



Lassen County

Meeting Minutes Board of Supervisors

DRAFT

LASSEN COUNTY SUPERVISORS:

DISTRICT 1 - CHRIS GALLAGHER - VICE CHAIRMAN; DISTRICT 2 - GARY BRIDGES; DISTRICT 3 - TOM NEELY; DISTRICT 4 - AARON ALBAUGH - CHAIRMAN; DISTRICT 5 - JASON INGRAM

Tuesday, September 10, 2024

9:00 AM

Board Chambers
707 Nevada Street
Susanville, CA 96130

9:00 A.M. CALL TO ORDER

Present: Supervisors Gallagher, Bridges, Neely, Albaugh, and Ingram. Also present: County Administrative Officer (CAO) Richard Egan, County Counsel Amanda Uhrhammer, and Deputy Clerk of the Board Michele Yderraga.

Present: 5 - Chris Gallagher, Aaron Albaugh, Gary Bridges, Tom Neely and Jason Ingram

Excuse: 0

PUBLIC COMMENT

Owner of ColWest Investments, LLC Melanie Westbrook: Briefly discussed the Homekey Project and Behavioral Health Bridge Housing bond.

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION

CAO Egan announced the following session items:

- 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9: 1 case.
- 2) Employee performance evaluation: 1) Fair Manager; 2) County Administrative Officer.
- 3) 1) Liability Claim; - Claimant: Emilia Mojarra, Agency claimed against: Lassen County; 2) Liability Claim; - Claimant: Katherine Andreatta, Agency claimed against: Lassen County; 3) Liability Claim; - Claimant: David Fennell, Agency claimed against: Lassen County.
- 4) Conference with Labor Negotiator Scott McLeran: Management and Professional Association.

CLOSED SESSION

Closed session was held from 9:04 a.m. - 10:16 a.m.

Present: Supervisor Gallagher, Bridges, Neely, Albaugh, and Ingram. Also present: CAO Egan, County Counsel Uhrhammer, and Deputy Clerk of the Board Yderraga.

Deputy CAO Tony Shaw was present from 9:04 a.m. - 9:35 a.m.

Fair Manager Kaitlyn Downing was present from 9:04 a.m. - 10:16 a.m.
 Director of Health and Social Services Barbara Longo was present from 9:39 a.m. - 10:16 a.m.
 Health and Social Services Program Manager Grace Poor was present from 9:39 a.m. - 10:16 a.m.
 Director of Behavioral Health Tiffany Armstrong was present from 9:39 a.m. - 10:16 a.m.

RECESS: 10:16 a.m. - 10:23 a.m.

10:23 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

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

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

Supervisor Albaugh stated closed session would be continued to the end of the meeting.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

Aye: 5 - Gallagher, Albaugh, Bridges, Neely and Ingram

PUBLIC COMMENTS

Sheriff/Coroner John McGarva: Invited the public to attend a town hall meeting on September 16, 2024, at the Veterans Hall regarding the Fire Arm Violence Project.

Ron Wood: Requested a member of the board to present a resolution to the Veterans on Veterans Day.

Cal Fire Lassen Modoc Fire Unit Chief Eric Ewing: Gave a brief update on this fire season and the fire season for the fall.

UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Gallagher: 1) Attended a First5 meeting; 2) discussed unpaid Discretionary Funds.

Supervisor Bridges: 1) Attended a meeting with Christine Johnson from the health department to discuss tobacco and vaping; 2) attended a conference call with Donna Stone from Norcal EMS regarding a Joint Powers Agency (JPA).

Supervisor Neely: 1) Will be attending an Air Pollution meeting; 2) will be attending a Veterans meeting at the Veterans Hall.

Supervisor Ingram: 1) Attended a conference call with Donna Stone with Norcal

EMS regarding a JPA; 2) attended the Walk Out of the Darkness Event; 3) discussed a workshop to invite new business to community; 4) discussed Bridging the Gap event; 5) would like to have department head meetings agendized on the agenda for open discussion.

Supervisor Albaugh: Nothing to report.

MATTERS SET FOR TIME CERTAIN

LASSEN FIRE SAFE COUNCIL, INC

SUBJECT: Presentation and discussion by the Lassen Fire Safe Council, Inc.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Receive Presentation, receive public comment, and hold discussion; and 2) provide direction to staff.

Lassen Fire Safe Council Wild Fire Resiliency Coordinator Haley Park gave a detailed power point presentation regarding the Grant Funding Program. Ms. Park discussed the Community Wildfire Protection Plan, Fire Wise communities, funding, events attended, the Defensible Space Assistance Program, and properties treated. Lassen Fire Safe Council Managing Director Cade Muller discussed future and current projects, an overview of active projects, and funding. Brief discussion was held.

PUBLIC HEARINGS

PLANNING AND BUILDING SERVICES

SUBJECT: Rezone of lands located approximately 9.5 miles outside of Susanville in the community of Johnstonville, owned by Grimes Rice Canyon Ranches, LLC into an Agricultural Preserve Combining District in order to facilitate an application for a new Land Conservation (Williamson) Act contract. (Files: AA #2024-001 and RZ #2024-001).

FISCAL IMPACT: Potential loss of property tax revenue if Williamson Act Contract is offered.

