

Local Agency Formation Commission Of
Colusa County

Minutes – December 6, 2007

The Local Agency Formation Commission of Colusa County meets in Regular Session this 6th day of December 2007 at the hour of 3:00 PM. Commissioners Present: Brandon Ash, Chairman, Daniel Yerxa, Gary Evans, Kay Hosmer, and Don Barker. Commissioners Absent: None.

Present: John Benoit, Executive Officer.
Scott Browne, Legal Counsel.
Mary Winters, Public Member.
Alicia Draves, Commission Clerk.

Chairman Ash calls the meeting to order at 3:00 PM.

Ms. Winters is sitting as a Commissioner for the purpose of completing the vote for the Minutes of October 4, 2007.

It is moved by Commissioner Hosmer, and seconded by Commissioner Barker to approve the Minutes of October 4, 2007. Motion carried by the following vote:

AYES: Commissioners Hosmer, Winters, and Barker.

NOES: None.

ABSENT: None.

ABSTAIN: Commissioners Yerxa and Evans.

Ms. Winters is no longer sitting as a Commissioner.

It is moved by Commissioner Evans, seconded by Commissioner Barker to approve the Minutes of November 1, 2007. Motion carried by the following vote:

AYES: Commissioners Evans, Barker, and Ash.

NOES: None.

ABSENT: None.

ABSTAIN: Commissioners Yerxa and Hosmer.

Chairman Ash declares time for a period of public comment.

No comment being heard, Chairman Ash closes the period of public comment.

Chairman Ash declares time for approval of the Consent Agenda.

Consent Agenda: It is moved by Commissioner Evans, seconded by Commissioner Barker to approve payment of claims for November 2007. Motion carried. All yes. Absent: None.

Chairman Ash declares time for a public hearing on the possible adoption of the following Spheres of Influence:

- Antelope-Black Mountain Cemetery District
- Arbuckle Cemetery District
- College City Cemetery District
- Colusa Cemetery District
- Cypress Hill Cemetery District
- Grand Island Cemetery District
- Maxwell Cemetery District
- Princeton Cemetery District
- Stonyford-Indian Valley Cemetery District
- Williams Cemetery District

Mr. Benoit states that he has completed the Sphere of Influence Update and the MSR for the cemetery districts, noting that it is his recommendation that the Commission adopt both resolutions. He further states that the districts have all received copies of the report. He notes that people can get very emotional when discussing combining the districts.

Commissioner Hosmer states that it is her recommendation to leave the cemeteries as they are, noting that when cemeteries are dissolved pertinent records for genealogists can be lost, misplaced, or simply won't come up in a computer search since a cemetery is no longer listed at it's current name.

Ms. Nissen, Office Manager for the Williams Cemetery states that it is her opinion that combining the cemeteries is not a good idea. She further states that the Board Members make the time to take care of their own cemeteries. She notes that if the cemeteries are combined, they would fall under the jurisdiction of a county wide board, and it is her opinion that they would not do the job taking care of them that the smaller boards are doing for their own cemeteries.

Mr. Morris states that he agrees with Ms. Nissen.

Commissioner Hosmer inquires if the boundary listed for the Maxwell district can be more definitive.

Mr. Benoit states that he will add a clearer map to the report.

Lengthy discussion is held regarding combining the districts with no action taken.

Ms. Nissen states that she can send Mr. Benoit pictures of the Williams Cemetery.

The Commissioners state they would like to see updated pictures of all of the cemeteries in the final report.

Chairman Ash directs staff to bring the updated and completed report back to the March meeting for a physical review.

Commissioner Evans states that there needs to be a correction to the SOI on page 1, second column, number 5, referring to Leesville, noting that it is **south of LADOGA**.

Chairman Ash closes the public hearing.

It is moved by Commissioner Evans, seconded by Commissioner Yerxa to adopt **Resolution 2007-0010**, A Resolution of the Colusa County Local Agency Formation Commission adopting the Sphere of Influence for the Antelope-Black Mountain Cemetery District, the Arbuckle Cemetery District, the College City Cemetery District, the Colusa Cemetery District, the Cypress Hill Cemetery District, the Grand Island Cemetery District, the Maxwell Cemetery District, the Princeton Cemetery District, the Stonyford-Indian Valley Cemetery District, and the Williams Cemetery District with the above mentioned corrections, and direction to staff. Resolution passed and adopted by the following vote:

AYES: Commissioners Evans, Yerxa, Hosmer, Barker, and Ash.

