



## **BOARD OF SUPERVISORS**

Terrell Swofford, 1<sup>st</sup> District  
Kevin Goss, 2<sup>nd</sup> District  
Sharon Thrall, Chair 3<sup>rd</sup> District  
Lori Simpson, Vice Chair 4<sup>th</sup> District  
Jeff Engel, 5<sup>th</sup> District

**AGENDA FOR REGULAR MEETING OF DECEMBER 06, 2016 TO BE HELD AT 10:00 A.M.  
IN THE BOARD OF SUPERVISORS ROOM 308, COURTHOUSE, QUINCY, CALIFORNIA**

[www.countyofplumas.com](http://www.countyofplumas.com)

### **AGENDA**

**The Board of Supervisors welcomes you to its meetings which are regularly held on the first three Tuesdays of each month, and your interest is encouraged and appreciated.**

**Any item without a specified time on the agenda may be taken up at any time and in any order. Any member of the public may contact the Clerk of the Board before the meeting to request that any item be addressed as early in the day as possible, and the Board will attempt to accommodate such requests.**

**Any person desiring to address the Board shall first secure permission of the presiding officer. For noticed public hearings, speaker cards are provided so that individuals can bring to the attention of the presiding officer their desire to speak on a particular agenda item.**

**Any public comments made during a regular Board meeting will be recorded. The Clerk will not interpret any public comments for inclusion in the written public record. Members of the public may submit their comments in writing to be included in the public record.**

**CONSENT AGENDA:** These matters include routine financial and administrative actions. All items on the consent calendar will be voted on at some time during the meeting under "Consent Agenda." If you wish to have an item removed from the Consent Agenda, you may do so by addressing the Chairperson.



**REASONABLE ACCOMMODATIONS:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (530) 283-6170. Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility. Auxiliary aids and services are available for people with disabilities.

## STANDING ORDERS

10:00 A.M. **CALL TO ORDER/ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS TO OR DELETIONS FROM THE AGENDA**

### **PUBLIC COMMENT OPPORTUNITY**

Matters under the jurisdiction of the Board, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda unless it is determined to be an urgency item by the Board of Supervisors. Any member of the public wishing to address the Board during the "Public Comment" period will be limited to a maximum of 3 minutes.

### **DEPARTMENT HEAD ANNOUNCEMENTS/REPORTS**

Brief announcements by, or brief reports on their activities by County Department Heads

## **ACTION AGENDA**

### **1. CONSENT AGENDA**

These items are expected to be routine and non-controversial. The Board of Supervisors will act upon them at one time without discussion. Any Board members, staff member or interested party may request that an item be removed from the consent agenda for discussion. Additional budget appropriations and/or allocations from reserves will require a four/fifths roll call vote.

#### **A) PROBATION**

Authorize the Probation Department to recruit and fill vacant, funded, and allocated 1.0 FTE Deputy Probation Officer I/II position

#### **B) BEHAVIORAL HEALTH**

Authorize the Behavioral Health Department to recruit and fill vacant, funded and allocated 2.0 FTE Administrative Assistant positions created by promotion; 1.0 FTE Fiscal Officer position created by promotion; and 1.0 FTE Quality Assurance Coordinator created by promotion

#### **C) DISTRICT ATTORNEY**

Authorize the District Attorney to recruit and fill vacant, funded and allocated 1.0 FTE Investigative Assistant position created by retirement

#### **D) TREASURER/TAX COLLECTOR**

- 1) Adopt **RESOLUTION** authorizing Investment of County Funds and Funds of other Depositors for 2016 and 2017
- 2) Approve Treasurer's Investment Policy and Guidelines as submitted; approved as to form by County Counsel

#### **E) SHERIFF**

Animal Shelter: Authorize the Auditor to pay invoice, without a contract, of \$6,542.50 and \$1,395 to American Crematory Equipment Company for services provided to Plumas Animal Shelter

**F) CLERK OF THE BOARD**

Approve Board minutes for November 2016

**G) PUBLIC HEALTH AGENCY**

- 1) Adopt **RESOLUTION** to accept Standard Agreement Number 16-10305 from the California Department of Public Health, Office of AIDS for Housing Opportunities for Persons with Aids (HOPWA), and authorize the Director of Public Health to sign the Amendment; approved as to form by County Counsel
- 2) Adopt **RESOLUTION** to accept Agreement #15-10494 A01 from the California Department of Public Health, Office of AIDS for the AIDS Drug Assistance Program (ADAP) from July 1, 2015 through June 30, 2017 in the amount of \$4,000, and authorize the Director of Public Health to sign the Agreement; approved as to form by County Counsel
- 3) Approve submission of the Annual Children's Medical Services (CMS) Plan and Budget for FY 16-17, and authorize the Chair to sign the Certification Statements for the California Children's Services and Child Health and Disability Prevention Programs
- 4) Ratify and authorize the Chair to sign a Professional Agreement with Plumas Crisis Intervention & Resource Center to provide various services to Public Health related to the Medi-Cal Administrative Activities (MAA) Program, approved as to form by County Counsel.
- 5) Approve and authorize the Chair to sign the following agreements with Ramsell Public Health & Safety for activities related to the Medi-Cal Administrative Activities (MAA) Program:
  - MAA1617RPHS-AH for the Administrative Hub Roles and Responsibilities for a Random Moment Survey software system: and
  - MAA1617RPHS for activities related to the Administration and Technical Assistance to the LGA Consortium
- 6) Adopt **RESOLUTION** to accept and authorize the Director of Public Health to sign Agreement Amendment Number 14-10530 A03 from the California Department of Health, Emergency Preparedness Office (EPO) for the 2014-2017 Public Health Preparedness Program

**H) PUBLIC WORKS**

- 1) Authorize the Department of Public Works to recruit and fill 1.0 FTE Public Works Maintenance Worker I/II position, Quincy District
- 2) Authorize payment of FY 15-16 invoices of \$1,700 to Plumas District Hospital for services provided for DMV medical certifications

**Convene as the Plumas County Board of Equalization**

**2. BOARD OF EQUALIZATION** – Charles Leonhardt

Schedule date(s) for hearing Board of Equalization Assessment Appeals filed; discussion and possible action

**Adjourn as the Plumas County Board of Equalization and reconvene as the Board of Supervisors**

**3. PLUMAS COUNTY FIRE SAFE COUNCIL**

Informational update by the Tree Mortality Task Force

**4. DEPARTMENTAL MATTERS**

A) **BUILDING** – Jim Green

Adopt **ORDINANCE**, first introduced on November 15, 2016, amending the Plumas County Code regarding Building Permit Expiration and Eliminating Special 'No Fee" Building Permit. **Roll call vote**

B) **ENVIRONMENTAL HEALTH** – Jerry Sipe

Adopt **ORDINANCE**, first introduced on November 15, 2016, to amend Title 6, Chapters 6, 8 and 11 of the Plumas County Code regarding Sanitation & Health (Sewage Disposal). **Roll call vote**

C) **SOCIAL SERVICES** – Elliott Smart

Presentation of Social Services Trends Report for quarter ending September 30, 2016

D) **BEHAVIORAL HEALTH** – Robert Brunson

Authorize Behavioral Health to hire above the "B" Step for the position of Behavioral Health Site Coordinator; discussion and possible action

E) **DISTRICT ATTORNEY** – David Hollister

- 1) Approve supplemental budget of \$11,500, Budget Unit 70307 Community Justice Services from Plumas Superior Court (Pre Trial Release Assessments); discussion and possible action
- 2) Approve and authorize the District Attorney to sign Memorandum of Understanding between County of Plumas and Plumas Superior Court for Criminal Justice Services Program (formerly Alternative Sentencing Program); and approve supplemental budget of \$20,634 accordingly; approved as to form by County Counsel; discussion and possible action

**5. BOARD OF SUPERVISORS**

A. Report and update by the Economic Development Committee

B. Discussion and possible action regarding "Response to the FY 2015-2016 Grand Jury Report"

C. Discussion and possible action regarding role and structure of the Plumas County Coordinating Council

D. Correspondence

E. Weekly report by Board members of meetings attended, key topics, project updates, standing committees and appointed Boards and Associations

1:00 P.M. **AFTERNOON SESSION**

6. **PUBLIC WORKS** – Robert Perreault

Solid Waste Division: **CONTINUED PUBLIC HEARING** from November 08, 2016; Introduce and waive first reading of an **ORDINANCE**, Replacing Chapter 10 of Title 6 of the Plumas County Code "Solid Waste Control", Articles 1 -4 Inclusive. **Roll call vote**

7. **CLOSED SESSION**

**ANNOUNCE ITEMS TO BE DISCUSSED IN CLOSED SESSION**

- A. Personnel: Public employee performance evaluation – Human Resources Director
- B. Conference with Legal Counsel: Significant exposure to litigation pursuant to Subdivision (d)(2) of Government Code Section 54956.9
- C. Conference with Labor Negotiator regarding employee negotiations: Sheriff's Administrative Unit; Sheriff's Department Employees Association; Operating Engineers Local #3; Confidential Employees Unit; Probation; Unrepresented Employees and Appointed Department Heads

**REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)**

**ADJOURNMENT**

Adjourn meeting to Tuesday, December 13, 2016, Board of Supervisors Room 308, Courthouse, Quincy, California.

*Adjourn Meeting  
in Memory of  
Past Plumas County Supervisor  
Oliver "Ole" Olsen  
1975 – 1979  
2003 - 2011*



**Erin Metcalf**  
Chief Probation Officer

# County of Plumas

## Department of Probation

270 County Hospital Rd. #128,  
Quincy, California, 95971



IA

Phone: 530-283-6200  
FAX: 530-283-6165

DATE: December 6, 2016

TO: Honorable Board of Supervisors

FROM: Erin Metcalf, Chief Probation Officer

SUBJECT: Request for approval to recruit and fill fully funded vacant 1.0 FTE Deputy Probation Officer I/II position

A handwritten signature in black ink, appearing to read "Erin Metcalf".

### Recommendation

Approve the filling of the vacant, allocated position of 1.0 FTE Deputy Probation Officer I/II within Department 20400, which was already allocated and funded in the 2016-2017 budget year.

### Background and Discussion

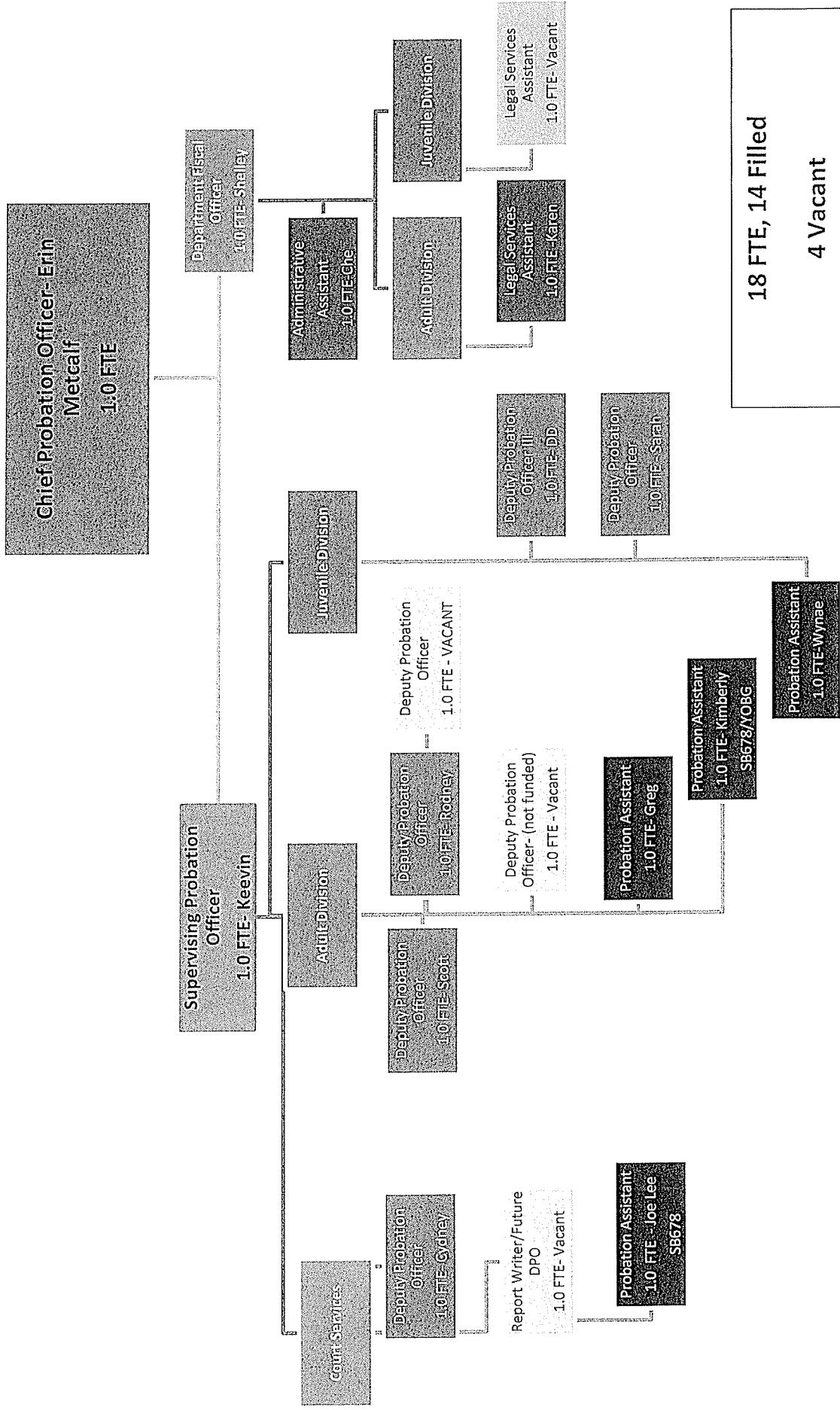
The Probation Department is requesting approval to fill a 1.0 FTE Deputy Probation Officer I/II position that is vacant because of an employee promoted on November 9, 2016. The position was approved and funded in the Probation Department's 2016-2017 budget year. At this time, the Deputy Probation Officer I/II position is funded with monies from AB109 (20418). The Department is seeking Board approval to fill the position without additional General Fund monies being appropriated.

## QUESTIONS FOR STAFFING CRITICAL POSITIONS WHICH ARE CURRENTLY ALLOCATED.

- Is there a legitimate business, statutory or financial justification to fill the position? Yes, the Deputy Probation Officer I/II position is a legitimate business need.
- Why is it critical that this position be filled at this time? The department is required and mandated to have a Deputy Probation Officer's. These officers will provide intensive supervision and caseload management for high risk offenders.
- How long has the position been vacant? As of November 9, 2016
- Can the department use other wages until the next budget cycle? Other wages are not an option for the Deputy Probation Officer position. The job requires a specific degree and experience. A permanent employee in this position is important to maintain continuity of service.
- What are staffing levels at other counties for similar departments and/or positions? Probation's request to fill the Deputy Probation Officer I/II position are similar to other comparably sized departments in other counties.
- What core function will be impacted without filling the position prior to July 1? Timely flow and completion of Court related documentation related to criminal cases would be negatively impacted without the assistance of the Probation Officer.
- What negative fiscal impact will the County suffer if the position is not filled prior to July 1? There would not be a fiscal impact on the County if the position is left unfilled.
- A non-general fund department head needs to satisfy that he/she has developed a budget reduction plan in the event of the loss of future state, federal or local funding? What impact will this reduction plan have to other County departments? Probation is a General Fund department.
- Does the department expect other financial expenditures which will impact the general fund and are not budgeted such as audit exceptions? Probation does not expect unbudgeted audit exceptions that will affect the General Fund.
- Does the budget reduction plan anticipate the elimination of any of the requested positions? Probation is not requesting elimination of any positions.

- Departments shall provide an estimate of future general fund support for the next two years and how the immediate filling of this position may impact, positively or negatively, the need for general fund support? It is anticipated that 100% of the Probation Officer positions will be borne by the General Fund. The position is offset 100% AB109 funding that is transferred quarterly into the General Fund.
- Does the department have a reserve? Yes If yes, provide the activity of the department's reserve account for the last three years? Probation has utilized SB678's reserve by providing \$142,000 to the Sheriff's Office this fiscal year for a Correctional Officer and Deputy Sheriff. It also anticipates using \$254,632 of fund balance in SB678 to offset wages/benefits that are allocated in the General Fund for 2016-2017 budget year.

# Plumas County Probation Department 2016 Organization Chart



# PLUMAS COUNTY BEHAVIORAL HEALTH

W. Robert Brunson, Director  
270 County Hospital Road, Suite 109, Quincy, CA 95971  
PH: (530) 283-6307 FAX: (530) 283-6045



## MEMO

DATE: **November 14, 2016**

TO: **HONORABLE BOARD OF SUPERVISORS**

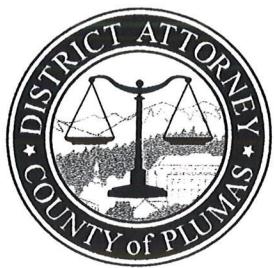
FROM: **W. ROBERT BRUNSON, DIRECTOR**

SUBJECT: **CONSENT AGENDA ITEMS FOR DECEMBER 6, 2016**

RE: **AUTHORIZE DEPT OF HUMAN RESOURCES AND PLUMAS COUNTY BEHAVIORAL HEALTH TO RECRUIT AND FILL FOUR (4) VACANT FTE'S DUE TO PROMOTIONS.**

**IT IS RESPECTFULLY RECOMMENDED THE BOARD OF SUPERVISORS:** Authorize the Department of Human Resources and Plumas County Behavioral Health to recruit and fill two (2) vacated Administrative Assistants due to promotion, One (1) Fiscal Officer, due to promotion and one (1) Quality Assurance Coordinator, due to promotion.

**BACKGROUND AND DISCUSSION:** Plumas County Behavioral Health (PBH) has four (4) vacant FTE's, due to promotions. The promotional positions were made available through the department's recent reorganization on 10/18/16 and have been vacant since then. These positions are budgeted and allocated in the department budget with no fiscal impact on the general fund.



**OFFICE OF THE DISTRICT ATTORNEY**

**David Hollister, District Attorney**

520 Main Street, Room 404 · Quincy, California 95971  
(530) 283-6303 · Fax (530) 283-6340

lc

**Date:** December 6, 2016  
**To:** Plumas County Board of Supervisors  
**From:** David Hollister, District Attorney *DAH*  
**Subject:** Request to hire an Investigative Assistant at A, B or C step

**Recommendation:**

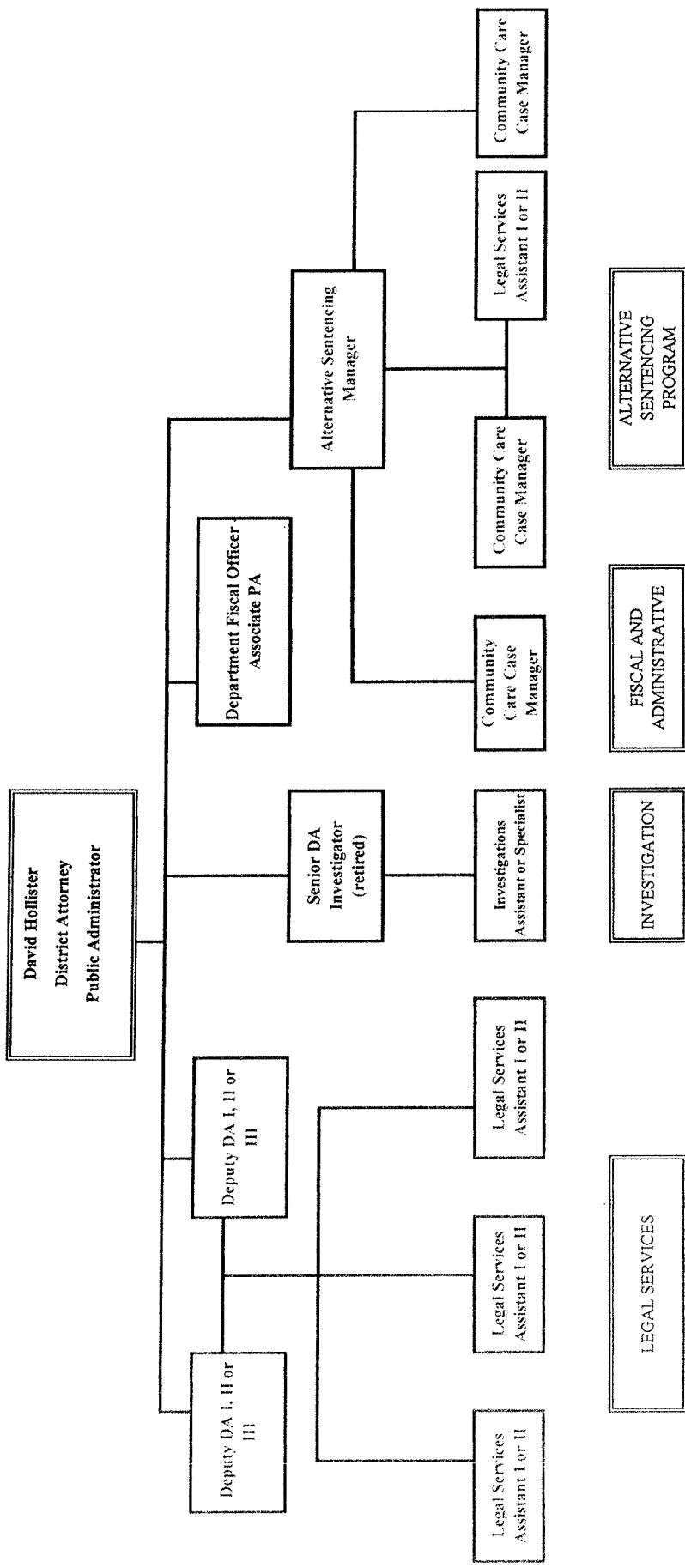
- 1) Authorize the District Attorney to recruit and hire the funded and allocated 1.0 FTE Investigative Assistant to replace a retiring employee at the A, B or C step.

**Background and Discussion**

In November a long-time Sr. District Attorney Investigator retired. This retirement leaves a vacancy in the investigations allocation at a critical time. This position provides investigative support to attorneys and is particularly crucial in the preparation for, and prosecution of, cases at jury trial.

The Department respectfully requests Board approval to fill the vacant and funded Investigative Assistant position at an A, B or C step depending on how much experience the applicant may have.

Plumas County District Attorney's Office  
Organizational Chart  
2016-17



## INVESTIGATIVE ASSISTANT

### **DEFINITION**

Under supervision provides investigative support to the District Attorneys Department, assists the District Attorney investigator, assists in the service of court documents, locating and interviewing witnesses; and performs related work as required.

### **DISTINGUISHING CHARACTERISTICS**

Incumbents provide investigative support to attorneys or investigators by assisting in the service of court documents, locating and interviewing witnesses, locating missing parents and abducted children, and retrieving certified documents and reports. The Investigative Assistant differs from the District Attorney Investigator in that the latter has full responsibility for independently planning and performing investigations. The Investigative Assistant assists with the routine aspects of non-criminal investigations. The Investigative Assistant is a non-safety classification.

### **REPORTS TO**

Supervising Investigator.

### **CLASSIFICATIONS DIRECTLY SUPERVISED**

None.

### **EXAMPLES OF DUTIES**

- Assists District Attorney Criminal Investigator in research of case evidence.
- Recording crime scenes and in providing investigative support to attorneys in trial.
- Performs field work locating witnesses, abducted children, and/or missing parents.
- Services court documents.
- Interviews witnesses.
- Assists attorneys in case development.
- Provides information to persons seeking assistance for abducted children.
- Prepares file records and reports.
- Retrieves certified documents and reports.
- And performs case report tracking.

## INVESTIGATIVE ASSISTANT – 2

### **ESSENTIAL FUNCTIONS:**

- Safely operate vehicle to serve court documents and perform routine field work assignments;
- Operate computer keyboard;
- Interview witnesses to obtain needed information;
- Write concise and accurate reports;
- Prioritize casework assignments;
- Work independently in locating missing persons and in obtaining information

### **KNOWLEDGE OF:**

- Criminal Judicial system;
- Laws governing domestic violence and custody of minors

### **ABILITY TO:**

- Operate computer terminal;
- Operate vehicle

### **MINIMUM QUALIFICATIONS**

Any combination of training and experience, which would likely provide the required knowledge and abilities, is qualifying. A typical way to obtain the required knowledge and abilities would be:

One (1) year of experience performing criminal or civil investigations.

OR

Completion of 50 college units with a major in administration of justice, social work, law enforcement or a closely related field.

OR

Successful completion of California P.O.S.T. training (Level 1 Reserves) and thirty (30) college units with a major in administration of justice or law enforcement

**SPECIAL REQUIREMENTS:** Must possess a valid driver's license at time of application and a valid California Drivers License by the time of appointment. The valid California License must be maintained throughout employment.

QUESTIONS FOR STAFFING CRITICAL POSITIONS  
WHICH ARE CURRENTLY ALLOCATED.

- **Is there a legitimate business, statutory or financial justification to fill the position?** Yes, the Investigative Assistant provides investigative support to the attorney's.
  - **Why is it critical that this position be filled at this time?** This position is crucial in the preparation for, and prosecution of, cases at jury trial.
  - **How long has the position been vacant?** November 18, 2016.
  - **Can the department use other wages until the next budget cycle?** No, a permanent employee is vital to the department's ability to provide trial preparation and assistance to the Attorney's.
  - **What are staffing levels at other counties for similar departments and/or positions?** Most counties (if not all) have the same or similar position.
  - **What core function will be impacted without filling the position prior to July 1?** The investigative assistant provides essential services including assisting the prosecutors in trial preparation, investigating and cataloging financial and other white collar crimes, preparing investigation reports concerning fraud and managing witness participation in court.
  - **What negative fiscal impact will the County suffer if the position is not filled prior to July 1?** Impossible to detail the fiscal consequences but if the Investigative Assistant duties are not covered, attorneys' time will be drained away from prosecuting criminals, limiting the department's core responsibility for prosecuting crime.
  - **A non-general fund department head need to satisfy that he/she has developed a budget reduction plan in the event of the loss of future state, federal or local funding? What impact will this reduction plan have to other County departments?** This is a General Fund position.
  - **Does the department expect other financial expenditures which will impact the general fund and are not budgeted such as audit exceptions?** No Audit exceptions are pertinent in the General Fund.
  - **Does the budget reduction plan anticipate the elimination of any of the requested positions?** N/A
  - **Departments shall provide an estimate of future general fund support for the next two years and how the immediate filling of this position may impact, positively or negatively, the need for general fund support?** There will be a General Fund savings of \$8,500 in fiscal year 2016-17 and \$16,800 in fiscal year 2017-18.
  - **Does the department have a reserve? If yes, provide the activity of the department's reserve account for the last three years?** N/A

CRITICAL STAFFING COMMITTEE  
REQUEST FORM

The following information and questionnaire must be completed in its entirety before the request will be reviewed by the Critical Staffing Committee.

DATE OF REQUEST: 12/06/2016

DEPARTMENT TITLE: District Attorney

BUDGET CODE(s) AND BREAKDOWN FOR REQUESTED POSITION:  
Fund 0001D and budget unit 70301

POSITION TITLE: Investigative Assistant

IS POSITION CURRENTLY ALLOCATED? Yes, funding for the Investigative Assistant was included in the current budget. This position will use that funding.



Julie A. White  
PLUMAS COUNTY TREASURER - TAX COLLECTOR - COLLECTIONS ADMINISTRATION

P.O. Box 176 • Quincy, CA 95971-0176 •  
E-mail: [pctc@countyofplumas.com](mailto:pctc@countyofplumas.com)  
(530) 283-6260

Kelsey Hostetter, Assistant Treasurer-Tax Collector  
(530) 283-6259

1D

**DATE:** November 14, 2016

**TO:** The Honorable Board of Supervisors

**FROM:** Julie A. White, Plumas County Treasurer-Tax Collector/Collections  
Administrator

**SUBJECT:** Resolution Authorizing Investment of County Funds and Funds of other  
Depositors, and Approval of Updated Treasurer's Investment Policy and  
Guidelines

**Action Required:** 1.) Adopt Resolution Delegating Authority to the Treasurer to Invest County funds  
and funds of other depositors for 2017 and approve, ratify and authorize investment activity for 2016, and  
2.) Approve the updated Plumas County Treasurer's Investment Policy and Guidelines

**Background and Discussion:** 1.) In accordance with Government Code Sections 53607 and 27000.1, the  
Board of Supervisors annually delegates the authority to the Treasurer to invest the excess funds available  
in the treasury. Excess funds are those funds not being expended on any given day. Each day investment  
decisions are made that enable all available funds to be invested into LAIF, CAMP or long term with  
PFM Asset Management.

In addition to investing those funds which are under the direction of the Board of Supervisors, the  
Treasurer is the existing Treasurer for all those local agencies with funds on deposit in the treasury, and  
invests those funds on behalf of said agencies. Board authority is required to accept funds from outside  
county agencies for the purpose of investing by the County Treasurer.

The investment authority was not authorized to the Treasurer for the 2016 calendar year and I apologize  
for this error. Throughout the year, I have invested with the assistance of PFM Asset Management, Inc.,  
investment advisors, with the same objectives of safety, liquidity and return as in the past. The  
investment reports for 2016 have been emailed to each of the Board members monthly for review and  
hard copies are on file with the Clerk of the Board.

The reason that the authority was not requested is typically in January, the Resolution of Authority to  
Invest, and the County Investment Policy and Guidelines are brought before the Board. The policy and  
guidelines were being updated by our investment advisors, PFM Asset Management, and were not  
completed. I chose to wait until the policy and guidelines were finished and request approval of both at  
the same time as in the past. In retrospect I should have requested approval to invest in January, 2016.  
When discussing the matter with outside auditing firm, Smith & Newell, and County Counsel it was  
advised that the 2016 investments be approved, ratified and authorized at this time. I am respectfully  
requesting approval of the resolution authorizing investment of County funds and funds of other  
depositor's for calendar year 2017 and approve, ratify and authorize 2016.

2.) Annually, the Board of Supervisors must review and approve the policies and guidelines established by the County Treasurer for the administration of the investment program. The Plumas County Investment Policies and Guidelines had not been updated in several years. PFM Asset Management, LLC, investment advisors to the Treasurer and County, worked to revise and update the content and format of the investment policy. I have attached the memo of recommended changes, the “edit” version of the old policy and the new policies and guidelines.

I respectfully request approval of the new Plumas County Investment Policy and Guidelines.

Thank you for your time.



## The PFM Group

Public Financial Management, Inc.  
PFM Asset Management LLC  
PFM Advisors

50 California Street  
Suite 2300  
San Francisco, CA 94111

415 982-5544  
415 982-4513 fax  
[www.pfm.com](http://www.pfm.com)

March 8, 2016

## Memorandum

**To:** Julie White, Treasurer-Tax Collector  
Kelsey Hostetter, Assistant Treasurer-Tax Collector  
*Plumas County*

**From:** Sarah Meacham, Director  
Allison Kaune, Senior Managing Consultant  
*PFM Asset Management LLC*

**Re:** Investment Policy Review

---

We have completed our review of the County's Investment Policy. This memorandum explains our recommended revisions to the Policy. We believe the changes will enhance the organization and clarity of the Policy.

Our approach to evaluating the Investment Policy was comprehensive. First, we checked for compliance with the California Government Codes that regulate the investment of public funds. Second, we reorganized paragraphs and added sections recommended as "best practices" by the California Municipal Treasurers Association (CMTA), the Government Finance Officers Association (GFOA) and the Association of Public Treasurers of the U.S. and Canada (APT).

### I. Policy

We created this section as an introduction for the Policy.

### II. Scope

We created a new Section II, Scope, to clarify which funds fall under the Investment Policy.

### III. Prudence

We created a new Section III, Prudence, utilizing the language from the original Policy stating the County is subject to the "Prudent Investor Standard," which is required by California Government Code. We added the definition of the standard from California Government Code, which was not included in the original Policy.

### IV. Objectives

We created a new Section IV, Objectives, clearly stating the County's investment program objectives.



## **V. Delegation of Authority**

We added section V, Delegation of Authority. California Government Code provides direction on who has authority to invest County funds and we have included that language in this section. We also added language stating the County Treasurer may utilize an investment advisor.

## **VI. Investment Procedures**

We created section VI, Investment Procedures; however, the language in this section was included in the County's original Policy. This section describes the procedures for the operation of the County's investment program.

## **VII. Ethics and Conflicts of Interest**

We added a section addressing Ethics and Conflicts of Interest. Much of the language in this section was included in the County's original Policy. This section helps protect the County should any conflicts arise.

## **VIII. Terms for Funds Invested with the County Investment Pool**

We added a section called Terms for Funds Invested with the County Investment Pool. The language in this section was included in the County's original Policy.

## **IX. Authorized Financial Dealers and Institutions**

We added a new section on authorized financial dealers and institutions, which lays out the procedures and guidelines for review of financial counterparties the County chooses to work with. We also added that if the County utilizes an investment advisor, the investment advisor may use its own list of authorized broker/dealers on behalf of the County.

## **X. Authorized and Suitable Investments**

The Authorized and Suitable Investments section was updated so that it more closely follows the California Government Code and includes investments previously not permitted, but that are consistent with the County's investment objectives and risk tolerances. We added obligations of the State of California or any local agency within the state, registered treasury notes or bonds of any of the other 49 states in addition to California, local government investment pools, asset-backed securities, and supranationals, which are all permitted by California Government Code 53601 and will provide enhanced investment opportunities. Language in this section is consistent with California Government Code, although more restrictive in certain asset classes. We also added a limitation permitting a maximum of only 5% in any non-government issuer, other than investment pools. This will promote diversification, enhancing the portfolio's safety in accordance with the County's first investment objective.



## **XI. Investment Pools/Money Market Funds**

We added this section, as recommended by the CMTA, stating the County should review investment pools and money market funds before investing in them and on a periodic basis after investing.

## **XII. Maximum Maturity**

We added this section to address the general limit on maturities for securities that do not have specific maturity limits in the California Government Code. This section describes the requirements for the County to be able to invest beyond five years.

## **XIII. Prohibited Investments**

We added this section to describe more fully the types of securities in which the County is not permitted to invest.

## **XIV. Internal Controls**

This section is recommended by the CMTA and states the County Treasurer will establish a process for an annual independent audit to ensure compliance with policies and procedures.

## **XV. Treasury Oversight Committee-Discontinued**

California Government Code has previously required counties and cities to establish a Treasury Oversight Committee. In 2005, California Government Code made the Committees optional. This section describes the California Code change and specifies that although the County decided to discontinue its Committee, the County Treasurer continues to provide reporting to the Plumas County Board of Supervisors, the auditor, school districts, and the community college district. The County's portfolio is also independently audited by an external auditor for compliance with the California Government Code and this Investment Policy.

## **XVI. Custody of Securities**

We added a section on custody requiring securities be held in the County's name by a third party custodian and that delivery versus payment method be used for all transactions.

## **XVII. Reporting**

We added a section on reporting that describes the report the Treasurer will provide the Board of Supervisors.

## **XVIII. Policy Review**

The final section addresses the frequency and purpose of the Investment Policy review.

## THE PLUMAS COUNTY TREASURER'S OFFICE

### INVESTMENT POLICY AND GUIDELINES 2015/2016

#### I. POLICY

Plumas County (County) shall invest public funds in such a manner as to comply with state and local laws; ensure prudent money management; provide for daily cash flow requirements; and meet the objectives of the Policy, in priority order of Safety, Liquidity and Return on Investment.

Comment [PFM1]: From CMTA sample policy

#### II. SCOPE

This policy applies to the investment of short-term operating funds. Longer-term funds, including investments of employees' investment retirement funds and proceeds from certain bond issues, are covered by a separate policy.

Comment [PFM2]: From GFOA sample policy

#### III. PRUDENCE

The County Treasurer is a trustee and therefore a fiduciary subject to the "prudent investor" standard. The "prudent investor" standard states that, "when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency."

Comment [PFM3]: From County's original Policy

#### IV. OBJECTIVES

The Treasurer's primary goals for the investment of idle funds (the portfolio) are, in order of priority as per California Government Code §27000.5 and 53600.5:

1. Safety – Safety of principal is the foremost objective of Plumas County.
2. Liquidity – The County's portfolio will remain sufficiently liquid to enable the County to meet its cash flow requirements. An adequate percentage of the portfolio should be maintained in liquid short-term securities which can be converted to cash if necessary to meet disbursement requirements. Since all cash requirements cannot be anticipated, investment in securities with active secondary markets is highly recommended.
3. Return – The investment portfolio shall be designed with the objective of attaining the highest rate of return, taking into consideration income preservation, current market conditions, the present phase of the market cycle, both present and future cash flow needs, and the other primary goals of Safety and Liquidity.

Comment [PFM4]: From County's original Policy

## **V. DELEGATION OF AUTHORITY**

The management responsibility for the County's investment program is hereby delegated to the County Treasurer in accordance with California Government Code Section 27000.1. The Treasurer may delegate investment decision making and execution authority to an investment advisor. The advisor will follow the Investment Policy and such other written instructions as are provided.

## **VI. INVESTMENT PROCEDURES**

The County Treasurer will establish investment procedures for the operation of the County's investment program.

Whenever practical, cash will be consolidated into one bank account and invested on a pooled concept basis. Interest earnings shall be allocated according to fund cash and investment balances on a quarterly basis

Calculations for the Treasurer's administrative fee for costs of investing, depositing, banking, auditing, reporting, or otherwise handling or managing funds, as authorized in Section 27013 of the Government Code, are based upon actual costs and are subtracted from interest earnings on a quarterly basis prior to distribution of interest earnings to all funds.

**Comment [PFM5]:** From County's original Policy.

## **VII. ETHICS AND CONFLICTS OF INTEREST**

Officers and employees involved in the investment process will refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

Plumas County Board of Supervisors adopted Resolution No. 92-5423 on December 15, 1992 which established a Conflict of Interest code for Plumas County. The Code states that Subsection 18730(b) of Title 2 of the California Administrative Code are the limits set forth by Plumas County.

The limits set forth in the California Administrative Code are the limits set forth by Plumas County.

In addition, the Board of Supervisors have adopted Rule 22 of the Personnel Rules, entitled "Code of Conduct" which further establishes limitations on the receipt of honoraria, gifts, and gratuities.

**Comment [PFM6]:** From County's original Policy

## **VIII TERMS FOR FUNDS INVESTED WITH THE COUNTY INVESTMENT POOL**

Any local agency and other entity not required to deposit funds in the County Treasury may do so for investment purposes according to the terms set forth in section 53684 of the Government Code. In addition, the local agency or other entity must enter into a

contract with the County Treasurer stating the minimum amount to be deposited, the term of the deposit and anticipated cash-flow projection for deposits and withdrawals, agreement to share in the administrative costs as allowed under Section 27013 of the Government Code, and any other deposit terms required of the treasurer.

Before approving any request to withdraw funds, the County Treasurer shall evaluate the request as per Government Code Section 27136 and 27133 (h). The evaluation will be based upon the following criteria:

- (a) legality
- (b) size of request and effect on liquidity of the pool
- (c) effect on earnings rate of the balance of funds in the pool
- (d) assessment of the stability and predictability of the investments in the treasury.

In addition, requests for withdrawal of funds will be at the lower of adjusted cost or market value of the pool at the time of withdrawal—or—to the last available report reflecting market values as of month end.

