



Lassen County

Meeting Minutes Board of Supervisors

LASSEN COUNTY SUPERVISORS:

DISTRICT 1 - CHRIS GALLAGHER; DISTRICT 2 - DAVID TEETER ; DISTRICT 3 - JEFF HEMPHILL - VICE-CHAIRMAN; DISTRICT 4 - AARON ALBAUGH - CHAIRMAN; DISTRICT 5 - TOM HAMMOND

Tuesday, February 28, 2017

9:00 AM

Board Chambers
707 Nevada Street
Susanville, CA 96130

9:00 A.M. CALL TO ORDER

PRESENT: Supervisors Chris Gallagher, David Teeter, Jeff Hemphill, Aaron Albaugh and Tom Hammond. Also Present: County Administrative Officer (CAO) Richard Egan, County Counsel Robert Burns and Deputy Clerk of the Board Michele Yderraga.

Present: 5 - Supervisor Chris Gallagher, Supervisor David Teeter, Supervisor Jeff Hemphill, Supervisor Aaron Albaugh and Supervisor Tom Hammond

Excuse: 0

PUBLIC COMMENT - None.

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION

- 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9 (if needed). Not needed.
- 2) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: Woodall v. Lassen County, Lassen Superior Court Case No. 50065.

CLOSED SESSION

Closed session was held from 9:01 a.m. - 9:17 a.m. Present: Supervisors, Gallagher, Teeter, Hemphill, Albaugh and Hammond. Also present: CAO Egan, Deputy CAO Tony Shaw, County Counsel Burns, Deputy Clerk of the Board Yderraga. Also present: Planning and Building Services Director Maurice Anderson and Deputy Clerk of the Board Susan Osgood.

RECESS: 9:18 a.m. - 9:29 a.m.

1. ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

- 2) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: Woodall v. Lassen County, Lassen Superior Court Case No. 50065.

CAO Egan reported: Closed session will continue at the end of the regular agenda. No reportable action as this time.

9:30 A.M. OPENING CEREMONIES**Pledge of Allegiance and Invocation**

After the flag salute, the invocation was offered by Supervisor Albaugh.

2. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Albaugh requested the meeting be adjourned in memory of Carla Spaulding Conner. CAO Egan moved item# H2 Road Department to the March 14, 2017 meeting.

A motion was made by Supervisor Hammond, seconded by Supervisor Hemphill, that this agenda be approved as amended. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

3. PUBLIC COMMENT - None.**4. UNAGENDIZED REPORTS BY BOARD MEMBERS**

Supervisor Hammond: 1) Finished townhall meetings in Ravendale; 2) Complimented county workers on a great job working with Sierra Army Depot in repairing the A25 bridge.

Supervisor Hemphill: 1) Attended a Lassen County Local Agency Formation Commission (LAFCo) meeting on February 27, 2017; 2) Complimented Sierra Medical Services Alliance (SEMSA) for doing a good job.

Supervisor Teeter: Attended a Pool Board meeting last week.

Supervisor Gallagher: 1) Attended a LAFCo meeting on February 27, 2017; 2) Attended the Westwood Chamber of Commerce annual dinner; 3) Attended Bill Knox's funeral.

Supervisor Albaugh: 1) Requested Public Works fix Board Chamber's desk; 2) Attended the Fair Board meeting; 3) Announced the ambulance in Big Valley is being shipped to Reno to have the radio installed; 4) The Big Valley Girls basketball team won the Division 7 game and will be going to the Championships next week.

County Counsel Burns absent: 9:34 a.m. - 9:35 a.m.

INFORMATION/CONSENT CALENDAR**Approval of the Consent Agenda**

Supervisor Albaugh pulled item# G3 for separate discussion.

A motion was made by Supervisor Gallagher, seconded by Supervisor Hammond, to approve the Consent Agenda as amended. The motion

carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

BOARD OF SUPERVISORS

SUPERVISOR GALLAGHER

SUBJECT: 1) Authorize expenditure of \$500 to the Susanville Little League;
2) Authorize expenditure of \$250 to Lassen Land and Trails Trust.

FISCAL IMPACT: Appropriation is included in the General Fund, Board of Supervisors budget (100-0011).

