

MINUTES
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Del Norte Local Agency Formation Commission  
Regular Session, Monday, January 28, 2013

**Members present:** Roger Gitlin (new Vice-Chair), Rick Holley (new Chair), and Chairman Gerry Hemmingsen

**Members absent:** Kathryn Murray and Public Member Sparky Countess

**Others present:** George Williamson, Executive Officer, Gretchen Stuhr, and Robin Patch for Karen Phillips, PS Business Services

**1. Call to Order/Roll Call**

Chairman Hemmingsen called the meeting to order at 4:02 p.m.

**2. Public Hearings**

**A. None**

**3. Regular Business**

**A. Welcome New /Returning Members & 2013 Chair and Vice Chair Elections**

On a motion by Commissioner Gitlin seconded by Chairman Hemmingsen, and carried 3-0 on a polled vote with Commissioners Murray and Countess being absent, the Local Area Formation Commission elected Commissioner Holley to serve as Chairman.

On a motion by Commissioner Hemmingsen, seconded by Chairman Holley, and carried 3-0 on a polled vote with Commissioners Murray and Countess being absent, the Local Area Formation Commission elected Commissioner Gitlin to serve as Vice-Chairman.

Discussion of the length of the term of office for the Public Member from four to two years was introduced. Vice-Chair Gitlin asked for an agenda item to include a small stipend (\$20) to be considered for the Public Member.

**And Certificates of Appreciation for Leslie McNamer & Kelly Schellong**

Executive Officer George Williamson read the Certificates of Appreciation for the outgoing Commissioners McNamer and Schellong; certificates will be distributed appropriately as the two individuals were not present at the meeting.

## **B. Approval of October 22, 2012 Draft Minutes**

County Counsel Gretchen Stuhr arrived in the Board Chambers at 4:10 p.m.

Commissioner Gitlin asked Counsel if it was appropriate for him to vote on the minutes when he was not at the meeting of Oct. 22<sup>nd</sup>. He was advised that it is allowed unless he feels there is something he read that he is uncomfortable with.

On a motion by Commissioner Hemmingsen, seconded by Commissioner Gitlin, and carried unanimously, the Local Area Formation Commission adopted the minutes of the October 22, 2012 meeting as presented.

## **C. Approval of 2013 Meeting Schedule**

On a motion by Commissioner Gitlin, seconded by Commissioner Hemmingsen and carried unanimously with Commissioners Murray and Countess absent, the Local Area Formation Commission approved the 2013 Meeting Schedule as presented.

## **D. Commission Policy Updates**

The Board was in consensus to use Rosenberg's Rules of Order instead of the Sturgis Rules of Order as outlined in the staff report. The terms of office will be noted in the new policies and procedures; the length of term for the public member will not change to be consistent with Government Code Section 56334, which states that each member's term shall be four years. In regards to fees, the budget process is set to begin in March/April. The Schedule of Fees and Deposits chart was reviewed and changes were as follows:

Annexation/Detachment/Reorganization – was \$1,500, now \$3,500;  
Consolidation/Dissolution – was \$2000, now \$2,500;  
Out of Agency Service Contract Request – was \$700, now \$900;  
Use of Latent Powers is now entitled  
Activation of Latent Powers – and charges were \$1,000, now \$1,500.

Commissioner Gitlin asked for a status of the Mello Roos; Commissioner Hemmingsen stated a part of it was in Pacific Shores, but unsure of what happened to it; Counsel Stuhr reported that the Court of Appeals has upheld the LAFCO decision and she and Executive Officer Williamson will research it further and bring it back to the Commission. Commissioner Hemmingsen asked if the cost of the Municipal Services Review (MSR) is included in the annexation cost; Executive Officer Williamson will research and bring it back to the Commission.

## **E. AB 54 Mutual Water Companies Reporting Requirements**

Executive Officer Williamson explained that this is a “receive and file” item per legislation. In order for the Commission to be in compliance, he will get mutual water companies to send in their current boundary maps. Chairman Holley asked for a report on any mutual water company not in compliance.

## **F. Compliance Work Plan**

Executive Officer Williamson stated there were some significant changes for compliance, i.e. Library District. He is currently working on the Gasquet Community Service District (CSD), which he will bring back before the Board in April; Klamath CSD (before the Board in March), and Smith River Cemetery District (back to the Board in April); these are currently 90% in compliance – once these three Districts are in compliance there will be a total of 100% achieved in all.

## **G. FY 2012-13 Mid Year Budget Status Report**

Executive Officer Williamson reported there has been \$77,000 in expenditures; and the organization is doing very well on the budget; if this continues, LAFCO will be under budget. Chairman Holley stated he has never seen a trend such as reported for interest (\$150); Mr. Williamson shared the report from the Auditor that explained it in detail. Discussion continued.

## **H. Public Member Recruitment for term through 2016**

The Commission gave direction to the Executive Officer to go through the mandated recruitment process and for the candidates to be brought before the Commission at the next meeting for interview.

## **I. Legislative Update and CALAFCO Activities**

CALAFCO – Board Members can sign onto the website for valuable information. The upcoming legislation will address jurisdictional boundaries, municipal services reviews (going to 8 year), and disadvantaged unincorporated communities.

### **4. Inquiries, Correspondence, Application Status and Referrals**

#### **A. Staff - The Executive Officer will provide a report of current projects, issues of interest, and pending legislation.**

Inquiry by Randal Otremba RE: Crescent Fire Protection District & LAFCo Response

A letter was received from resident Randal Otremba in the Crescent Fire Protection District who has taken issue on procedures followed by the Crescent Fire Protection District response to a fire that resulted in loss of the resident's mobile home. The commissioners were provided a copy of Mr. Otremba's letter. The Executive Officer also provided Crescent Fire Protection District Chief Wakefield with a copy of the letter

and met with the chief to discuss the matter. It was reported that Chief Wakefield has provided a well documented report on the fire and site conditions; there were downed power lines, which had potential danger for the firefighters, etc. Executive Officer Williamson reported that he has responded to emails sent by the resident's sister, which were included in the staff report on this item. Staff's conclusion after review of the issues raised in Mr. Otremba's letter and in emails sent by Mr. Otremba's sister is that, there is no LAFCo issue related to this incident. Staff has also communicated the date for the next MSR and SOI Update for the District and opportunities for public comment.

Commissioner Hemmingsen stated that this inquiry has gone on for three years and has been dealt with appropriately. The cause of the fire was an unpermitted, improperly installed wood stove inside a mobile home. Several organizations have been contacted. The matter from LAFCo's perspective is closed.

**B. Commission - On their own initiative, Commission members may make brief announcements or reports on their own activities. They may ask questions for clarification, make a referral to staff or request a business matter for a future agenda per Government Code Section 54954.2 (a).**

Nothing to report.

**C. Public - Public comment on items of interest within LAFCo subject matter jurisdiction, and not otherwise appearing on the agenda. No action may be taken on any item not appearing on the agenda.**

No public comment.

## **5. Adjournment**

There being no further business to come before the Commission, Chairman Holley adjourned the meeting at 4:52 p.m. until the next regular scheduled meeting of February 25, 2013 at 4:00 p.m. in the Board Chambers of the Flynn Center, 981 H Street.

Respectfully submitted,

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Robin Patch, Recording Secretary