**Comment [PFM7]:** From County's original Policy

### **VIII. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS**

The County Treasurer will maintain a list of approved financial institutions authorized to provide investment services to the County in the State of California. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule). A determination should be made to insure that all approved broker/dealer firms, and individuals covering the public agency, are reputable and trustworthy. In addition, the broker/dealer firms should have the ability to meet all of their financial obligations in dealing with the County. The firms, and individuals covering the agency, should be knowledgeable and experienced in County investing and the investment products involved. No public deposit shall be made except in a qualified public depository as established by the established state laws. All financial institutions and broker/dealers who desire to conduct investment transactions with the County must supply the Treasurer with the following: audited financial statements, proof of FINRA certification, trading resolution, proof of State of California registration, completed broker/dealer questionnaire, certification of having read the County's investment policy and depository contracts. An annual review of the financial condition and registrations of qualified bidders will be conducted by the Treasurer. A current audited financial statement is required to be on file for each financial institution and broker/dealer in which the County invests.

**Comment [PFM8]:** From CMTA sample policy

If the County has an investment advisor, the investment advisor may use its own list of authorized broker/dealers to conduct transactions on behalf of the County. The advisor will perform all due diligence for the broker/dealers on its approved list.

The selection of any broker, brokerage, dealer, or securities firm that has, within any consecutive 48-month period following January 1, 1996, made a political contribution in an amount exceeding the limitations contained in Rule G37 of the Municipal Securities

Rulemaking Board, to the Plumas County Treasurer, any member of the Plumas County Board of Supervisors, or any candidate for those offices, shall be prohibited.

**Comment [PFM9]:** From County's original policy

Purchase and sale of securities will be made on the basis of competitive bids and offers with a minimum of three quotes being obtained.

## IX. AUTHORIZED AND SUITABLE INVESTMENTS

Where this section specifies a percentage limitation for a particular security type, that percentage is applicable only on the date of purchase. Credit criteria listed in this section refers to the credit rating at the time the security is purchased. If an investment's credit rating falls below the minimum rating required at the time of purchase, the County Treasurer's investment advisor shall evaluate the quality of that security and provide the Treasurer with a recommended plan of action.

**Comment [PFM10]:** Section was edited so that Policy includes all asset classes permitted by California Government Code. Policy contains some additional restrictions in regards to sector and issuer maximums.

The County will limit investments in any one non-government issuer, except investment pools, to no more than 5% regardless of security type.

**Comment [PFM11]:** From County's original Policy

1. **U.S. Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.**

**Comment [PFM12]:** This recommendation is more restrictive than the County's original Policy, however we feel it is prudent and will increase the portfolio's safety without decreasing the County's investment opportunities.

2. **Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. This will include any mortgage pass through security issued and guaranteed by a Federal Agency with a maximum final maturity of five years. Purchase of Federal Agency issued mortgage-backed securities authorized by this subdivision may not exceed 50% of the County's investment portfolio; all other investments in Federal Agency securities are unrestricted.**

**Comment [PFM13]:** Not required by Code. Consistent with County's original Policy and recommended by PFM.

3. **Obligations of the State of California or any local agency within the state, including bonds payable solely out of revenues from a revenue producing property owned, controlled or operated by the state or any local agency, or by a department, board, agency or authority of the state or any local agency.**

**Comment [PFM14]:** Asset type not included in County's original Policy. PFM recommends adding to increase investment opportunities. Asset type is permitted by, and language is consistent with, California Government Code.

4. **Registered treasury notes or bonds of any of the other 49 states in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state, or by a department, board, agency, or authority of any of these states.**

**Comment [PFM15]:** Asset type not included in County's original Policy. PFM recommends adding to increase investment opportunities. Asset type is permitted by, and language is consistent with, California Government Code.

**6. Repurchase Agreements.** The County may invest in overnight and term repurchase agreements with Primary Dealers of the Federal Reserve Bank of New York rated "A" or better by an NRSRO with which the County has entered into a Master Repurchase Agreement. This agreement will be modeled after the Public Securities Associations Master Repurchase Agreement. The maximum maturity will be restricted to 90 days. Purchases of repurchase agreements shall not exceed 20 percent of the portfolio.

All collateral used to secure this type of transaction is to be delivered to a third party prior to release of funds. The third party will have an account in the name of Plumas County. The market value of securities used as collateral for repurchase agreements shall be monitored on a daily basis and will not be permitted to fall below a minimum of 102 percent of the value of the repurchase agreement. Collateral shall not have maturities in excess of 5 years. The right of substitution will be granted, provided that permissible collateral is maintained.

In order to conform with provisions of the Federal Bankruptcy Code which provides for the liquidation of securities held as collateral for repurchase agreements, the only securities acceptable as collateral shall be securities that are direct obligations of and guaranteed by the U.S. Government and Agency securities as permitted under this policy. The County will maintain a first perfected security interest in the securities subject to the repurchase agreement and shall have a contractual right to liquidation of purchased securities upon the bankruptcy, insolvency, or other default of the counter party.

**7. Commercial Paper** of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a NRSRO. The entity that issues the commercial paper must meet all of the following conditions in either paragraph a or paragraph b:

- a. The entity meets the following criteria: (i) is organized and operating in the United States as a general corporation, (ii) has total assets in excess of five hundred million dollars (\$500,000,000), and (iii) has debt other than commercial paper, if any, that is rated "A" or higher by a NRSRO.
- b. The entity meets the following criteria: (i) is organized within the United States as a special purpose corporation, trust, or limited liability company, (ii) has program-wide credit enhancements including, but not limited to, over collateralization, letters of credit, or surety bond, and (iii) has commercial paper that is rated "A-1" or higher, or the equivalent, by a NRSRO.

Eligible commercial paper will have a maximum maturity of 270 days or less. No more than 40% of the County's portfolio may be invested in commercial paper.

**8. Non-negotiable Certificates of Deposit** (time CDs) in a state or national bank, savings association or federal association, or federal or state credit union with a branch in the State of California. In accordance with California Government Code

Section 53635.2, to be eligible to receive County deposits, a financial institution will have received an overall rating of not less than "satisfactory" in its most recent evaluation by the appropriate federal financial supervisory agency of its record of meeting the credit needs of California's communities. Time CDs are required to be collateralized as specified under Government Code Section 53630 et seq. The County, at its discretion, may waive the collateralization requirements for any portion that is covered by federal deposit insurance. The County will have a signed agreement with any depository accepting County funds per Government Code Section 53649. No deposits will be made at any time in time CDs issued by a state or federal credit union if a member of the Plumas County Board of Supervisors or County Treasurer serves on the board of directors or any committee appointed by the board of directors of the credit union. In accordance with Government Code Section 53638, any deposit will not exceed that total shareholder's equity of any depository bank, nor will the deposit exceed the total net worth of any institution. **No more than 20% of the County's portfolio may be invested in non-negotiable CDs.**

9. **Negotiable Certificates of Deposit** issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by Section 5102 of the Financial Code), a state or federal credit union, or by a federally- or state-licensed branch of a foreign bank. **No more than 30% of the County's portfolio may be invested in negotiable CDs.**
10. **Medium-Term Notes**, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the U.S. or any state and operating within the U.S. Notes eligible for investment under this subdivision shall be rated "A" or its equivalent or better by a NRSRO. No more than 30% of the County's portfolio may be invested in medium-term notes.
11. **Shares of beneficial interest issued by diversified management companies** that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1, et seq.). To be eligible for investment pursuant to this subdivision these companies will either: (i) attain the highest ranking letter or numerical rating provided by at least two NRSROs or (ii) have retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years of experience managing money market mutual funds and with assets under management in excess of \$500,000,000. **No more than 20% of the County's investment portfolio may be invested in money market funds.**
12. **State of California's Local Agency Investment Fund (LAIF)** an investment pool run by the State Treasurer. The County can invest up to the maximum amount permitted by the State Treasurer.

**Comment [PFM16]:** County's original Policy permitted up to 50%. PFM recommends reducing to 20%.

**Comment [PFM17]:** County's original Policy permitted 20% in this sector. PFM recommends increasing to 30%, consistent with California Government Code.

**Comment [PFM18]:** County's original Policy limited this to 15%. PFM recommends increasing to 20%, consistent with California Government Code.

**13. Shares of beneficial interest issued by a joint powers authority** (Local Government Investment Pools) organized pursuant to Government Code Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (q) of California Government Code Section 53601, inclusive. Each share will represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

- a. The adviser is registered or exempt from registration with the Securities and Exchange Commission.
- b. The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (q) Government Code Section 53601, inclusive.
- c. The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

**Comment [PFM19]:** County's original Policy did not include this language and instead has language permitting investment in CAMP. This language here is consistent with California Government Code and more broadly permits investment Local Government Investment Pools, such as CAMP.

**14. Asset-Backed Securities (ABS)** A mortgage passthrough security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable passthrough certificate, or consumer receivable-backed bond of a maximum of five years' maturity. Securities eligible for investment under this subdivision shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided by an NRSRO and rated in a rating category of "AA" or its equivalent or better by an NRSRO. No more than 20% of the County's investment portfolio may be invested pursuant to this section.

**Comment [PFM20]:** Asset type not included in County's original Policy. PFM recommends adding to increase investment opportunities. Asset type is permitted by, and language is consistent with, California Government Code.

**15. Supranationals** United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subdivision shall be rated "AA" or better by an NRSRO and shall not exceed 30% County's moneys that may be invested pursuant to this section.

**Comment [PFM21]:** Asset type not included in County's original Policy. PFM recommends adding to increase investment opportunities. Asset type is permitted by, and language is consistent with, California Government Code.

## **X. INVESTMENT POOLS/MONEY MARKET FUNDS**

A thorough investigation of investment pools and money market funds is required prior to investing, and on a continual basis.

**Comment [PFM22]:** The following sections are recommended by, and modeled after, the CMTA sample policy.

## **XI. MAXIMUM MATURITY**

Maturities will be based on an analysis of the receipt of revenues and maturity of investments. Maturities will be scheduled to permit the County to meet all disbursement requirements.

The County may not invest in a security whose maturity exceeds five years from the date of purchase unless the Plumas County Board of Supervisors has provided approval for a specific purpose at least 90 days before the investment is made.

## **XII. PROHIBITED INVESTMENTS**

Investments not described herein, including, but not limited to, reverse repurchase agreements, stocks, inverse floaters, range notes, commercial mortgage-backed, interest-only strips, or any security that could result in zero interest accrual if held to maturity are prohibited for investment by the County.

## **XIII. INTERNAL CONTROL**

The County Treasurer will establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with policies and procedures.

## **XIV. TREASURY OVERSIGHT COMMITTEE - DISCONTINUED**

From 1995 to January 1, 2005, the California Government Code required counties and cities to establish a Treasury Oversight Committee. The purpose of the Committee was to oversee the policies that guide the investment of public funds. The Committee was not to impinge on the day to day operations of the County Treasurer, but rather to review and monitor the Treasurer's investment policy and reporting. In 2005, California Government Code section 27131 made the Committees optional. Plumas County discontinued the operation of its Committee as of February 6, 2007. The Plumas County Treasurer continues to provide reporting to the Plumas County Board of Supervisors, the auditor, school districts, and the community college district. The County's portfolio is also independently audited by an external auditor for compliance with the California Government Code and this Investment Policy.

**Comment [SM23]:** As discussed, we added this paragraph to explain the change in the Oversight Committee.

## **XV. CUSTODY OF SECURITIES**

All securities owned by the County except time deposits and securities used as collateral for repurchase agreements, will be kept in safekeeping by a third-party bank's trust department, acting as an agent for the County under the terms of a custody agreement executed by the bank and the County.

All securities will be received and delivered using standard delivery versus payment procedures.

## **XVI. REPORTING**

The County Treasurer will provide a monthly investment report to the Plumas County Board of Supervisors, the auditor, school districts, and the community college district showing all transactions, type of investment, issuer, purchase date, maturity date, purchase price, yield to maturity, and current market value for all securities.

**Comment [PFM24]:** This should reflect what the reports actually show. Please let us know if changes need to be made or make edits as appropriate.

## **XVII. POLICY REVIEW**

This Investment Policy will be reviewed at least annually to ensure its consistency with:

1. The California Government Code sections that regulate the investment and reporting of public funds.
2. The overall objectives of preservation of principal, sufficient liquidity, and a market return.

Any changes to the Policy must be reviewed and approved by the Board at a public meeting.

**Comment [SM25]:** Required by Code 53646 (a)

## Glossary

**Asset-Backed Security (ABS)** is a financial security backed by a loan, lease or receivables against assets other than real estate and mortgage-backed securities.

**Bankers' Acceptances** are short-term credit arrangements to enable businesses to obtain funds to finance commercial transactions. They are time drafts drawn on a bank by an exporter or importer to obtain funds to pay for specific merchandise. By its acceptance, the bank becomes primarily liable for the payment of the draft at maturity. An acceptance is a high-grade negotiable instrument.

**Broker-Dealer** is a person or a firm who can act as a broker or a dealer depending on the transaction. A broker brings buyers and sellers together for a commission. They do not take a position. A dealer acts as a principal in all transactions, buying and selling for his own account.

### Certificates Of Deposit

1. **Negotiable Certificates of Deposit** are large-denomination CDs. They are issued at face value and typically pay interest at maturity, if maturing in less than 12 months. CDs that mature beyond this range pay interest semi-annually. Negotiable CDs are issued by U.S. banks (domestic CDs), U.S. branches of foreign banks (Yankee CDs), and thrifts. There is an active secondary market for negotiable domestic and Yankee CDs. However, the negotiable thrift CD secondary market is limited. Yields on CDs exceed those on U.S. treasuries and agencies of similar maturities. This higher yield compensates the investor for accepting the risk of reduced liquidity and the risk that the issuing bank might fail. State law does not require the collateralization of negotiable CDs.
2. **Non-negotiable Certificates of Deposit** are time deposits with financial institutions that earn interest at a specified rate for a specified term. Liquidation of the CD prior to maturity incurs a penalty. There is no secondary market for these instruments, therefore, they are not liquid. They are classified as public deposits, and financial institutions are required to collateralize them. Collateral may be waived for the portion of the deposits that are covered by FDIC insurance.

**Collateral** refers to securities, evidence of deposits, or other property that a borrower pledges to secure repayment of a loan. It also refers to securities pledged by a bank to secure deposits. In California, repurchase agreements, reverse repurchase agreements, and public deposits must be collateralized.

**Collateralized Mortgage Obligation (CMO)** is a type of mortgage-backed security in which principal repayments are organized according to their maturities and into different classes based on risk. A collateralized mortgage obligation is a special purpose entity that receives the mortgage repayments and owns the mortgages it receives cash flows

from (called a pool). The mortgages serve as collateral, and are organized into classes based on their risk profile. Income received from the mortgages is passed to investors based on a predetermined set of rules, and investors receive money based on the specific slice of mortgages invested in (called a tranche).

**Commercial Paper** is a short term, unsecured, promissory note issued by a corporation to raise working capital.

**Federal Agency Obligations** are issued by U.S. Government Agencies or Government Sponsored Enterprises (GSE). Although they were created or sponsored by the U.S. Government, most Agencies and GSEs are not guaranteed by the United States Government. Examples of these securities are notes, bonds, bills and discount notes issued by Fannie Mae (FNMA), Freddie Mac (FHLMC), the Federal Home Loan Bank system (FHLB), and Federal Farm Credit Bank (FFCB). The Agency market is a very large and liquid market, with billions traded every day.

**Issuer** means any corporation, governmental unit, or financial institution that borrows money through the sale of securities.

**Liquidity** refers to the ease and speed with which an asset can be converted into cash without loss of value. In the money market, a security is said to be liquid if the difference between the bid and asked prices is narrow and reasonably sized trades can be done at those quotes.

**Local Agency Investment Fund (LAIF)** is a special fund in the State Treasury that local agencies may use to deposit funds for investment. There is no minimum investment period and the minimum transaction is \$5,000, in multiples of \$1,000 above that, with a maximum of \$50 million for any California public agency. It offers high liquidity because deposits can be converted to cash in twenty-four hours and no interest is lost. All interest is distributed to those agencies participating on a proportionate share determined by the amounts deposited and the length of time they are deposited. Interest is paid quarterly via direct deposit to the agency's LAIF account. The State keeps an amount for reasonable costs of making the investments, not to exceed one-quarter of one per cent of the earnings.

**Market Value** is the price at which a security is trading and could presumably be purchased or sold.

**Maturity** is the date upon which the principal or stated value of an investment becomes due and payable.

**Medium-Term Notes** are debt obligations issued by corporations and banks, usually in the form of unsecured promissory notes. These are negotiable instruments that can be bought and sold in a large and active secondary market. For the purposes of California Government Code, the term "Medium Term" refers to a maximum remaining maturity of five years or less. They can be issued with fixed or floating-rate coupons, and with or

without early call features, although the vast majority are fixed-rate and non-callable. Corporate notes have greater risk than Treasuries or Agencies because they rely on the ability of the issuer to make payment of principal and interest.

**Money Market Fund** is a type of investment comprising a variety of short-term securities with high quality and high liquidity. The fund provides interest to shareholders and must strive to maintain a stable net asset value (NAV) of \$1 per share.

**Mortgage Backed Security (MBS)**. A type of asset-backed security that is secured by a mortgage or collection of mortgages. These securities must also be grouped in one of the top two ratings as determined by an accredited credit rating agency, and usually pay periodic payments that are similar to coupon payments. Furthermore, the mortgage must have originated from a regulated and authorized financial institution.

**Principal** describes the original cost of a security. It represents the amount of capital or money that the investor pays for the investment.

**Repurchase Agreements** are short-term investment transactions. Banks buy temporarily idle funds from a customer by selling him U.S. Government or other securities with a contractual agreement to repurchase the same securities on a future date at an agreed upon interest rate. Repurchase Agreements are typically for one to ten days in maturity. The customer receives interest from the bank. The interest rate reflects both the prevailing demand for Federal Funds and the maturity of the Repo. Repurchase Agreements must be collateralized.

**Supranational** is an international organization, or union, whereby member states transcend national boundaries or interests to share in the decision-making and vote on issues pertaining to the wider grouping.

**U.S. Treasury Issues** are direct obligations of the United States Government. They are highly liquid and are considered the safest investment security. U.S. Treasury issues include:

1. **Treasury Bills** which are non-interest-bearing discount securities issued by the U.S. Treasury to finance the national debt. Bills are currently issued in one, three, six, and twelve month maturities.
2. **Treasury Notes** that have original maturities of one to ten years.
3. **Treasury Bonds** that have original maturities of greater than 10 years.

**Yield to Maturity** is the rate of income return on an investment, minus any premium above par or plus any discount with the adjustment spread over the period from the date of the purchase to the date of maturity of the bond.

## THE PLUMAS COUNTY TREASURER'S OFFICE

### INVESTMENT POLICY AND GUIDELINES 2015/2016

#### I. POLICY

Plumas County (County) shall invest public funds in such a manner as to comply with state and local laws; ensure prudent money management; provide for daily cash flow requirements; and meet the objectives of the Policy, in priority order of Safety, Liquidity and Return on investment.

#### II. SCOPE

The following investment policy governs the deposit, safekeeping, and investment of all funds under the control of the County Treasurer, as well as all related transactions and investment activities. It does not apply to bond funds or other assets belonging to the County of Plumas, or other affiliated public agency assets that reside outside of the County Treasury Pool.

#### III. PRUDENCE

The County Treasurer is a trustee and therefore a fiduciary subject to the "prudent investor" standard. The "prudent investor" standard states that, "when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency."

#### IV. OBJECTIVES

The Treasurer's primary goals for the investment of idle funds (the portfolio) are, in order of priority as per California Government Code §27000.5 and 53600.5:

1. Safety – Safety of principal is the foremost objective of Plumas County.
2. Liquidity – The County's portfolio will remain sufficiently liquid to enable the County to meet its cash flow requirements. An adequate percentage of the portfolio should be maintained in liquid short-term securities which can be converted to cash if necessary to meet disbursement requirements. Since all cash requirements cannot be anticipated, investment in securities with active secondary markets is highly recommended.
3. Return – The investment portfolio shall be designed with the objective of attaining the highest rate of return, taking into consideration income preservation, current

market conditions, the present phase of the market cycle, both present and future cash flow needs, and the other primary goals of Safety and Liquidity.

## **V. DELEGATION OF AUTHORITY**

The management responsibility for the County's investment program is hereby delegated to the County Treasurer in accordance with California Government Code Section 27000.1. The Treasurer may delegate investment decision making and execution authority to an investment advisor. The advisor will follow the Investment Policy and such other written instructions as are provided.

## **VI. INVESTMENT PROCEDURES**

The County Treasurer will establish investment procedures for the operation of the County's investment program.

Whenever practical, cash will be consolidated into one bank account and invested on a pooled concept basis. Interest earnings shall be allocated according to fund cash and investment balances on a quarterly basis

Calculations for the Treasurer's administrative fee for costs of investing, depositing, banking, auditing, reporting, or otherwise handling or managing funds, as authorized in Section 27013 of the Government Code, are based upon actual costs and are subtracted from interest earnings on a quarterly basis prior to distribution of interest earnings to all funds.

## **VII. ETHICS AND CONFLICTS OF INTEREST**

Officers and employees involved in the investment process will refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

Plumas County Board of Supervisors adopted Resolution No. 92-5423 on December 15, 1992 which established a Conflict of Interest code for Plumas County. The Code states that Subsection 18730(b) of Title 2 of the California Administrative Code are the limits set forth by Plumas County.

The limits set forth in the California Administrative Code are the limits set forth by Plumas County.

In addition, the Board of Supervisors have adopted Rule 22 of the Personnel Rules, entitled "Code of Conduct" which further establishes limitations on the receipt of honoraria, gifts, and gratuities.

## **VIII TERMS FOR FUNDS INVESTED WITH THE COUNTY INVESTMENT POOL**

Any local agency and other entity not required to deposit funds in the County Treasury may do so for investment purposes according to the terms set forth in section 53684 of the Government Code. In addition, the local agency or other entity must enter into a contract with the County Treasurer stating the minimum amount to be deposited, the term of the deposit and anticipated cash-flow projection for deposits and withdrawals, agreement to share in the administrative costs as allowed under Section 27013 of the Government Code, and any other deposit terms required of the treasurer.

Before approving any request to withdraw funds, the County Treasurer shall evaluate the request as per Government Code Section 27136 and 27133 (h). The evaluation will be based upon the following criteria:

- (a) legality
- (b) size of request and effect on liquidity of the pool
- (c) effect on earnings rate of the balance of funds in the pool
- (d) assessment of the stability and predictability of the investments in the treasury.

In addition, requests for withdrawal of funds will be at the lower of adjusted cost or market value of the pool at the time of withdrawal—or—to the last available report reflecting market values as of month end.

## **IX. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS**

The County Treasurer will maintain a list of approved financial institutions authorized to provide investment services to the County in the State of California. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule). A determination should be made to insure that all approved broker/dealer firms, and individuals covering the public agency, are reputable and trustworthy. In addition, the broker/dealer firms should have the ability to meet all of their financial obligations in dealing with the County. The firms, and individuals covering the agency, should be knowledgeable and experienced in County investing and the investment products involved. No public deposit shall be made except in a qualified public depository as established by the established state laws. All financial institutions and broker/dealers who desire to conduct investment transactions with the County must supply the Treasurer with the following: audited financial statements, proof of FINRA certification, trading resolution, proof of State of California registration, completed broker/dealer questionnaire, certification of having read the County's investment policy and depository contracts. An annual review of the financial condition and registrations of qualified bidders will be conducted by the Treasurer. A current audited financial statement is required to be on file for each financial institution and broker/dealer in which the County invests.

If the County has an investment advisor, the investment advisor may use its own list of authorized broker/dealers to conduct transactions on behalf of the County. The advisor will perform all due diligence for the broker/dealers on its approved list.

The selection of any broker, brokerage, dealer, or securities firm that has, within any consecutive 48-month period following January 1, 1996, made a political contribution in an amount exceeding the limitations contained in Rule G37 of the Municipal Securities Rulemaking Board, to the Plumas County Treasurer, any member of the Plumas County Board of Supervisors, or any candidate for those offices, shall be prohibited.

Purchase and sale of securities will be made on the basis of competitive bids and offers with a minimum of three quotes being obtained.

## **X. AUTHORIZED AND SUITABLE INVESTMENTS**

Where this section specifies a percentage limitation for a particular security type, that percentage is applicable only on the date of purchase. Credit criteria listed in this section refers to the credit rating at the time the security is purchased. If an investment's credit rating falls below the minimum rating required at the time of purchase, the County Treasurer's investment advisor shall evaluate the quality of that security and provide the Treasurer with a recommended plan of action.

The County will limit investments in any one non-government issuer, except investment pools, to no more than 5% regardless of security type.

- 1. U.S. Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.**
- 2. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. This will include any mortgage pass through security issued and guaranteed by a Federal Agency with a maximum final maturity of five years. Purchase of Federal Agency issued mortgage-backed securities authorized by this subdivision may not exceed 50% of the County's investment portfolio; all other investments in Federal Agency securities are unrestricted.**
- 3. Obligations of the State of California or any local agency within the state, including bonds payable solely out of revenues from a revenue producing property owned, controlled or operated by the state or any local agency, or by a department, board, agency or authority of the state or any local agency.**
- 4. Registered treasury notes or bonds of any of the other 49 states in addition to California, including bonds payable solely out of the revenues from a**

revenue-producing property owned, controlled, or operated by a state, or by a department, board, agency, or authority of any of these states.

5. **Bankers' Acceptances** otherwise known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank. Purchases of bankers' acceptances shall not exceed 180 days' maturity or 40% of the County's portfolio that may be invested pursuant to this section.
6. **Repurchase Agreements.** The County may invest in overnight and term repurchase agreements with Primary Dealers of the Federal Reserve Bank of New York rated "A" or better by an NRSRO with which the County has entered into a Master Repurchase Agreement. This agreement will be modeled after the Public Securities Associations Master Repurchase Agreement. The maximum maturity will be restricted to 90 days. Purchases of repurchase agreements shall not exceed 20 percent of the portfolio.

All collateral used to secure this type of transaction is to be delivered to a third party prior to release of funds. The third party will have an account in the name of Plumas County. The market value of securities used as collateral for repurchase agreements shall be monitored on a daily basis and will not be permitted to fall below a minimum of 102 percent of the value of the repurchase agreement. Collateral shall not have maturities in excess of 5 years. The right of substitution will be granted, provided that permissible collateral is maintained.

In order to conform with provisions of the Federal Bankruptcy Code which provides for the liquidation of securities held as collateral for repurchase agreements, the only securities acceptable as collateral shall be securities that are direct obligations of and guaranteed by the U.S. Government and Agency securities as permitted under this policy. The County will maintain a first perfected security interest in the securities subject to the repurchase agreement and shall have a contractual right to liquidation of purchased securities upon the bankruptcy, insolvency, or other default of the counter party.

7. **Commercial Paper** of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a NRSRO. The entity that issues the commercial paper must meet all of the following conditions in either paragraph a or paragraph b:
  - a. The entity meets the following criteria: (i) is organized and operating in the United States as a general corporation, (ii) has total assets in excess of five hundred million dollars (\$500,000,000), and (iii) has debt other than commercial paper, if any, that is rated "A" or higher by a NRSRO.
  - b. The entity meets the following criteria: (i) is organized within the United States as a special purpose corporation, trust, or limited liability company, (ii) has program-wide credit enhancements including, but not limited to, over collateralization, letters of credit, or surety bond, and (iii) has commercial paper that is rated "A-1" or higher, or the equivalent, by a NRSRO.

Eligible commercial paper will have a maximum maturity of 270 days or less. No more than 40% of the County's portfolio may be invested in commercial paper.

8. **Non-negotiable Certificates of Deposit** (time CDs) in a state or national bank, savings association or federal association, or federal or state credit union with a branch in the State of California. In accordance with California Government Code Section 53635.2, to be eligible to receive County deposits, a financial institution will have received an overall rating of not less than "satisfactory" in its most recent evaluation by the appropriate federal financial supervisory agency of its record of meeting the credit needs of California's communities. Time CDs are required to be collateralized as specified under Government Code Section 53630 et seq. The County, at its discretion, may waive the collateralization requirements for any portion that is covered by federal deposit insurance. The County will have a signed agreement with any depository accepting County funds per Government Code Section 53649. No deposits will be made at any time in time CDs issued by a state or federal credit union if a member of the Plumas County Board of Supervisors or County Treasurer serves on the board of directors or any committee appointed by the board of directors of the credit union. In accordance with Government Code Section 53638, any deposit will not exceed that total shareholder's equity of any depository bank, nor will the deposit exceed the total net worth of any institution. No more than 20% of the County's portfolio may be invested in non-negotiable CDs.
9. **Negotiable Certificates of Deposit** issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by Section 5102 of the Financial Code), a state or federal credit union, or by a federally- or state-licensed branch of a foreign bank. No more than 30% of the County's portfolio may be invested in negotiable CDs.
10. **Medium-Term Notes**, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the U.S. or any state and operating within the U.S. Notes eligible for investment under this subdivision shall be rated "A" or its equivalent or better by a NRSRO. No more than 30% of the County's portfolio may be invested in medium-term notes.
11. **Shares of beneficial interest issued by diversified management companies** that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1, et seq.). To be eligible for investment pursuant to this subdivision these companies will either: (i) attain the highest ranking letter or numerical rating provided by at least two NRSROs or (ii) have retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years of experience managing money market

mutual funds and with assets under management in excess of \$500,000,000. No more than 20% of the County's investment portfolio may be invested in money market funds.

**12. State of California's Local Agency Investment Fund (LAIF)** an investment pool run by the State Treasurer. The County can invest up to the maximum amount permitted by the State Treasurer.

**13. Shares of beneficial interest issued by a joint powers authority** (Local Government Investment Pools) organized pursuant to Government Code Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (q) of California Government Code Section 53601, inclusive. Each share will represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

- a. The adviser is registered or exempt from registration with the Securities and Exchange Commission.
- b. The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (q) Government Code Section 53601, inclusive.
- c. The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

**14. Asset-Backed Securities (ABS)** A mortgage passthrough security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable passthrough certificate, or consumer receivable-backed bond of a maximum of five years' maturity. Securities eligible for investment under this subdivision shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided by an NRSRO and rated in a rating category of "AA" or its equivalent or better by an NRSRO. No more than 20% of the County's investment portfolio may be invested pursuant to this section.

**15. Supranationals.** United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subdivision shall be rated "AA" or better by an NRSRO and shall not exceed 30% County's moneys that may be invested pursuant to this section.

## **XI. INVESTMENT POOLS/MONEY MARKET FUNDS**

A thorough investigation of investment pools and money market funds is required prior to investing, and on a continual basis.

## **XII. MAXIMUM MATURITY**

Maturities will be based on an analysis of the receipt of revenues and maturity of investments. Maturities will be scheduled to permit the County to meet all disbursement requirements.

The County may not invest in a security whose maturity exceeds five years from the date of purchase unless the Plumas County Board of Supervisors has provided approval for a specific purpose at least 90 days before the investment is made.

## **XIII. PROHIBITED INVESTMENTS**

Investments not described herein, including, but not limited to, reverse repurchase agreements, stocks, inverse floaters, range notes, commercial mortgage-backed, interest-only strips, or any security that could result in zero interest accrual if held to maturity are prohibited for investment by the County.

## **XIV. INTERNAL CONTROL**

The County Treasurer will establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with policies and procedures.

## **XV. TREASURY OVERSIGHT COMMITTEE - DISCONTINUED**

From 1995 to January 1, 2005, the California Government Code required counties and cities to establish a Treasury Oversight Committee. The purpose of the Committee was to oversee the policies that guide the investment of public funds. The Committee was not to impinge on the day to day operations of the County Treasurer, but rather to review and monitor the Treasurer's investment policy and reporting. In 2005, California Government Code section 27131 made the Committees optional. Plumas County discontinued the operation of its Committee as of February 6, 2007. The Plumas County Treasurer continues to provide reporting to the Plumas County Board of Supervisors, the auditor, school districts, and the community college district. The County's portfolio is also independently audited by an external auditor for compliance with the California Government Code and this Investment Policy.

## **XVI. CUSTODY OF SECURITIES**

All securities owned by the County, except time deposits, will be kept in safekeeping by a third-party bank's trust department, acting as an agent for the County under the terms of a custody agreement executed by the bank and the County.

All securities will be received and delivered using standard delivery versus payment procedures.

## **XVII. REPORTING**

The County Treasurer will provide a monthly investment report to the Plumas County Board of Supervisors, the auditor, school districts, and the community college district showing all transactions, type of investment, issuer, purchase date, maturity date, purchase price, yield to maturity, and current market value for all securities.

## **XVIII. POLICY REVIEW**

This Investment Policy will be reviewed at least annually to ensure its consistency with:

1. The California Government Code sections that regulate the investment and reporting of public funds.
2. The overall objectives of preservation of principal, sufficient liquidity, and a market return.

Any changes to the Policy must be reviewed and approved by the Board at a public meeting

## Glossary

**Asset-Backed Security (ABS)** is a financial security backed by a loan, lease or receivables against assets other than real estate and mortgage-backed securities.

**Bankers' Acceptances** are short-term credit arrangements to enable businesses to obtain funds to finance commercial transactions. They are time drafts drawn on a bank by an exporter or importer to obtain funds to pay for specific merchandise. By its acceptance, the bank becomes primarily liable for the payment of the draft at maturity. An acceptance is a high-grade negotiable instrument.

**Broker-Dealer** is a person or a firm who can act as a broker or a dealer depending on the transaction. A broker brings buyers and sellers together for a commission. They do not take a position. A dealer acts as a principal in all transactions, buying and selling for his own account.

### Certificates Of Deposit

1. **Negotiable Certificates of Deposit** are large-denomination CDs. They are issued at face value and typically pay interest at maturity, if maturing in less than 12 months. CDs that mature beyond this range pay interest semi-annually. Negotiable CDs are issued by U.S. banks (domestic CDs), U.S. branches of foreign banks (Yankee CDs), and thrifts. There is an active secondary market for negotiable domestic and Yankee CDs. However, the negotiable thrift CD secondary market is limited. Yields on CDs exceed those on U.S. treasuries and agencies of similar maturities. This higher yield compensates the investor for accepting the risk of reduced liquidity and the risk that the issuing bank might fail. State law does not require the collateralization of negotiable CDs.
2. **Non-negotiable Certificates of Deposit** are time deposits with financial institutions that earn interest at a specified rate for a specified term. Liquidation of the CD prior to maturity incurs a penalty. There is no secondary market for these instruments, therefore, they are not liquid. They are classified as public deposits, and financial institutions are required to collateralize them. Collateral may be waived for the portion of the deposits that are covered by FDIC insurance.

**Collateral** refers to securities, evidence of deposits, or other property that a borrower pledges to secure repayment of a loan. It also refers to securities pledged by a bank to secure deposits. In California, repurchase agreements, reverse repurchase agreements, and public deposits must be collateralized.

**Collateralized Mortgage Obligation (CMO)** is a type of mortgage-backed security in which principal repayments are organized according to their maturities and into different classes based on risk. A collateralized mortgage obligation is a special purpose entity that receives the mortgage repayments and owns the mortgages it receives cash flows

from (called a pool). The mortgages serve as collateral, and are organized into classes based on their risk profile. Income received from the mortgages is passed to investors based on a predetermined set of rules, and investors receive money based on the specific slice of mortgages invested in (called a tranche).

**Commercial Paper** is a short term, unsecured, promissory note issued by a corporation to raise working capital.

**Federal Agency Obligations** are issued by U.S. Government Agencies or Government Sponsored Enterprises (GSE). Although they were created or sponsored by the U.S. Government, most Agencies and GSEs are not guaranteed by the United States Government. Examples of these securities are notes, bonds, bills and discount notes issued by Fannie Mae (FNMA), Freddie Mac (FHLMC), the Federal Home Loan Bank system (FHLB), and Federal Farm Credit Bank (FFCB). The Agency market is a very large and liquid market, with billions traded every day.

**Issuer** means any corporation, governmental unit, or financial institution that borrows money through the sale of securities.

**Liquidity** refers to the ease and speed with which an asset can be converted into cash without loss of value. In the money market, a security is said to be liquid if the difference between the bid and asked prices is narrow and reasonably sized trades can be done at those quotes.

**Local Agency Investment Fund (LAIF)** is a special fund in the State Treasury that local agencies may use to deposit funds for investment. There is no minimum investment period and the minimum transaction is \$5,000, in multiples of \$1,000 above that, with a maximum of \$50 million for any California public agency. It offers high liquidity because deposits can be converted to cash in twenty-four hours and no interest is lost. All interest is distributed to those agencies participating on a proportionate share determined by the amounts deposited and the length of time they are deposited. Interest is paid quarterly via direct deposit to the agency's LAIF account. The State keeps an amount for reasonable costs of making the investments, not to exceed one-quarter of one per cent of the earnings.

**Market Value** is the price at which a security is trading and could presumably be purchased or sold.

**Maturity** is the date upon which the principal or stated value of an investment becomes due and payable.

**Medium-Term Notes** are debt obligations issued by corporations and banks, usually in the form of unsecured promissory notes. These are negotiable instruments that can be bought and sold in a large and active secondary market. For the purposes of California Government Code, the term "Medium Term" refers to a maximum remaining maturity of five years or less. They can be issued with fixed or floating-rate coupons, and with or

without early call features, although the vast majority are fixed-rate and non-callable. Corporate notes have greater risk than Treasuries or Agencies because they rely on the ability of the issuer to make payment of principal and interest.

**Money Market Fund** is a type of investment comprising a variety of short-term securities with high quality and high liquidity. The fund provides interest to shareholders and must strive to maintain a stable net asset value (NAV) of \$1 per share.

**Mortgage Backed Security (MBS).** A type of asset-backed security that is secured by a mortgage or collection of mortgages. These securities must also be grouped in one of the top two ratings as determined by an accredited credit rating agency, and usually pay periodic payments that are similar to coupon payments. Furthermore, the mortgage must have originated from a regulated and authorized financial institution.

**Principal** describes the original cost of a security. It represents the amount of capital or money that the investor pays for the investment.

**Repurchase Agreements** are short-term investment transactions. Banks buy temporarily idle funds from a customer by selling him U.S. Government or other securities with a contractual agreement to repurchase the same securities on a future date at an agreed upon interest rate. Repurchase Agreements are typically for one to ten days in maturity. The customer receives interest from the bank. The interest rate reflects both the prevailing demand for Federal Funds and the maturity of the Repo. Repurchase Agreements must be collateralized.

**Supranational** is an international organization, or union, whereby member states transcend national boundaries or interests to share in the decision-making and vote on issues pertaining to the wider grouping.

**U.S. Treasury Issues** are direct obligations of the United States Government. They are highly liquid and are considered the safest investment security. U.S. Treasury issues include:

1. **Treasury Bills** which are non-interest-bearing discount securities issued by the U.S. Treasury to finance the national debt. Bills are currently issued in one, three, six, and twelve month maturities.
2. **Treasury Notes** that have original maturities of one to ten years.
3. **Treasury Bonds** that have original maturities of greater than 10 years.

**Yield to Maturity** is the rate of income return on an investment, minus any premium above par or plus any discount with the adjustment spread over the period from the date of the purchase to the date of maturity of the bond.



# Office of the Sheriff

1400 E. Main Street, Quincy, California 95971 • (530) 283-6375 • Fax 283-6344

IE

GREGORY J. HAGWOOD  
SHERIFF/CORONER

## Memorandum

**DATE:** November 16, 2016

**TO:** Honorable Board of Supervisors

**FROM:** Sheriff Greg Hagwood 

**RE:** Agenda Items for the meeting of December 6, 2016

**It is recommended that the Board:**

Authorize Auditor to pay invoice #23307 to American Crematory Equipment Co. for services provided to Plumas County Animal Shelter.

**Background and Discussion:**

American Crematory Equipment Co. provided a tune up/calibration and refractory inspection of the pet cremator at the Animal Shelter (refer to invoice #23234). At that time it was discovered that the floor in the pet cremator needed to be replaced immediately for safety reasons.

The Sheriff's Office respectfully requests approval to submit invoice #23307 from American Crematory Equipment Co. for services provided to Plumas County Animal Shelter without a contract and authorize the Auditor to pay the invoice.