ACTION REQUESTED: Approve Expenditures.

This Action Item was approved on the Consent Agenda.

COUNTY CLERK-RECORDER

MINUTES

SUBJECT: Meeting minutes of February 21, 2017.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

These Minutes were approved on the Consent Agenda.

SHERIFF'S DEPARTMENT

SHERIFF'S OFFICE

SUBJECT: Travel authorization for two (2) Correctional Deputies to attend the mandatory Correctional Core Academy in Windsor, CA, March 13, 2017-April 14, 2017. The estimated cost of the training is approximately \$7,660.75; full per diem, tuition and clothing to be provided prior to the start of training session.

FISCAL IMPACT: From Public Safety - Sheriff Jail budget 130-0525.

ACTION REQUESTED: Approve.

This Action Item was approved on the Consent Agenda.

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Lassen County Air Pollution Control District Governing Board Meeting Agenda for Tuesday, February 14, 2017 Cancel notice.
- b) Susanville City Council meeting agenda for February 15, 2017.
- c) Honey Lake Valley Recreation Authority Special Meeting agenda for February 14, 2017.
- d) Honey Lake Valley Resource Conservation District Special Meeting Minutes for Tuesday, December 13, 2016.
- e) Central Valley Regional Water Quality Control Board Meeting Agenda for Thursday February 23, 2017 and Friday, February 24, 2017.
- f) Honey Lake Valley Recreation Authority Governing Board Meeting agenda for February 21, 2017.
- g) Honey Lake Valley Resource Conservation District Closed Session

Meeting agenda for February 22, 2017.

h) Honey Lake Valley Resource Conservation District Regular Meeting agenda for February 22, 2017.

(Mistakenly listed as "Honey Lake Valley Recreation Authority" in agenda).

This Report was received and filed on the Consent Agenda.

DEPARTMENT REPORTS

PUBLIC WORKS DEPARTMENT

ROAD DEPARTMENT

SUBJECT: Award aggregate materials and rock purchase to Sierra Cascade Aggregate in the amount of \$227,906.25, the lowest bidder meeting the requirements.

FISCAL IMPACT: Funding in the amount of \$227,906.25 will be from the current FY 2016-17 Road Operating Budget (122-1221).

ACTION REQUESTED: Award bid for 10,000 tons of 3" Class 3 Sub-Base, 10,000 tons of 1 ½" Class 2 Aggregate Base, and 5,000 tons Rip-Rap (rock) to Sierra Cascade Aggregate & Asphalt Products, Inc. in the amount of \$227,906.25.

Planning and Building Services Director Maurice Anderson and Public Works Director Larry Millar provided information pertaining to the bid. Discussion was held.

A motion was made by Supervisor Hemphill, seconded by Supervisor Teeter, that this Action Item be approved. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

ADMINISTRATIVE SERVICES ITEM

PERSONNEL

SUBJECT: Proposed amendment to Personnel Rules and Regulations related to Drug Free Workplace Policy for a position that is considered "safety sensitive".

FISCAL IMPACT: None.

ACTION REQUESTED: Adopt.

CAO Egan reported on the Drug Free Workplace Policy amendment. Supervisor Albaugh recommended some wording changes. Extensive discussion was held.

A motion was made by Supervisor Hammond, seconded by Supervisor Gallagher, that this Policy be adopted with recommended changes. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

DISTRICT ATTORNEY

CONTRACT AMENDMENT

SUBJECT: Proposed amendment to contract with Dan Howe for special prosecutorial services (County contract #2017-0113 C0170248) to increase contractual maximum from \$10,000 to \$40,000.

FISCAL IMPACT: Increase of \$20,000 from contingency from General Reserve.

ACTION REQUESTED: 1) Approve amendment for Dan Howe and authorize the Chairman to sign; 2) Increase appropriation for 130-0431 Fund by \$20,000 (4/5 vote); 3) Approve transfer from Contingency in the General Reserve to Public Safety 130 Fund (4/5 vote).

