

<b>MINUTES</b>
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**Del Norte Local Agency Formation Commission**  
**February 25, 2013**

**Members present:** Vice-Chairman Roger Gitlin, Chairman Rick Holley, Public Member Sparky Countess, and Gerry Hemmingsen

**Members absent:** Kathryn Murray

**Others present:** George Williamson, Executive Officer, public member applicant Jack B. Reese, Ginger Torres, Counsel Gretchen Stuhr, and Karen Phillips, PS Business Services

1. Call to Order/Roll Call

Chairman Holley called the meeting to order at 4:00 p.m.

2. Public Hearings

A. None

3. Regular Business

A. Approval of **January 28, 2013**\_Draft Minutes (ATTACHMENT 3A)

On a motion by Commissioner Hemmingsen, seconded by Commissioner Gitlin, and unanimously carried on a polled vote, the Del Norte Local Agency Formation Commission approved and adopted the minutes of the January 28, 2013 meeting as presented.

B. Public Member Appointment for Term through 2016 (ATTACHMENT 3B)

Discussion was held regarding the three applications received for the public member appointment. The three applicants are Sparky Countess, Jack B. Reese and Robert Sankus, M.D.

Executive Officer Williamson noted that Commissioner Murray is on jury duty and she sends her apologies for not attending the meeting.

Every four years the Commission appoints a person to LAFCO to serve as a public member and an alternate public member on staggering years. The opening was posted at the City and County offices and sent to all the special districts. Dr. Sankus was not able to attend the meeting today due to medical appointments; however he conveyed his interest in serving. The process of interviewing and appointment was discussed. Judy Dobbs will continue to serve as the alternate public member until the end of 2014. Commissioner

Hemmingsen noted that he knows the two candidates present and feels comfortable with both, but Mr. Countess is currently serving and doing a good job. Each applicant was given a moment to make comments and give a history of their work in the community. Both Mr. Reese and Mr. Countess spoke.

On a motion by Commissioner Hemmingsen, seconded by Commissioner Gitlin, and unanimously carried on a three-fifths polled vote, with Commissioner Murray absent, and Public Member Countess recusing himself, the Del Norte Local Agency Formation Commission approved and appointed Sparky Countess as the Local Agency Formation Commission public member to serve until December 31, 2016.

C. Amend FY 2012-13 Budget with Public Member Stipend (ATTACHMENT 3C)

Discussion was held regarding the 2012-2013 budget and amending it to include a public member stipend. Commissioner Gitlin asked to have this matter on the agenda for discussion and possible action. While researching this issues, staff found that the normal range that is paid for stipends varies from \$20.00 up to \$100.00 per meeting around the state and some county's even pay for travel expenses. In order to pay stipends, it would require that the budget be amended, which would require a public hearing. Staff recommended that the stipend be carefully considered. The funds to pay the stipends could come out of the current year budget from the MSR/SOI line item. Commissioner Gitlin wanted to have a stipend for the at-large member only, with no mileage expense, because it is difficult to ask a public member to work without compensation. His intention was not to pay elected officials for attending meetings. Counsel noted that direction could be given to staff to set a public hearing at the next meeting to hear the matter and for possible action to amend the budget. Commissioner Hemmingsen noted that he was not in favor of stipends for a public member, but he suggested that a public hearing be held to put this in the budget at the next meeting. He is not is favor of a retroactive stipend. Chairman Holley noted that he is opposed to stipends for elected officials also, and he questioned the need for a stipend for a public member. Commissioner Gitlin feels that when time and service are given that there should be some recognition for that service and the stipend would help to do this. Public Member Countess noted that the reason that he is on the commission is not the stipend, it is a token pat on the back. The Chairman gave direction the staff to move ahead with setting the public hearing for modification of the budget for 2012-12013 and 2013-2014.

D. Commission Policy Updates (ATTACHMENT 3D)

Discussion was held regarding commission policy updates. Mr. Williamson reviewed Section III with the Commissioners regarding the following topics: Purpose and Authority; General Application Policies; Factors to be Considered in Review of Proposal; Plan for Services Policies; Spheres of Influence; Definitions; and Municipal Service Reviews. He suggested that the changes be made to the section as written. Recent state legislation has resulted in changes and new definitions. Discussion was held regarding the new "zero sphere" definition and when and how that definition might be used. Chairman Holley asked if the code references were to the Government Code. Staff will add the code citation in the future so that they can be found, if necessary, or note that "Unless otherwise listed, the code cites refer to XXXX Code", which could be added to the document. Page 2 (b) has a typo "of" will be changed to "or". Once the policies have been fully amended they will all come back to the Commission for approval.

E. Legislative Update – SB244 Technical Advisory (ATTACHMENT 3E)

A brief discussion was held regarding legislative updates. There is no suggested action; this is a receive and file item.

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.

The following staff report was given: the new budget cycle is starting and will be on the next agenda.

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).

The following Commissioners made comments/requests: Commissioner Hemmingsen welcomed Sparky Countess back as the public member. Public member Countess asked about the alternate public member term. Staff will look into the term and make sure that it overlaps.

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 members of the public made comments to the Commission.

5. Adjournment

There being no further business to come before the Commission, Chairman Holley adjourned the meeting at 4:50 p.m. until the next regularly scheduled meeting on March 25, 2013 at 4:00 p.m.

Respectfully submitted,

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Karen L. Phillips, Recording Secretary