# COUNTY OF PLUMAS

STATE OF CALIFORNIA

VENDOR/

CLAIMANT AMERICAN CREMATORY EQUIPMENT CO

VENDOR #

ADDRESS 14530 ANSON AVE

CITY/ST./ZIP SANTA FE SPRINGS, CA 90670

FUND # 0001

Contract Attached Y/N

### Total Expenditures:

Sales Tax Journal Attached Y/N        #

Fixed Asset Form Attached Y/N

The undersigned, under penalty of perjury, states: That the above claim and the items as therein set out are true and correct; that no part thereof has been theretofore paid, and that the amount therein is justly due, and that the same is presented within one year after the last item thereof has accrued.

FIRM NAME

11/16/2016

DATE

BY

**TITLE**

**SIGNATURE OF CLAIMANT/VENDOR**

<b>Auditor's Use Only</b>		<b>DEPARTMENT/DISTRICT APPROVAL:</b>	
Vendor #	I hereby certify upon my own personal knowledge that the articles or services specified in the above claim were necessary and were ordered by me for the purpose indicated hereon; that the articles have been delivered or the services have been performed by the claimant as set forth with the exception noted.		
Audited			
Input			
Checked			
Date Stamp:			
		Claim is thereby approved for the sum of	\$6,542.50
Signed		<i>John J. Jowers</i>	
Title		<i>Fiscal Officer</i>	
<b>For Districts</b>			
District _____			
If applicable: _____			
Second Signature _____			

# American

CREMATORY EQUIPMENT CO.

REMIT TO:  
 14530 Anson Ave.  
 Santa Fe Springs, CA 90670  
 562-926-2876 Fax 562-926-2880

## INVOICE

DATE	INVOICE NO.
11/9/2016	23307

### SOLD TO

Plumas County Animal Shelter  
 Attn: Dean Canalia  
 1400 East Main Street  
 Quincy, CA 95971-9402

### SHIP TO

Plumas County Animal Shelter  
 201 N. Millcreek Road  
 Quincy, CA 95971-9402

PROPOSAL/P.O. #	TERMS	SALES ORDER #	SALES REP	SERVICE DATE	SHIPPED VIA	TECHNICIAN	CONTACT
103116-A	Due on r...		John	11/9/2016	Our Labor	2 Techs	Dean-Mana...
QUANTITY	DESCRIPTION				PRICE EACH	AMOUNT	
1	Proposal / Contract; New Floor / C500P Pet Crematory						
1	New Floor / Crawford C500P Pet Cremator				5,900.00	5,900.00T	
1	Freight to Ship Materials to Job Site				200.00	200.00	

Thank You For Choosing American Crematory Equipment  
 Company For All Your Cremation Needs.

We Accept:



SUB-TOTAL	\$6,100.00
SALES TAX (7.5%)	\$442.50
<b>TOTAL DUE</b>	<b>\$6,542.50</b>

Payment Terms - Due in full prior to shipping

2% Monthly Finance Charge Will Apply After 10 Days



# Office of the Sheriff

1400 E. Main Street, Quincy, California 95971 • (530) 283-6375 • Fax 283-6344

GREGORY J. HAGWOOD  
SHERIFF/CORONER

## Memorandum

**DATE:** November 8, 2016

**TO:** Honorable Board of Supervisors

**FROM:** Sheriff Greg Hagwood 

**RE:** Agenda Items for the meeting of December 6, 2016

**It is recommended that the Board:**

Authorize Auditor to pay invoice #23234 to American Crematory Equipment Co. for services provided to Plumas County Animal Shelter.

**Background and Discussion:**

American Crematory Equipment Co. provided a tune up/calibration and refractory inspection of the pet cremator at the Animal Shelter.

The Sheriff's Office respectfully requests approval to submit invoice #23234 to American Crematory Equipment Co. for services provided to Plumas County Animal Shelter without a contract and authorize the Auditor to pay the invoice.

# COUNTY OF PLUMAS

STATE OF CALIFORNIA

VENDOR/  
CLAIMANT AMERICAN CREMATORY EQUIPMENT CO

VENDOR #

ADDRESS 14530 ANSON AVE

CITY/ST./ZIP SANTA FE SPRINGS, CA 90670

FUND # 0001

Contract Attached Y/N

### Total Expenditures:

Sales Tax Journal Attached Y/N        #

Fixed Asset Form Attached Y/N

W/9 Form Attached Y/N \_\_\_\_\_

The undersigned, under penalty of perjury, states: That the above claim and the items as therein set out are true and correct; that no part thereof has been theretofore paid, and that the amount therein is justly due, and that the same is presented within one year after the last item thereof has accrued.

---

**FIRM NAME**

11/8/2016

DATE

BY

**TITLE**

**SIGNATURE OF CLAIMANT/VENDOR**

Auditor's Use Only		DEPARTMENT/DISTRICT APPROVAL:
Vendor #	I hereby certify upon my own personal knowledge that the articles or services specified in the above claim were necessary and were ordered by me for the purpose indicated hereon; that the articles have been delivered or the services have been performed by the claimant as set forth with the exception noted.	
Audited		
Input		
Checked		
Date Stamp:		
		Claim is thereby approved for the sum of
Signed		\$1,395.00
Title		<i>Don Jewery</i>
<b>For Districts</b>		
District		
If applicable:		
Second Signature		

# American

CREMATORY EQUIPMENT CO.

REMIT TO:  
 14530 Anson Ave.  
 Santa Fe Springs, CA 90670  
 562-926-2876 Fax 562-926-2880

## INVOICE

DATE	INVOICE NO.
10/31/2016	23234

### SOLD TO

Plumas County Animal Shelter  
 Attn: Dean Canalia  
 1400 East Main Street  
 Quincy, CA 95971-9402

### SHIP TO

Plumas County Animal Shelter  
 201 N. Millcreek Road  
 Quincy, CA 95971-9402

PROPOSAL/P.O. #	TERMS	SALES ORDER #	SALES REP	SERVICE DATE	SHIPPED VIA	TECHNICIAN	CONTACT
70816-A	Due on r...		John	10/20/2016	Our Labor	Mario	Melissa-Mn...
QUANTITY	DESCRIPTION				PRICE EACH	AMOUNT	
1	Service Call: Crawford C500P Pet Cremator: Complete Tune-up/Calibration & Refractory Inspection Complete Tune-up/Calibration & Refractory Inspection / Crawford C500P Pet Cremator Repairs Needed to unit: New Floor Soon!				1,395.00	1,395.00	

Thank You For Choosing American Crematory Equipment Company For All Your Cremation Needs.

We Accept:



SUB-TOTAL	\$1,395.00
SALES TAX (7.5%)	\$0.00
<b>TOTAL DUE</b>	<b>\$1,395.00</b>

Payment Terms - Due in full prior to shipping

2% Monthly Finance Charge Will Apply After 10 Days



# Plumas County Public Health Agency

270 County Hospital Road, Quincy, California 95971

161

Mimi Khin Hall, MPH, CHES, Director

Mark Satterfield, M.D., Health Officer

<input type="checkbox"/> Administration & Health Education Suite 206 Quincy, CA 95971 (530) 283-6337 (530) 283-6425 Fax	<input type="checkbox"/> Clinic & Nursing Services Suite 111 Quincy, CA 95971 (530) 283-6330 (530) 283-6110 Fax	<input type="checkbox"/> Senior Nutrition & Transportation Suite 206 Quincy, CA 95971 (530) 283-3546 (530) 283-6425 Fax	<input type="checkbox"/> Veteran's Services Office Suite 206 Quincy, CA 95971 (530) 283-6275 (530) 283-6425 Fax
---	---	---	---

Date: October 17, 2016

To: Honorable Board of Supervisors

From: Mimi Khin Hall

Agenda: Item for December 6, 2016

**Item Description/Recommendation:** Approve the attached Resolution to accept Standard Agreement Number 16-10305 from the California Department of Public Health, Office of AIDS for Housing Opportunities for Persons With Aids (HOPWA), and authorize the Director of Public Health to sign the Amendment as the Boards designee. Approved as to Form by County Counsel

**Background Information:** Plumas County Public Health Agency has a contract with the State Department of Health Services, Office of AIDS for various HIV/AIDS related services and prevention activities, one of which HOPWA is addressed today. The goal of Housing Opportunities for Persons Living with AIDS (HOPWA) is to assist individuals with advanced HIV infection and AIDS to remain safely in their homes thus reducing the need for costly and inappropriate hospitalization. The program, which is administered for the Mountain Counties AIDS Consortium by Plumas County Public Health Agency, has been immensely successful in our five county regions. Clients in Plumas, Siskiyou, Sierra, Modoc and Lassen Counties access HOPWA funds for emergency rental assistance and partial payment of utilities through the Plumas County Public Health Agency contract with the State Office of AIDS. The program which is 100% State funded covers costs for the five counties and is fully utilized each year.

Please contact me if you have any questions or need additional information. Thank you.

RESOLUTION NO. 16-

A RESOLUTION TO ACCEPT STANDARD AGREEMENT AMENDMENT NUMBER 16-10305, FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, OFFICE OF AIDS FOR FUNDING FOR HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FOR FISCAL YEARS JULY 1, 2016 THROUGH JUNE 30, 2019.

WHEREAS, Plumas County Public Health Agency will assist in alleviating or preventing homelessness among people living with HIV/AIDS and their families by providing housing assistance and supportive services;

WHEREAS, Plumas County Public Health Agency will provide resources and incentives to devise comprehensive strategies for meeting various types of housing needs;

**NOW, THEREFORE, BE IT RESOLVED** by the Plumas County Board of Supervisors, County of Plumas, State of California, as follows:

1. Approve and Accept Standard Agreement Amendment Number 16-10305 from the California Department of Public Health, Office of AIDS for Fiscal Years 2016-2019 in the amount of \$82,497.00.
2. The Director of Public Health is authorized to sign the Agreement and execute related documentation and amendments, subject to Board approval as may be required pertaining to Standard Agreement Number 16-10305.

The forgoing Resolution was duly passed and adopted by the Board of Supervisors, County of Plumas, State of California, at a regular meeting of said Board held on the 6<sup>th</sup> day of December 2016, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

---

Chair, Plumas County Board of Supervisors

Attest:

---

Clerk, Plumas County Board of Supervisors



# Plumas County Public Health Agency

270 County Hospital Road, Quincy, California 95971

162

Mimi Khin Hall, MPH, CHES, Director

Mark Satterfield, M.D., Health Officer

<input type="checkbox"/> Administration & Health Education Suite 206 Quincy, CA 95971 (530) 283-6337 (530) 283-6425 Fax	<input type="checkbox"/> Clinic & Nursing Services Suite 111 Quincy, CA 95971 (530) 283-6330 (530) 283-6110 Fax	<input type="checkbox"/> Senior Nutrition & Transportation Suite 206 Quincy, CA 95971 (530) 283-3546 (530) 283-6425 Fax	<input type="checkbox"/> Veteran's Services Office Suite 206 Quincy, CA 95971 (530) 283-6275 (530) 283-6425 Fax
---	---	---	---

Date: November 17, 2016

To: Honorable Board of Supervisors

From: Mimi Hall

Agenda: Item for December 6, 2016

**Item Description/Recommendation:** Approve the attached Resolution to accept Agreement # 15-10494 A01from the California Department of Public Health, Office of AIDS for the AIDS Drug Assistance Program (ADAP) from July 1, 2015 through June 30, 2017 in the amount of \$4,000.00, and authorize the Director of Public Health to sign the Agreement as Board designee.

**Background Information:** The AIDS Drug Assistance Program (ADAP) was established in October 1987 to provide drugs to individuals with HIV/AIDS who could not otherwise afford them. The goal of the program is to make pharmaceutical treatments available to people living with HIV/AIDS that can reliably expect to prolong their lives, minimize the related occurrences of more serious illnesses, reduce more costly treatments, and maximize the HIV-infected person's vitality and productivity. ADAP is specifically intended as a program of last resort for those people who have no other resource to pay for medications. Eligibility and rectification of clients is handled at the local health department level. Dispensing of medications, reimbursement, and data collection is handled at the state level through a non-profit pharmacy benefits management services provider, Professional Management Development Corporation (PMDC).

Standard Agreement #15-10494 A01with the California Department of Public Health, Office of AIDS and the attached Resolution was reviewed and approved by County Counsel.

Please contact me if you have any questions or need additional information. Thank you.

RESOLUTION NUMBER 16-\_\_\_\_\_

A RESOLUTION TO ACCEPT AGREEMENT NUMBER 15-10494 A01 FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, OFFICE OF AIDS FOR FUNDING THE AIDS DRUG ASSISTANCE PROGRAM (ADAP) FOR THE PERIOD OF JULY , 2015 THROUGH JUNE 30, 2017 IN THE AMOUNT OF \$8,000.00.

WHEREAS, Plumas County Public Health Agency receives funding from the California Department of Public Health, Office of AIDS to assist local health departments with costs associated with the administration of ADAP enrollment process. PCPHA will coordinate and ensure high-quality, accessible ADAP client enrollment and eligibility re-certification services in Plumas County.

NOW, THEREFORE, BE IT RESOLVED by the Plumas County Board of Supervisors, County of Plumas, State of California, as follows:

1. Approve Agreement Number 15-10494 A01 from the California Department of Public Health, Office of AIDS in the total amount of \$8,000.00.
2. Authorize the Director of Public Health to sign the agreement and execute subsequent documents pertaining to Agreement Number 15-10494 A01.

The forgoing Resolution was duly passed and adopted by the Board of Supervisors, County of Plumas, State of California, at a regular meeting of said Board held on the 6<sup>th</sup> day of December 2016, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

---

Chair, Plumas County Board of Supervisors

Attest:

---

Clerk, Plumas County Board of Supervisors



# Plumas County Public Health Agency

163

270 County Hospital Road, Quincy, California 95971

Mimi Khin Hall, MPH, CHES, Director

Mark Satterfield, M.D., Health Officer

---

<input type="checkbox"/> Administration & Health Education Suite 206 Quincy, CA 95971 (530) 283-6337 (530) 283-6425 Fax	<input type="checkbox"/> Clinic & Nursing Services Suite 111 Quincy, CA 95971 (530) 283-6330 (530) 283-6110 Fax	<input type="checkbox"/> Senior Nutrition & Transportation Suite 206 Quincy, CA 95971 (530) 283-3546 (530) 283-6425 Fax	<input type="checkbox"/> Veteran's Services Office Suite 206 Quincy, CA 95971 (530) 283-6275 (530) 283-6425 Fax
---	---	---	---

**Date:** November 2, 2016

**To:** Honorable Board of Supervisors

**From:** Mimi Khin Hall

**Agenda:** Item for December 3, 2016

**Recommendation:** Approve submission of the Annual Children's Medical Services (CMS) Plan and Budget for FY 16-17, and direct the Chair to sign the Certification Statements for the California Children's Services and Child Health and Disability Prevention Programs.

**Background Information:** Several years ago Child Health and Disability Program (CHDP) and California Children's Medical Services (CMS) were joined at the State and titled "Children's Medical Services" (CMS). The Plumas County Children's Medical Services Plan outlines goals, objectives and activities to be performed in FY 16-17.

As the Board may recall, Child Health and Disability Prevention (CHDP) is a California Department of Health Services program designed to provide routine health exams, immunizations and health education to children from low and moderate income families. Through this program, Plumas County Public Health Agency provides outreach to eligible families and children, coordination with local health care providers, education and training of medical providers regarding treatment protocols, coordination with other County agencies, and follow-up and referral of children with identified medical conditions. Additional funds provide for a nurse to work with Foster Care Agencies, Social Services, Probation Department, and to coordinate health care for children in foster care. The California Children's Services (CCS) Program provides diagnostic screening, medical treatment, and nurse case management of sixty to eighty families needing access to special services for medically fragile infants, or children, and assistance with travel and housing for those who must go out of county to access specialized medical care.

Please contact me should you have any questions, or need additional information. Thank you.



# Plumas County Public Health Agency

164

270 County Hospital Road, Quincy, California 95971

Mimi Khin Hall, MPH, CHES, Director

Mark Satterfield, M.D., Health Officer

---

<input type="checkbox"/> Administration & Health Education Suite 206 Quincy, CA 95971 (530) 283-6337 (530) 283-6425 Fax	<input type="checkbox"/> Clinic & Nursing Services Suite 111 Quincy, CA 95971 (530) 283-6330 (530) 283-6110 Fax	<input type="checkbox"/> Senior Nutrition & Transportation Suite 206 Quincy, CA 95971 (530) 283-3546 (530) 283-6425 Fax	<input type="checkbox"/> Veteran's Services Office Suite 206 Quincy, CA 95971 (530) 283-6275 (530) 283-6425 Fax
---	---	---	---

Date: November 16, 2016

To: Honorable Board of Supervisors

From: Mimi Khin Hall

Agenda: Consent Agenda Item for December 6, 2016

**Recommendation:** Approve, Ratify and authorize the Chair to sign a Professional Agreement with Plumas Crisis Intervention & Resource Center to provide various services to Public Health related to the Medi-Cal Administrative Activities (MAA) Program, approved by County Counsel.

---

As the Board is aware, Plumas County Public Health Agency participates in the Medi-Cal Administrative Activities (MAA) Program. This program allows counties, through a system of time studies and cost reports to enhance existing time and activities performed by specific staff relating to administration of Medi-Cal related services. Staff time and activities are enhanced with Federal funds using a formula based on staff classification, organizational structure and duty statements.

The MAA Program is very complex, especially the invoicing which is very detailed and takes a considerable amount of time to prepare. Due to fiscal vacancies at this time, Public Health does not have the staff to complete various aspects of this program. Time is of the essence to ensure all revenues are captured. Plumas Crisis Intervention & Resource Center has agreed to contract with Public Health to perform various MAA duties for FY 16-17.

Professional Agreement between Plumas County Public Health Agency and Plumas Crisis Intervention & Resource Center was reviewed and approved County counsel, a copy of which is on file with the Clerk of the Board for your review.

There will be no financial impact on the County General Fund, as this contract is fully funded by the Medi-Cal Administrative Activities Program through Public Health.

Please contact me if you have any questions, or need additional information. Thank you.



165

# Plumas County Public Health Agency

270 County Hospital Road, Quincy, California 95971

Mimi Khin Hall, MPH, CHES, Director

Mark Satterfield, M.D., Health Officer

---

<input type="checkbox"/> Administration & Health Education Suite 206 Quincy, CA 95971 (530) 283-6337 (530) 283-6425 Fax	<input type="checkbox"/> Clinic & Nursing Services Suite 111 Quincy, CA 95971 (530) 283-6330 (530) 283-6110 Fax	<input type="checkbox"/> Senior Nutrition & Transportation Suite 206 Quincy, CA 95971 (530) 283-3546 (530) 283-6425 Fax	<input type="checkbox"/> Veteran's Services Office Suite 206 Quincy, CA 95971 (530) 283-6275 (530) 283-6425 Fax
---	---	---	---

**Date:** November 17, 2016

**To:** Honorable Board of Supervisors

**From:** Mimi Khin Hall

**Agenda:** Item for December 6, 2016

**Item Description/Recommendation:** Approve and direct the Chair to sign the following agreements with Ramsell Public Health & Safety for activities related to the Medi-Cal Administrative Activities (MAA) Program:

- a. MAA1617RPHS-AH for the Administrative Hub Roles and Responsibilities for a Random Moment Survey software system; and
- b. MAA1617RPHS for activities related to the Administration and Technical Assistance to the LGA Consortium.

**Background Information:** As the Board is aware Plumas County Public Health Agency has the fiscal and administrative responsibilities for a number of different programs with diverse funding sources from the State Department of Health Services, private foundations, local sources, realignment and other county departments. Often, in an effort to work effectively and efficiently with communities, Public Health contracts with providers to extend programs and provide services to diverse populations throughout the county.

Copies of the agreements are on file with the Clerk of the Board for your review.



# Plumas County Public Health Agency

270 County Hospital Road, Quincy, California 95971

166

Mimi Khin Hall, MPH, CHES, Director

Mark Satterfield, M.D., Health Officer

<input type="checkbox"/> Administration & Health Education Suite 206 Quincy, CA 95971 (530) 283-6337 (530) 283-6425 Fax	<input type="checkbox"/> Clinic & Nursing Services Suite 111 Quincy, CA 95971 (530) 283-6330 (530) 283-6110 Fax	<input type="checkbox"/> Senior Nutrition & Transportation Suite 206 Quincy, CA 95971 (530) 283-3546 (530) 283-6425 Fax	<input type="checkbox"/> Veteran's Services Office Suite 206 Quincy, CA 95971 (530) 283-6275 (530) 283-6425 Fax
---	---	---	---

Date: November 3, 2016

To: Honorable Board of Supervisors

From: Mimi Khin Hall

Agenda: Item for December 6, 2016

**Recommendation:** Approve the attached Resolution to accept and authorize the Director of Public Health to sign Agreement Amendment Number 14-10530 A03 from the California Department of Health, Emergency Preparedness Office (EPO) for the 2014-2017 Public Health Preparedness Program.

**Background Information:** Commencing FY 2001-2002, Plumas County Public Health Agency contracted with the State Department of Health for both State and Federal funds to develop and maintain various aspects of Public Health Preparedness, including Local Health Department (LHD) and Community preparedness, National Smallpox Vaccine program, Hospital Preparedness Program (HPP), and Pandemic Influenza Prevention/Planning, and H1N1 Pandemic Influenza.

The purpose of this Amendment is to amend the Scope of Work and Budget to adjust the funding amount for State Fiscal Year 16-17 to allow Public Health to complete more of the same services outlined in the original scope of work.

A copy of Agreement Amendment Number 14-10530 A03 is on file with the Clerk of the Board for your review.

Please contact me if you have any questions or need additional information. Thank you.

RESOLUTION NO. 16-\_\_\_\_\_

**RESOLUTION TO ACCEPT AND AUTHORIZE THE DIRECTOR OF PUBLIC HEALTH TO SIGN AMENDMENT NUMBER A03 FOR STANDARD AGREEMENT NUMBER 14-10530 FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, EMERGENCY PREPAREDNESS OFFICE FROM JULY 1, 2014 THROUGH JUNE 30, 2017 IN THE AMOUNT OF \$897,176.00.**

**WHEREAS**, Plumas County Public Health Agency contracted with the State Department of Health for both State and Federal funds to develop and maintain various aspects of Public Health Preparedness, and

**WHEREAS**, to develop and maintain various aspects of Public Health Preparedness, including Local Health Department (LHD) and Community preparedness, National Smallpox Vaccine program, Hospital Preparedness Program (HPP), and Pandemic Influenza Prevention/Planning, and H1N1 Pandemic Influenza; and

**WHEREAS**, the California Department of Public Health, Emergency Preparedness Office, issued Agreement Amendment Number 14-10530 A03 to PCPHA to provide Emergency Preparedness Services through June 30, 2017.

**NOW, THEREFORE, BE IT RESOLVED** by the Plumas County Board of Supervisors, County of Plumas, State of California, as follows:

1. Accept Standard Agreement Amendment Number 14-10530 A03 from the California Department of Public Health, Emergency Preparedness Office in the amount of \$897,176.00 through June 30, 2017.
2. Authorize the Director of Public Health to sign Amendment and execute subsequent documents necessary to implement Standard Agreement Amendment Number 14-10530 A03.

**The forgoing Resolution was duly passed and adopted by the Board of Supervisors, County of Plumas, State of California, at a regular meeting of said Board held on the 6<sup>th</sup> day of December 2016, by the following vote:**

**Ayes:**

**Noes:**

**Absent:**

**Abstain:**

---

Chair, Plumas County Board of Supervisors

**Attest:**

---

Clerk, Plumas County Board of Supervisors

PLUMAS COUNTY • DEPARTMENT OF PUBLIC WORKS



## **CONSENT AGENDA REQUEST**

For the December 6, 2016 meeting of the Plumas County Board of Supervisors

November 21, 2016

To: Honorable Board of Supervisors  
From: Robert Perreault, Director of Public Works   
Subject: Authorization for the Department of Public Works/Road Department to fill the vacancy of one (1) FTE PW Maintenance Worker I/II position in the Quincy Road Maintenance District. Discussion and possible action.

## Background:

Effective December 30, 2016, one Public Works Road Maintenance Worker has resigned from the Department. Accordingly, there is now a vacancy for a Maintenance Worker I/II in the Quincy Maintenance District.

The Department is requesting to fill this position in the Quincy Crew.

This position is funded and allocated in the FY16/17 Public Works budget.

The appropriate Critical Staffing Questionnaire and Departmental Organizational Chart are attached.

### Recommendation:

The Public Works Department respectfully recommends that the Board of Supervisors authorize the Department to fill the vacancy of one (1) FTE PW Maintenance Worker I/II in the Public Works/Road Department Quincy Maintenance District.

QUESTIONS FOR STAFFING CRITICAL POSITIONS WHICH ARE CURRENTLY ALLOCATED.

**Public Works Maintenance Worker I/II Worker Position Quincy**

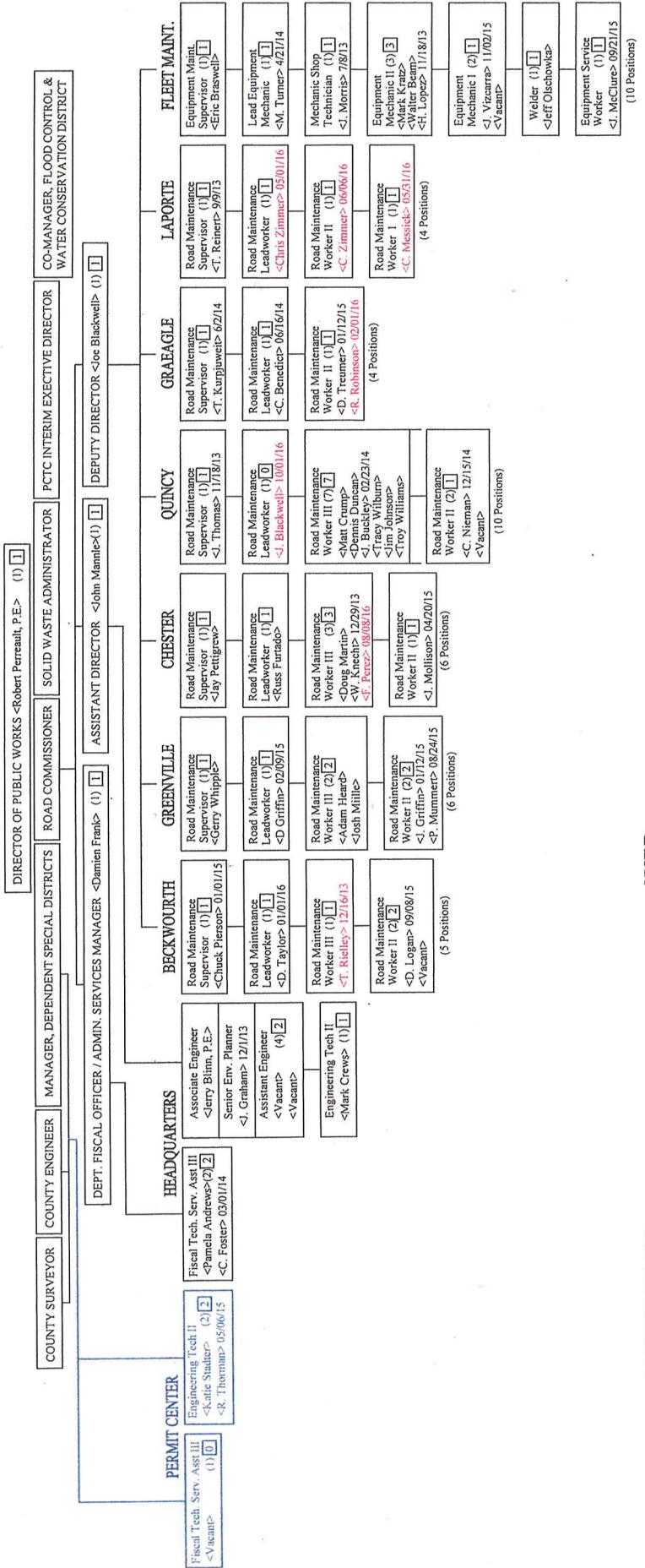
- Is there a legitimate business, statutory or financial justification to fill the position?  
**Maintenance Workers are the workforce for maintenance and construction work on county roads and bridges.**
- Why is it critical that this position be filled at this time?  
**Maintenance Workers are subject to 24 hour "call out" for road related emergencies and snow removal.**
- How long has the position been vacant?  
**Less than one week.**
- Can the department use other wages until the next budget cycle?  
**The department's wage and benefits portion of the 16/17 budget includes funds for this position.**
- What are staffing levels at other counties for similar departments and/or positions?  
**No specific research has been performed for this position. Generally speaking, however, past research tasks have identified Plumas County as being consistent with neighboring Counties.**
- What core function will be impacted without filling the position prior to July 1?      **N/A**
- What negative fiscal impact will the County suffer if the position is not filled prior to July 1?      **None**
- A non-general fund department head need to satisfy that he/she has developed a budget reduction plan in the event of the loss of future state, federal or local funding.   What impact will this reduction plan have to other County departments?   **None**
- Does the department expect other financial expenditures which will impact the general fund and are not budgeted such as audit exceptions?   **No**
- Does the budget reduction plan anticipate the elimination of any of the requested positions?   **No**
- Departments shall provide an estimate of future general fund support for the next two years and how the immediate filling of this position may impact, positively or negatively, the need for general fund support?  
**None**
- Does the department have a reserve?      **Yes**   If yes, provide the activity of the department's reserve account for the last three years?

13/14 \$0

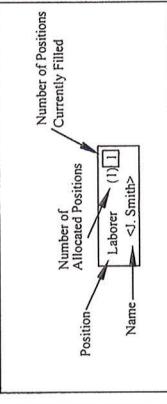
14/15 (\$3,070,755)

15/16 (\$1,000,000)

# PLUMAS COUNTY DEPARTMENT OF PUBLIC WORKS ORGANIZATION CHART



## LEGEND



## PERSONNEL SUMMARY

Total	Road Dept.	Engineering
Allocations:	(60)	(57)
Currently Filled:	(5)	(5)

\*Note: Total Allocated Positions For Combined Road Maint. Workers 1-11:22  
\*\*Note: Total Allocated Positions For Combined Equipment Mechanics 1-11 / Welder:7

Director of Public Works

Revision Date: November 21, 2016

## PLUMAS COUNTY • DEPARTMENT OF PUBLIC WORKS



## **CONSENT AGENDA REQUEST**

---

For the December 6, 2016 meeting of the Plumas County Board of Supervisors

November 21, 2016

To: Honorable Board of Supervisors

From: Robert Perreault, Director of Public Works

Subject: Approve Payment of 10 Invoices to Plumas District Hospital (PDH) from the 2015 calendar year for a total amount of \$1,700.00

Ronald Reagan

## Background:

10 invoices for \$170 each (totaling \$1,700.00) are owed to PDH for services performed in 2015.

The Board of Supervisors executed a contract with PDH on September 26, 2016. However, the subject of this agenda request is to request approval for payment of invoices from a previous fiscal year.

### **Recommendation:**

The Department of Public Works respectfully recommends that the Board of Supervisors authorize the Director of Public Works to pay 10 invoices to PDH from the 2015 calendar year in an amount not to exceed \$1,700.00.

PDH DMV Physicals  
From FY15/16

Date of Service

Benedict, Clayton	8/6/2015	\$170.00
Blackwell, Joseph	10/27/2015	\$170.00
Crump, Jerry	11/10/2015	\$170.00
Griffin, Danny	9/9/2015	\$170.00
Knecht, William	10/3/2015	\$170.00
Mille, Joshua	11/10/2015	\$170.00
Pettigrew, Jay	10/8/2015	\$170.00
Taylor, Daniel	6/17/2015	\$170.00
Wert, Terry	10/8/2015	\$170.00
Zimmer, Chris	5/14/2015	\$170.00

**\$1,700.00**

4A

ORDINANCE NO. 16-\_\_\_\_\_

AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA,  
AMENDING THE PLUMAS COUNTY CODE REGARDING BUILDING PERMIT  
EXPIRATION AND ELIMINATING SPECIAL "NO FEE" BUILDING PERMIT

The Board of Supervisors of the County of Plumas, State of California, DOES ORDAIN as follows:

**Section 1:** Section 8-1.02 of Chapter 1 of Title 8 of the Plumas County Code providing for a special "no fee permit" is hereby repealed in its entirety.

**Section 2.** Section 8-1.03 is hereby added to Chapter 1 of Title 8 of the Plumas County Code following Section 8-1.01 to read as follows:

**Sec. 8-1.03. – Permit Expiration.**

Building permits shall expire twenty-four (24) months after issuance. A building permit shall become invalid if work authorized by the permit is not commenced with 180 days after issuance of the permit, or if work authorized by the permit is suspended or abandoned for a period of 180 days. Upon receipt of a written application and a showing of good cause, the Building Official is authorized, in the Building Official's discretion, to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

**Section 3.** Sections 1 and 2 of this ordinance shall be codified. The remainder of the ordinance shall not be codified.

**Section 4.** This ordinance shall be published, pursuant to Section 25124 (a) of the Government Code of the State of California, before the expiration of fifteen days after the passage of the ordinance, once, with the names of the supervisors voting for and against the ordinance, in the *Feather River Bulletin*, a newspaper of general circulation in the County of Plumas.

**Section 5.** This ordinance shall become effective thirty (30) days after its date of final adoption.

The foregoing ordinance was introduced at a regular meeting of the Board of Supervisors on the 15<sup>th</sup> day of November 2016, and passed and adopted by the Board of Supervisors of the County of Plumas, State of California, on the 13<sup>th</sup> day of December 2016, by the following vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

---

Chair, Board of Supervisors

AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA,  
AMENDING CHAPTERS 6, 8 AND 11 OF TITLE 6 OF THE PLUMAS COUNTY CODE  
REGARDING SANITATION AND HEALTH

The Board of Supervisors of the County of Plumas, State of California, DOES ORDAIN as follows:

**Section 1:**

**Purpose.** The purpose of this ordinance is to:

- (a) Protect public health and groundwater quality throughout Plumas County.
- (b) Amend local regulations for sewage disposal and onsite wastewater treatment systems (OWTS) for consistency with the minimum standards established by the State Water Resources Control Board's Resolution No. 2012-0032, which in part approves the Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems. Along with other minor changes, this amendment will:
  - (1) Limit onsite wastewater treatment systems under county regulation to those receiving 10,000 gallons of wastewater per day or less.
  - (2) Exclude high strength wastes and recreational vehicle tank wastes, as defined, from disposal in onsite wastewater treatment and disposal systems under county regulation.
  - (3) Establish setback requirements for public drinking water wells and surface water intakes from onsite wastewater treatment systems, and establish notification requirements to owners of drinking water systems within specified distances of failing onsite wastewater treatment systems.
  - (4) Clarify the advanced treatment operating permit requirements including the need for a new permit whenever a property with an advanced treatment system is sold or otherwise falls under new ownership.
  - (5) Specify waiver and variance procedures that comply with the OWTS Policy.
- (c) When approved by the Central Valley Regional Water Quality Control Board, authorize Plumas County to implement a Tier 2 wastewater treatment and disposal program as provided for in the Policy.
- (d) When approved by the Central Valley Regional Water Quality Control Board, serve as the conditional waiver of waste discharge requirements as described in the Local Agency Management Plan or LAMP, which was approved by the

**Findings.** Now, therefore, the Board of Supervisors of Plumas County (hereinafter **Board**) hereby **FINDS** that the safe treatment and disposal of sewage and onsite wastewater throughout Plumas County is an essential aspect of the county's domestic wastewater management program, and that the interests of the residents and property owners of Plumas County are best served by local administration of this program, and

Furthermore, the **Board** hereby **FINDS**, that in order to administer a Tier 2 onsite wastewater treatment and disposal program that is in compliance with State Water Resources Control Board's Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems, it must amend Chapters 6, 8 and 11 of Title 6 of the Plumas County Code as previously identified in the Local Agency Management Plan and submitted to the Central Valley Regional Water Quality Control Board, and

Furthermore, the **Board** hereby **FINDS** that since the State Water Resources Control Board prepared an Onsite Wastewater Treatment System Policy Final Substitute Environmental Document dated June 19, 2012 and the proposed amendments to County Code are not growth inducing, compliance with the California Environmental Quality Act (CEQA) has been assured.

**Section 2.** Chapter 6 of Title 6 of the Plumas County Code entitled "Sewage Disposal" is hereby amended in its entirety to read as follows:

## CHAPTER 6. SEWAGE DISPOSAL

### Sec. 6-6.01. - Scope.

- (a) The provisions of this chapter shall apply to all territory of the County.
- (b) Every onsite wastewater treatment and disposal system shall be designed, located, constructed, and maintained to treat, and adequately and safely dispose of all the wastewater generated from the structure or facility it is serving.
- (c) Every onsite wastewater treatment and disposal system shall be designed, located, constructed and maintained to prevent discharge of sewage or partially treated sewage, into the structure served, on the ground surface, into surface waters, or in the subjacent groundwater.
- (d) The Plumas County Local Agency Management Plan (LAMP) for wastewater disposal, adopted by the Plumas County Board of Supervisors by Resolution on May 3, 2016 is hereby adopted as a part of this Code by reference.
- (e) This chapter, Chapter 11 of Title 6 of Plumas County Code, and the Plumas County Local Agency Management Plan (LAMP) comprise the domestic wastewater management program for Plumas County. This program complies with the State Water Resources Control Board's June 19, 2012 Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems (OWTS) and thereby conditionally waives the requirement for owners of OWTS to apply for and receive Waste Discharge Requirements in order to operate their systems.

**Sec. 6-6.02. - Definitions.**

- (a) Domestic Wastewater: Means wastewater with a measured strength less than high strength wastewater and is the type of wastewater normally discharged from, or similar to, that discharged from plumbing fixtures, appliances, and other household devices including but not limited to toilets, bathtubs, showers, laundry facilities, dishwashing facilities, and garbage disposals. Domestic wastewater may include wastewater from commercial buildings such as office buildings, retail stores, and restaurants, or from industrial facilities where domestic wastewater is segregated from industrial wastewater. Domestic wastewater may include incidental recreational vehicle holding tank dumping but does not include significant portions of recreational vehicle holding tank wastewater such as at commercial dump stations. Domestic wastewater does not include wastewater from industrial processes.
- (b) Engineered system: A wastewater treatment and disposal system designed by a California Registered Professional Civil Engineer, Geologist or Environmental Health Specialist.
- (c) Environmental Health: Shall mean the Plumas County Department of Environmental Health.
- (d) High Strength Wastewater: Means wastewater having a 30-day average concentration of biochemical oxygen demand (BOD) greater than 300 milligrams per liter; of total suspended solids greater than 330 milligrams per liter; or a fats, oil, and grease concentration greater than 100 milligrams per liter prior to the septic tank or other OWTS treatment component.
- (e) Onsite Wastewater Treatment System (OWTS): Means individual disposal systems, community collection and disposal systems, engineered collection and disposal systems, and advanced collection and disposal systems that use subsurface disposal. An OWTS includes 'sewage disposal system' or 'septic system'. OWTS do not include graywater systems pursuant to Health and Safety Code Section 17922.12. OWTS do not include systems that treat or dispose of high strength wastewater, or treat or dispose of greater than 10,000 gallons of wastewater per day.
- (f) OWTS Policy (Policy): Means the Water Quality Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems promulgated by the California State Water Resources Control Board. The Policy conditionally waives the requirement for owners of OWTS to apply for and receive Waste Discharge Requirements in order to operate their system when they meet the requirements of this Chapter and the conditions set forth in the Policy.
- (g) Public Water System: Means a system for providing water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year as defined in Section 116275 (h) of the California Health and Safety Code.