District Attorney (DA) Stacey Montgomery and DA Program Coordinator Michelle Latimer provided detailed information regarding an amendment to a contract with Dan Howe. Extensive discussion was held. Supervisor Albaugh requested a semi-annual update of case load statistics. Action items #2 and #3 are tabled to the next Board of Supervisors meeting on March 14, 2017.

SPEAKER: Chief Probation Officer Jennifer Branning.

A motion was made by Supervisor Gallagher, seconded by Supervisor Teeter, that Action Item #1 be approved with Action Item #2 and Action Item #3 tabled. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

RECESS: 10:28 A.M. - 10:35 A.M.

PUBLIC WORKS DEPARTMENT

BUILDINGS AND GROUNDS

SUBJECT: Historic Courthouse Modernization Project status report.

FISCAL IMPACT: To be determined.

ACTION REQUESTED: Receive report and/or provide direction to staff.

Deputy Public Works Director for Facilities Peter Heimbigner gave an update on the Historic Courthouse Modernization plan. Extensive discussion was held.

This Report was received.

BUILDINGS AND GROUNDS

SUBJECT: 2950 Riverside Project status report.

FISCAL IMPACT: To be determined.

ACTION REQUESTED: Receive report and/or provide direction to staff.

Deputy Public Works Director for Facilities Peter Heimbigner gave an update on the 2950 Riverside Drive building. Extensive discussion was held.

SPEAKER: Iona McCain.

This Report was received.

BUILDINGS AND GROUNDS

SUBJECT: Use of the Susanville Veterans Memorial Building by Lassen Union High School, in conjunction with the California Highway Patrol to implement the "Every 15 Minutes" community alcohol awareness program for teens.

FISCAL IMPACT: Anticipated revenue in amount of use fee.

ACTION REQUESTED: Waive the use fee and cleaning/security deposit for California Highway Patrol.

Deputy Public Works Director for Facilities Peter Heimbigner provided information on the "Every 15 Minutes" program.

A motion was made by Supervisor Gallagher, seconded by Supervisor Hemphill, that this Action Item be approved. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

PUBLIC WORKS

SUBJECT: Confirm grazing lease with Five Dot Land and Cattle Company for use of Susanville Ranch Park for spring 2017 grazing.

FISCAL IMPACT: To be determined.

ACTION REQUESTED: 1) Confirm 2017 spring grazing lease with Five Dot Land and Cattle Company for use of Susanville Ranch Park in the amount of \$21.55 per AUM; 2) Authorize CAO to sign.

Deputy Public Works Director for Facilities Peter Heimbigner provided information on grazing lease. Discussion was held.

SPEAKER: Eileen Richard.

A motion was made by Supervisor Teeter, seconded by Supervisor Hammond, that this Action Item be approved. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

BOARD OF SUPERVISORS**SUPERVISOR HEMPHILL - SANCTUARY COUNTY STATUS**

SUBJECT: Discussion regarding identification of Lassen County as a Sanctuary County and potential impact on federal funding.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: Receive report and provide direction to staff.

Supervisor Hemphill spoke about Lassen County becoming an Anti-Sanctuary county. Extensive discussion was held. No action taken at this time.

Discussion postponed for a future meeting. CAO Egan will work with Sheriff Growdon to draft a letter.

SPEAKERS: Sheriff Dean Growdon; Members of the Public: Carol Byers, Joe Turner, Jim Hodge, Eileen Richard, Becky Owens; Statement from Riki Jo

Diamond read by Joe Turner.

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan: Informed the board of the need for a future meeting for Lassen/Modoc Flood Control.

CLOSED SESSION

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION - Continued

Closed session was held from 12:07 p.m. - 12:11 p.m. Present: Supervisors Gallagher, Teeter, Hemphill, Albaugh, Hammond, CAO Egan, County Counsel Burns, Deputy Clerk of the Board Yderraga. Also present: Deputy Clerk of the Board Osgood.

Supervisor Albaugh absent: 12:07 p.m. - 12:10 p.m.

CAO Egan reported:

2) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d) (1) of Government Code Section 54956.9: Woodall v. Lassen County, Lassen Superior Court Case No. 50065. No reportable action.

ADJOURNMENT

There being no further business, the meeting is adjourned at 12:12 p.m. in memory of Carla Spaulding Conner.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board