFCo open for lawsuits and therefore justifies removing Meacher from the Chair position immediately. Meacher responds that none of his comments constitute a breach of

closed session business. Swofford suggests that dwelling on the past is not good for LAFCo at this point. Benoit adds that the topic of election of new officers could take place during Bylaws discussions.

**11. Adjourn to next LAFCo Meeting**

There being no further business on the agenda, Meacher adjourns the meeting of November 9, 2009, at 12:11 p.m. to the next meeting of Plumas LAFCo on Monday, December 14, 2009, 10:00 a.m., in the Board of Supervisors Room, Plumas County Courthouse, Quincy, California.

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Robert Meacher  
Plumas LAFCo Chairman

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Nancy Fluke  
Clerk