- (h) Public Water Well: Means a well connected to and supplying a public water system as a primary or alternate source.
- (h) Sewage: Means wastewater flow or drainage containing solid or liquid infectious or putrescible matter. Sewage includes toilet, bath, shower, laundry, lavatory and kitchen-sink wastes. It includes water solutions that contain waste substances dangerous and injurious to human health.

**Sec. 6-6.03. - Facilities required.**

- (a) It shall be unlawful to construct, maintain or use any residence, place of business, or other building, structure or facility where any individual resides, or where people congregate, or are employed, which is not provided with means for sewage disposal approved by the Director of Environmental Health.
- (b) It shall be unlawful to occupy or reside upon any private property or any public place for a period of seventeen (17) consecutive days or more unless it is served by an onsite wastewater treatment system that meets the requirements of this chapter.

**Sec. 6-6.04. - Public sewer connection.**

Every building or structure where persons reside, congregate or are employed which is within 200 feet of an approved public sanitary sewer, provided right-of-way can be obtained, shall be connected to the public sanitary sewer and all private sewage disposal facilities shall be abandoned. This requirement shall not apply until the manager of the public sanitary sewer certifies that adequate capacity exists to serve the building or structure.

**Sec. 6-6.05. - Failing Onsite Wastewater Treatment Systems.**

- (a) A failing or malfunctioning OWTS shall be repaired, or replaced, or its use shall be discontinued.
- (b) No person shall maintain or use any septic tank, cesspool, leach line or other drainage system, sewage treatment works, sewer pipes or conduits, or other pipes or conduits for the treatment or disposal of sewage, whereby such facilities overflow any land surface, discharge to any surface waters, or discharge into any structure served.
- (c) If a failing OWTS is within 150 feet of a public water well or within 2,500 feet of a public water system intake point and located such that the failing system could potentially impact water quality at the intake point, Environmental Health shall notify the water system owner and the State Water Board Division of Drinking Water within 72 hours of the discovery.

**Sec. 6-6.06. - Permit required.**

- (a) No person shall abandon, construct, build, install, repair or replace or allow any other person to abandon, construct, build, install, repair or replace, any OWTS without first obtaining a valid permit for completion of such work from the Environmental Health Department.
- (b) It shall be unlawful to construct any building or structure, where an individual or individuals will congregate, reside or be employed, without first obtaining from the Environmental

Health a permit for installation of an OWTS, unless the building or structure will be connected to a public sanitary sewer.

- (c) It shall be unlawful to rebuild or remodel, or change the use of building or structure in any way that increases anticipated or estimated sewage flows, without first obtaining from Environmental Health a permit for installation of an OWTS, unless the building or structure will be connected to a public sanitary sewer. This requirement may be waived by the Director of Environmental Health if it is satisfactorily demonstrated that the existing OWTS, including leachfield replacement area, is adequate to dispose of the sewage generated.
- (d) Whenever any work for which a permit is required by this section has been commenced without first obtaining said permit, a special investigation shall be made. An investigation fee, in addition to the permit fee, shall be collected. The investigation fee shall be equal to the amount of the permit fee that would be required by this section if a permit were to be issued.

#### **Sec. 6-6.07 – Permit Notifications**

- (a) Prior to issuing an installation or repair permit for an OWTS, if the OWTS is located within 1,200 feet of an intake point for a surface water treatment plant serving a public water system, Environmental Health shall notify the owner of the public water system in writing.
- (b) Prior to issuing an installation or repair permit for an OWTS, if the OWTS is located within 150 feet of a public water well, Environmental Health shall notify the owner of the public water system in writing.

#### **Sec. 6-6.08 - Required permit application information.**

Applications for a permit to construct an OWTS shall include all applicable site information. A preliminary plot plan, drawn to scale on an 8½ inch × 11 inch sheet shall be submitted at time of application and shall include:

- (a) Owner's name.
- (b) Assessor's Parcel Number and subdivision unit and lot number as applicable.
- (c) Indicate scale of plot plan (example 1 inch = 20 feet).
- (d) True north arrow.
- (e) Property boundary lines showing accurate configuration and dimension of the parcel. Indicate location of any property monuments and how property corners/lines can be located in the field by the Environmental Health representative;
- (f) Show location of all preliminary site information such as percolation test locations, soil profile excavations, etc.
- (g) Show location(s) of proposed OWTS, and any existing systems (if applicable) with appropriate replacement areas.
- (h) Show all of the following that are within 200 feet of the proposed OWTS location: existing or proposed water wells, geothermal heat exchange wells, public water mains or laterals; year-round and seasonal water courses and streams; springs, bodies of water, meadows, wet marshy area(s);

- (i) Show all of the following that are within 100 feet of the proposed OWTS location: cut or fill banks, including proposed cuts for driveways and building pads; and natural escarpments in excess of fifty (50%) percent slope.
- (j) Show area(s) of current and/or future buildings, structures, roadways, easements, areas of vehicular traffic and driveways.

**Sec. 6-6.09. - Record information required.**

Once an OWTS is installed, an accurate description of the system location must be submitted to Environmental Health at the time of or prior to the construction inspection. A sewage disposal system shall not be covered or backfilled until the required information is submitted to and approved by Environmental Health. The submitted information shall identify the location of the absorption field or trench in relation to the septic tank. Distance triangulation shall be recorded from the center of the manhole access risers of the septic tank to each corner of the absorption field or trench. Alternatively, distance triangulation may be performed from the corners of the residence to each corner of the absorption field or trench. This information can be submitted as:

- (a) A record plot plan consistent with Section 6-6.08 (a) through (j); or
- (b) In a table format approved by Environmental Health.

The submitted plot plan or table must contain sufficient information, as determined by Environmental Health, in order to accurately locate the sewage disposal system once it has been backfilled.

**Sec. 6-6.10. - Surface suitability standards.**

All sites proposed for an OWTS must satisfy the surface suitability standards set forth in this section.

- (a) Separation distances. Table No. 1 lists the minimum separation distances for installation of OWTS.
- (b) Slope. No drainage system shall be installed on slopes greater than thirty (30%) percent. Benching of such slopes for disposal system installation may be permitted provided all other installation criteria, including but not limited to, depth to bedrock, groundwater or impermeable soil, and percolation rate can be satisfied.
- (c) Replacement area. One hundred (100%) percent drainage system replacement area must also be available which satisfies the location requirements of this section.
- (d) Exclusion area. Drainage systems shall not be located in any area designated as leach exclusion on any map or additional information map recorded with the County Recorder unless the conditions which necessitated the exclusion have changed or are outdated as determined by the Director of Environmental Health.
- (e) Flood hazard. In an area of special flood hazard identified by the Federal Insurance Administration of the Federal Emergency Management Agency:
  - (1) All new OWTS installations proposed in an area identified as a special flood hazard shall be monitored for groundwater. If acceptable groundwater monitoring data is obtained and all applicable OWTS requirements can be met, a California Engineer,

Geologist or Environmental Health Specialist shall submit sewage disposal plans for review by Environmental Health.

(2) Any replacement OWTS proposed in an area identified as a special flood hazard shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the system into flood waters. A California Registered Civil Engineer, Geologist or Environmental Health Specialist shall submit sewage disposal plans for review by Environmental Health.

(3) OWTS shall be located to minimize impairment to them or contamination from them during flooding.

(f) A new or replacement OWTS located within the horizontal setback of a public water well or surface water intake point for a public water system as shown on Table No. 1 may only be considered if the system is equipped with advanced treatment for nitrogen and pathogens.

Table No. 1  
Minimum Separation Distances in Feet

Facility	Septic Tank or Sewer Lines	Drainage System
Water supply well serving other than a public water system	50	100
Public water well	100	150
Perennial streams or springs	50	100 from the 10 year high water mark
Drainage courses, ephemeral streams	25	50
Meadows, wet marshy areas	25	50
Lakes, reservoirs, ponds or other surface water impoundments	50	200 from high water line**
Lakes, reservoirs, ponds or other water with a surface water intake point for a public water system	50	400 from high water mark if the drainage system is within 1,200 feet of the intake and within the catchment of the drainage
Cut or fill banks	10	$4 \times$ vertical bank height or a maximum of 100
Natural escarpments in excess of 50%	25	$4 \times$ vertical bank height or a maximum of

slope		100
Private property lines	5	5***
Buildings or structures	5	8
Public water supply main	25	25
Individual water line	10	10
Sewage drain systems	3	6****
Roads, driveways, areas of vehicular traffic, or utility easements	Clear	Clear
Geothermal Heat Exchange Wells	25	50

\*\* Lake Almanor drainage system separation shall be 100 feet from high water line.

\*\*\* Distance shall be increased to 50 feet where wells have not been installed or well sites have not been designated on the subject and adjacent properties.

\*\*\*\* 15-foot minimum separation required for deep trench disposal systems.

#### **Sec. 6-6.11. - Subsurface suitability evaluation.**

All sites proposed for sewage disposal must be evaluated for suitability on a case-by-case basis. When required, percolation testing, soil profile testing and groundwater level testing shall be in accordance with the provisions of this section.

- (a) Percolation testing. A percolation test is required on every lot where an OWTS will be used as the means of sewage disposal. Percolation testing must be performed at the depth of the proposed drainage system. Percolation testing must be conducted by a California Registered Civil Engineer, Geologist, or Environmental Health Specialist. Percolation testing procedures shall be performed pursuant to recognized published standard methods. Any customized procedure based upon professional judgment and site conditions must be approved by the Director of Environmental Health. Percolation test data must include at a minimum: the name and license/registration of the professional performing the test, the percolation testing procedure performed and a site map which clearly delineates the scope of the area represented by the test. The submitted percolation data is only valid for the specific area identified on the site map.
- (b) Soil depth evaluation: Soil depth evaluation may be required at the discretion of the Environmental Health Director when inadequate soil depth information is available for a particular site or parcel. When required, a soil profile excavation must be performed under the direction of and recorded by a California Civil Engineer, Geologist, or Environmental

Health Specialist. When a soil profile reveals signs of an elevated groundwater table within seven feet of the ground surface, groundwater monitoring will be required according to the provisions of this chapter.

(c) Groundwater level testing: Groundwater level testing shall be required in those areas where site characteristics, soil profile data and/or existing information indicate the potential for an elevated seasonal groundwater table. The depth to groundwater shall be determined by actual measurements of groundwater in observation wells (piezometers) from November 1 to May 31 each year. Piezometer construction methods must be approved by Environmental Health. This testing period may be modified by the Environmental Health Director based on seasonal weather variations and other unusual circumstances in order to assess groundwater conditions during periods of maximum soil moisture content.

(1) Direct observation measurements. Measurements shall be taken as presented below, unless otherwise approved by the Environmental Health Director.

Measurements shall be taken at two-week intervals until seasonal high groundwater starts to recede, and at four-week intervals thereafter, except that weekly observations shall be recorded for any periods when groundwater is less than eight (8') feet below the ground surface.

At least one (1) piezometer shall be included within each proposed disposal area suspected of having groundwater less than seven (7) feet below the ground surface, except where a nearby piezometer shows groundwater contours representative of the proposed disposal area.

(2) Qualifications. All groundwater monitoring shall be performed by a California Registered Engineer, Geologist or Environmental Health Specialist.

(3) Permit required. All groundwater monitoring shall be performed under permit by Environmental Health.

#### **Sec. 6-6.12. - Subsurface suitability standards.**

The type of OWTS that is suitable for a particular site is based on the results of the subsurface suitability evaluation as follows:

(a) Percolation. Percolation test results, in conjunction with projected sewage flows or the number of bedrooms served, determine the absorption area sizing requirements of the drainage system. Areas with percolation rates ranging from five (5) minutes per inch to sixty (60) minutes per inch will be considered acceptable for a standard sewage disposal system. Areas with percolation rates faster than five (5) minutes per inch or ranging from sixty-one (61) minutes per inch to 120 minutes per inch will require an engineered design or alternative treatment system. Areas where percolation rates exceed 120 minutes per inch are unacceptable.

(b) Vertical separation to impermeable layer or bedrock. The minimum vertical separation between the existing ground surface and an impermeable layer or bedrock shall be five (5') feet for all standard sewage disposal systems. This distance may be reduced to not less than three (3') feet with an engineered design or not less than two (2') feet when an alternative treatment system is utilized. Table 2 compares separation distances to an impermeable layer for various OWTS designs.

Table No. 2  
Separation Distances for Impermeable Layers

	Distance Between Ground Surface and an Impermeable Layer	Distance Between Bottom of Disposal Area and an Impermeable Layer
Standard System	≥ 5 ft.	4 ft.
Engineered System	3—5 ft.	4 ft.
Advanced Treatment System	2—3 ft.	3 ft.

(c) Vertical separation to groundwater. Minimum vertical separation between the existing ground surface and the highest recorded seasonal groundwater elevation shall be no less than six (6') feet for all standard sewage disposal systems. The minimum vertical separation between the existing ground surface and the highest recorded seasonal groundwater elevation may be reduced to no less than three (3') feet provided an engineered sewage disposal system is utilized. The minimum vertical separation between the existing ground surface and the highest recorded seasonal groundwater elevation may be reduced to no less than eighteen (18") inches provided an advanced treatment system is utilized. Table 3 compares separation distances to highest groundwater level for various system designs.

Table No. 3  
Separation Distances for Groundwater

	Distance Between Ground Surface and Highest Groundwater Elevation	Distance Between Bottom of Disposal Area and Highest Groundwater Elevation
Standard System	≥ 6 ft.	5 ft.
Engineered System	3—6 ft.	5 ft. for gravity distribution, OR 4 ft. for pressure distribution
Advanced Treatment System	1.5—3 ft.	3 ft.

#### Sec. 6-6.13. - Standard OWTS.

Any proposed standard OWTS shall consist of a septic tank and a drainage system (leach bed, trench or gravel-less chamber) as follows:

- (a) Septic tank required. Unless otherwise noted, all OWTS described in this chapter must consist of a septic tank that satisfies the construction requirements described below.
- (b) Septic tank construction. Septic tanks must be constructed as a one piece unit unless the tank is assembled prior to retail sale by a manufacturer-certified assembler and the watertight seal between pieces is provided by a continuous-loop, ASTM F477-compliant elastomeric gasket. Two piece, field assembled septic tanks are prohibited. Each septic tank shall consist of two (2) compartments, with the first compartment being twice the size of the second. Access to each septic tank shall be provided by at least two (2) manholes twenty (20") inches in minimum dimension. One access manhole shall be located over the inlet and one access manhole shall be located over the outlet and brought to grade. Risers shall be constructed of polyethylene, concrete or other equally durable water and corrosion resistant material. Each riser shall have a securable cover to prevent unauthorized entry and be appropriately sealed to prevent odors from escaping. The inlet and outlet fittings shall be provided with sanitary tees, baffles or the equivalent if satisfactory to the Director of Environmental Health. Septic tanks shall be constructed of reinforced concrete, fiberglass, polyethylene or other equally durable, waterproof and corrosion resistant material. Septic tank construction must be reviewed and approved by the Director of Environmental Health and the County Engineer. Minimum septic tank capacities for residential applications include the following:

1, 2 or 3 bedrooms:	1,000 gallons
4 bedrooms:	1,200 gallons
5 or 6 bedrooms:	1,500 gallons

Minimum septic tank capacities for larger residential, commercial or industrial applications shall be equal to the maximum daily waste water flows according to the California Uniform Plumbing Code and approved by the Environmental Health Director.

- (c) Septic tank effluent pumping system. Where the septic tank effluent cannot be delivered to the drainage system via gravity-flow piping, a septic tank effluent pumping system may be utilized. The effluent pump must be installed in a water-tight sewage holding vault which is separate from the septic tank, or in the second compartment of a modified-design septic tank. When using an integral septic tank pump system, the septic tank shall be oversized to account for the volume displaced by the pump and hardware.

Access to an effluent pump shall be provided by a twenty-inch minimum dimension manhole riser. Manhole risers shall be constructed of polyethylene, concrete or other equally durable water and corrosion resistant material. Manhole risers shall have a securable cover to prevent unauthorized entry and be appropriately sealed to prevent odors from escaping. Maintenance of an effluent pump system is to be performed per the manufacturer's specifications. Electrical connections to a sewage pump must be to the satisfaction of the County Building Official.

- (d) Drainage systems. A standard drainage system shall provide five (5') feet of separation to highest groundwater elevation and four (4') feet of separation to an impermeable layer. Standard drainage systems consist of one (1) of the following:

- (1) Leach bed. A leach bed consists of a shallow, level, rectangular bed-like soil excavation, leachrock, perforated distribution pipe, barrier material and soil cover. The excavation bottom area is used to calculate the absorptive area of this type of system. At least twelve (12") inches of clean-washed drainage rock ( $\frac{3}{4}$ " to  $2\frac{1}{2}$ " diameter) are placed beneath a four-inch diameter perforated distribution pipe, and at least (2") inches cover the pipe, giving a total rock depth of not less than eighteen (18") inches. In lieu of drainage rock, geo-synthetic aggregate is acceptable however no reduction in excavation bottom absorptive area is given. Perforated pipes are installed a minimum of three (3') feet from the excavation sidewall and a maximum of six (6') feet center to center. Each perforated pipe is fitted with an end cap or plug, all lines are installed level, and all are provided with equal distribution via direct connection to a distribution box or manifold system as needed for multiple perforated lines. Maximum length of each line is 100 feet. The entire leach rock bed area is covered with untreated paper, straw, Geotextile fabric or other suitable material to prevent cover soils from penetrating the leach rock. A minimum of twelve (12") inches of soil is used to cover the bed in a manner which will facilitate surface water run-off. When installed on sloping ground, the bed should be configured and installed so as to parallel slope contour.
- (2) Leach trench. A trench system consists of a narrow, deep trench-like excavation, leachrock, perforated distribution pipe, barrier material and soil cover. The excavation sidewall area is used to calculate the absorptive area of this type of system. Up to six (6') feet of clean-washed drainage rock ( $\frac{3}{4}$ " to  $2\frac{1}{2}$ " diameter) are placed beneath a four-inch diameter perforated pipe, and at least two (2") inches of rock cover the pipe. In lieu of drainage rock, geo-synthetic aggregate is acceptable however no reduction in excavation sidewall absorptive area is given. The perforated pipe is installed in the center of the eighteen (18") to twenty-four-inch wide excavation. Each perforated pipe is fitted with an end cap or plug, all lines are installed level, and all lines are provided with equal distribution via direct connection to a distribution box or manifold system as needed for multiple perforated lines. Maximum length of each perforated line is 100 feet. The trench is covered with untreated paper, straw, Geotextile fabric or other suitable material to prevent cover soils from penetrating the leach rock. A minimum of twelve (12") inches of soil is used to cover the trench in a manner which will facilitate surface water run-off.
- (3) Gravel-less leaching chambers. A gravel-less leaching system consists of prefabricated interlocking effluent receiving chambers installed in a shallow, level, rectangular bed-like or narrow trench excavation. All gravel-less chambers must be UPC/IAPMO approved and certified. The bottom absorption area (nominal chamber unit width) with a 0.70 multiplier is used to calculate the absorptive area of this type of system. The bottom and sides of the bed or trench excavation are to be raked to eliminate any smearing that has occurred during excavation. All large rocks and debris is to be removed from the excavation prior to installation of the leaching chambers. The first and last leaching chambers are to be fitted with an end plate, all chambers are installed level, and all chambers are provided with equal distribution via direct connection to a distribution box or manifold system as needed for multiple leaching chambers systems. Maximum length of each leaching chamber system is 100 feet. A minimum of twelve (12") inches of soil is used to cover a leaching chamber system in a manner which will facilitate surface water

run-off. All gravel-less leaching chamber systems are to be installed per the manufacturer's design.

- (4) Serial distribution. Serial distribution is an acceptable alternative to equal distribution. Serial distribution is achieved by the use of a modified distribution box(s) connecting individual leach trenches of the absorption system so that each trench is forced to pond to the full depth of the gravel fill before effluent flows into the succeeding trench. All construction specifications of the disposal trenches are the same as (c)(1), (2) and (3).

**Sec. 6-6.14. - Engineered OWTS.**

- (a) Design criteria. Areas in which the percolation rates are less than five (5) minutes per inch or exceed sixty (60) minutes per inch, where seasonal high groundwater table is closer than six (6') feet below the existing ground surface, or where an impermeable layer is closer than five (5') feet below the existing ground surface are not suitable for standard sewage disposal systems. Such areas may be suitable for an engineered OWTS provided percolation rates do not exceed 120 minutes per inch, and the depth to seasonal high groundwater or an impermeable strata is not less than three (3') feet below the existing ground surface. Engineered OWTS must provide, from the bottom of the disposal system, a minimum five (5') feet vertical separation to groundwater and a minimum four (4') feet vertical separation to an impermeable layer unless otherwise specified in this section. Engineered systems must be designed according to the surface suitability standards contained in Section 6-6.09 of this chapter.
- (b) Submittal. Plans for an engineered system must be submitted by a California Registered Civil Engineer, Geologist or Environmental Health Specialist for review by Environmental Health.
- (c) Approved designs. Engineered systems that will be considered by Environmental Health for application in areas deemed unacceptable for a standard OWTS include:
  - (1) Elevated mound systems. Elevated mound systems may be applied in areas where vertical separation to groundwater and/or an impermeable strata or bedrock cannot be satisfied for a standard system. For an elevated mound system to be utilized, the minimum vertical separation to groundwater or an impermeable strata cannot be less than three (3') feet below undisturbed ground surface.
  - (2) Pressure distribution. Pressure distribution leach disposal systems may be applied to areas where vertical separation to groundwater and/or standard percolation rates cannot be obtained. Vertical separation between the bottom of the drainage system and the highest recorded groundwater level through native soil may be reduced to four (4') feet when pressure distribution is utilized. Pressure distribution may also be applied to areas where percolation rates fall between the sixty (60) minutes per inch and 120-minute per inch range.
- (d) Alternate designs. OWTS technologies and alternative construction methods not specifically referenced in this section will be considered by Environmental Health on a case by case basis provided such systems are submitted by a California Registered Civil Engineer, Geologist or Environmental Health Specialist.

**Sec. 6-6.15. - Advanced OWTS.**

- (a) Submittal. Advanced OWTS and alternative technologies not specifically referenced in this chapter will be considered on a case-by-case basis provided such proposals are submitted by a California Registered Civil Engineer, the installation is completed under the direction of the design engineer and provided such proposals satisfy Section 6-6.01 of this chapter.
- (b) Design criteria. Areas deemed unacceptable for standard and engineered OWTS as described in this chapter may be suitable for an advanced treatment system provided: groundwater is no closer than eighteen (18") inches below the existing ground surface; an impermeable layer is not closer than two (2') feet below the existing ground surface; and percolation rates do not exceed 120 minutes per inch. An advanced treatment system must provide a minimum three (3') feet vertical separation to groundwater or an impermeable layer unless otherwise specified in this section. Advanced treatment systems must be capable of routinely producing treated effluent with biological oxygen demand (BOD) and total dissolved solids (TDS) concentrations less than thirty (30) milligrams per liter (mg/L) and total coliform concentrations less than 240 MPN/100mL. Advanced treatment systems must be designed according to the surface suitability standards contained in Section 6-6.09 of this chapter.
- (c) System operation and maintenance. Due to the complexity of advanced treatment systems, proper operation and maintenance of these systems is essential. An Operation and Maintenance Manual shall be developed by the system designer and/or manufacturer and provided to the applicant and Environmental Health at time of permit application. This Manual shall include diagrams of system components, descriptions of normal system functions, schedules for routine annual maintenance, descriptions on how to correct common operational problems and other items necessary to ensure proper system function.
- (d) System performance monitoring. A monitoring plan shall be developed by the system designer and provided to Environmental Health for approval at time of permit application. The monitoring plan shall specify proposed effluent sampling, constituent analysis and frequency to ensure proper system performance and must be approved by Environmental Health.
- (e) Maintenance and monitoring service provider. A contract with a qualified service provider for specified system maintenance and monitoring shall be in place prior to final inspection and approval for use of any advanced treatment system. The system owner must notify Environmental Health within thirty (30) days of any revision to or cancellation of the service agreement.
- (f) Operating permit. All advanced treatment systems shall be operated under a renewable permit issued by Plumas County Environmental Health. This permit will specify conditions for system operation including maintenance, monitoring, and reporting that will ensure protection of public health and the environment. A new operating permit is also required any time a property with an advanced treatment system is sold or otherwise falls under new ownership.
- (g) Approved designs.
  - (1) Intermittent sand filters (ISF). An intermittent sand filter may be utilized in areas where the vertical separation between the ground surface and highest seasonal groundwater is at least eighteen (18") inches. All ISFs must be constructed in accordance with Plumas County Environmental Health's Intermittent Sand Filter Design Manual, current Industry Standards, and all the requirements of this chapter.

(2) Aerobic treatment systems (ATU). An aerobic treatment unit may be used to replace failing sewage disposal systems for residential and small commercial facilities, where site conditions are deemed unsuitable for standard or engineered OWTS. Aerobic Treatment Units may replace a conventional septic tank in some applications, based on the engineer's design. ATUs shall be certified by the National Sanitation Foundation (NSF) pursuant to Standard 40 Class I requirements. Evidence of NSF certification shall be submitted at time of application.

All ATUs shall be installed according to the manufacturer's approved design and specifications under the direction of a California Registered Engineer and must satisfy all the requirements of this section.

**Sec. 6-6.16. - Community sewage disposal systems.**

Disposal systems serving multiple structures, residential or commercial, are considered community systems. For systems serving one (1) or two (2) structures, variations of the septic tank-leach bed systems are typically employed. Where the number of structures served is three (3) or more, an engineered sewage disposal system is required. Where the number of structures served is five (5) or more, concurrence from the Central Valley Regional Water Quality Control Board is required. Where the estimated wastewater flows for the community sewage disposal system exceed 10,000 gallons per day, Waste Discharge Requirements or other authorizations or permits from the Central Valley Regional Water Quality Control Board are required.

**Sec. 6-6.17. - Abandonment and reuse of sewage disposal facilities.**

- (a) Any person permanently discontinuing use of a septic tank, sewage holding vault, pit privy or cesspool shall properly abandon it. Abandonment shall consist of pumping and properly disposing of the contents of each compartment as applicable. Subsequently, each compartment shall be filled with an inert solid material such as sand, gravel or soil.
- (b) No septic tank, cesspool, sewage holding vault or pit privy may be considered for reuse at any other location.

**Sec. 6-6.18. - Prohibited sewage disposal facilities.**

- (a) Cesspools. It shall be unlawful to construct, use, or maintain a cesspool as a means for sewage disposal.
- (b) Pit privies. It shall be unlawful to construct, use or maintain a pit privy as a means of sewage disposal.
- (c) Sewage holding vaults. It shall be unlawful to construct, use, or maintain a sewage holding vault without a special written permit from the director of Environmental Health.
- (d) Onsite Wastewater Treatment Systems dedicated to recreational vehicle waste. OWTS dedicated to receiving significant amounts of wastes dumped from recreational vehicle holding tanks are prohibited. For the purposes of this section, significant amounts of recreational vehicle waste means amounts greater than incidental dumping such that volume, frequency, overall strength or chemical additives preclude definition as domestic wastewater. The Central Valley Regional Water Quality Control Board may approve systems dedicated to such waste if under special waste discharge permit or other authorization.

### **Sec. 6-6.19 – Waivers and Variances**

- (a) **Waivers:** Requirements of this chapter may be waived by the Director of Environmental Health if sufficient information is available to ensure protection of public health and the environment and provided the waiver does not include prohibitions included in Section 9.4 of the state OWTS Policy.
- (b) **Variances.** Variances from the requirements of this chapter may be granted by the Board of Supervisors or another duly appointed board, acting as a board of appeal in consultation with the Director of Environmental Health. Variances can only be granted upon finding of unusual circumstances and upon finding that the variance will ensure protection of public health and the environment. In no case can variances be granted that are prohibited by the OWTS Policy including:
  - (1) Use of cesspools of any kind or size;
  - (2) Permits to construct OWTS receiving a projected flow of over 10,000 gallons per day without Regional Water Quality Control Board approval;
  - (3) OWTS that utilize effluent disposal on or above the post installation ground surface;
  - (4) OWTS installation on slopes greater than 30 percent without a slope stability report signed by a registered professional;
  - (5) Gravel-less disposal technologies using an absorption area multiplier less than 0.70;
  - (6) OWTS utilizing supplemental treatment without requirements for periodic monitoring and inspections;
  - (7) OWTS dedicated to receiving significant amounts of wastes dumped from recreational vehicle holding tanks;
  - (8) Separation of the bottom of the dispersal system to groundwater less than two (2) feet for new construction;
  - (9) Installation of new or replacement OWTS where public sewer is available in accordance with section 6-6.04 of this chapter provided connection and construction costs are not more than twice the total cost of a replacement OWTS and Environmental Health has determined the replacement OWTS would not adversely impact public health or groundwater quality; and
  - (10) Installation of new or replacement OWTS located within the prescribed setback to public water wells or surface water intakes without advanced treatment unless alternate siting and operational criteria for the proposed OWTS will similarly mitigate the potential adverse impact to the public water source.

### **Sec. 6-6.20. - Violations and enforcement.**

- (a) A violation of this chapter is an infraction punishable as set forth in Section 1-2.01 of this Code, each day a violation occurs is deemed a separate citable offense. A continuing violation shall constitute a public nuisance to be summarily abated pursuant to Section 1-2.01.
- (b) The administration and enforcement of the laws in this chapter shall be the duty of the Director of Environmental Health of Plumas County. The Director may designate employees of Environmental Health and the Department of Code Compliance to be enforcement

officers for purposes of premises inspections and issuance of citations. The Director may seek the assistance of any peace officer in carrying out enforcement responsibilities.

**Section 3.** Section 6-8.05 of Chapter 6 of Title 6 of the Plumas County Code entitled "Water Wells" is hereby amended in its entirety to read as follows:

**Sec. 6-8.05. - Standards.**

Standards for the construction, repair, reconstruction, destruction or abandonment of wells shall be as set forth in the State Department of Water Resources Bulletin No. 74-90 "California Water Well Standards" with the following modifications:

- (a) The minimum domestic well or public water well depth shall be fifty (50') feet, except in those areas where, demonstrated to the Director of Environmental Health, an impervious clay blanket at a lesser depth is sufficient to preclude well contamination from surface waters.
- (b) All domestic and public water wells must be located away from known or potential sources of contamination. The minimum required separation distances are set forth in Table I.

TABLE NO. I  
MINIMUM SEPARATION DISTANCES IN FEET

Sources of Contamination	Public Water Well	Domestic Water Well	Geothermal Heat Exchange Wells
Septic Tank	100	50	25
Leachfield, Leach trench or other sewage infiltration system	150	100	50
Sewer lines	50	50*	25
Perennial Surface Water including lakes, streams, and ponds	100	50	25
Community Water system mains and laterals	n/a	n/a	10

\* May be reduced to twenty-five (25') feet if the sewer line is constructed of materials approved for use in a building

- (c) In an area of special flood hazard identified by the Federal Insurance Administration of the Federal Emergency Management Agency, all new and replacement water supply wells shall be designed to minimize or eliminate infiltration of flood waters into the system.

- (d) Open loop geothermal heat exchange wells are prohibited.

**Section 4.** Sections 6-11.01, 6-11.02, 6-11.03, 6-11.04, 6-11.05, 6-11.06, 6-11.07, 6-11.08, and 6-11.09 of Chapter 11 of Title 6 of the Plumas County Code entitled "Waste Disposal From and Water Supply to Land Developments" are hereby amended to read as follows:

**Sec. 6-11.01. - Basis for adoption.**

- (a) This chapter is adopted in order to implement the "Guidelines for Wastewater Disposal from Land Developments" adopted by the California Regional Water Quality Control Board, Central Valley Region.
- (b) This chapter, Title 6 Chapter 6 of Plumas County Code and the Plumas County Local Agency Management Plan (LAMP) comprise the wastewater management program for Plumas County. This program complies with the State Water Resources Control Board's June 19, 2012, Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems (OWTS).
- (c) This chapter also establishes standards for water supply and protection, and provides for the long-term protection of public health, safety and welfare and the environment.

**Sec. 6-11.02. - Scope.**

- (a) Requirements. The requirements of this chapter shall apply to new developments and land divisions where individual, shared or community sewage disposal systems are to be used and where individual wells, shared water supplies, State Small Water Systems or public water systems are to be used. These requirements are applicable to single-family residential, commercial and industrial zoned property and shall supersede any less restrictive requirements of the Uniform Plumbing Code, Manual of Septic Tank Practice, Regional Water Quality Control Board Guidelines or Title 6, Chapter 6 of Plumas County Code.
- (b) Data submittal. All the information and test data required by this chapter shall be submitted to the Planning Director as part of the planning and land use application. Testing locations shall also be shown on the tentative map, and marked prominently in the field, if applicable. This includes:
  - (1) All percolation tests, soil profile and groundwater monitoring data, and location of tests performed,
  - (2) Location of the designated sewage disposal area for each proposed lot,
  - (3) Submittal of all quantity and quality data for the proposed water supply,
  - (4) Location of the water supply source, piping, storage and other infrastructure,
  - (5) Other data as required to determine project compliance with this chapter.

**Sec. 6-11.03. - Definitions.**

- (a) Additional information map: Part of the final recorded map. An additional information map shall show specific data to demonstrate compliance with this chapter, including the location of the designated sewage disposal area and the designated well site.
- (b) Common sewage disposal area: A location for the disposal of wastewater from 2 or more separate parcels or lots. Such areas may have any combination of individual or shared sewage disposal systems but cannot exceed 10,000 gallons of estimated daily wastewater flows without Waste Discharge permit or other approval from the Regional Water Quality Control Board.
- (c) Community sewage disposal system: A system that receives liquid waste from five (5) or more connections. This may include centralized sewers, community leachfields and/or any combinations thereof.
- (d) Designated sewage disposal area: Area acceptable for sewage disposal based on slope, soil depth, percolation data and other siting requirements. This area must be designated for the exclusive use of liquid waste disposal.
- (e) Development: For the purposes of this chapter, development includes subdivisions, parcel maps, other land divisions that create new parcels, and lot line adjustments where sewage disposal or water supply are affected.
- (f) Engineered system: A wastewater treatment and disposal system designed by a California Registered Civil Engineer, Geologist or Environmental Health Specialist.
- (g) Final map: The map that is officially recorded by the County Surveyor-Engineer.
- (h) Groundwater: Water found at any depth below the ground surface that is capable of flowing into a well or piezometer.
- (i) Groundwater level monitoring: The direct observation of groundwater in a piezometer to determine the highest seasonal groundwater level. The monitoring season extends through the rainy season from November 1 to May 31.
- (j) Impermeable layer: A layer of soil or rock that does not allow the penetration of water or other liquids. Defined as a percolation rate of 120 minutes per inch or slower.
- (k) Normal year: A year in which seventy-five (75%) percent or more of the average annual precipitation for the entire year falls prior to April 15.
- (l) OWTS Policy: The Water Quality Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems promulgated by the State Water Resources Control Board. The Policy conditionally waives the requirement for owners of OWTS to apply for and receive Waste Discharge Requirements in order to operate their system when they meet the requirements of this Chapter, Chapter 6 of Title 6 of Plumas County Code and the conditions set forth in the Policy.
- (m) Percolation test: A measure of how quickly soil will absorb fluid under saturated conditions, with the units of minutes per inch (mpi).
- (n) Piezometer: A perforated pipe installed in the soil to a depth of approximately eight feet below grade for direct observation and measurement of groundwater.
- (o) Public water system: A water system that serves fifteen (15) or more connections or regularly serves at least twenty-five (25) individuals daily at least sixty (60) days per year. The California Water Resources, Division of Drinking Water provides oversight and

permitting for public water systems serving two hundred (200) or more connections and Environmental Health provides oversight and permitting for public water systems serving less than two hundred (200) connections.

- (p) Public water well: A well connected to and supplying a public water system as a primary or alternate source.
- (q) Separation distance: The minimum horizontal distance required between a designated sewage disposal area and any other feature, including wells, seasonal drainages, lakes etc. See Table I.
- (r) Shared sewage disposal system: A system that receives liquid waste from two (2) to four (4) lots or parcels.
- (s) Shared water supply: A drinking water source that serves two (2) to four (4) connections.
- (t) Slope: The natural grade of the ground surface measured in percent, or rise over run; the gain in elevation (rise) per horizontal distance (run).
- (u) Soil depth: The vertical thickness of soil present between the ground surface and the highest seasonal groundwater level, fractured bedrock and/or an impermeable layer.
- (v) Soil profile: A backhoe excavation to examine subsurface features such as: soil types, depth to an impermeable layer and/or to groundwater, soil color, mottling, root zones etc.
- (w) State small water system: A water system that serves between five (5) and fourteen (14) connections.
- (x) Tentative map: The first map submitted to the Planning Department along with the land division or development application.

#### **Sec. 6-11.04. - Designated sewage disposal area.**

For every development and land division utilizing individual sewage disposal, a single sewage disposal area shall be designated on each lot. This area shall be reserved for the exclusive use of disposing of liquid waste and shall not be developed for any other purpose without specific prior approval by Environmental Health. Designated sewage disposal areas shall satisfy the surface and subsurface suitability requirements specified in Sections 6-11.05 and 6-11.06. This requirement shall apply to all lots or parcels of a development unless the resultant lot or parcel has existing dwellings. In this case, only adequate leachfield and replacement area must be designated.

#### **Sec. 6-11.05. - Surface suitability and evaluation.**

The designated sewage disposal area shall be located on natural ground with acceptable slope and shall meet all applicable separation distances.

- (a) Slope. Natural ground slopes greater than thirty (30%) percent shall be unacceptable.
- (b) Separation distances. Designated sewage disposal areas shall meet the separation distances specified in Table I.

Table I: Separation Distances in Feet

Feature	Designated Sewage Disposal Area
Individual, shared, or State Small Water System supply wells	100'
Public water wells	150'
Perennial streams	100' from high water line
Seasonal drainages, marshy meadows, ephemeral streams	50' from edge of channel or meadow
Springs	100'**
Cut or fill banks; natural escarpments >50% slope	Four times the vertical bank height as measured from the top of the bank; 100' maximum
Lakes or ponds	200'
Lakes, reservoirs, ponds or other water with a surface water intake point for a public water system	400' from high water mark if the drainage system is within 1,200 feet of the intake and within the catchment of the drainage
Property lines where individual wells are used*	50'
Existing or proposed structures	8'
Vehicular traffic areas and easements	Clear

\* This may be reduced to five feet if well sites are designated on every parcel.

\*\*If the spring supplies a public water system, the setback shall be increased to 150 feet.

#### Sec. 6-11.06. - Subsurface suitability and evaluation.

The designated sewage disposal area shall have adequate soil permeability and sufficient soil depth to a limiting layer.

- (a) Percolation testing. A minimum of one percolation test per designated sewage disposal area is required. Percolation rates less than five (5) minutes per inch (mpi) or greater than 120 mpi shall be unacceptable. For designated sewage disposal areas requiring an engineered design per Section 6-11.07(b), additional percolation data may be required to demonstrate consistent soil percolation rates throughout the designated sewage disposal area.
- (b) Soil depth to an impermeable layer. Designated sewage disposal areas shall have adequate soil depth from the ground surface to an impermeable layer. A minimum of one soil profile per designated sewage disposal area is required. Soil depth less than three (3') feet from grade to an impermeable layer shall be unacceptable. For designated sewage disposal areas requiring an engineered design per Section 6-11.07(b), additional soil profile data may be required to demonstrate sufficient soil depth throughout the designated sewage disposal area.
- (c) Soil depth to groundwater. Designated sewage disposal areas shall have adequate soil depth from the ground surface to the highest seasonal groundwater level. Soil depth less than three (3') feet from existing ground surface to the highest seasonal groundwater level shall be unacceptable. Groundwater monitoring via piezometer shall be required if signs of high groundwater are present, including soil mottling or other signs from the soil profile data, hydrophilic vegetation, certain geological and/or topographical features, or as otherwise determined by the Director of Environmental Health.
- (d) Professional required. A California Registered Professional Engineer, Geologist or Environmental Health Specialist shall conduct all percolation testing, soil profile evaluations and groundwater monitoring.