NOES: None.

ABSENT: None.

Chairman Ash declares time for discussion on Legislative Updates and MSR Guidelines.

Mr. Benoit speaks to Government Code 56430, which allows the LAFCO commission to have a 6th determination in the MSR's completed by staff. He states that the commission should consider several different options, and then settle on one. He gives examples of what can impact the districts

- Agricultural
- Water shed

- Traffic
- Groundwater

Commissioner Ash states that these things vary from district to district.

Mr. Browne states that the tendency is to ignore an issue unless it is in policy to begin with. He further states that there are certain issues that are not adequately covered by the current determinations. He inquires of the Commissioner if there are one or two overriding issues for them.

Commissioner Barker inquires if they have the option to add to the directive per situation.

Mr. Benoit states that the Commission is greatly concerned by the consumption of agriculture, but does not at this time have a determination that staff has to consider when completing a new MSR. He further states that without such direction, staff does not have to consider it when doing the MSR, nor does the applicant have to consider it.

Chairman Ash states he would like for staff to prepare a list of possible issues that are not being addressed in the current MSR structure. The Commission concurs.

Chairman Ash directs staff to compile a list of alternative determinations, and return for discussion in February.

Chairman Ash declares time for a discussion on the Executive Officer's report on an alternative accounting administration for Colusa LAFCO.

Mr. Benoit updates the Commission on the current situation as it stands with A87 billing from the Auditor's office. He states that LAFCO can take their funds outside of the County since they are independent of the County, noting that they will have to use Mr. Browne to remove their funds from the Treasurer's office. He states the Treasurer has done a wonderful job with LAFCO's funds. He further notes that costs are continuing to go up and the Auditor's office is now billing LAFCO \$3200.00 a year, for the job they do, which is very little. He also notes that LAFCO was billed for County Counsel, a service which LAFCO does not utilize. He further states that at this time the Auditor is billing on a two year behind cycle. He further states when he inquired of her if the Auditor's office would be willing to do direct billing, she indicated she would, however it would work out to be the same amount as is the current cost of A87.

Chairman Ash directs staff to send a letter to the County Auditor requesting direct billing for costs.

Chairman Ash declares time to consider a selection of alternatives and consider policy regarding political campaign contributions for and against proposals before LAFCO.

Mr. Benoit updates the Commission on AB745 stating that it will require LAFCO Commissioners to disclose who contributes for and against proposals. He notes that contributions include dinners out, gifts to Commissioners reelection funds, mass mailings, and mass calling of constituents. He further states that while this has not been a large problem before in Colusa County, with all of the new development, it could become an issue.

Lengthy discussion is held with no action taken.

Chairman Ash declares time for discussion and possible approval of a request from GCID for Colusa LAFCO to assume the position of Lead Agency for CEQA review for a pending application before LAFCO.

Mr. Benoit states that GCID has filed an application for 20 changes. He further states that they have allocated forty-one thousand dollars to process the application. He states he will work with Marsh Birch and GCID to prepare a negative declaration for the project.

It is moved by Commissioner Evans, seconded by Commissioner Barker to approve the request for Colusa LAFCO to assume the Lead Agency position for CEQA review for an application regarding reorganization of the GCID including detachments and annexations in both Glenn and Colusa Counties and authorize staff and Counsel to prepare CEQA document concurrent with processing this GCID request. Motion carried. All yes. Absent: None.

Executive Officer's Report

Mr. Benoit gives a status report on the MSR/SOI for Holthouse ID, Westside ID, Mosquito Abatement District and Fire SOI.

Commissioner Reports

None.

Chairman Ash adjourns the meeting at 5:08 PM to reconvene in Regular Session on Thursday February 7, 2008 at the hour of 3:00 PM.

Approved: _____
Brandon Ash, Chairman

Attest: _____
Alicia Draves, Commission Clerk