**Sec. 6-11.07. - Minimum area required.**

- (a) Sizing. Each designated sewage disposal area shall be sized according to the surface and subsurface characteristics identified in Sections 6-11.05 and 6-11.06. The minimum size of the designated sewage disposal area shall be 4,000 square feet. Additional contiguous square footage shall be added based on the percolation rate(s), slope, soil depth to groundwater and soil depth to an impermeable layer, to a maximum size of 18,000 square feet. See Table II for sizing requirements and specifications. Commercial and industrial zoned parcels may require additional area to accommodate the maximum daily flows from these businesses.
- (b) Standard design. Parcels acceptable for a standard sewage disposal system design have percolation values between five (5) to sixty (60) mpi, slope between zero (0) to thirty (30%) percent, soil depth greater than six (6') feet from the existing ground surface to the highest recorded groundwater table, and soil depth greater than five (5') feet from the existing ground surface to any impermeable layer. Parcels with soil depth between six (6') to eight (8') feet from the existing ground surface to the highest groundwater table, and/or soil depth five (5') to seven (7') feet from the existing ground surface to an impermeable layer shall record on the Additional Information Map the following restriction: "These parcels require a shallow sewage disposal system, not to exceed a total installation depth of twelve (12) inches below the existing ground surface. Otherwise, an engineered sewage disposal system is required."
- (c) Engineered design. Parcels acceptable for an engineered sewage disposal system design have any or all of the following characteristics: percolation values between sixty (61) to 120 mpi, soil depth three (3') to six (6') feet from the existing ground surface to the highest recorded groundwater table, and/or soil depth three (3') to five (5') feet from the existing

ground surface to any impermeable layer. Parcels with six (6') feet or less of soil depth from the ground surface to a limiting layer such as groundwater or an impermeable layer shall record on the Additional Information Map the following restriction: "These parcels require an engineered design."

Table II: Sizing Requirements for the Designated Sewage Disposal Area  
Based on Surface and Subsurface Evaluations

Surface/Subsurface Evaluation	Value	Additional Sq. Ft. Required (use 4,000 sq. ft. as minimum size)
Percolation Data	5—60 mpi	Add 0 sq. ft.
	61—90 mpi	Add 2,000 sq. ft.
	91—120 mpi	Add 4,000 sq. ft.
Slope	0— 20%	Add 0 sq. ft.
	20—30%	Add 2,000 sq. ft.
Separation to Groundwater (from grade)	≥ 8 ft.	Add 0 sq. ft.
	6—8 ft.	Add 2,000 sq. ft.
	3—6 ft.	Add 4,000 sq ft
Separation to an Impermeable Layer (from grade)	≥ 7 ft.	Add 0 sq. ft.
	5—7 ft.	Add 2,000 sq. ft.
	3—5 ft.	Add 4,000 sq. ft.

**Sec. 6-11.08 - Common sewage disposal areas serving two (2) to four (4) lots.**

- (a) Location and sizing. The Common Sewage Disposal Area shall meet the surface and subsurface suitability requirements specified in Sections 6-11.05 and 6-11.06. The Common Sewage Disposal Area shall be sized pursuant to Section 6-11.07 and the resultant area shall then be multiplied by the number of parcels that will be served by the area. This requirement applies when wastewater disposal will be via a shared system or individual systems.
- (b) Design. When a Shared Sewage Disposal system serves two (2) lots, a standard sewage disposal system design is acceptable, provided all other site characteristic are acceptable for a standard design. When a Shared Sewage Disposal system serves three (3) to four (4) lots, an engineered sewage disposal system design is required. Four (4) or fewer individual waste disposal systems in a common sewage disposal area do not require an engineer design provided the individual systems can be clearly identified as to ownership, proper operation, and other owner responsibilities and provided all other site characteristics are acceptable for a standard design.
- (c) Management agreement. An Additional Information Document shall be recorded concurrently with the final map that details the legal responsibility of each individual owning a parcel that utilizes the Common Sewage Disposal Area. This document shall identify each parcel and their right to dispose of liquid waste, and when applicable shall specify each parcel owner's obligation to share cost with regards to system maintenance and operation of any shared sewage disposal works.

**Sec. 6-11.09. - Common sewage disposal areas serving five (5) or more lots.**

New developments and land divisions where five (5) or more lots are served by a common sewage disposal area, whether through community or individual systems, shall have an engineered system or systems. Community sewage disposal systems shall be reviewed and approved by Environmental Health and the Central Valley Regional Water Quality Control Board. Community sewage disposal system serving developments with more than 10,000 gallons daily flows shall require a Waste Discharge Permit or other authorization from the Central Valley Regional Water Quality Control Board.

**Section 5.** Section 6-11.16 is hereby added to Chapter 11 of Title 6 of the Plumas County Code entitled "Waste Disposal From and Water Supply to Land Developments" to read as follows:

**Sec. 6-11.16. - Variances.**

Variances to this chapter may be granted by the Board of Supervisors acting as a board of appeal in consultation with the Director of Environmental Health. Variances can only be granted upon finding of unusual circumstances and upon finding that the variance will ensure protection of public health and the environment. In no case can variances be granted that are prohibited by the OWTS Policy including:

- (a) Use of cesspools of any kind or size;

- (b) Land developments generating projected wastewater flows of over 10,000 gallons per day without Regional Water Quality Control Board approval and permit;
- (c) Land developments that utilize effluent disposal on or above the post installation ground surface without Regional Water Quality Control Board approval and permit;
- (d) Designated sewage disposal area on slopes greater than 30 percent without a slope stability report signed by a registered professional;
- (e) Designated area based on gravel-less disposal technologies using an absorption area multiplier less than one (1);
- (f) Use of individual disposal or common sewage disposal area utilizing supplemental treatment without requirements for periodic monitoring and inspections;
- (g) Land developments dedicated to receiving significant amounts of wastes dumped from recreational vehicle holding tanks without Regional Water Quality Control Board approval and permit;
- (h) Designated sewage disposal area with separation from the bottom of the dispersal system to groundwater less than two (2) feet in which case advanced treatment is required;
- (i) New developments where public sewer is available in accordance with section 6-6.04 of Title 6 Chapter 6; and
- (j) Designated sewage disposal area located within the prescribed setback to public water wells or surface water intakes without advanced treatment unless alternate siting and operational criteria for the proposed OWTS will similarly mitigate the potential adverse impact to the public water source.

**Section 6.** Sections 2 through 5 of this ordinance, which amends the Plumas County Code, shall be codified. The remainder of the ordinance shall not be codified.

**Section 7.** The Board of Supervisors finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project that has the potential for causing a significant effect on the environment. The Board therefore directs staff to file a Notice of Exemption with the Plumas County Clerk, as authorized by law, and hereby authorizes the Chair of this Board to execute the Notice of Exemption on behalf of the County of Plumas.

**Section 8.** This ordinance shall be published, pursuant to Section 25124 (a) of the Government Code of the State of California, before the expiration of fifteen days after the passage of the ordinance, once, with the names of the supervisors voting for and against the ordinance, in the Feather River Bulletin, a newspaper of general circulation in the County of Plumas.

**Section 9.** This ordinance shall become effective thirty (30) days after its date of final adoption.

The foregoing ordinance was introduced at a regular meeting of the Board of Supervisors on the 15<sup>th</sup> day of November, 2016, and passed and adopted by the Board of Supervisors of the County of Plumas, State of California, on the 6<sup>th</sup> day of December, 2016, by the following vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

---

Chair, Board of Supervisors

ATTEST:

---

Clerk of said Board of Supervisors



## DEPARTMENT OF SOCIAL SERVICES AND PUBLIC GUARDIAN

Courthouse Annex, 270 County Hospital Rd., Suite 207, Quincy, CA 95971-9174

ELLIOTT SMART  
DIRECTOR

(530) 283-6350  
Fax: (530) 283-6368

DATE: NOVEMBER 15, 2016

TO: HONORABLE BOARD OF SUPERVISORS

FROM: ELLIOTT SMART, DIRECTOR  
DEPARTMENT OF SOCIAL SERVICES

SUBJ: BOARD AGENDA ITEM FOR DECEMBER 6, 2016

RE: SOCIAL SERVICES TRENDS REPORT

A handwritten signature of Elliott Smart, Director of the Department of Social Services.

### It is Recommended that the Board of Supervisors

Receive and file the Social Services Trends report.

### Background and Discussion

Social Services Trends is a quarterly report to the Plumas County Board of Supervisors and the citizens of Plumas County. The report provides information regarding public assistance caseloads and workload trends for services that are offered by the Department of Social Services. The report being delivered to the Board today includes case count and work load data through September 30, 2016.

Copies: PCDSS Management Staff  
Members of the Human Services Cabinet

Enclosure

## SOCIAL SERVICES TRENDS

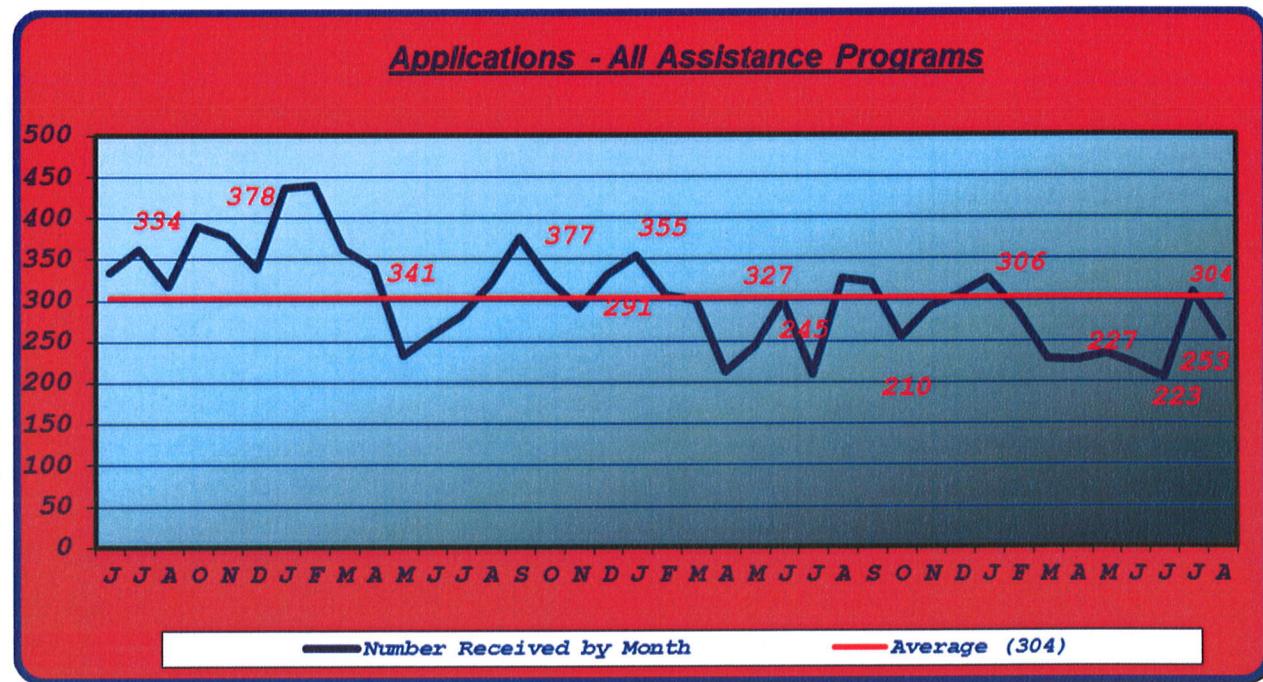
Quarter Ending: September 30, 2016

**Social Services Trends** is a quarterly report to the Plumas County Board of Supervisors and members of the public. This report provides case counts, application data, referrals for services and other workload information in the Department of Social Services. This edition of Trends includes case counts and workload data for the three-month quarter that ended September 30, 2016. The Department welcomes questions regarding the information contained in this report or about our programs and services. Additional information regarding our programs is available by calling 530-283-6350 or by accessing the Plumas County web site at [www.countyofplumas.com](http://www.countyofplumas.com).

### **I. WELFARE TO WORK & PUBLIC ASSISTANCE DIVISION**

#### **A. APPLICATIONS RECEIVED**

Applications for all public assistance programs have been on a downward trend, although more recently they appear to have leveled off some. For the past eighteen months applications have been in the range of 210 to 310 per month. Prior to that period, they tended toward a range of above 300 per month. Applications for medical assistance (under the statewide Medi-Cal program) continue to represent 50% or more of the total applications we receive. Slow improvements in our local economy are lessening the need for economic assistance through the Department.



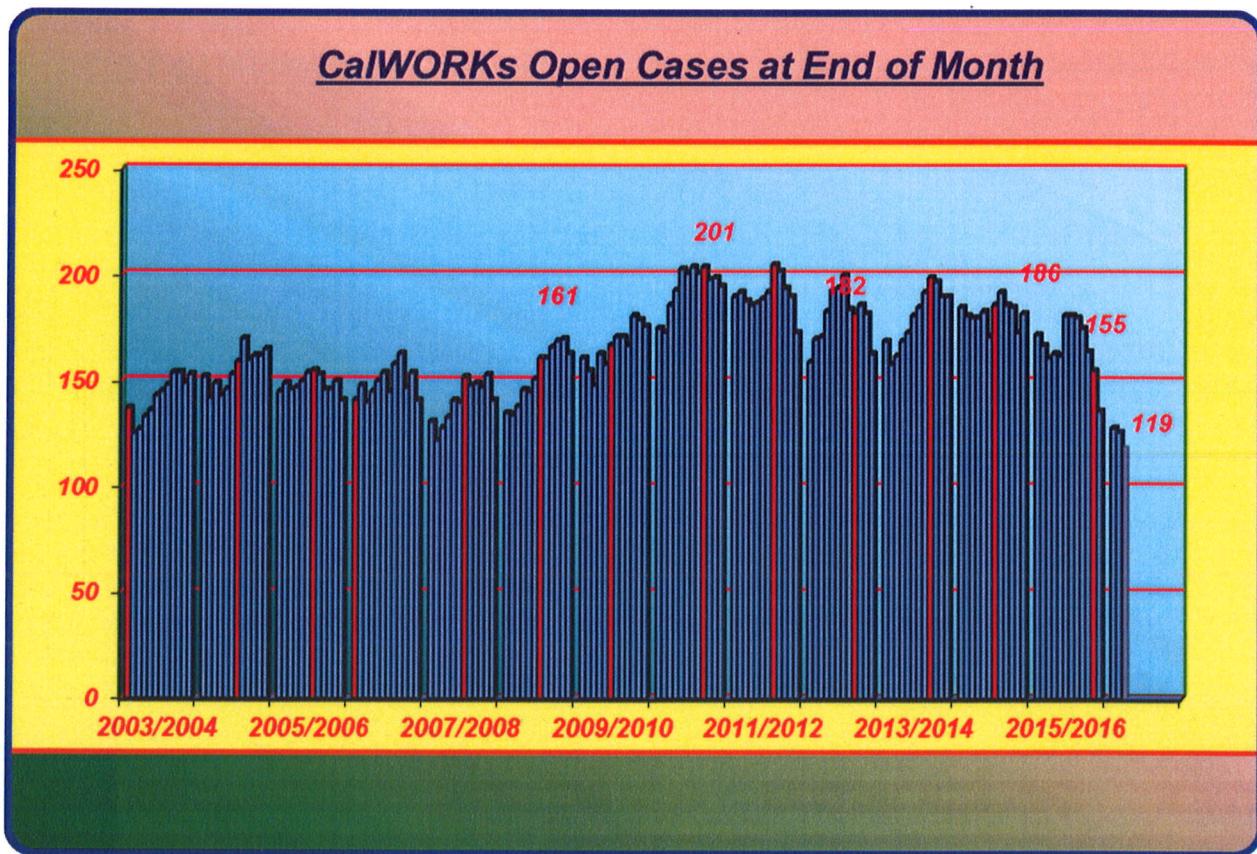
## B. CONTINUING CASES

### (1). Cash Assistance (AFDC/CalWORKs)

The Department's pre-recession case count for cash assistance was in the range of 150 CalWORKs cases per month. From January 2008 through January 2014 case counts ranged in the area of 180 to 200 per month. Since the high count of 202 cases recorded in February of 2012, the case count has generally dropped with only brief periods of increase, most notably during the winter months. In September, the Department recorded 119 CalWORKs cases, the lowest count recorded since prior to the recession. While we will see some growth over winter months, barring another unforeseen economic slowdown, employment opportunities are likely to continue to grow, slowing the need for cash assistance.

#### Average Monthly Caseload

2014/2015	182
2015/2016	166
2016/2017	124



## **(2). CalFresh (Supplemental Nutrition Assistance Program) Assistance**

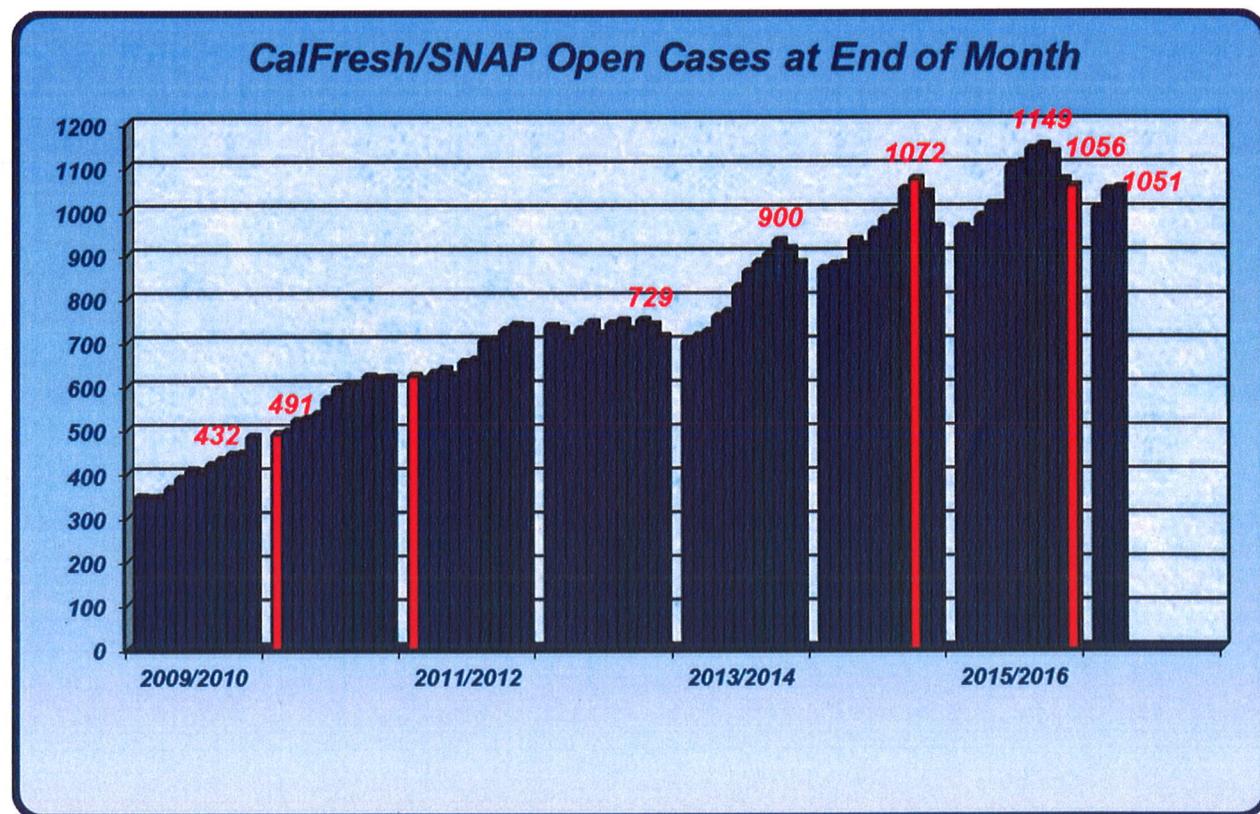
### **A. Case Count**

We expect the case count for CalFresh to drop some during summer months due to increases in earnings from employment. That expected drop has taken place and now leveled some. However, many working people qualify for CalFresh, in particular those whose income is at or below 200% of poverty. So despite improvements in the economy, we expect to see case counts remain high.

The Department continues to see an increase in customers who are over 55 and disabled populations who used to “get by” without assistance even though many of them were eligible for it. Increases in food prices along with decreases in buying power have led many of those individuals to access the CalFresh program.

#### **Average Monthly Caseload**

<b>2014/2015</b>	<b>961</b>
<b>2015/2016</b>	<b>1057</b>
<b>2016/2017</b>	<b>1034</b>



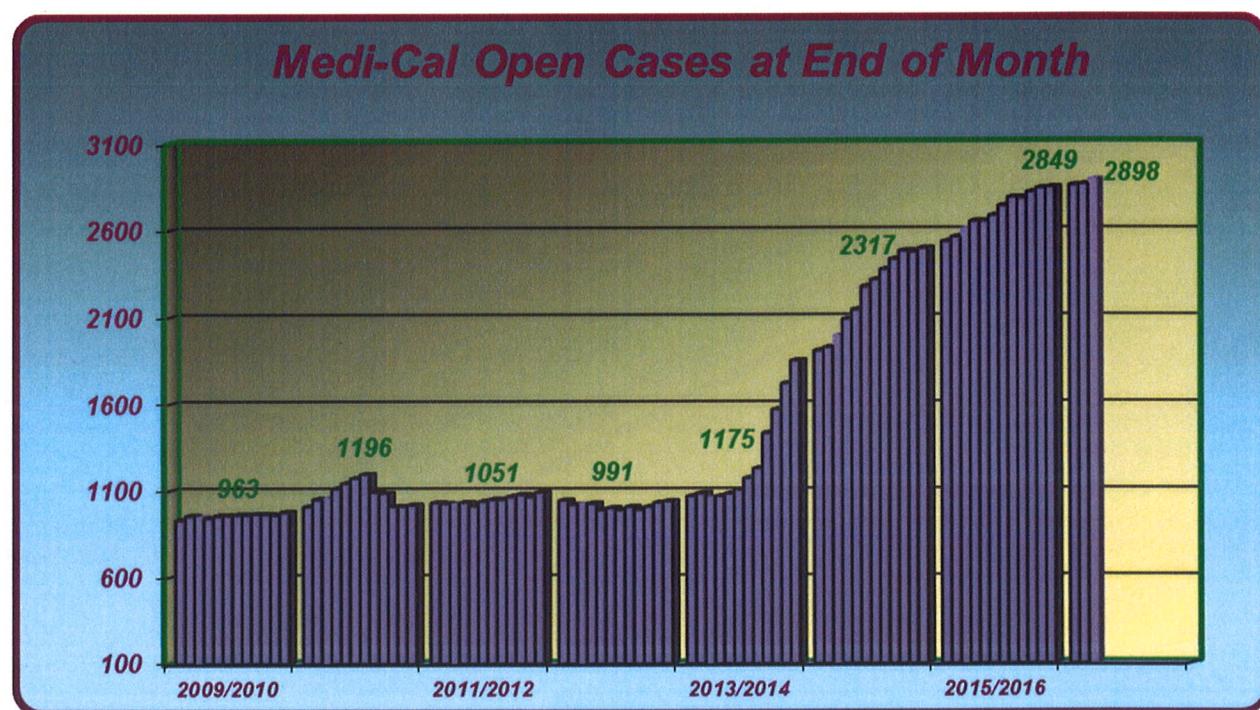
### **(3). Medi-Cal**

As has been reported previously, the growth trend in Medi-Cal open cases has begun to level off. This suggests that those individuals who did not have medical coverage prior to the ACA and who are eligible for coverage under the expanded Medi-Cal program have enrolled. Although it is early, changes in the Executive Branch of the Federal Government could result in significant changes in the Affordable Care Act. The new President has stated that he will rescind the program. The Social Services Department's role in this program is administrative. We certify eligibility for the program. We do not have a role in policies affecting who might be eligible.

Typically, those who are eligible for the expanded Medi-Cal program have earned income that is 138% of the federal poverty level or less. For a single individual that roughly translates into hourly earnings of \$7.85 per hour or less; or about \$1,354 per month. For a family of three, annual income at 138% of poverty is \$27,730 or less.

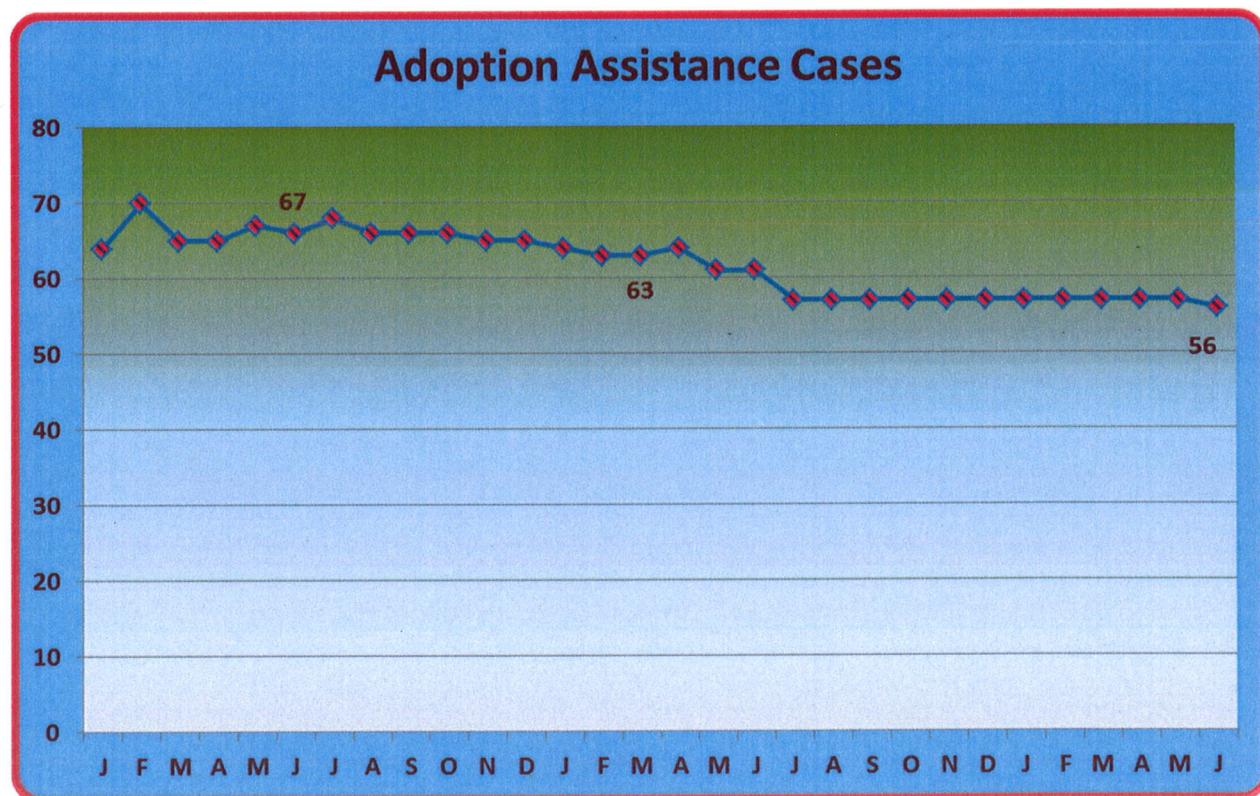
#### **Average Monthly Caseload**

<b>2014/2015</b>	<b>2245</b>
<b>2015/2016</b>	<b>2711</b>
<b>2016/2017</b>	<b>2874</b>



#### **(4). Aid to Adoptions**

In 2012 the Department of Social Services began operating the Adoptions program. The services provided and benefits issued are mandated by Welfare and Institutions Code under Chapter 2.1 beginning at Section 16115. Services provided include home studies, training for adoptive parents and case management of adoptive placements. Adoptive families also qualify for cash assistance under the Aid to Adoptions program. The caseload for the Adoptions Program has dropped from a high count of 70 in January of 2013 to 56 children currently receiving assistance.

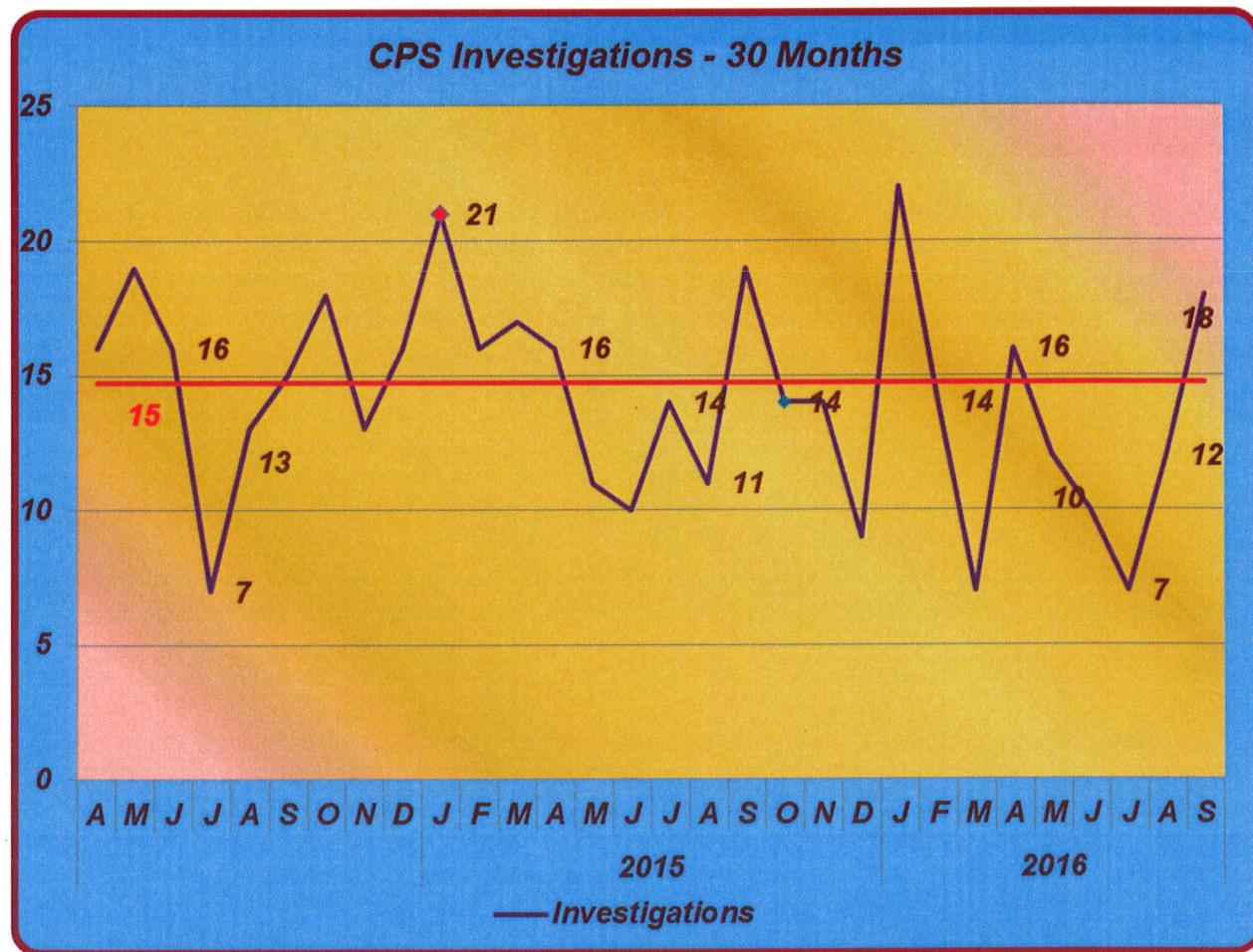


## **II. SOCIAL SERVICES DIVISION**

### **A. Child Welfare Services**

The Emergency Response component of Child Protective Services continues to average about 15 child abuse investigations per month. In September the number of referrals increased to 18. This is most likely associated with children returning to school and being referred to CPS due to suspected abuse that is noted by school personnel.

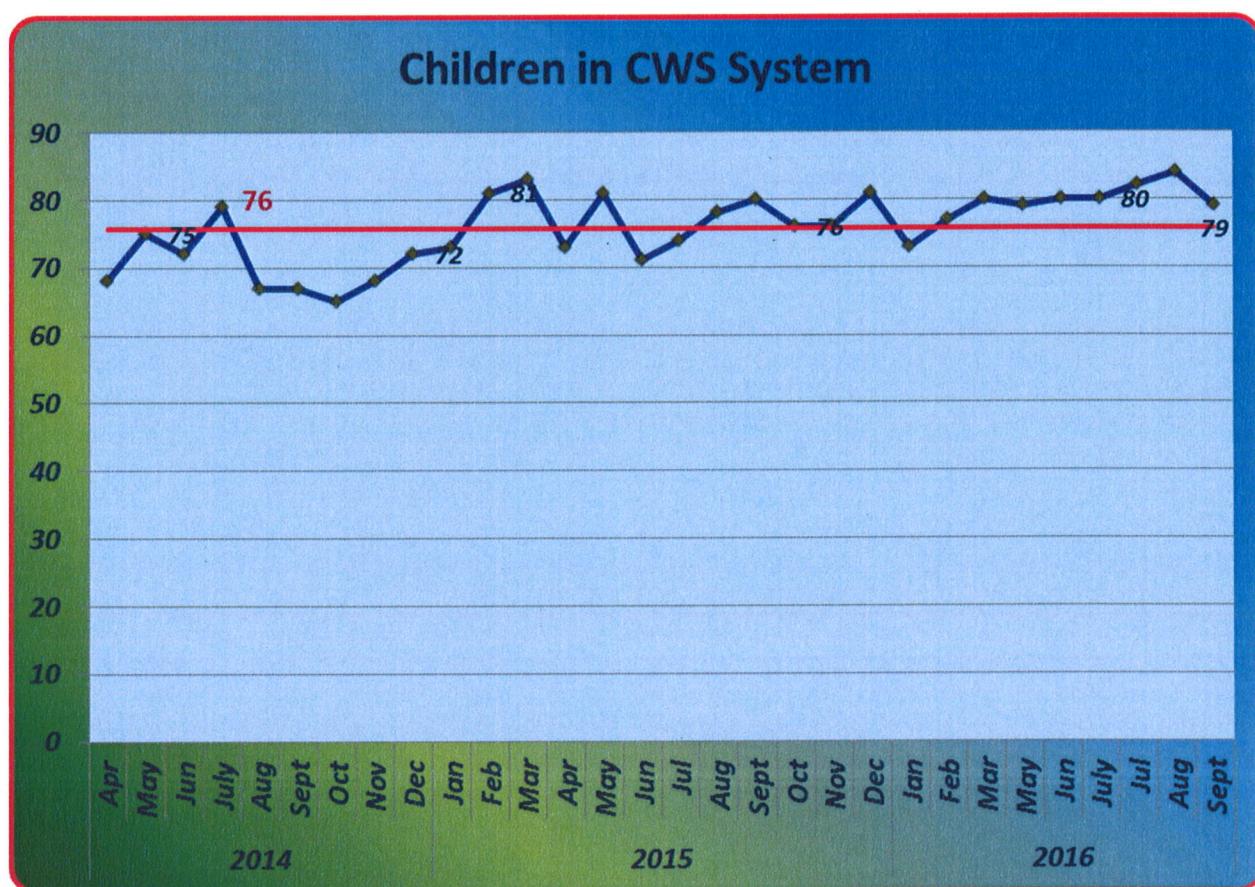
As the Department has noted previously, we have continued to experience significant numbers of cases where the precipitating factors leading to abuse and neglect are associated with substance abuse, in particular methamphetamine but also alcohol and other drugs. Substance abuse is the foremost reason that children are removed from unsafe environments.



## B. Children in the Child Welfare Services System

As has been reported previously, under changes in the law associated with Assembly Bill 12 of 2012, some children will stay in the Child Welfare System longer so that they can complete their education or secure independent housing. Currently the Department has 7 children who are completing an educational plan or living independently. This circumstance has generated an increase in the case count which is not directly associated with new detentions of children. We would prefer to see the count drop below 70 per month, but presently that isn't the case.

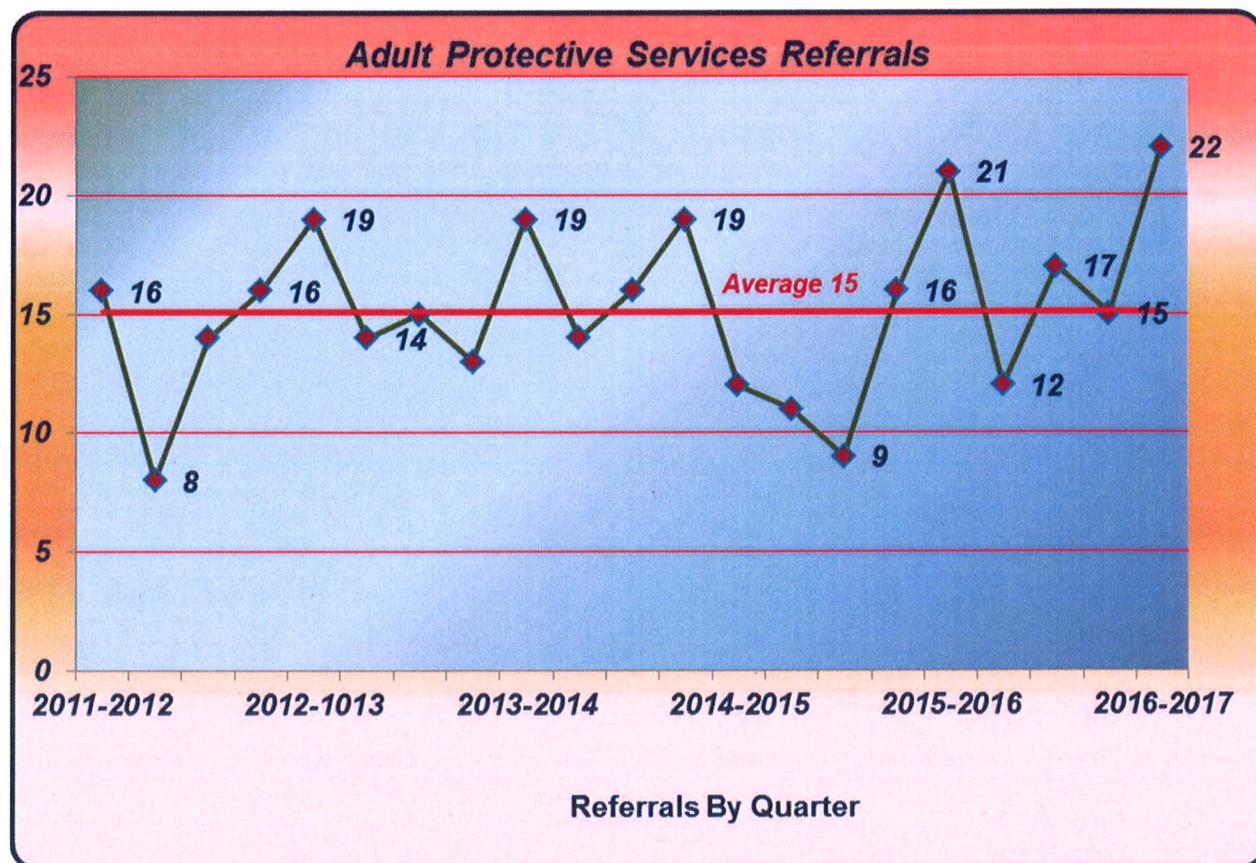
The Department has continued its trend toward placing foster children with relatives and with non-related extended family members. This has placed us in a position where we are less reliant on foster family agencies and foster homes for placement resources. While we expect that trend to continue, there remains a need for foster homes for children who come into our system. This is particularly evident when the Department detains children with special needs as there are fewer foster homes or group homes that provide the specialized care needed by these children.



### **C. Adult Protective Services**

Generally the Department receives about 15 referrals per quarter for situations involving abuse or neglect of elderly and disabled people. During the three month period that concluded in September 2016, the Department received 22 requests for investigation, a bit higher than our average.

Referrals from financial institutions regarding suspicious circumstances connected with an elderly or disabled person's bank account have continued to account for many of the requests for investigation we receive. The Department also receives referrals that are for self-neglect. In some of these situations it is not always possible to intercede because the referent still has a right to self-determination.



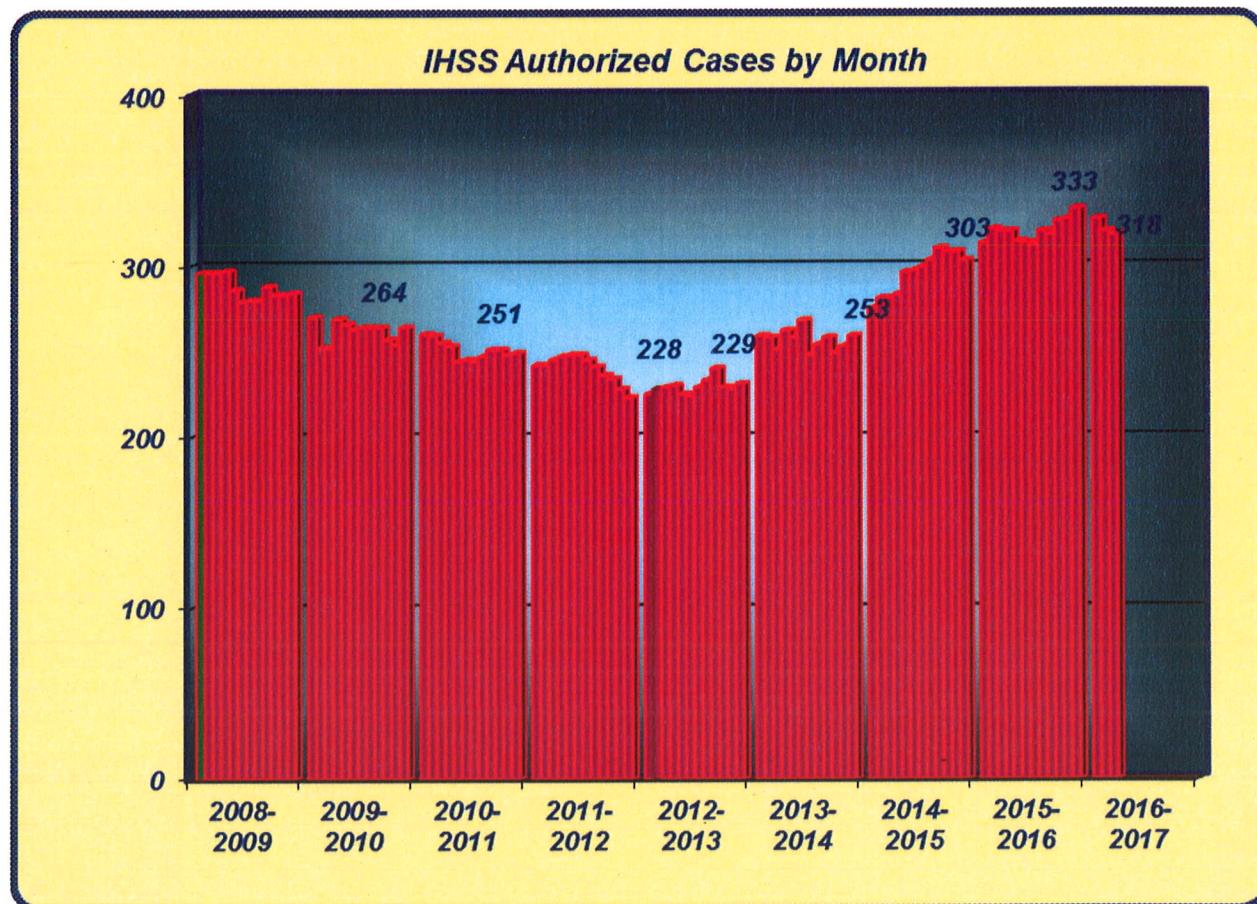
#### **D. In-Home Supportive Services (IHSS)**

The IHSS program experienced a fairly steady period of case count decline from around 2009 to mid-2013. Those reductions in case count were linked to several state regulation and legislative changes that both changed eligibility requirements and reduced the number of authorized hours that could be approved under some circumstances.

With the advent of the Affordable Care Act, the Department determined that it would be likely that the case count might grow some due to people becoming eligible for Medi-Cal (federal Medicaid), as IHSS is funded by Medicaid dollars. That has turned out to be a correct prediction. However, with potential changes coming to the Affordable Care Act, it could affect potential eligibility for this program downstream.

#### **Average Monthly Case Count**

<b>2014/2015</b>	<b>295</b>
<b>2015/2016</b>	<b>320</b>
<b>2016/2017</b>	<b>322</b>



# PLUMAS COUNTY BEHAVIORAL HEALTH SERVICES

270 County Hospital Road, #109 Quincy, CA 95971

Phone: (530) 283-6307 FAX: (530) 283-6045

**W. Robert Brunson Director**



Date: November 15, 2016

To: The Honorable Board of Supervisors

From: W. Robert Brunson, Director

Subject: Agenda Item for December 6, 2016

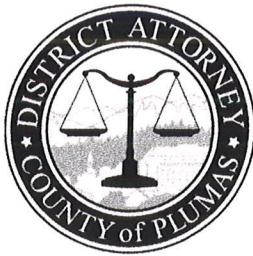
Re: Approval to hire above Step B for Behavioral Health Site Coordinator

---

**Recommendation:** It is respectfully requested that the Board of Supervisors authorize the Behavioral Health Director to hire at Step D for the Behavior Health Site Coordinator position.

**Background information:** The Board of Supervisor's approval of the Behavioral Health Department's new organizational chart included a number of new positions including five (5) Site Coordinators for the Wellness Centers. The department has received an application from a highly qualified candidate who has worked in a similar role for the County as extra help for over a year. The candidate is experienced in planning, organizing and directing Wellness Center development and ongoing programming and staffing needs. In addition, the candidate performs a variety of complex office and administrative support assignments with minimal guidance or supervision and has the ability to analyze situations accurately and adopt effective courses of action in emergencies. Furthermore, the candidate deals effectively and tactfully with the public, staff, and other community members in a courteous and compassionate manner.

The range for Behavioral Health Site Coordinator is 1805. The extra help employee's current rate is \$21/hour. Accordingly, the Department respectfully requests to hire this qualified, experienced candidate at 1805D or \$20.91/hour. Thank you for your continued support of the Behavioral Health Department's efforts to provide consistent, reliable mental health and alcohol and other drug services to all of our community members.



## 4E1 OFFICE OF THE DISTRICT ATTORNEY

**David Hollister, District Attorney**

520 Main Street, Room 404 • Quincy, California 95971  
(530) 283-6303 • Fax (530) 283-6340

**Date:** November 2, 2016  
**To:** Honorable Board of Supervisors  
**From:** David Hollister, District Attorney  
**Agenda:** Item for December 6, 2016

### **Recommendation:**

- A. Approve Supplemental Budget in the amount of \$11,500.00 in budget unit 70307 Community Justice Services from the Plumas Superior Court.

### **Background and Discussion**

The criminal justice system in California has undergone extensive changes in recent years, including significant shifts in the use of state prisons and local jails. There is a national movement underway, beginning with the passage of the Judiciary Act of 1789, and subsequently followed by the U.S. Supreme Court opinion held in *Stack v. Boyle* (1951), the Comprehensive Crime Control Act of 1984, the Supreme Court's review of that Act in 1987, and most recently lead by *United Sates v. Salerno* (1987), to focus pretrial release and custody decisions on assessment of risk rather than an individual's ability to pay. As a result, Plumas County must to look at making changes to policies and practices as the role of incarceration within the local system is reexamined, thus allowing the Criminal Justice Partners to implement such programs before state or federally mandated.

By necessity, Plumas County Criminal Justice Partners have come together to develop pretrial release guidelines and polices that are consistent with legal and evidence-based practices, constitutional principles and California state law in order to stay ahead of the ever-changing incarceration patterns brought on by legislative change within the state. In order to operate an effective pretrial program that ensures public safety the need to purchase an unbiased and proven tool is a necessity. After months of research the decision to utilize the Ohio Risk Assessment System through Assessments.com was the best fit for Plumas County and the Community Justice Services Pretrial Program.

The funds to purchase this software and the hosted site came from a collaborative partnership with the Plumas Superior Court through a Recidivism Reduction Grant administered by the Administrative Office of the Court specifically for Pretrial Release programs.

On September 20, 2016 the Board approved the purchase of a web-bases assessment software package and maintenance contract not to exceed \$11,500.

A copy of the Supplemental Budget with line item detail is attached for your review.

**COUNTY OF PLUMAS**  
**REQUEST FOR BUDGET APPROPRIATION TRANSFER**  
**OR SUPPLEMENTAL BUDGET**

**TRANSFER NUMBER**  
(Auditor's Use Only)

Dept. District Attorney - Alternative Sentencing      Dept. No.: 70307      Date: 11/2/16

1. The reason for this request is (check one):	Approval Required
A. <input type="checkbox"/> Transfer to/from Contingencies OR between Departments	Board
B. <input checked="" type="checkbox"/> Supplemental Budgets (including budget reductions)	Board
C. <input type="checkbox"/> Transfers to/from or new Fixed Asset, within or from a 51XXX	Board
D. <input type="checkbox"/> Transfer within Department, except fixed assets	Auditor
E. <input type="checkbox"/> Establish any new account except fixed assets	Auditor

## **TRANSFER FROM OR SUPPLEMENTAL REVENUE ACCOUNTS**

(CHECK "TRANSFER FROM: IF TRANSFER WITHIN EXISTING BUDGET, CHECK "SUPPLEMENTAL REVENUE" IF SUPPLEMENTAL, (NEW UNBUDGETED REVENUE)

**TRANSFER TO:**

Supplemental budget requests require Auditor/Controller's Signature

Please provide copy of grant award, terms of award, proof of receipt of additional revenue, and/or backup to support this request.

RECEIVED  
NOV 02 2016

### Appendix / Risk

in the space below, state (a) reason for request (b) reason why there are sufficient balances in affected account to finance transfer (c) why transfer cannot be delayed until next budget year (attach memo if more space is needed) or (d) reason for the receipt of more or less revenue than budgeted.

A) Supplemental revenue for software used to complete Pre Trial Release assessments

B) Supplemental revenue, not a transfer.

C) Already received Board approval to pay on September 20, 2016

D) The additional money is coming from a grant from Plumas Superior Court.

Approved by Signing Authority: SK John 11/2/2016

/ Approved/Recommended

/ Disapproved/Not Recommended

County Auditor John

Administrative Officer: Signature

Board Approval Date: \_\_\_\_\_ Agenda Item No. \_\_\_\_\_

Clerk of the Board signature \_\_\_\_\_

Date Entered by Auditor Controller \_\_\_\_\_ Initials \_\_\_\_\_

Original and 1 copy of ALL transfers go to Auditor/Controller; If supplemental request they must go to the Auditor/Controller. Original will be kept by Auditor, copies returned to Department after it is entered into the system.

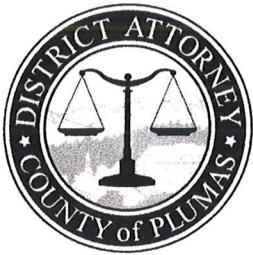
Supplemental transfer must have Auditor/Controllers signature. Auditor/Controller will forward all signed, supplemental transfers to the Board for approval.

IF one copy of agenda request and 13 copies of Board memo and backup are attached, the entire packet will be forwarded, after all signatures are obtained, to the Clerk of the Board. If only the budget form is sent it will be returned to the Department after all signatures are obtained.

Transfers that are going to be submitted to the Board for approval:

A. Must be signed by the Auditor/Controller; if supplemental must be signed by the Auditor.

RECEIVED  
NOV 02 2016  
Auditor / Pk



4E2

## OFFICE OF THE DISTRICT ATTORNEY

**David Hollister, District Attorney**

520 Main Street, Room 404 • Quincy, California 95971  
(530) 283-6303 • Fax (530) 283-6340

**Date:** November 2, 2016  
**To:** Honorable Board of Supervisors  
**From:** David Hollister, District Attorney  
**Agenda:** Item for December 6, 2016

### **Recommendation:**

- A. Approve and authorize The District Attorney to sign an agreement between the County of Plumas and Plumas Superior Court for \$20,634.00; approved as to form by County Counsel.
- B. Approve Supplemental Budget in the amount of \$20,634.00 in budget unit 70307 Community Justice Services from the Plumas Superior Court.

### **Background and Discussion**

The Plumas Superior Court has received a grant from the California Administrative Office of the Courts for \$20,634.00 and the Court has opted to award the entirety of this funding to the Criminal Justice Services Program (formerly known as the Alternative Sentencing Program) for educational and recovery materials for clients of the Plumas County Adult Substance Abuse Treatment Court.

The Criminal Justice Services Manager has implemented a number of programs for clients of the Adult Substance Abuse Treatment Court which serves criminal defendants with addiction issues.

The grant funding is allocated for workbooks, recovery materials, videos and other media for use by counseling and case management staff in working with defendants sentenced to programs designed to reduce recidivism and promote recovery from addiction. Also funded with this grant are incentive items for small milestones or phase advancement at the Day Reporting Center where clients are mandated to check-in at a minimum of once weekly for services of the Criminal Justice Services Program.

**COUNTY OF PLUMAS**  
**REQUEST FOR BUDGET APPROPRIATION TRANSFER**  
**OR SUPPLEMENTAL BUDGET**

**TRANSFER NUMBER**  
(Auditor's Use Only)

Dept. **District Attorney - Alternative Sentencing**      Dept. No.: **70307**      Date: **11/2/16**

Dept. No.: 70307

Date: 11/2/16

1. The reason for this request is (check one):	<u>Approval Required</u>
A. <input type="checkbox"/> Transfer to/from Contingencies OR between Departments	Board
B. <input checked="" type="checkbox"/> Supplemental Budgets (including budget reductions)	Board
C. <input type="checkbox"/> Transfers to/from or new Fixed Asset, within or from a 51XXX	Board
D. <input type="checkbox"/> Transfer within Department, except fixed assets	Auditor
E. <input type="checkbox"/> Establish any new account except fixed assets	Auditor

## TRANSFER FROM OR

x

## **SUPPLEMENTAL REVENUE ACCOUNTS**

(CHECK "TRANSFER FROM: IF TRANSFER WITHIN EXISTING BUDGET, CHECK "SUPPLEMENTAL REVENUE" IF SUPPLEMENTAL, (NEW UNBUDGETED REVENUE)

**TRANSFER TO:**

Supplemental budget requests require Auditor/Controller's Signature

Please provide copy of grant award, terms of award, proof of receipt of additional revenue, and/or backup to support this request.

RECEIVED

NOV 02 2016

### Assumptions / Risks

In the space below, state (a) reason for request (b) reason why there are sufficient balances in affected account to finance transfer (c) why transfer cannot be delayed until next budget year (attach memo if more space is needed) or (d) reason for the receipt of more or less revenue than budgeted.

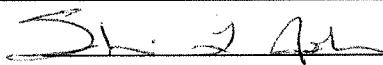
A) Supplemental Revenue from Plumas Superior Court for educational and drug testing materials.

B) Supplemental revenue, not a transfer

C) Funding is available this fiscal year only.

D) This additional revenue is coming from a grant from Plumas Superior Court

Approved by Signing Authority:

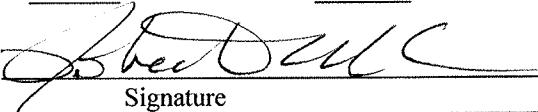


11/2/2016

/ Approved/Recommended

/ Disapproved/Not Recommended

County Auditor  
County Administrative Officer:



Signature

Board Approval Date:

Agenda Item No.

Clerk of the Board signature

Date Entered by Auditor Controller

Initials

Original and 1 copy of ALL transfers go to Auditor/Controller; If supplemental request they must go to the Auditor/Controller. Original will be kept by Auditor, copies returned to Department after it is entered into the system.

Supplemental transfer must have Auditor/Controller's signature. Auditor/Controller will forward all signed, supplemental transfers to the Board for approval.

IF one copy of agenda request and 13 copies of Board memo and backup are attached, the entire packet will be forwarded, after all signatures are obtained, to the Clerk of the Board. If only the budget form is sent it will be returned to the Department after all signatures are obtained.

Transfers that are going to be submitted to the Board for approval:

A. Must be signed by the Auditor/Controller; if supplemental must be signed by the Auditor.

RECEIVED  
NOV 02 2016

**MEMORANDUM OF UNDERSTANDING BETWEEN THE  
PLUMAS SUPERIOR COURT  
AND THE  
COUNTY OF PLUMAS – DISTRICT ATTORNEY'S OFFICE**

THIS AGREEMENT is between the Plumas Superior Court of the State of California (hereinafter "Court") and the District Attorney's Office of the County of Plumas, a political subdivision of the State of California (hereinafter "County").

This Agreement is made with reference to the following facts and circumstances.

- Plumas Superior Court has been awarded a grant from the Administrative Office of the Courts (hereinafter AOC) entitled Collaborative Justice Courts Substance Abuse Focus Grant Program in the amount of \$20,634.00 for Fiscal Year 2016-17 and desires to assign these grant funds to the Criminal Justice Services program within the District Attorney's Office.

NOW, THEREFORE, the parties agree as follows:

1. The Criminal Justice Services program within the District Attorney's Office may obtain reimbursement from Plumas Superior Court for use in supplying educational and recovery materials, incentive items and instant drug tests for clients of the Plumas County Adult Substance Abuse Treatment Court.
2. Upon approval of this MOU, the District Attorney will budget the funds within the Criminal Justice Services program budget unit and have such funding approved for expenditure by the Board of Supervisors.
3. The Alternative Sentencing Manager will compile a list of purchases to be made using these funds and will have the list approved by the Plumas Superior Court Presiding Judge and the Treatment Team prior to ordering.
4. The Alternative Sentencing Manager (hereinafter ASM) will provide the required final Progress Report to the Court Executive Officer on or before July 31, 2017. The first Progress Report will be provided by the ASM to the Court Executive Officer prior to the February 28, 2017 due date.
5. After the purchases are made, complete invoice copies will be provided to the Court Executive Officer for reimbursement for the approved items by the Court to the Alternative Sentencing Program subject to the approval of the progress reports by the Administrative Office of the Courts and the receipt of grant monies by the Court.
6. The Court will obtain the grant funding from AOC for the Collaborative Justice Courts Substance Abuse Focus Grant Program and will reimburse the Alternative Sentencing Program for items benefitting only the clients of

the Plumas County Adult Substance Abuse Treatment Court (ASATC) when such funds are received by the Court.

7. Deborah Norrie, Court Executive Officer shall administer this Agreement on behalf of the Court; David Hollister, District Attorney shall administer this Agreement on behalf of County.
8. Any notices to be given under this Agreement shall be given as follows by either personal delivery or by United States Postal Service first class mail:

To Court:  
Deborah W. Norrie  
Court Executive Officer  
Plumas Superior Court  
520 Main Street, Room 104  
Quincy CA 95971

To County:  
David Hollister  
District Attorney  
County of Plumas  
520 Main Street, Room 404  
Quincy CA 95971

9. This Agreement contains the entire agreement of the parties with regard to the subject matter addressed herein.
10. Any changes, amendments, or modifications of this Agreement shall be in writing and signed by each of the parties.
11. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original.
12. This Agreement is the result of the mutual discussions of the parties, and shall be construed fairly, and not for or against any party.

Signatures:

For the Court:

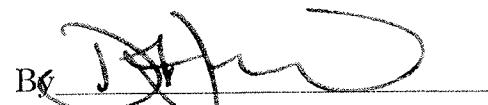
Plumas Superior Court

By Deborah W. Norrie  
Deborah W. Norrie

Court Executive Officer  
(Title)

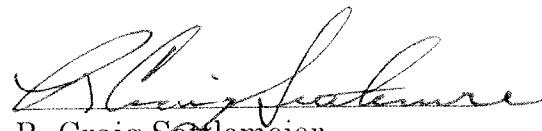
For the County:

County of Plumas

  
By David Hollister  
David Hollister

Plumas County District Attorney  
(Title)

Approved as to Form:

  
R. Craig Settlemeier  
County Counsel

5B

September \_\_, 2016

The Honorable Janet Hilde  
Presiding Judge  
Superior Court of California, County of Plumas  
520 Main Street, Room 104  
Quincy, CA 95971

Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

Dear Judge Hilde:

Please find the Plumas County Board of Supervisors response and comments to the 2015-2016 Plumas County Grand Jury final report written below.

#### **PLUMAS COUNTY ANIMAL SERVICES**

#### **FINDINGS AND RECOMMENDATIONS:**

##### **Findings:**

***Finding F1:*** *"The Grand Jury commends the Shelter and its employees for the excellent job they are doing to reunite lost pets with their owners and to find new homes for abandoned pets. Their cooperative work with other shelters, the use of the internet, and the use of newspaper ads to achieve these goals speaks volumes about the care and concern the Shelter and employees have for the County's pet population. They are fulfilling their Mission Statement and Statement of Function."*

**Response:** The members of the Plumas County Board of Supervisors agree with this finding. The Board of Supervisors is proud of the excellent work performed by Animal Services employees on behalf of the County and its animals.

***Finding F2:*** *"The current under-supervised inmate work program raises multiple safety concerns:*

*"A. Inadequate staff levels with inmates present create multiple safety issues for the public, employees and volunteers, and animals.*

*"B. Inmates have the opportunity to have unsupervised communication and interaction with the public.*

*"C. Inmates have the opportunity to obtain and conceal contraband on Shelter property."*

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016

Page 2 of 15

---

**Response:** The members of the Plumas County Board of Supervisors do not have sufficient information to render an opinion upon this finding, but will request that the Sheriff's Office investigate this finding and report back to the Board upon completion of the investigation.

**Finding F4:** *"Given the size of the County, one Animal Control Officer in the field is not enough to protect the public from vicious or uncontrolled animal situations."*

**Response:** The members of the Plumas County Board of Supervisors do not have sufficient information to render an opinion upon this finding, but will request that the Sheriff's Office investigate this finding and report back to the Board upon completion of the investigation.

**Finding F5:** *"The absence of an approved and implemented Policies and Procedures Manual, lack of regular scheduled staff meetings, and failure to provide annual employee reviews contribute to misunderstandings among employees."*

**Response:** The members of the Plumas County Board of Supervisors do not have sufficient information to render an opinion upon this finding, but will request that the Sheriff's Office investigate this finding and report back to the Board upon completion of the investigation.

**Finding F6:** *"Non-functioning security camera surveillance is a serious safety concern for the public, the workers, and the animals."*

**Response:** The members of the Plumas County Board of Supervisors agree that, to the extent that there are security cameras at the Animal Shelter that are non-functioning, this is an area of concern that should be addressed.

**Finding F7:** *"The emergency generator for the Shelter is not connected to the Shelter's electrical system, but is operational. In the event of a power outage no heat, air conditioning, or light is available for staff and animals."*

**Response:** The members of the Plumas County Board of Supervisors agree that, to the extent that the emergency generator at the Animal Shelter is non-functioning or otherwise non-available in the event of a power outage, this is an area of concern that should be addressed.

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016

Page 3 of 15

---

**Finding F8:** *"The crematory oven is being used without any regular maintenance or servicing to assure its operational safety, which constitutes a risk to the Facility, staff, public, and animals. No on-site documentation is posted to verify maintenance, service, or operator training."*

**Response:** The members of the Plumas County Board of Supervisors do not have sufficient information to render an opinion upon this finding, but will request that the Sheriff's Office investigate this finding and report back to the Board upon completion of the investigation.

**Finding F9:** *"The failure to vaccinate all dogs being admitted to the Shelter endangers the health of all dogs at the Facility and in adoptive homes."*

**Response:** The members of the Plumas County Board of Supervisors do not have sufficient information to render an opinion upon this finding, but will request that the Sheriff's Office investigate this finding and report back to the Board upon completion of the investigation.

**Finding F10:** *"The two large animal exercise yards (approximately ¼ acre each) are not utilized efficiently; the lack of interior fencing allows for only one animal to occupy each of the ¼ acre areas at a time."*

**Response:** The members of the Plumas County Board of Supervisors do not have sufficient information to render an opinion upon this finding, but will request that the Sheriff's Office investigate this finding and report back to the Board upon completion of the investigation.

### **Recommendations:**

**Recommendation R1.** *"The Grand Jury recommends the Sheriff's Department and the Board of Supervisors commend Shelter employees and volunteers for their excellent work, caring for, placing for adoption, and locating owners for the animals."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board of Supervisors will provide a public acknowledgement of the excellent work performed by the Animal Shelter employees at a future Board meeting.

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016

Page 4 of 15

---

***Recommendation R2.*** *"A. The Grand Jury recommends the Sheriff suspend the inmate work program until the Risk Management Department evaluates the safety and security issues stated in this report:*

*"1) Potential risk to the public, employees and volunteers, and animals at the Facility;*

*"2) Unsupervised communication and interaction with the public;*

*"3) Opportunity to obtain and conceal contraband at the Facility.*

*"B. The Grand Jury recommends that during the time of addressing inmate safety and security concerns, the Board of Supervisors approve funding for the Sheriff to hire a full-time kennel worker to perform the duties that had been assigned to the inmates."*

**Response:** This recommendation requires further analysis. The Board of Supervisors will place the inmate worker program on the agenda for a future Board meeting to have Sheriff's Office representatives discuss the program and its impacts upon the Animal Shelter. Potential alternatives will also be discussed, as well as the financial impact of those alternatives.

***Recommendation R4.*** *"The Grand Jury recommends the Sheriff add an additional Animal Control Officer to the staff of the Shelter."*

**Response:** This recommendation requires further analysis. The Board of Supervisors is currently engaged in the final budget process for the Fiscal Year 2016-17 budget. A significant projected deficit exists for the general fund that must be closed in order to achieve a balanced budget. It is unclear whether sufficient general fund revenue will exist that would permit the hiring of an additional Animal Control Officer. Only after all spending priorities have been discussed and ranked will this information be known.

***Recommendation R5A.*** *"The Grand Jury recommends the County Human Resources Director work with the Sheriff to finalize the Animal Services Policy Manual and assure its use in training employees, volunteers, and, if applicable, inmates."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board will direct the Department of Human Resources to provide the Sheriff's Office whatever assistance may be required to finalize the Animal Services Policy Manual.

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016

Page 5 of 15

---

***Recommendation R6.*** *"The Grand Jury recommends the Board of Supervisors direct Building Maintenance to repair or replace the surveillance camera system with recording capability and arrange for its regular maintenance."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board will direct the Department of Facility Services to perform, or arrange for the performance, of any necessary repairs or maintenance to the Animal Shelter's surveillance camera system.

***Recommendation R7.*** *"The Grand Jury recommends the Board of Supervisors direct Building Maintenance to properly install the existing emergency generator and provide regular maintenance."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board will direct the Department of Facility Services to perform, or arrange for the performance, of any necessary repairs or maintenance to the Animal Shelter's emergency generator.

***Recommendation R8.*** *"The Grand Jury recommends that the Board of Supervisors allocate and implement regular maintenance and servicing of the Animal Services crematory oven by qualified personnel according to manufacturer's specifications."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board will provide whatever assistance to the Sheriff's Office is necessary to arrange for the professional maintenance of the Animal Shelter's crematory.

***Recommendation R9.*** *"The Grand Jury recommends that the Board of Supervisors direct and allocate the Sheriff's Department to provide the Shelter with the means to provide basic vaccinations to new animals brought into the Facility."*

**Response:** This recommendation requires further analysis. The Board of Supervisors is currently engaged in the final budget process for the Fiscal Year 2016-17 budget. A significant projected deficit exists for the general fund that must be closed in order to achieve a balanced budget. It is unclear whether sufficient general fund revenue will exist that would permit universal vaccinations of all shelter animals. Only after all

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016

Page 6 of 15

---

spending priorities have been discussed and ranked will this information be known.

***Recommendation R10.*** *"The Grand Jury recommends the Board of Supervisors direct and allocate monies to install interior fence partitions for the two large exercise yards to allow for multiple animals to use the outside yards."*

**Response:** This recommendation requires further analysis. The Board of Supervisors is currently engaged in the final budget process for the Fiscal Year 2016-17 budget. A significant projected deficit exists for the general fund that must be closed in order to achieve a balanced budget. It is unclear whether sufficient general fund revenue will exist that would permit construction of additional fence partitions at the Animal Shelter. Only after all spending priorities have been discussed and ranked will this information be known.

## **THE STATE OF PLUMAS**

### **FINDINGS AND RECOMMENDATIONS:**

#### **Findings:**

***Finding F1:*** *"The Plumas County Organizational Chart is outdated, demonstrating a lack of organizational clarity and direction by the Board of Supervisors"*

**Response:** The members of the Plumas County Board of Supervisors agree with the finding that the County's organizational chart should be updated. The members further agree that providing organizational clarity and direction is a primary job for the Board of Supervisors and should be a priority for them going forward.

***Finding F2:*** *"The job description for CAO was written in 1999. A current CAO job description has not been developed that reflects the needs of the County and the Board."*

**Response:** The members of the Plumas County Board of Supervisors agree with this finding. The CAO job description should be reviewed and updated prior to beginning a search for a new CAO once the decision to hire one has been made.

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016

Page 7 of 15

---

**Finding F3:** *"By not hiring a CAO the Board of Supervisors has assumed some of the CAO responsibilities and shifted some to Elected Officials and Department Heads, leaving unclear areas of responsibility."*

**Response:** The members of the Plumas County Board of Supervisors generally agree with this finding, although the Board has made and will continue to make efforts to provide clear areas of responsibility with respect to former CAO duties.

**Finding F4:** *"CAO responsibilities have not been reassigned with updated Department Head/Elected Official job descriptions."*

**Response:** The members of the Plumas County Board of Supervisors agree that Department Head job descriptions have not been updated to reassign former CAO responsibilities. The duties of elected officials are established by statute, however, and are not subject to Board-approved job descriptions.

**Finding F5:** *"The Plumas County Code of Ordinances establishes the position of CAO; the position and responsibilities are an integral part of all written County policies. No attempt has been made to fill the position or correct the Ordinance."*

**Response:** The members of the Plumas County Board of Supervisors disagree with this finding to the extent that it implies that the Plumas County Code has never been amended to account for the vacancy in the CAO position. In 2012, the Board of Supervisors approved an ordinance amending the Code to reassign the duties of Risk Manager from the CAO to the Auditor/Controller. The members of the Plumas County Board of Supervisors also wish to clarify that, although the CAO position is referenced frequently within the County Code and in various County policies, the position itself is not required to be filled by the Code, and the Board of Supervisors has worked to identify and reassign any CAO duties as necessary. The Board of Supervisors otherwise agrees with this finding.

**Finding F6:** *"Several Board members reported the Board had difficulty managing the CAO; no clear policy with regard to Board oversight and management of a CAO exists."*

**Response:** The members of the Plumas County Board of Supervisors agree that there is no formal policy in place regarding Board oversight and

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016

Page 8 of 15

---

management of the CAO. However, the CAO is directly supervised by the Board, and would be subject to regular and ongoing performance evaluation and communication with the members of the Board.

***Finding F7:*** *"The Board has stated the rationale for not hiring a CAO has been a lack of budget funds. Alternate sources of funding have not been addressed."*

**Response:** The members of the Plumas County Board of Supervisors disagree with this finding to the extent that it implies that unexplored "alternative sources of funding" for the CAO position exist. The CAO position is a quintessentially general fund position, as it is responsible for management of the County government as a whole. The services of the CAO to non-general fund departments are reimbursed through the annual cost plan process. While a portion of grants and other special funds may be used to pay for indirect overhead, those are typically set percentages of the grants or funds (often 10%), and are already being recovered. It has not been the experience of the Board of Supervisors that grant funds exist to fund general government administration.

***Finding F8:*** *"Two of the past four Grand Juries recommended that the Board of Supervisors fill the CAO position. Most of the Supervisors and the majority of department heads interviewed said that the County would operate better with a CAO."*

**Response:** The members of the Plumas County Board of Supervisors agree that two of the past four grand juries have recommended hiring a CAO. The Board of Supervisors does not have any information that would dispute the survey result stated in the second sentence of the finding.

***Finding F9:*** *"Current, accurate job descriptions for all County positions are a necessary management tool for evaluating the performance of employees, but are not consistently in place."*

**Response:** The members of the Plumas County Board of Supervisors strongly agree that current and accurate job descriptions are a vital tool for employee management. The Board of Supervisors would be happy to review and update any job description believed to be out-of-date.

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016

Page 9 of 15

---

**Finding F10:** *"The Board of Supervisors has not followed their written policies requiring annual performance reviews for Department Heads (first adopted in 2000 and re-adopted in 2015)."*

**Response:** The members of the Plumas County Board of Supervisors agree that, prior to 2015, regular performance reviews for department heads did not occur. However, such reviews have been scheduled for each department head within the past year, and the Board fully intends to continue the practice of annual performance reviews for all department heads.

**Finding F11:** *"The Board of Supervisors did not have a backup plan for replacing the jail when they failed in their attempt to qualify for State Grant funds in 2015. The Grand Jury could find no evidence of a current financial plan in place to replace the jail."*

**Response:** The members of the Plumas County Board of Supervisors agree that currently there is no formal financial plan to replace the jail. Given the County's significant budget troubles over the past decade, it has been a significant effort simply to maintain basic services. Unfortunately, major capital projects such as jail replacement have been temporarily put aside as a result. Without a grant from the State for the jail, the County would likely require new sources of revenue, possibly including new bond revenue, to obtain a new jail. The Board continues to seek funding sources for the jail that will not result in an added burden upon Plumas County taxpayers.

**Finding F12:** *"The County is losing revenue based on:*

- "A. Loss of TOT tax revenue;*
- "B. Lack of opportunities to be informed of possible revenue through non-participation in the CAOAC;*
- "C. Loss of County and State sales tax revenue due to the County's purchasing outside the County and State."*

**Response:** The members of the Plumas County Board of Supervisors agree that some sources of transient occupancy tax may have escaped collection in the past; however, it is the Board's understanding that the Plumas County Tax Collector is increasing collection efforts with respect to outstanding TOT. With respect to items B and C, the Board does not have enough information to render an opinion as to whether significant

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016  
Page 10 of 15

---

revenue is being lost due to these factors. On their face, though, these factors appear unlikely to have a material effect upon the budget.

***Finding F13:*** *"The Board of Supervisors has no formal method of passing institutional knowledge to newly elected Board Members."*

**Response:** The members of the Plumas County Board of Supervisors agree with this finding. Information is exchanged informally, however, and new Board members receive support and assistance from the other Board members.

***Finding F14:*** *"There is no formal procedure for handing off information from an incumbent Chairperson or Supervisor to his/her successor."*

**Response:** The members of the Plumas County Board of Supervisors agree with this finding. Information is exchanged informally, however, and new Board chairs and supervisors receive support and assistance from the other Board members.

***Finding F15:*** *"One Supervisor actively pursues knowledge of other supervisorial districts by visiting the districts."*

**Response:** The members of the Plumas County Board of Supervisors disagree with this finding to the extent that it implies that the other four supervisors do not pursue knowledge of the other districts. Each current supervisor is a longtime resident of Plumas County, and regularly travel to all parts of the County for meetings, recreation, and other business.

***Finding F16:*** *"County residents often have difficulty attending regular Supervisorial meetings, due to travel and work schedules. Additionally, the format of the meetings makes it difficult to ask questions or contribute input to local government."*

**Response:** The members of the Plumas County Board of Supervisors agree that traveling to Board meetings from outside the Quincy area can be a significant challenge for many County residents. This is why the Board of Supervisors livestreams all Board meetings on the internet, and maintains archives of prior Board meetings on the County website. The members of the Plumas County Board of Supervisors disagree that the format of Board meetings discourages questions or public input. Public comment is offered at the beginning of each regular Board meeting, as

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016

Page 11 of 15

---

well as during each agenda item. In addition, the members of the Board are happy to receive correspondence from their constituents, which can be discussed during the “Board correspondence” item included on every regular meeting agenda.

**Recommendations:**

***Recommendation R1.*** *“The Grand Jury recommends the Board of Supervisors and Human Resources update the Plumas County Organization Chart so that it reflects accurately the County’s current chain of command.”*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board of Supervisors agrees that it is important to maintain an updated organizational chart, and will direct staff to do so.

***Recommendation R2.*** *“The Grand Jury recommends the Board of Supervisors and Human Resources write a job description for a CAO that reflects the current needs of the County and the Board.”*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board of Supervisors will reevaluate the job description for the CAO position prior to beginning its recruitment. The date when circumstances will permit and warrant such recruitment has yet to be determined.

***Recommendation R3.*** *“The Grand Jury recommends that in the current absence of a CAO the Board of Supervisors establish clear written guidelines for assigned CAO responsibilities.”*

**Response:** The recommendation has been partially implemented. Over the past few years, the Board of Supervisors has amended policies and the County Code as needed to account for the vacancy in the CAO position. The Board will continue to do so as the need arises.

***Recommendation R4.*** *“The Grand Jury recommends that in the current absence of a CAO the Board of Supervisors and Human Resources update Department Head/Elected Official job descriptions to reflect reassigned CAO responsibilities.”*

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016  
Page 12 of 15

---

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board of Supervisors will reevaluate the job descriptions for department heads on an ongoing basis, to ensure that the stated responsibilities match the County's current needs. As discussed above, the duties of elected officials are statutorily defined, and accordingly elected officials do not have County-generated job descriptions.

***Recommendation R5. "The Grand Jury recommends that Board of Supervisors follow the established Plumas County Code of Ordinances regarding a CAO"***

**Response:** This recommendation has been implemented. The Plumas County Code establishes the CAO position, but does not mandate that it be filled. The Board of Supervisors is accordingly in compliance with the Plumas County Code in this regard.

***Recommendation R6. "The Grand Jury recommends the Board of Supervisors establish a written policy regarding Board oversight and management of a CAO."***

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board of Supervisors will develop such a policy concurrent with the hiring of a new CAO. The date when circumstances will permit and warrant such hiring has yet to be determined.

***Recommendation R7. "The Grand Jury recommends that the Board of Supervisors fund the CAO position this year out of the General Fund and/or utilize alternate funding from non- general fund sources."***

**Response:** This recommendation requires further analysis. The Board of Supervisors is currently engaged in the final budget process for the Fiscal Year 2016-17 budget. A significant projected deficit exists for the general fund that must be closed in order to achieve a balanced budget. It is unclear whether sufficient general fund revenue will exist that would permit the hiring of a CAO. Only after all spending priorities have been discussed and ranked will this information be known. As discussed above, the Board of Supervisors is unaware of any realistic source for funding a CAO outside of the general fund.

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016  
Page 13 of 15

---

***Recommendation R8.*** *"The Grand Jury recommends that the Board of Supervisors follow the recommendations of this and past Grand Juries to hire a CAO."*

**Response:** This recommendation requires further analysis. The Board of Supervisors is currently engaged in the final budget process for the Fiscal Year 2016-17 budget. A significant projected deficit exists for the general fund that must be closed in order to achieve a balanced budget. It is unclear whether sufficient general fund revenue will exist that would permit the hiring of a CAO. Only after all spending priorities have been discussed and ranked will this information be known.

***Recommendation R9.*** *"The Grand Jury recommends the Board of Supervisors and Human Resources review all, and when appropriate rewrite, County job descriptions so that they accurately reflect and describe the duties of each office and employee."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board of Supervisors and Department of Human Resources will reevaluate the job descriptions for each job classification on an ongoing basis, to ensure that the stated responsibilities match the County's current needs.

***Recommendation R10.*** *"The Grand Jury recommends the Board of Supervisors follow their existing policies and conduct annual performance reviews of Department Heads."*

**Response:** This recommendation has been implemented. Since last year, the Board of Supervisors has conducted performance reviews for each department heads, and will continue to do so on an annual basis.

***Recommendation R11.*** *"The Grand Jury recommends the Board of Supervisors establish a clear plan to fund and locate the needed new Plumas County Jail, and ensure that monies currently assigned for the jail remain available for the purpose of replacing the jail."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The Board of Supervisors agrees that a new jail must be built in the near future. The Board has received information that a new round of state funding for jail construction may be made available, and the Board intends to vigorously pursue this funding. If for

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016

Page 14 of 15

---

any reason the County is unable to secure state funding for a new jail, the Board will explore all potential funding sources that may be available for jail construction.

**Recommendation R12.** *"The Grand Jury recommends the Board of Supervisors:*  
*"A. Direct the Treasurer/Tax Collector to identify uncollected TOT revenues and see to the consistent collection of those taxes;*  
*"B. Direct the CAO or a representative of the County to attend CAOAC conferences."*

**Response:** Recommendation 12A has been implemented. The Board of Supervisors has already had conversations with the Treasurer/Tax Collector regarding the need for stronger TOT enforcement, and the Treasurer/Tax Collector is working to bolster TOT collections. Recommendation 12B has not yet been implemented, but will be implemented in the future. The Board will explore having a representative attend CAOAC conferences in the future.

**Recommendation R13.** *"The Grand Jury recommends the Board of Supervisors create written policies and procedures for:*  
*"A. Educating and informing new Board Members in the responsibilities and rules governing the Board;*  
*"B. Apprising new Board Members about current Board issues, District-wide and County-wide."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. Although these tasks have been performed informally in the past, the Board will attempt to develop a formal policy and procedure for providing new supervisors with necessary information.

**Recommendation R14.** *"The Grand Jury recommends that the Board of Supervisors create a formal procedure for passing information from an incumbent Chairperson to his/her successor."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. Although this task has been performed informally in the past, the Board will attempt to develop a formal policy and procedure for providing new Board Chairs with information and guidance from their predecessors.

The Honorable Janet Hilde, Presiding Judge  
Superior Court of California, County of Plumas County  
Re: **RESPONSE TO 2015-2016 PLUMAS COUNTY GRAND JURY FINAL REPORT**

September \_\_, 2016  
Page 15 of 15

---

***Recommendation R15.*** *"The Grand Jury recommends that, in order to inform themselves of other County Districts' needs and concerns, each member of the Board of Supervisors spend a minimum of one day per year in each of the other four Districts in the company of that District's Supervisor."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. Each Board member will make a goal of spending at least one day per year in the company of each of the other Supervisors, in those Supervisors' districts.

***Recommendation R16.*** *"The Grand Jury recommends that each District Supervisor conduct a Town Hall meeting in his or her District at least quarterly to insure that all County residents have an opportunity to address individual Board members, and to encourage citizens to participate toward the health of the County."*

**Response:** This recommendation has not yet been implemented, but will be implemented in the future. The members of the Board of Supervisors will endeavor to conduct regular town hall meetings in their respective districts regarding pending County issues and citizen concerns.

Respectfully submitted,

PLUMAS COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Sharon Thrall, Chair

ST:sm

cc:

1. Plumas County Clerk
2. 2015-2016 Plumas County Grand Jury

## ORDINANCE NO. 16- \_\_\_\_\_

6

### AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA, REPLACING CHAPTER 10 OF TITLE 6 OF THE PLUMAS COUNTY CODE

#### SECTION 1.

*Purpose.* The purpose of this Section is to:

- (a) Protect and preserve Plumas County's environment and the economic interests, health, safety and quality of life of the residents of and visitors to Plumas County.
- (b) Update local regulations regarding the administration of the Solid Waste and recyclables Collection and Disposal system so that it continues to provide the best possible service to residents of and visitors to Plumas County.
- (c) Promote Recycling and the diversion of Recyclable Materials from the waste stream, and in doing so, comply with the California Integrated Waste Management Act of 1989 (AB 939), Chapter 476, Statutes of 2011 (Chesbro, AB 341), and other applicable laws.
- (d) Establish and refine Plumas County's requirements and guidelines for the Collection and Disposal of Solid Waste, including Green Waste, construction & demolition debris (C & D), and the diversion and Recycling of Recyclable Materials.
- (e) Provide an enforcement mechanism to help ensure that residents of and visitors to Plumas County engage in the proper Collection and Disposal of Solid Waste and recyclable materials and provide protections against illegal scavenging of materials.
- (f) Provide an exemption from the provisions of Chapter 476, Statutes of 2011 (Chesbro, AB 341) for Qualified Generators that Self-Haul, donate or sell their recyclables, and provide an exemption from same for those businesses that have major constraints or generate an amount of Solid Waste that does not meet the minimum thresholds contained in that law.
- (g) Provide fiscal oversight to ensure that all fees Collected in conjunction with the solid waste program are Collected in conformance with Plumas County's Integrated Solid Waste Plan, Article XIII A of the California Constitution (Proposition 13), which limits annual increases to property taxes paid by California residents and establishes a requirement that all property taxes and fees Collected from California property Owners must incorporate a direct correlation with a service provided to the property being taxed, and Article XIII C & XIII D of the California Constitution (Proposition 218), which requires not only that fees charged for provided services shall be established at a level that does not exceed the actual costs for providing those services, but also provides a public hearing mechanism to review and protest any increases in those fees.

*Findings.* The Board of Supervisors of Plumas County (hereinafter **Board**) hereby **FINDS** that, in order to conserve water and energy, protect the environment and preserve the economic interests, health, safety and quality of life of the residents of and visitors to Plumas County, it must provide for an efficient and integrated Solid Waste Collection and Disposal system, and

Furthermore, the **Board** hereby **FINDS**, that in order to comply with State and Federal mandates, particularly the California Integrated Waste Management Act of 1989 (AB 939), and the State's Mandatory Commercial Recycling Law (AB 341) regarding the Collection and Disposal of Solid Waste, which laws require cities and counties to reduce, reuse and recycle Solid Waste generated in California to the maximum extent feasible before the Disposal of Solid Waste, Plumas County must strengthen its

diversion and Recycling policy by enhancing its efforts to encourage and incentivize the diversion of Recyclable Materials from the waste stream, and

Furthermore, the Board hereby **FINDS** that the timely and efficient Collection and Disposal of Solid Waste and Recyclable Materials within unincorporated Plumas County is an essential aspect of the Plumas County Solid Waste Plan, and that the economic interests of the residents of and visitors to Plumas County are best served by awarding contract(s) for the Collection and Disposal of Solid Waste and Recyclable Materials to private Solid Waste Collector(s) in the form of franchise agreement(s) to accomplish this goal, and

Furthermore, the Board hereby **FINDS** that, in order to ensure that all rates and fees Collected in conjunction with the Solid Waste program are Collected in conformance with the Plumas County Solid Waste Plan, Proposition 13 and Proposition 218, responsible fiscal oversight by Plumas County shall continue to be the preeminent principle in setting or adjusting rates and fees for Solid Waste Collection and Disposal services, and

Furthermore, the Board hereby **FINDS** that the existing provisions of Chapter 10 of Title 6 of the Plumas County Code require substantial revision to meet the needs of the current administration of the Plumas County Solid Waste and Recyclable Materials Collection and Disposal program.

Now, therefore, the Board of Supervisors of the County of Plumas, State of California, hereby **ORDAINS** as follows:

**Section 6-10, "Solid Waste Control" of the Plumas County Code of Ordinances is hereby deleted in its entirety, and is replaced as follows:**

**Article 1. - General Provisions**

Sec. 6-10.101 - Title and Citation.

Sec. 6-10.102 - General.

Sec. 6-10.103 - Definitions.

Sec. 6-10.104 - Depositing Solid Waste; Littering

Sec. 6-10.105 - Removal of Solid Waste.

Sec. 6-10.106 - Special Arrangements for Solid Waste Removal.

Sec. 6-10.107 - Transporting Solid Waste.

Sec. 6-10.108 - Disposal of Solid Waste

Sec. 6-10.109 - Containers.

Sec. 6-10.110 - Prohibited Locations of Containers.

Sec. 6-10.111 - Containers and Bins; Inspections and Tagging for Violations.

Sec. 6-10.112 - Beneficial Use of Solid Waste.

Sec. 6-10.113 - Recycling: Residential, Commercial, Public Venues & Events.

Sec. 6-10.114 - Recycling Services.

Sec. 6-10.115 - Redemption or "Buy-Back" Recycling Services.

Sec. 6-10.116 - Interfering with Collection.

Sec. 6-10.117 - Ownership of Solid Waste.

Sec. 6-10.118 - Animal Waste.

Sec. 6-10.119 - Hazardous Materials.

**Article 2. - Regulation of Solid Waste Collectors**

Sec. 6-10.201 - Franchises or Permits Required.

Sec. 6-10.202 - Granting Solid Waste Franchises.

Sec. 6-10.203 - Granting Solid Waste Permits.

Sec. 6-10.204 - Granting Recycling Center Permits.

Sec. 6-10.205 - Permits: Applications, Fees.

Sec. 6-10.206 - Collection Areas Assigned.

Sec. 6-10.207 - All Requests for Service to be Met.

Sec. 6-10.208 - Fee Schedule for Collection, Transfer, and Related Services.

Sec. 6-10.209 - Franchise Agreements

**Article 3. - Disposal Sites Within Plumas County**

Sec. 6-10.301 - Permits; Operation

**Article 4. - Enforcement and Procedural Provisions**

Sec. 6-10.401 - Clearing of Solid Waste from Private Property.

Sec. 6-10.402 - Right of Entry.

Sec. 6-10.403 - Suspension or Revocation of Franchises and Permits.

Sec. 6-10.404 - Responsibility of Environmental Health Department.

Sec. 6-10.405 - Responsibility of Public Works Department.

Sec. 6-10.406 - Responsibility of Franchise Contractor(s)

Sec. 6-10.407 - Service of Notices.

Sec. 6-10.408 - Administrative Remedies.

Sec. 6-10.409 - Supplemental Regulations.

Sec. 6-10.410 - Enforcement.

Sec. 6-10.411 - Violations; Penalties.

## **ARTICLE 1 – General Provisions**

**Section 6-10.101 *Title and Citation.*** This Chapter shall be known and may be cited as “Plumas County Solid Waste Control”.

**Section 6-10.102 *General*** The Solid Waste Collection and Disposal program for the unincorporated part of Plumas County is administered jointly by the Departments of Environmental Health and Public Works. Their joint and individual responsibilities address the protection of Plumas County’s environment and natural resources, and the preservation of the economic interests, health, safety and quality of life of the residents of, and visitors to Plumas County, as well as the changing regulatory landscape of Federal and State law. This has been accomplished to date by awarding franchise contracts for Solid Waste services to private Solid Waste Collectors and regulating the means by which Solid Waste is Collected and disposed of, implementing State and Federal regulations as they are enacted, and providing fiduciary control over the rates that Solid Waste Customers must pay for these services.

**Section 6-10.103 *Definitions.***

(a) Unless otherwise apparent from the context, for the purposes of this Chapter and franchise agreement(s) between Solid Waste Collector(s) and the County pertaining to the Collection and Disposal of Solid Waste in Plumas County, certain words and phrases are defined as follows, and shall have the first letter(s) capitalized as shown below:

- (1) “Act” means the California Integrated Waste Management Act of 1989 (AB 939) Public Resources Code, Section 40000 et seq. as currently in force or as hereafter amended.
- (2) “Administrator” means the Plumas County (hereinafter “County”) employee who manages the Solid Waste Agreement(s) and superintends the Solid Waste Program. The Director of Public Works of the Department of Public Works is Plumas County’s designated Administrator; however the Administrator may appoint, in writing, a Solid Waste Manager to assist in the management of the County’s Solid Waste Program.
- (3) “Agreement” means the current Solid Waste Franchise Agreement, including all attachments, between one or more Solid Waste franchise Contractor(s) and the County.
- (4) “Approved Disposal Site” means any designated Disposal Site in the State of California or Nevada holding a valid permit to permanently deposit Municipal Solid Waste (see “MSW”), Hazardous Waste, or Infectious Waste in accordance with all applicable laws and regulations of the United States and the State of California or the State of Nevada and all federal, State and local agencies having lawful jurisdiction.
- (5) “Applicable Law” means all federal, State, and local laws, regulations, rules, orders, judgments, decrees, permits, approvals, or other requirements of any governmental agency having jurisdiction over the Collection, transportation, processing, and Disposal of Solid Waste, Targeted Recyclable Materials and other materials Collected pursuant to this Agreement that are in force on the effective date and as they may be enacted, issued or amended during the term of the Agreement(s).
- (6) “Backyard Collection Service” means the provision of Collection services to a single family dwelling (hereinafter “SFD”) in the rear or side Premises.
- (7) “Billings” means statements of charges for services rendered by the Contractor, to Owners or Occupants of property, including Residential and Commercial Premises, for the Collection of Solid Waste, Targeted Recyclable Materials and other materials that are considered to be types of Solid Waste Collected pursuant to the Agreement(s).

- (8) "Bin" means a metal Container designed for mechanical emptying with a close-fitting hinged cover and a capacity of approximately one (1) to eight (8) cubic yards, with or without wheels, typically serviced by a front-loading Collection vehicle.
- (9) "Board of Supervisors" or "Board" means the Board of Supervisors of Plumas County, California.
- (10) "Bulky Items" or "Bulky Waste" means large items including, but not limited to major appliances which have had CFCs and/or mercury switches removed by a certified technician, furniture, tires (with rims removed), carpets, mattresses, and other oversize materials whose large size precludes or complicates their handling by normal Collection. Bulky Items or Bulky Waste does not include abandoned automobiles, large auto parts, or trees.
- (11) "Buy-Back" means the act of redeeming beverage Containers with approved CRV markings at a Buy-Back or redemption center. (See "CRV" and "CRV Program")
- (12) "CalRecycle" (formerly known as the California Integrated Waste Management Board) means the department within the State of California primarily responsible for administering the "Act."
- (13) "C & D" means Construction and Demolition Debris. See "Construction and Demolition Debris".
- (14) "Can" shall mean a standard 32 to 35 gallon metal or plastic Customer-owned trash Container.
- (15) "Cart" means a Contractor-owned plastic Container with a hinged lid and two wheels that is serviced by an automated or semi-automated Collection vehicle. A Cart has capacity of 32, 64, or 96 gallons (or similar volumes).
- (16) "Cell Phones" means all telephones used for mobile or cellular communications including batteries used to power Cell Phones.
- (17) "CERCLA", also known as "Superfund", means the *Comprehensive Environmental Response, Compensation and Liability Act of 1980*.
- (18) "Collect" or "Collection" means to take physical possession, transport, and remove Solid Waste, Targeted Recyclable Materials or other materials pursuant to the Agreement(s) from the Contractor's Service Area within Plumas County.
- (19) "Collection Container" means any Container provided by the Customer or Contractor(s) to store and Collect Solid Waste, Targeted Recyclable Materials or any other material targeted for Collection by the Contractor(s) or a Subcontractor of the Contractor(s).
- (20) "Commercial" means a business activity including, but not limited to, retail sales, wholesale sales, services, research and development, government, education, non-profit, hospital, manufacturing, institutional and industrial operations, but excluding businesses conducted upon Residential property which are permitted under applicable zoning regulations and are not the primary use of the property. Commercial Collection includes service provided to Multi-Family Dwelling Customers and County Facilities.

- (21) "Commercial Diversion Level" means the sum of all Commercial Recyclable Materials Collected and diverted by the Contractor(s) divided by the sum of all Commercial materials Collected by the Contractor(s).
- (22) "Commingle" means to mix, mingle, or combine Targeted Recyclable Materials in a Collection Container. See "Single-Stream Targeted Recyclable Materials".
- (23) "Compost" or "Composting" means the biological decomposition into a soil amendment of certain vegetative Solid Wastes under controlled conditions, including leaves, grass clippings, pine needles, brush and Food Waste, but excluding meat and dairy wastes and other wastes which may have a propensity to attract vectors as determined by Environmental Health.
- (24) "Construction and Demolition Debris" or "C&D" means Solid Waste in an amount exceeding an average of 500 pounds per operating day produced by any Person(s) engaged in the business of building construction, renovation, remodeling, repair, or demolition operations on any Residential, Commercial or other structure or pavement. This Solid Waste shall include, but not be limited to concrete, rock, brick, concrete block (CMU), framing and finish lumber, insulation, sheathing, sheetrock (gypsum board), lath plaster, plumbing and electrical fixtures and appurtenances, floor covering, cabinets and doors.
- (25) "Container" means any receptacle used for storage of Solid Waste, Targeted Recyclable Materials and other materials Collected including, but not limited to, metal or plastic Cans, Carts, Bins, tubs, and Drop Boxes. See "Collection Container".
- (26) "Contractor" means a Solid Waste franchise Contractor serving a Service Area in Plumas County.
- (27) "County" means County of Plumas, California.
- (28) "County Manager" means the Administrator or his designee (see "Administrator", above),
- (29) "CRV" means *California Redemption Value*, which is a regulatory fee Collected by the State from Container manufacturers and refunded to consumers at Buy-Back centers upon redemption of food and/or beverage Containers sold within the State, and marked with a CRV symbol as having a refund value established by Section 14560 of the California PRC.
- (30) "CRV Program" means the *California Beverage Container Recycling and Litter Reduction Act (AB 2020)* and the program elements established by the County in response thereto. The purpose of the CRV Program is to assure that a greater percentage of the beverage Containers sold in California are returned for Recycling. The "CRV Program" is an integral component of the County's Solid Waste program.
- (31) "Curbside" means the location for Collection, where Collection Containers or loose materials are placed on the street or alley against the face of the curb, or, where no curb exists, placed not more than five (5) feet from the outside edge of the street or alley.
- (32) "Customer" means the Person receiving Solid Waste Collection services pursuant to the provisions of this Chapter, and to whom the Contractor(s) submits billing invoices for Collection services provided to a Premise. The Customer may be the Occupant or Owner

of the Premises provided that the Owner of the Premise shall be responsible for payment of Collection services if an Occupant of the Premise fails to make such payment.

- (33) "Designated Transfer Facility" means the various Recycling and Disposal centers within Plumas County, which are owned by the County. See also "Transfer Station" and "Self-Haul").
- (34) "Director" or "Director of Public Works" means the Director of the Plumas County Department of Public Works. See "Administrator".
- (35) "Discarded Material" means Solid Waste and/or Targeted Recyclable Materials placed by a Generator in a Container and/or at a location that is designated for Collection pursuant to the *Plumas County Code*. Discarded Material shall become the property of the Contractor(s) pursuant to *California Public Resources Code Section 41950* until delivery to the designated transfer, processing and Disposal Facility.
- (36) "Disposal" means the ultimate disposition of Solid Waste Collected by the Contractor(s) at a Disposal Site.
- (37) "Disposal Site" shall mean the Lockwood Landfill, located at 2401 Canyon Way, Lockwood, NV 89440 for so long as the Contractor(s) are subject to a Disposal Agreement with such landfill. Otherwise, an area or location used for the ultimate Disposal of Solid Waste designated by the Board and approved by the LEA.
- (38) "Drop Box" means an open-top Container with a typical capacity of ten (10) to fifty (50) cubic yards (CY) that is serviced by a Drop Box or roll-off Collection vehicle.
- (39) "Electronic Waste" or "E-Waste" means "Covered Electronic Wastes" as defined in the Act (Section 42463 of Public Resources Code) in addition to discarded electronic equipment such as, but not limited to, television sets, computer monitors, central processing units (CPUs), laptop computers, and peripherals (e.g., external computer hard drives, computer keyboards, computer mice, and computer printers). E-Waste does not include those items defined herein as Targeted Recyclable Materials.
- (40) "Environmental Health" means the Plumas County Department of Environmental Health or the Director of that Department
- (41) "Environmental Laws" means all federal and State statutes and County ordinances concerning public health, safety and the environment including, by way of example and not limitation:
  - *California Integrated Waste Management Act of 1989 (AB 939), Public Resources Code, Section 40000 et seq.;*
  - the *California Hazardous Waste Control Act, California Health and Safety Code §25100 et seq.;*
  - the *California Toxic Substances Control Act, California Health and Safety Code §25300 et seq.;*
  - the *Porter-Cologne Water Quality Control Act, California Water Code §13000 et seq.;*

- the Safe Drinking Water and Toxic Enforcement Act, California Health and Safety Code §25249.5 et seq.;
- the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) 42 USC §9601 et seq. (better known as the *Superfund Act*);
- the Resource Conservation and Recovery Act: 42 USC §6901 et seq.;
- the Federal Clean Water Act 33 USC §1251 et seq.;
- the Toxic Substances Control Act 15 USC §2601 et seq.;
- the Occupational Safety and Health Act, 29 USC §651 et seq.,

all as currently in force or as hereafter amended, and all rules and regulations promulgated thereunder.

- (42) “Event” includes but is not limited to “large Events” as defined in the Act (Public Resources Code Section 42648), any Event that serves an average of at least 2,000 attendees and workers per day, and County-sponsored community Events.
- (43) “Exclusive Franchise” means a system in which the franchisor licenses the Franchisee, for a payment, the right to provide services on an exclusive or semi-exclusive basis.
- (44) “Facility/Facilities” means any plant or site, owned or leased and maintained, operated or used by the Contractor(s) for purposes of performing the Contractor(s)’ obligations under the Agreement(s) e.g., Facilities for parking and maintaining vehicles, administration offices, and Customer service offices, etc.).
- (45) “Food Waste” means all putrescible waste and animal or vegetable waste or residue produced or accumulated from the preparation, processing, handling or consumption of foodstuff. See “Garbage”.
- (46) “Franchise Area” shall mean a certain portion of unincorporated Plumas County shown as a Service Area in Attachment B of the Agreement(s).
- (47) “Franchisee” means Contractor.
- (48) “Franchise Fee” means the fee(s) paid by Contractor(s) to the County pursuant to the Agreement(s).
- (49) “Garbage” means all putrescible waste and animal or vegetable waste or residue produced or accumulated from the preparation, processing, handling or consumption of foodstuff. See “Food Waste”.
- (50) “Generator” means any Person whose act or process produces Solid Waste or targeted Recyclable Materials or whose act first causes Solid Waste or targeted Recyclable Materials to become subject to regulation.
- (51) “Green Waste” means a biodegradable waste that can be comprised of landscaping waste from gardens, lawns or parks, including pine needles, leaves, grass clippings, flower or plant cuttings or branches, hedge trimmings and similar plant materials. Green Waste does not include food material, Municipal Solid Waste, wood containing, or painted with

lead-based paint, wood preservatives, or mixed demolition waste. For the purposes of this ordinance, Green Waste shall be divided into the following two categories:

- (i) "Woody Green Waste" is a Green Waste that has a high energy potential and which may be used as a source for conversion into fuel or electricity, i.e. woody debris such as dry pine cones, brush and tree trunks, limbs and branches.
- (ii) "Non-Woody Green Waste" is a Green Waste that has a low energy potential such as pine needles, garden waste, leaves, green pine cones, weeds and grass clippings.

In addition, Green Waste may be characterized in one of the two following terms:

- (iii) "Processed Green Waste" which means Green Waste subjected to chipping, grinding, or other mechanized treatment, or
- (iv) "Unprocessed Green Waste" which means Green Waste not subjected to chipping, grinding, or other mechanized treatment.

(52) "Hazardous Substance" means any of the following:

- (i) Any substances defined, regulated or listed (directly or by reference) as "Hazardous Substances", "hazardous materials", "Hazardous Wastes", "toxic waste", "Biological Waste", "Medical Waste", "pollutant" or "toxic substances" or similarly identified as hazardous to human health or the environment, in or pursuant to the laws referred to in Section 6-10.103 (P), and:
  - (aa) the *Hazardous Materials Transportation Act, 49 USC §1802, et seq.*;
  - (ab) *California Health and Safety Code §§25115-25117, 25249.8, 25281 and 25316*;
  - (ac) the *California Code of Regulations, Title 22, Division 4.5, Chapter 11, et seq.*;
  - (ad) the *Clean Air Act, 42 USC §7901 et seq.*; and
  - (ae) the *California Water Code §13050*; or
- (ii) Any amendments, rules or regulations promulgated thereunder to such numerated statutes or acts currently existing or hereafter enacted; and
- (iii) Any other hazardous or toxic substance or material such as a chemical, acid, base, oxidizer, paint, stain, adhesive, tar, petroleum distillate, or any waste or pollutant identified as hazardous or toxic or regulated under any other applicable federal, State or local Environmental Laws currently existing or hereinafter enacted, including, without limitation, household Hazardous Waste, friable asbestos, polychlorinated biphenyl's ("PCBs"), petroleum, natural gas and synthetic fuel products, and by-products.

(53) "Hazardous Waste" means all substances defined as Hazardous Waste, acutely Hazardous Waste, or extremely Hazardous Waste by the *State in Health and Safety Code §25110.02*.

§25115, and §25117 or in any future amendments to or recodifications of such statutes or identified and listed as Hazardous Waste by the US Environmental Protection County (EPA), pursuant to the *Federal Resource Conservation and Recovery Act (42 USC §6901 et seq.)*, all future amendments thereto, and all rules and regulations promulgated thereunder.

- (54) "Holiday" or "Holidays" means New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day, and Christmas Day.
- (55) "Holiday Schedule" means the modified service schedule for the days following a Holiday. If a Holiday falls on Monday, Tuesday, Wednesday, Thursday or Friday, the service is provided the immediately following day, unless previously noticed otherwise in a publication of general circulation.
- (56) "Household Batteries" means disposable or rechargeable dry cells (e.g., A, AA, AAA, B, C, D, 9-volt, button-type) commonly used as power sources for household or consumer products including, but not limited to, nickel-cadmium, nickel metal hydride, alkaline, mercury, mercuric oxide, silver oxide, zinc oxide, nickel-zinc, nickel iron, lithium, lithium ion, magnesium, manganese, and carbon-zinc batteries, but excluding automotive lead acid batteries.
- (57) "Household Hazardous Waste" means Hazardous Waste as defined above, generated at Residential Premises. Household Hazardous Waste does not include those items defined below as Targeted Recyclable Materials.
- (58) "Infectious Waste" means biomedical waste generated at hospitals, public or private medical clinics, dental offices, research laboratories, pharmaceutical industries, blood banks, mortuaries, veterinary Facilities, and other similar establishments that are identified in *State Health and Safety Code Section 25117.5*.
- (59) "LEA" means the Local Enforcement Agency, as certified by CalRecycle. In Plumas County, the LEA role is filled by a member of the Department of Environmental Health. LEA responsibilities include oversight (inspection) of the operation of Solid Waste Facilities, storage and transportation of Solid Wastes by the Contractor(s).
- (60) "Major Appliances" means any device including, but not limited to, washing machines, clothes dryer, hot water heaters, dehumidifiers, conventional ovens, microwave ovens, stoves, refrigerators, freezers, air-conditioners, trash compactors, and Residential furnaces discarded by Customers. Major Appliances are commonly referred to as White Goods.
- (61) "Materials Recovery Facility" means a permitted Facility where Solid Waste, targeted Recyclable Materials, and other materials are processed, sorted or separated for the purposes of recovering reusable or Targeted Recyclable Materials.
- (62) "Medical Waste" means waste generated in a health care setting for the care of humans or animals. These include, but are not limited to sharps, blood products, Containers and equipment containing blood as a fluid.
- (63) "Multi-Family," "Multi-Family Dwelling" or "MFD" means an individual Residential Premises in a Multi-Family Residential Complex.

- (64) "Multi-Family Residential Complex" means the building(s) containing three (3) or more individual Residential Premises.
- (65) "Municipal Solid Waste" (MSW), commonly known as trash or Garbage, means a broad Waste Type that includes predominantly household waste (domestic waste or Garbage) and organic materials or Rubbish, in either solid or semisolid form. The federal and/or State governments regulate items that are to be excluded from the MSW stream.
- (66) "MSW" means Municipal Solid Waste.
- (67) "Occupant" means the Person in possession or control of the Premises, such as the lessee, licensee, manager, custodian, or caretaker.
- (68) "Operator" means "Contractor."
- (69) "Organic Waste" means animal or vegetable waste which can be broken down into its base compounds by micro-organisms and other living things.
- (70) "Other Recyclable Material" means a subset of Recyclable Materials that are Collected which include, but are not limited to: Household Batteries, Cell Phones, Used Motor Oil, Used Motor Oil filters, Bulky Items that are recycled, Major Appliances, E-Waste, and U-Waste. The purpose of differentiating Other Recyclable Material is to describe a category used to calculate the Overall Diversion Level.
- (71) "Overage" means the amount of Solid Waste placed in or adjacent to a Collection Container that is in excess of the Container capacity.
- (72) "Overall Diversion Level" means the total weight of all Recyclable Materials Collected (diverted from landfill disposal) by the Contractor(s) divided by the total weight of all materials, including Recyclable Materials, Collected by the Contractor(s) in a calendar year.
- (73) "Owner" means the Person having dominion of or title to the Premises.
- (74) "Person" means any individual, firm, corporation, association, group, or combination and the plural as well as the singular.
- (75) "Pharmaceutical Waste" means a waste generated from prescription or over-the-counter human or veterinary drugs.
- (76) "Plumas County Integrated Waste Management Task Force" or "PCIWMTF" means an advisory committee appointed by the Plumas County Board of Supervisors to advise them on Solid Waste management matters.
- (77) "Plumas County Solid Waste Plan" means, Collectively, the documents portraying the procedures by which Solid Waste and Recyclable Materials are Collected, stored, processed and transported in Plumas County and to their ultimate Disposal Sites, which documents include, but are not limited to Section 6-10 of the Plumas County Code, the Plumas County Integrated Solid Waste Management Plan, the current franchise Agreement(s) between Plumas County and its franchise Contractor(s) and all amendments thereto, and all applicable State and Federal law.

(78) "Premise or Premises" shall mean the following:

- (i) *Residential unit.* A parcel of real property, located in the unincorporated area of the County, upon which is situated any dwelling house or other place of human habitation, including each unit of a multiple occupancy up to and including four (4) separate living units.
- (ii) *Commercial unit.* A parcel of real estate upon which is conducted any business, occupation, or activity which results in the production or accumulation of refuse. Five (5) or more separate living units at one location shall constitute a Commercial enterprise.

(79) "Public Works" means the Solid Waste Division of the Plumas County Department of Public Works or its Director (see "Administrator")

(80) "Qualified Generator" means a Commercial Generator of Solid Waste and/or targeted Recyclable Materials who generates four (4) cubic yards (CY) of combined Solid Waste and/or targeted Recyclable Materials who is subject to the provisions of the Mandatory Commercial Recycling Law.

(81) "Rates" means the monetary amounts to be charged a Customer by the Contractor(s) for providing Collection of Solid Waste, Recyclable Materials and other materials.

(82) "Recycling" means the process of sorting, cleansing, treating and reconstituting materials that would otherwise be disposed of at a landfill for the purpose of returning such materials to the economy in the form of raw materials for new, reused or reconstituted products. The term "Recycling" shall be construed to include both Residential and Commercial recyclable material handling.

(83) "Refuse" means Solid Waste that has been placed by the Generator in a Contractor- or owner-provided Container for Collection and Disposal. Refuse excludes Source-Separated Targeted Recyclable Materials and Unpermitted Materials.

(84) "Recyclable Containers" means food and beverage packaging receptacles including but not limited to packaging that has California redemption value.

(85) "Recyclable Materials" or "Recyclables" means those Discarded Materials that can be reused, remanufactured, reconstituted, or recycled. See "Targeted Recyclable Materials".

(86) "Residential" means of, from, or pertaining to Single-Family Dwellings, and Multi-Family Residential complexes, including Single-Family homes, apartments, condominiums, townhouse complexes, mobile home parks, cooperative apartments, and yacht harbors and marinas where residents live aboard boats.

(87) "Residential Diversion Level" means the sum of all Residential Recyclable Materials Collected and diverted by the Contractor(s) divided by the sum of all Residential materials Collected by the Contractor(s).

(88) "Residential Premises" means individual dwelling units such as Single-Family Dwelling units, Multi-Family Dwelling units (such as townhouses, apartments, and condominiums), mobile home park dwelling units, cooperative apartments, and dwelling units at yacht harbors and marinas where residents live aboard boats.

- (89) "Residential Property" means property used for Residential purposes.
- (90) "Residential Recyclable Materials" means Targeted Recyclable Materials Collected from both Single-Family Dwelling Customers and Multi-Family Residential Complexes.
- (91) "Rubbish" means non-putrescible waste or discarded or abandoned material, including, but not limited to paper, cardboard, rugs, rags, clothing, straw, wood, crockery, glass, rubber, metal, plastic and construction debris (C&D), and in the context of this Section, means Solid Waste that is the subject of Collection services by a franchise contractor.
- (92) "Self-Haul" means the act of hauling Solid Waste and/or Recyclable Materials to a Designated Transfer Facility by the Generator of such Solid Waste and/or recyclable materials, using their own Personnel and equipment. .
- (93) "Service Area" means the area within, and, if applicable, outside the County's jurisdictional boundaries with respect to which the County exercises franchising authority for the Collection of Solid Waste, Targeted Recyclable Materials or other materials pursuant to the Agreement(s).
- (94) "Service Day" means Monday through Sunday excluding Holidays.
- (95) "Service Sector" means Collection services for each of the following types of services: Single-Family; Multi-Family; and Commercial Facilities. .
- (96) "Single-Family," "Single-Family Dwelling," or "SFD" means a Premise used as a Residential dwelling and includes each unit of a duplex, at which there are no more than two dwelling units where individual Solid Waste and Targeted Recyclable Materials Collection is provided separately to each dwelling unit.
- (97) "Single-Stream Targeted Recyclable Materials" means Targeted Recyclable Materials which have been Commingled by the Generator and placed in a Container for the purposes of Collection.
- (98) "Solid Waste" means all putrescible and non-putrescible solid, semisolid, and liquid wastes (commonly called, but not limited to Garbage, Rubbish, trash, C & D, and green waste) as defined in *California Public Resources Code* Section 40191. Solid Waste does not include abandoned vehicles and parts thereof, Hazardous Waste, Infectious Waste or low-level radioactive waste, Medical Waste, Universal Waste or source separated Targeted Recyclable Materials.
- (99) "Solid Waste Collector" means a Person, including their agents and employees, who Collects or transports Solid Waste under authority granted by the Board. See "Franchisee" and "Contractor".
- (100) "Solid Waste Permit" means a permit issued by Plumas County authorizing the Collection and/or transport of a particular waste product for a limited time, for which the Collection and/or transport is not readily available by a Plumas County franchise Contractor. See Section 6-10.203.
- (101) "Source Separated" means materials which otherwise would become Solid Waste, but have been segregated by the Generator, such as Targeted Recyclable Materials, for the purpose of reuse, Recycling, or Composting, to be Collected by the Contractor(s) or others.

(102) “Special Handling Service” means the provision of Collection service to a SFD in the rear or side of the Premises. Customers eligible for this service include only those that submit documentation (e.g., a form signed by a doctor) of their inability to perform the generally applicable Curbside Collection set-out requirements.

(103) “Specialty Recyclable or Reusable Material” means Recyclable Materials that are not Targeted Recyclable Materials but that may be Collected for purposes of Recycling by any Person operating in accordance with the *Plumas County Code*. Such specialty recyclable or reusable materials include, but are not limited to, scrap metal weighing more than ten (10) pounds, pallets, plastic film, and reusable furniture.

(104) “Spills of Discarded Materials” means any Solid Waste or Targeted Recyclable Materials spilled or left at established Collection sites by the Contractor(s) after Collection, other than small particles of grass clippings and leaves of the size and volume which may be left behind that may be Collected by regular street sweeping operations.

(105) “State” means the State of California, and in the context of this ordinance, the California Department of Resources, Recycling and Recovery (See “CalRecycle”).

(106) “Subcontractor” means a Person who has entered into a contract with the Contractor(s) for the performance of work that is necessary for the Contractor(s) fulfillment of their obligations under the Agreement(s).

(107) “Subscription Collection Route Area” means that area within the Solid Waste franchise Contractor’s Franchise Area that Curbside Collection is offered.

(108) “Targeted Recyclable Materials” means a subset of Recyclable Materials accepted at Plumas County’s Transfer Stations and/or Recycling centers that includes a variety of paper products, metals and empty food and beverage Containers, i.e. newspapers (including inserts, coupons, and store advertisements); mixed paper (including office paper, computer paper, magazines, junk mail, catalogs, brown paper bags, paperboard, paper egg Cartons, telephone books, books, colored paper, construction paper, envelopes, legal pad backings, shoe boxes, cereal and other similar food boxes); corrugated cardboard; paper milk and juice Cartons; glass Containers of any color (including brown, blue, clear, and green); aluminum (including food and beverage Containers, foil and small pieces of scrap aluminum); small pieces of scrap metal weighing less than ten (10) pounds that fit into the Targeted Recyclable Materials Collection Container (excluding chain, cable, wire, banding, hand tools, and automotive parts); steel, tin or bi-metal Containers; plastic Containers (i.e., all plastic Containers and bags stamped with the Society for the Plastics Industry (SPI) code #1 through #7; and plastic Containers and bags that are not stamped but clearly can be identified as PET, HDPE, polypropylene), and all other similar items that are mutually agreed upon by the County and the Contractor(s). For single-family and Multi-Family Dwellings, targeted Recyclable Materials also include Used Motor Oil, Used Motor Oil Filters, antifreeze, Household Batteries, Cell Phones and e-waste such as televisions and other consumer electronics, which are accepted separately from Commingled recyclables.

Items that will not be accepted at Plumas County’s Transfer Stations and/or Recycling centers as Targeted Recyclable Materials include materials that are in bags, boxes or other Containers (even if containing Recyclable Materials), microwave trays, mirrors, window or auto glass, light bulbs of any kind, ceramics, porcelain, plastic bags, unnumbered plastic Containers that cannot be identified as PET, HDPE or polypropylene, coat hangers, glass cookware or ovenware, household items such as

cooking pots or toasters, wet fibers or fibers containing or having been in contact with food debris, any recyclable or piece of a recyclable less than 2" in its largest dimension, or materials that:

- (a) pose a hazard to the public, or
- (b) contain deleterious chemicals or substances or have other hazardous properties that are capable of causing material damage to Solid Waste Collection Containers or equipment, or
- (c) may materially impair the strength or durability of Solid Waste Collection Containers or equipment.

- (109) "Tire Amnesty Program" means the periodic tire Collection program funded by CalRecycle and administered by the County.
- (110) "Ton" or "Tonnage" means a unit of measure for weight equivalent to 2,000 pounds where each pound contains 16 ounces.
- (111) "Transfer Station" means a Facility where the public may unload Solid Waste that is primarily used for the purpose of transferring Solid Waste from private and franchise Contractor-owned Collection vehicles to transfer vehicles to more efficiently transport Solid Waste to the Disposal Site. See also "Designated Transfer Facility" and "Self-Haul")
- (112) "Universal Waste," or "U-Waste," means all wastes defined by Title 22, Subsections 66273.1 through 66273.9 of the *California Code of Regulations*. These include, but are not limited to, empty aerosol Cans, batteries, fluorescent light bulbs or lamps, mercury switches or other mercury-containing equipment, and cathode ray tubes and cathode ray tube glass. U-waste does not include those items defined herein as Targeted Recyclable Materials.
- (113) "Unpermitted Materials" mean wastes or other materials that the Designated Transfer Facility is not permitted to receive, including Hazardous Waste, Infectious Waste and Hazardous Substances.
- (114) "Used Motor Oil" means Used Motor Oil from automobiles and other light duty vehicles intended for Personal use which is removed from cars at a Residential Premises and not as a part of a for-profit or other business activity.
- (115) "Used Motor Oil Filter" means a Used Motor Oil Filter from automobiles and other light duty vehicles intended for Personal use which is removed from the vehicle at a Residential Premises and not as a part of a for-profit or other business activity.
- (116) "Venue" means a permanent Facility that during any year seats or serves an average of more than 2,000 individuals per day of operation. All Persons attending the Event and those working at it, including volunteers, are included in this number.
- (117) "Waste Type" means listings (categories of waste) that are created by federal and State agencies, but for purposes of the Agreement(s), the *Plumas County Solid Waste Plan* identifies the following Waste Types:

• Municipal Solid Waste

• Household Hazardous Waste

- Tire Waste
- White Goods
- Building and Demolition Debris (see "C and D")
- Medical Waste
- e-Waste
- Bulky Waste
- Commercial Waste
- Pharmaceutical Waste
- Green Waste
- Universal Waste

(118) "Weekly Collection Service" means Collection service that is scheduled in advance on a day or days from Monday through Friday and provided once-per-week on the same day or days each week.

(119) "White Goods" means "Major Appliances."

(b) The program-specific definitions listed above are intended to work in concert with the Agreement-specific definitions found in Attachment "A" of the current Solid Waste Agreement(s). In the event of a conflict between the definition of terms found in this Section and those found in the Solid Waste Agreement(s) between Plumas County and its Solid Waste franchise Contractors, the definitions listed herein shall prevail.

**Sec. 6-10.104 *Depositing Solid Waste; Littering.***

(a) No Owner or Occupant shall abandon, dump, bury, or otherwise dispose of any Solid Waste or allow any other Person to dispose of Solid Waste upon Premises other than a County-designated ultimate Disposal Site or Transfer Station site during the site's business hours; provided, however, that:

- (1) Building materials may be kept on Premises during a period of active construction, reconstruction, or repair of a building or structure thereon under a valid building permit; and
- (2) Wood may be kept neatly piled upon Premises for household use; and
- (3) Residential (household) Solid Waste may be Composted in a manner approved by Environmental Health.
- (4) Clean Recyclable Materials may be stored on the Premises, provided storage of same does not create odors, attract vectors or cause other nuisance conditions.

(b) No Person shall cause to be thrown, deposited, or abandoned any Solid Waste material on any public property, public right-of-way, watercourse, bank of any watercourse, or on the Premises of any other Person, except at County-designated Disposal Sites or Transfer Station sites.

**Sec. 6-10.105 *Removal of Solid Waste.***

(a) Residential. The Owner or Occupant of an occupied dwelling, house, or residence, excluding Commercial establishments, shall remove, or have a Solid Waste Collector remove, Solid Waste from the Premises at least once each week; except for Solid Waste Composted on-site in a manner approved by Environmental Health. Environmental Health, by special order, may require more frequent removal in specific circumstances threatening health and safety.

(b) Commercial.

- (1) The Owner or Occupant of any Commercial, industrial, or other business establishment conducting a business, occupation or Commercial activity on the Premises shall have a

Solid Waste Collector exclusively remove Solid Waste from the Premises at least once each week.

- (2) A hotel, restaurant, boardinghouse, or other Food Waste or Garbage-producing business shall have the Collector remove such Food Waste or Garbage at least twice each week. Environmental Health, by special order, may require more frequent removal in specific circumstances threatening health and safety. Food Waste or Garbage may be given as animal feed to the Owners or caretakers of animals that can consume such material prior to Collection by a franchise Contractor.
- (3) The Owner or Occupant shall deal directly with a Solid Waste Collector for Collection and Disposal arrangements. Unless expressly permitted by the franchise Contractor, Commercial Customers shall not be permitted to haul Solid Waste generated on the Premises to any Transfer Station or place of ultimate Disposal, excepting those Commercial, industrial or other businesses described in Section 6-10.105 (b) (4).
- (4) The Owner or Occupant of any Commercial, industrial or other business establishment conducting a business that is not conducted on the Premises of the Owner, particularly those enterprises conducting the business of building construction, remodeling or demolition, shall be authorized to remove such Solid Waste, including C & D generated through the prosecution of such business, occupation or activity to an authorized Disposal Facility within the Franchise Area where such Solid Waste was generated in the County. Construction & demolition debris may be stored at the Premises during a period of active construction, reconstruction, repair, remodeling or demolition of a building or buildings that are legally permitted by the Plumas County Department of Planning and Building Services. Removal and Disposal of such Solid Waste must be completed within thirty (30) calendar days from the completion of the work, and such removal and Disposal may be performed by the Owner or the Occupant of the Premises where the work is taking place, a licensed Contractor under contract to prosecute such construction, reconstruction, repair, remodeling or demolition work with their own Personnel and equipment, or an authorized Solid Waste Collector. No other Persons are authorized to remove or dispose of such Solid Waste. Such removal shall be subject to the minimum Recycling or re-use requirements of this Section, if any.

**Sec. 6-10.106 Special Arrangements for Solid Waste Removal.** The Owner or Occupant of any Premises, or two (2) or more such Persons acting jointly, may request the Administrator to approve a plan whereby special arrangements are made for effective and efficient Solid Waste removal. The proposed plan shall include a statement of the expected charges and such other comments as the Solid Waste Collector whose services will be utilized considers appropriate.

**Sec. 6-10.107 Transporting Solid Waste.**

- (a) Solid Waste hauled anywhere in the County shall be securely tied or covered. No Person shall allow Solid Waste to leak, spill, blow off, or drop from any vehicle at any time.
- (b) No Person shall import Solid Waste into the County or export Solid Waste from the County for the purpose of Disposal, without specific authorization from the Administrator or the Plumas County Board of Supervisors.

**Sec. 6-10.108 Disposal of Solid Waste.**

- (a) Solid Waste generated in Plumas County shall be:

- (1) Disposed of by the Generator of such Solid Waste only at authorized Solid Waste Transfer Stations, authorized Recycling Centers or a County landfill within Plumas County, or
- (2) Collected for Disposal by an authorized Solid Waste Collector, or
- (3) Disposed of under the authority of a valid and current Solid Waste Permit, as described in Sections 6-10.203 and 6-10.205.

(b) The types of Solid Waste that may be disposed of by the methods described in Section 6-10.108 (a) (1) and Section 6-10.108 (a) (2) include:

- (1) Municipal Solid Waste (MSW)
- (2) Targeted Recyclable Materials
- (3) Green Waste
- (4) Construction and Demolition Debris (C&D)
- (5) Universal Waste (U-Waste)
- (6) Electronic Waste (E-waste)

all as defined in Section 6-10.103. Only those types of waste which are eligible for Disposal under Section 6-10.203 may be disposed of under a Solid Waste Permit.

(c) The types of Solid Waste that may not be disposed of by either of the methods described in Section 6-10.108 (a) (1) or Section 6-10.108 (a) (2) include:

- (1) Hazardous Substances or waste of any kind, or
- (2) Medical waste

all as defined in Section 6-10.103.

**Sec. 6-10.109. *Containers.*** No Owner or Occupant shall fail or neglect to provide a sufficient number of standard Containers, waste-wheelers (Carts or totes) or Bins for holding, without leakage or the escape of odors, all Solid Waste produced or accumulated upon any Premises. All Solid Waste shall be deposited in such Containers. Containers shall be at all times kept in useful and sanitary condition. Containers shall at all times be closed against the access of flies, rodents, and other animals. Garbage, Rubbish, and garden refuse may be deposited in the same Container.

- (a) Privately-owned Containers shall not exceed thirty-three (33) gallons in volume and shall not exceed forty (40) pounds in weight when filled for removal.
- (b) Solid Waste Collector-owned waste-wheelers (Carts or totes) or Bins may be used in lieu of privately-owned Containers, and shall have the capability of being emptied using truck-mounted mechanical assist. Such waste-wheelers (Carts or totes) or Bins shall be of a size approved by the Administrator as being adequate for the particular use or occupancy of the Premises using the waste-wheelers (Carts or totes) or Bins.

- (c) The Owner or Occupant of the Premises at all times shall keep all Containers, waste-wheelers (Carts or totes) or Bins closed, in good condition, identified as to Ownership, emptied on a regular schedule as described in Section 6-10.105, and in compliance with the weight limitations established by the Administrator.
- (d) Owners or Occupants responsible for Containers in areas of Plumas County that have experienced intrusion by scavenging wildlife, particularly bears, shall take all precautions necessary to prevent such intrusion, including, but not limited to:
  - (1) Setting out Containers on the same day as scheduled Collection.
  - (2) Storing Containers inside of structures that are sufficiently secure to keep wildlife from entering.
  - (3) Ensuring that all Containers are completely and securely covered while awaiting Collection.
- (d) Repeated preventable instances of scavenging by wildlife that have been reported to Public Works or Environmental Health shall be administered in the following manner:
  - (1) After the first reported instance, the Owners or Occupants responsible for such Containers shall be contacted by either Public Works or Environmental Health and counseled on the proper storage and setting-out procedures that will alleviate wildlife scavenging.
  - (2) After a second reported instance within a 12 month period of the first report, the Owners or Occupants responsible for such Containers shall be cited for a violation of this Chapter in accordance with Section 6-10.409.
  - (3) Any subsequent instance reported within a 12 month period of the second report may result in the installation of "bear-proof" Containers at the Customer's expense.

**Sec. 6-10.110 Prohibited Locations of Containers.** Solid Waste Containers or garden refuse bundles shall not be placed or allowed to remain in or on any street or alley right-of-way or in any unsightly location.

**Sec. 6-10.111 Containers and Bins: Inspections and Tagging for Violations.** The Administrator, or their agents, at their discretion and at any time, may inspect or cause to be inspected Solid Waste Containers or Bins. The determination of the Administrator of the condition of such Containers and Bins shall be final, and violations shall be tagged.

**Sec. 6-10.112 Beneficial Use of Solid Waste.** Notwithstanding the provisions of this Chapter, non-hazardous Solid Waste may be used for soil improvement, Recycling, or other beneficial purposes provided such use complies with this Chapter and all other laws.

**Sec. 6-10.113 Recycling: Residential & Small Business, Commercial, Public Venues & Events.** Most Recycling in the unincorporated portion of Plumas County falls within one of the following four (4) classifications, and shall be dealt with as follows:

- (a) Residential and Small Businesses. Residential Premises and small businesses may Self-Haul source-separated or Commingled recyclables to a Transfer Station or other authorized Recycling Collection center that accepts Recyclable Materials.

(b) Commercial.

- (1) Commercial Recycling shall be mandatory for businesses, schools and other public entities - "Qualified Generators" as described in Section 6-10.103(78) - generating four (4) cubic yards of Solid Waste per week in any week or weeks of the year, and for multi-family Residential complexes or buildings of five living units or more, regardless of the amount of waste generated, in accordance with the State's Mandatory Commercial Recycling Law AB 341 (Chesbro), which is now Chapter 476, Statutes of 2011 of the *Public Resources Code*. Recyclable Materials shall be placed in dedicated Bin(s) or Container(s) clearly marked "Recycling" for Collection.
- (2) Qualified Generators may also "Self-Haul" their recyclables to a Transfer Station in Plumas County, where a receipt shall be issued therefor that will constitute proof of compliance with the law.
- (3) Each Qualified Generator shall be responsible for ensuring and demonstrating their compliance with the requirements of this ordinance. Each Qualified Generator shall:
  - (i) Source separate Recyclable Materials from Solid Waste, and
    - (aa) Subscribe to a basic Recycling Collection service with a Solid Waste franchise Contractor, or
    - (ab) Complete and retain on-site a Self-Hauling form certifying that all Self-Hauling activities will be completed in accordance with this ordinance or other Applicable Law or regulation, a copy of which shall be available to the Administrator upon request.
  - (ii) Use Containers to Collect and store Recyclable Materials and shall designate areas to Collect and/or store Recyclable Materials.
  - (iii) Prominently post and maintain one or more signs in maintenance or work areas, or common areas where Recyclable Materials are Collected and/or stored that:
    - (aa) Specify the materials to be source-separated
    - (ab) Delineate Collection procedures
    - (ac) Prohibit scavenging for such materials.
  - (iv) Notify and instruct employees in writing of applicable source-separation requirements, including outreach and training on what materials are required to be Source Separated and how to source-separate such material. A copy of such instruction or training materials shall be provided to the Administrator or their designee upon request.
  - (v) Place all Recyclable Materials in covered Containers or in a covered area conforming to the following requirements:
    - (aa) No Container shall be overloaded beyond its capacity.
    - (ab) The Containers used for the Collection and storage of Recyclable Materials generated on their Premises shall be maintained in a clean and sanitary condition.

- (ac) No material or Containers shall be kept or handled in such a manner as to become a nuisance.
- (ad) No putrescible materials shall be Commingled with the recyclables.
- (ae) No Recyclable Materials shall be allowed to become odoriferous or a producer of vermin.
- (af) Lids on Containers shall remain closed at all times while stored or placed for Collection.
- (ag) Unwaxed cardboard need not be placed in a Container, but must be flattened and stacked, unless the volume of such flattened material ordinarily exceeds 27 cubic feet (1 cubic yard) on a bi-weekly basis.
- (ah) The Administrator is specifically authorized to promulgate rules and regulations regarding the use of any and all Recyclable Materials Containers, including the Recyclable Materials to be placed therein, the placement and maximum weight of high-density materials for Collection, and the proper use of said Containers.
- (vi) Ensure that Recyclable Materials generated at their site will be taken only to a Recycling or Composting Facility, or make other arrangements to make sure that the materials are recycled or Composted, and not delivered to a Transfer Station or landfill for Disposal. They shall not dispose of, or make arrangements to dispose of Recyclable Materials by placement in a Transfer Station or landfill except in an emergency situation, or when no viable markets or Recycling Facilities are available, as determine by the Administrator. Further, all Qualified Generators are hereby encouraged to consider the Recycling of additional materials, whether or not they have been designated by the Administrator if, under the terms of the franchise Agreement, such materials are accepted by the franchise Contractor as Recyclable Materials.
- (vii) Make the Recycling Service Agreement and any other Recycling documents available for inspection by the Administrator or designee at the principle location of the Qualified Generator's business, Commercial Facility, special Event, Multi-Family housing unit or non-Residential Property during normal business hours.

(4) No franchise Contractor shall be held liable for the failure of its Customers to comply with such regulations, unless such liability is specified in the franchise Agreement between the Contractor and the County.

(5) Subject to approval by the Administrator and the PCIWMTE, the following shall be exempt from the requirements of this Section:

- (i) The State of California, a special district or other local public agency other than the County of Plumas, as defined, or any employee thereof, when Collecting or transporting Recyclable Materials produced by an operation or system of a franchise Contractor who is under contract with the County of Plumas.
- (ii) Municipal corporations and governmental agencies other than the County of Plumas using their own vehicles, and employees engaged in the Collection,

transportation or Disposal of Recyclable Materials within the boundaries of the franchise services areas in Plumas County.

- (iii) A Generator shall not be deemed a Qualified Generator unless they meet the following requirements:
  - (aa) They must operate a Multi-Family Residential Facility of five (5) units or more, using common Collection Container(s) within a Plumas County contract Service Area, or
  - (ab) They must operate a Commercial business or institutional Facility generating four (4) cubic yards (CY) or more of combined Solid Waste and Recyclable Materials per week within a Plumas County contract Service Area.
- (iv) An otherwise Qualified Generator can demonstrate that there is no Collection service available or other system available.
- (v) An otherwise Qualified Generator can demonstrate that there are no recyclable materials being generated by any activities in the Generator's business.
- (vi) An otherwise Qualified Generator can demonstrate that there is no space available on the Premises for Recyclable Materials Containers.
- (vii) An otherwise Qualified Generator can demonstrate that there is no viable market or that there are no Recycling Facilities for the recyclable material generated at their place of business, public Facility or Multi-Family Residential housing complex.

In order to receive an exemption based upon the foregoing subsections (i) through (vii), the Generator must file an application with the Department of Public Works on a form prescribed by the Administrator. After reviewing the exemption request, and after an on-site review, the Administrator shall either approve or disapprove the exemption.

- (c) Public Venues. Parks, sidewalks, public parking lots and other such public gathering places shall have an equal number of waste and dedicated Recycling receptacles in sufficient quantity and in good operating condition. Agencies responsible for the administration and maintenance of such public Venues shall ensure that Solid Waste and Recyclable Materials removal is done in a timely fashion.
- (d) Events.
  - (i) The responsible party for Events held in Plumas County that will have an anticipated total attendance greater than two thousand (2,000) Persons, including all employees, volunteers, Contractors, Customers and attendees of the Event where Solid Waste and/or Recyclable Materials will be generated, either indoors or outdoors, shall complete and submit a "**Plumas County Event Waste & Recycling Plan**" no later than thirty (30) working days prior to the first day of the Event. This Plan shall provide, at a minimum:
    - (i) The name, type of Event, dates and location(s) of the Event,
    - (ii) The sponsor and responsible party for the Event, along with their mailing addresses, telephone numbers and any other contact information available,

- (iii) The expected number of employees, volunteers, Contractors, Customers and attendees of the Event,
- (iv) The Disposal destination for Solid Waste and Recyclable Materials generated at the Event,
- (v) The number and size of Solid Waste and Recyclable Materials Disposal Containers to be used at the Event,
- (vi) And the estimated types and volumes (in cubic yards) of the Recyclable Materials expected to be generated at the Event.

(2) The Plan shall be filed with the Plumas County Department of Public Works Solid Waste Division or with the Owner of such indoor or outdoor Venue(s), who shall forward a copy of the Plan to the Plumas County Department of Public Works Solid Waste Division, together with proof of contract with an approved waste hauler for the Event, if required. No permit(s) or contract(s) shall be issued for the occurrence of indoor or outdoor Events on public or private property until the Plan has been reviewed and approved.

(3) Owners of public and private Venues where Events are to be held in the County shall cooperate with Event organizers to ensure that sufficient numbers of waste and dedicated Recycling receptacles in good operating condition are available for Events. The number of Recyclable Materials Containers shall equal or exceed the number of Solid Waste receptacles. Recyclable Materials Containers and Solid Waste receptacles shall be paired together, or placed as close together as possible. The Disposal of waste and recyclables generated at such Events shall be done in a timely fashion.

(4) All of the receptacles must have appropriate signage and be color coded to identify the type of refuse to be deposited within, and meet any other additional design criteria established by the Administrator.

(5) The Event coordinator must provide at least one separate Container for recyclables and trash for use by Customers and visitors. Multiple food vendors that provide disposable food service ware and share a common eating area may share an appropriate number of Containers for recyclables and trash for convenient use by Customers and visitors, or have common access to such Containers, which shall be located within a reasonable proximity to the vendors.

(6) The types of receptacles for Recyclable Materials shall include, at a minimum, receptacles for glass bottles and jars (or glass and plastic), cans, and Commingled recyclables, which shall include plastic Containers, glass bottles and jars, clean paper, non-waxed cardboard and metals.

(7) The responsible Person shall ensure that the Recyclable Materials deposited into the Recycling receptacles are Self-Hauled to a Recycling Facility or picked up for transport by a franchise Contractor within seven (7) calendar days.

**Sec. 6-10.114 *Recycling Services.*** The Recycling services provided by the franchise Contractor to Qualified Generators shall include, at a minimum, all of the following:

(a) Collection of Recyclable Materials at a minimum of two (2) times each month, or more as specified in the franchise contract.

- (b) Collection of recyclables as identified in the franchise Agreement.
- (c) Utilization of Recycling Containers which comply with franchise contract standards.
- (d) Appropriate signage on all Recycling Containers which allows Customers to clearly and easily identify which Containers to use for recyclables or trash and be color-coded (blue or a contrasting color from trash for recyclables, green or any other single color for trash).
- (e) Occupant Education: For Multi-Family Facilities, the manager or other responsible party shall provide Occupants with the following information about Recycling and Recycling services:
  - (1) Information and instructions upon occupancy, including the types of recyclable materials accepted, the location of Recycling Containers and the Occupant's responsibility to recycle pursuant to this Chapter. This information shall be distributed to all Occupants annually.
  - (2) Updated information and instructions upon any change in the Recycling service.
- (f) The Occupant Education Program required by this Section shall be subject to review and approval by the Plumas County Integrated Waste Management Task Force (PCIWMTF) within ninety (90) days of the effective date of this ordinance and every three (3) years thereafter. Any dispute that cannot be resolved by the Administrator or the PCIWMTF regarding the requirements of this Section shall be heard and resolved by the Plumas County Board of Supervisors.
- (g) Franchise Contractors shall not take a Customer's Recyclable Materials to a Transfer Station or landfill for Disposal. Such materials shall be taken to a Recycling Facility. Franchise Contractors shall maintain a copy of a service Agreement and/or receipts documenting that Recyclable Materials generated by the Qualified Generator have been properly delivered, as well as any documentation evidencing an Event of *force majeure* which prevented the proper delivery of same. Such documents shall be available for inspection by the Administrator at the principle place of business during normal business hours and maintained for not less than three (3) years.

**Sec. 6-10.115 *Redemption or "Buy-Back" Recycling Services.*** Plumas County and its Solid Waste franchise Contractor(s) recognize that the provision of "Buy-Back" Recycling of beverage Containers marked with the appropriate California Redemption Value (CRV) symbol is an integral part of Plumas County's overall Solid Waste management plan. The parties are also aware that other Recycling Contractors have, from time to time, established Buy-Back Facilities in Plumas County in accordance with the *California Beverage Container and Litter Reduction Act* as described in Section 14500, et seq. of the California Public Resources Code (PRC) upon certification by the State, but without the need to acquire a franchise Agreement or operating permit with Plumas County. Nonetheless, Plumas County may establish, and hereby does establish a requirement that Plumas County's Solid Waste franchise Contractor(s) shall provide such redemption services for Customers who Self-Haul their CRV Recyclable Materials to a redemption Facility operated by the franchise Contractor(s) within their Service Area in the following population centers of Plumas County, where such redemption Facilities are not offered by other Recycling Contractors:

- (a) Chester - Lake Almanor Basin
- (b) Greenville - Indian Valley
- (c) Quincy - American Valley

(d) Graeagle - Mohawk Valley

(e) Portola - Delleker

Buy-Back services provided by Plumas County's franchise Contractor(s) - in the absence of such services being provided by other Recycling Contractors - shall become a part of the franchise Contractor(s) ordinary Recycling services and shall be subject to the applicable stipulations described in Sections 6-10.112 and 6-10.113, as well as Section 14500 of the PRC. All expenses and income associated with the provision of Buy-Back Recycling services by the franchise Contractor(s) shall be reported as such within their financial statements, and shall be factors when calculating their operating ratio for providing all Solid Waste and Recyclable Materials Collection and Disposal services.

**Sec. 6-10.116 *Interfering with Collection.*** No Person by any means shall hinder, obstruct or interfere with the removal or transportation of Solid Waste or Recyclable Materials by a Solid Waste Collector.

**Sec. 6-10.117 *Ownership/Scavenging of Solid Waste.*** All Solid Waste and Recyclable Materials placed in any Container or receptacle provided or serviced by a franchise Contractor sufficient to accommodate the quantity and types of materials generated by public Venues, Events, businesses, Single-Family housing, Multi-Family housing Facility or other qualifying non-Residential Facility shall be considered to be owned by and be the property and the responsibility of the franchise Contractor until such time as the Solid Waste or recyclable material has been disposed of at a place of ultimate Disposal or sold as a commodity. No Person shall scavenge, remove or Collect Solid Waste or Recyclable Materials from such Containers or receptacles without the expressed permission of the franchise Contractor.

**Sec. 6-10.118 *Animal waste.***

(a) No Person who owns or controls land shall allow any animal waste, including manure, urine, and defecations, to accumulate on the land and cause a public or private nuisance or a danger to public health, such as fly-breeding conditions and offensive odors.

(b) Any Person owning or controlling land upon which animals are confined in pens, kennels, stalls, fenced Residential back yards, or other small areas shall remove animal waste and dispose of it in an approved manner at least three (3) times each week, or more frequently if so ordered by Environmental Health.

**Sec. 6-10.119 *Hazardous Materials.*** No Person shall deposit in any Container used for Solid Waste any explosive, highly flammable, radioactive, toxic, or other hazardous material as defined in Section 6-10.103. No Person shall deposit any hazardous material in a Solid Waste Container, Transfer Station, or Disposal Site, without having first made special arrangements with Environmental Health, the Solid Waste Collector, and the site Operator for Disposal of the material.

## **Article 2 - Regulation of Solid Waste Collectors**

**Sec. 6-10.201 *Franchises or Permits Required.*** No Person shall Collect, transport, use, or dispose of Solid Waste in the unincorporated area of the County unless that Person is the Generator of such Solid Waste without first receiving a franchise or permit to engage in such activity. The provisions of this Section shall not apply to any Person authorized to transport Solid Waste as set forth in Section 6-10.108 of Article 1 of this Chapter.

**Sec. 6-10.202 *Granting Solid Waste Franchises.***

(a) Solid Waste franchises shall be granted by the Board on the authority of Section 66757 of the Government Code of the State providing that the Board may grant exclusive Solid Waste franchises, with

or without competitive bidding, under such terms and conditions as are prescribed by resolution or ordinance of the Board.

(b) Within its Franchise Area, a Franchisee shall have the exclusive right to make all Collections which any Owner or Occupant may require pursuant to the provisions of this Chapter, subject to Solid Waste Permit(s) granted pursuant to Section 6-10.203 of this Article.

(c) The Franchisee shall dispose of all Collected Solid Waste at a County-designated ultimate Disposal site; provided, however, the Franchisee may request, and Public Works may issue a permit for the beneficial use of such Solid Waste as provided in Section 6-10.111 of Article 1 of this Chapter upon approval by the LEA.

**Sec. 6-10.203 *Granting Solid Waste Permits.***

(a) Upon an application, and except as provided in Section 6-10.106 of Article 1 of this Chapter, the Board may grant a Solid Waste Permit to Collect, transport, or use Solid Waste whenever the Board finds that the granting of such permit promotes the public health, safety, and welfare, and that the type(s) of Solid Waste to be Collected, transported or used are not included in the waste types that are ordinarily Collected, transported or used by an authorized Solid Waste Collector in Plumas County.

(b) Such permits may be granted for any period not to exceed five (5) years. Such permits may be renewed upon expiration for a similar term provided the Board finds that the permit holder is capable of continuing operation in conformity with the provisions of this Chapter and the rules and regulations of Environmental Health.

(c) Every Solid Waste Permit granted by the Board shall be subject to the provisions of this Chapter. The permit shall state:

- (1) The name and address of the Person to whom the permit is issued;
- (2) The activity authorized;
- (3) The term for which the permit is granted; and
- (4) Such other conditions as the Board may provide.

(d) Solid Waste Permits granted pursuant to this section shall be for special or limited uses and shall not be intended for Collection, hauling, or Disposal in competition with Solid Waste franchises.

**Sec. 6-10.204 *Granting Recycling Center Permits.***

(a) Upon an application, the Board may grant a Recycling Center Permit to Collect, transport, or use Recyclable Materials, including CRV Containers, whenever the Board finds that the granting of such permit promotes the public health, safety, and welfare.

(b) Such permits may be granted for any period not to exceed five (5) years. Such permits may be renewed upon expiration for a similar term provided the Board finds that the permit holder is capable of continuing operation in conformance with the provisions of this Chapter and the rules and regulations of Environmental Health.

(c) Every Recycling Center Permit granted by the Board shall be subject to the provisions of this Chapter. The permit shall state:

- (1) The name and address of the Person to whom the permit is issued;

- (2) The activity authorized;
- (3) The term for which the permit is granted; and
- (4) Such other conditions as the Board may provide.

**Sec. 6-10.205 Permits: Applications, Fees.**

(a) Applicants for a Solid Waste Permit or for the renewal of such a permit to Collect, transport, or use Solid Waste shall file with Public Works a signed application in writing which shall give the following information:

- (1) The name and description of the applicant;
- (2) The permanent home and business address and full local address of the applicant;
- (3) The trade and firm name;
- (4) If a joint venture, a partnership, or limited partnership, the names of all partners, their percentage of participation, and their permanent addresses. If a corporation, the names and permanent addresses of all the stockholders and the officers and the percentage of participation of each;
- (5) A detailed explanation of the manner in which the applicant will conduct the activity for which the permit is requested;
- (6) The applicant's arrangements for the Disposal of all Collected Solid Waste at a County-designated Disposal Site; and
- (7) Facts showing that the applicant:
  - (i) Is able to provide efficient and reliable service;
  - (ii) Owns or controls sufficient equipment;
  - (iii) Has vehicles and equipment conforming to all applicable provisions of local, State, and Federal laws;
  - (iv) Shows that there is a need for a permit to be issued; and
  - (v) Shows such other facts or information as Public Works may require.

The Solid Waste Permit fee shall be as listed in the Plumas County Master Fee Schedule, and shall be payable to Public Works on the yearly anniversary of the issuance of the permit.

(b) Applicants for a Recycling Center Permit or for the renewal of such a permit to Collect, transport, or use Recyclable Materials shall file with Public Works a verified application in writing which shall give the following information:

- (1) The name and description of the applicant;
- (2) The permanent home and business address and full local address of the applicant;

- (3) The trade and firm name;
- (4) If a joint venture, a partnership, or limited partnership, the names of all partners, their percentage of participation, and their permanent addresses. If a corporation, the names and permanent addresses of all the stockholders and the officers and the percentage of participation of each;
- (5) A detailed explanation of the manner in which the applicant will conduct the activity for which the permit is requested;
- (6) The applicant's arrangements for the Disposal of all Collected Recyclable Materials; and
- (7) Facts showing that the applicant:
  - (i) Is able to provide efficient and reliable service;
  - (ii) Owns or controls sufficient equipment;
  - (iii) Has vehicles and equipment conforming to all applicable provisions of local, State, and Federal laws;
  - (iv) Shows that there is a need for a permit to be issued; and
  - (v) Shows such other facts or information as Public Works may require.

The Recycling Center Permit fee shall be as listed in the Plumas County Master Fee Schedule, and shall be payable to Public Works on the yearly anniversary of the issuance of the permit.

**Sec. 6-10.206 Collection Areas Assigned.** The Board may establish Solid Waste Collection areas (Franchise Areas) in the unincorporated area of the County, excluding therefrom those areas served by a franchise Contractor within a separate Solid Waste Collection jurisdiction. The Board shall specify in all franchises or permits the Service Area within which the franchise Agreement or permit holder may Collect, transport, or use Solid Waste within the County. No franchise or permit holder at any time shall Collect, transport, or use Solid Waste in the County outside the limits of the area fixed in the franchise or permit, except as specified by the Board. The area specified in any franchise or permit may be modified at any time upon Agreement by the Franchisee or permit holder and the Administrator should the Board find such modification necessary for the efficient administration of this Chapter and to best serve the public interest.

**Sec. 6-10.207 All Requests for Service to be Met.** A Franchisee shall provide Solid Waste removal service to all Premises situated within their subscription Collection route area as specified in their franchise Agreement, upon a request for such service by a qualified Owner or Occupant. A Franchisee shall not be required to Collect oversize, overweight, or unsafe Containers, or Containers at Premises located outside of their subscription Collection route area. A Franchisee shall not be required to continue to provide Solid Waste removal service if the Owner or Occupant has failed to pay the charges for such service for a period of forty-five (45) days. Prior to terminating service for the nonpayment of charges, the Franchisee, at least fifteen (15) days prior to such termination, shall provide written notice of intention to terminate, a copy of which shall be given to the Administrator.

**Sec. 6-10.208 Fee Schedule for Collection, Transfer, and Related Services.**

(a) All fees shall be Collected by the Franchisee(s) on a fair and equitable basis. There shall be no direct fee for the Collection or Disposal of Recyclable Materials, either for recyclables Collected at a place of business, or for recyclables Self-Hauled to any a Transfer Station or other authorized Recycling Collection center that accepts Recyclable Materials. Costs for the Collection and Disposal of Recyclable Materials shall be included in the fees charged for the Collection and Disposal of Solid Waste.

(b) The base Rates (fees) for Collection shall cover door-to-door Collection, transfer, hauling, and ultimate Disposal activities. Those Rates and all other rates, fees and charges for Collection and Disposal of Residential and Commercial Solid Waste shall be found in Attachment D of the current Solid Waste Franchise Agreement(s), on file in the Plumas County Clerk's Office in Quincy, California.

(c) Any Customer who believes that they have had to pay an unfair or unreasonable charge for any service may file a written complaint with the Administrator setting forth the facts of such alleged overcharge. The Administrator shall notify the Franchisee, investigate the complaint, and determine the appropriate charge. The Administrator's determination shall be final, unless it is appealed as provided in Section 6-10.407 of this Chapter.

**Sec. 6-10.209 *Franchise Agreements.*** The respective duties and responsibilities of the Franchisee(s) and the County shall be further specified in a franchise Agreement which is consistent with this Chapter.

#### **Article 3 – Disposal Sites Within Plumas County**

**Sec. 6-10.301 *Permits; Operation.*** No permit(s) to operate a Solid Waste Disposal Site may be issued by a County department for any location within Plumas County. Such permit(s) may only be issued by the State after approval by the LEA.

#### **Article 4 - Enforcement and Procedural Provisions**

**Sec. 6-10.401 *Clearing of Solid Waste from Private Property.*** Environmental Health is authorized to require the Owner of any private property within the County to remove and properly dispose of Solid Waste which constitutes a threat to health and safety. Environmental Health is authorized to enforce the provisions of this Chapter.

**Sec. 6-10.402 *Right of Entry.*** An officer from the Department of Environmental Health, a Code Enforcement officer, a peace officer or other designated agents are authorized to enter private property at any reasonable time to inspect such property and to perform any duty imposed upon him by the provisions of this Chapter provided they shall first present proper credentials to the Occupant and request entry, explaining his purpose. Notwithstanding the foregoing, if the authorized agent has reasonable cause to believe that there is an accumulation of Solid Waste or other unsanitary condition prohibited by this Chapter on the Premises which could be seriously detrimental to the public health or safety, they shall have the right immediately to enter and inspect such property and to use any reasonable means required to effect such entry and make such inspection, whether such property shall be occupied or unoccupied and whether or not permission to inspect has been obtained.

#### **Sec. 6-10.403 *Suspension or Revocation of Franchises and Permits.***

(a) Any franchise granted pursuant to the provisions of this Chapter may be suspended or revoked by the Board upon prior notice and a hearing. In order to suspend or revoke such franchise, the Board must find that the Franchisee has failed to comply with one or more of the terms of such franchise Agreement or this Chapter, or has failed to render satisfactory Collection services and

that grounds exist within the franchise Agreement for such suspension and/or revocation.

- (b) The Administrator, upon prior notice and a hearing, may suspend or revoke any Solid Waste or Recycling Permit other than the franchise described in Section 6-10.403(a) above, granted pursuant to the provisions of this Chapter or the applicable rules or regulations of Public Works. Inactivity of a Solid Waste or Recycling Permit for a period in excess of thirty (30) days shall be good cause for revocation. Action to revoke or suspend a Solid Waste or Recycling Permit may be taken by the Administrator only after ten (10) days' advance written notice to the permittee of the cause and the permittee's right to a hearing thereon within the ten (10) days.
- (c) Notwithstanding the provisions of subsections (a) and (b) of this Section, Environmental Health may suspend, or impose special conditions upon, a franchise Contractor, Solid Waste or Recycling Permit holder without prior notice whenever such action is immediately necessary to protect the public health and safety. In the case of the franchise Contractor, however, such actions must be consistent with the terms of the franchise Agreement.

**Sec. 6-10.404 Responsibility of the Environmental Health Department.** The administration and enforcement of the health and safety requirements of this Chapter shall be the responsibility of the Environmental Health Department.

**Sec. 6-10.405 Responsibility of the Public Works Department.** The administration and enforcement of the operational and permitting requirements of this Chapter shall be the responsibility of the Public Works Department.

**Sec. 6-10.406 Responsibility of the Franchise Contractor(s).** The timely and efficient Collection and Disposal of Solid Waste and Recyclable Materials within unincorporated Plumas County as specified in the Plumas County Integrated Solid Waste Program and in accordance with the terms and conditions of the current franchise Agreement(s) shall be the responsibility of the franchise Contractor(s).

**Sec. 6-10.407 Service of Notices.** All notices required or given pursuant to this Chapter shall be deemed properly served five (5) days after deposit of certified mail with return receipt, postage prepaid, in the United States mail, addressed to the Owner at the address provided or to a franchise or permit holder at his local office. Notices to the County shall be addressed to the Solid Waste Division, Plumas County Environmental Health Department, 270 County Hospital Road, #127, Quincy, California 95971, or the Solid Waste Division of the Plumas County Department of Public Works, 1834 East Main Street, Quincy, CA 95971.

**Sec. 6-10.408 Administrative Remedies.** Any Person aggrieved by any decision or action resulting from the application of the provisions of this Chapter may appeal to the Board. Such appeals shall be in writing and shall be received by the Clerk of the Board not more than fifteen (15) days after such decision or action. The Board shall delegate the hearing of such appeals to the Board-appointed Plumas County Integrated Waste Management Task Force (PCIWMTF) which shall promptly schedule and conduct a hearing and render a finding of facts and recommended decision to the Board. Thereafter, the Board shall make a final and binding decision on the matter, at which time administrative remedies shall be deemed exhausted.

**Sec. 6-10.409 Supplemental Regulations.** The Board may, by resolution, establish regulations for the administration and implementation of this Chapter. A copy of the regulations established by resolution of the Board shall be filed with the Clerk of the Board and with Public Works and Environmental Health.

**Sec. 6-10.410 Enforcement.** The provisions of this Chapter shall be enforced by any peace officer as defined in Chapter 4.5, Title 3 of Part 2 of the California Penal Code, and by employees of the Environmental Health Department as designated by the Director of Environmental Health. Such

designated employees are authorized to make arrests and issue citations for violations of the health and safety regulations of this Chapter.

**Sec. 6-10.411 *Violations; Penalties.***

(a) If the Director of Public Works or the Director of Environmental Health finds a violation of any provision of this Chapter, either Director, after notice and an opportunity for hearing, may impose a civil penalty according to the following schedule:

- (1) For the first violation of the provision, \$250;
- (2) For the second violation of the same provision, \$500;
- (3) For the third violation of the same provision, \$1,000; and
- (4) The hearing officer may adjust the penalty, based on evidence presented at a hearing.

(b) The Directors' authority under this section is in addition to any other authority the Directors have to enforce this chapter and election of one remedy by either Director shall not preclude resorting to any other remedy as well.

(c) Either Director may, in addition to taking other Collection remedies, certify due and unpaid charges to the Plumas County Treasurer/Tax Collector for Collection.

(g) Notice under this subsection shall be delivered by certified mail with return receipt and by posting on the Premises.

**SECTION 2. Effective Date; Publication; Codification.**

This ordinance shall become effective 30 days after its date of final adoption. It shall be published in all newspapers of general circulation in Plumas County published by the Feather River Publishing Company within 15 days of final adoption. Section 1 of this Ordinance shall be codified, and the remainder shall be uncodified.

Introduced at a regular meeting of the Board of Supervisors on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, and passed and adopted by the Board of Supervisors of the County of Plumas, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

Attest:

---

Sharon J. Thrall  
Chair, Board of Supervisors

---

Nancy DaForno  
Clerk of the Board of Supervisors