ACTION REQUESTED: 1) Receive the Planning Commission's recommendation on rezoning; and 2) conduct a public hearing pursuant to County Code Section 18.124.050 (Procedures for Precise Zoning and Amendments); and 3) introduce and adopt, by title only, an Ordinance implementing the rezone of four parcels, approximately 341.18 acres of property from E-A to E-A-A-P and U-C to U-C-A-P; and 4) receive and consider the Land Conservation Committee recommendation on the establishment of an agricultural preserve; and 5) adopt a resolution establishing an agricultural preserve and authorize the execution of a Land Conservation (Williamson) Act Contract; and 6) alternatively, the Board could determine that the lands are not suitable for the purpose of establishing a Land Conservation (Williamson) Act contract and deny the applications.

Attachments: [Rezone #2024-001 and AA #2024-001, Grimes BOS 9-10-24 Packet](#)

Planning and Building Services Associate Planner Mindie Hilton informed the board this item was a rezone of four parcels to place into an agricultural reserve.

The rezone would place the parcels into the existing Williamson Act contract. Associate Planner Hilton gave a power point presentation of the project site and stated the rezone met the requirements of the project. Supervisor Albaugh asked what were the minimum qualifications to receive a Williamson Act contract. Associate Planner Hilton stated a 400 acre minimum. Director of Planning and Building Services Maury Anderson briefly discussed soil composition and acreage.

The Public Hearing was open from 11:04 a.m. - 11:04 a.m.

SPEAKERS IN FAVOR: None.

SPEAKERS IN OPPOSITION: None.

Supervisor Ingram asked what the Fiscal Impact would be. Director Anderson stated he had not yet heard from the Assessor and didn't have an answer. Brief discussion was held pertaining to agricultural land and the Williamson Act.

A motion was made by Supervisor Bridges, seconded by Supervisor Gallagher, that this Resolution No 24-041 be adopted. The motion carried by the following vote:

Aye: 5 - Gallagher, Albaugh, Bridges, Neely and Ingram

A motion was made by Supervisor Bridges, seconded by Supervisor Gallagher, that this Ordinance No. 2024-10 be adopted. The motion carried by the following vote:

Aye: 5 - Gallagher, Albaugh, Bridges, Neely and Ingram

BOARDS AND COMMISSIONS

COMMITTEE APPOINTMENT

SUBJECT: Lassen County Planning Commission appointment.

FISCAL IMPACT: None.

ACTION REQUESTED: Consider making the following appointment:

Lassen County Planning Commission

a) Title 7, Chapter 3 of California Government Code; Lassen County Code Chapter 2.20.

b) Term to Expire on March 31, 2025.

1) SUPERVISOR DISTRICT FOUR

i. Primary (Term expiring March 31, 2025. Applicants: Toby Corder).

Attachments: [PC Applicant](#)
[Ord. 2024-07](#)

Supervisor Albaugh stated the appointment was for District 4 and he highly recommended the applicant.

A motion was made by Supervisor Ingram, seconded by Supervisor Bridges, that this Appointment be approved. The motion carried by the following vote:

Aye: 5 - Gallagher, Albaugh, Bridges, Neely and Ingram

LASSEN COUNTY INDEPENDENT SOLID WASTE LOCAL ENFORCEMENT AGENCY (LEA) HEARING PANEL

a) Public Resources Code Section 44308

SUBJECT: Appointment of Board of Supervisor representative to the Solid Waste Hearing Panel.

FISCAL IMPACT: None.

ACTION REQUESTED: Make appointment (Term expiring September 10, 2028 or upon leaving elective office).

Director of Planning and Building Services Maury Anderson gave a brief overview of the Local Enforcement Agency Hearing Panel and informed the board they were actively recruiting for additional board members or a hearing officer. Brief discussion was held. Supervisor Gallagher nominated Supervisor Albaugh to be appointed to the hearing panel.

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

Aye: 5 - Gallagher, Albaugh, Bridges, Neely and Ingram

INFORMATION/CONSENT CALENDAR

Supervisor Gallagher pulled Item# G3 - Community Social Services 2021-2025 System Improvement Plan (SIP).

Approval of the Consent Agenda

A motion was made by Supervisor Gallagher, seconded by Supervisor Ingram, to approve the Consent Agenda as amended. The motion carried by the following vote:

Aye: 5 - Gallagher, Albaugh, Bridges, Neely and Ingram

COUNTY CLERK-RECORDER

LASSEN COUNTY BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 27, 2024

SUBJECT: Meeting Minutes of August 27, 2024.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [DRAFT MINS 2024-08-27](#)

These Minutes were approved on the Consent Agenda.

THIS ITEM WAS REMOVED FROM THE AGENDA.

PROBATION DEPARTMENT

MEMORANDUM OF UNDERSTANDING

SUBJECT: Memorandum of Understanding (MOU) between Lassen County and Sonoma County for detained juveniles in Juvenile Hall. The agreement has a daily rate of \$375 for detained minors.

FISCAL IMPACT: Regular expenditure to Probation Fund/Budget Unit No.145-0561. Contract not to exceed \$150,000 per fiscal year.

ACTION REQUESTED: 1) Approve the agreement; and 2) authorize the County Administrative Officer to execute the agreement.

Attachments: [Prob Attach](#)

This Action Item was approved on the Consent Agenda.

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Lassen County Behavioral Health Advisory Board meeting agenda for March 11, 2024.
- b) Planning and Service Area 2 Area Agency on Aging (PSA 2 AAA) meeting agenda for August 30, 2024.

Attachments: [MISC CORR](#)

These Reports were received and filed on the Consent Agenda.

DEPARTMENT REPORTS

HEALTH AND SOCIAL SERVICES

COMMUNITY SOCIAL SERVICES 2021-2025 SYSTEM IMPROVEMENT PLAN (SIP)

SUBJECT: Child and Family Services (CFS) and Probation Department System Improvement Plan for 2021-2025.

FISCAL IMPACT: No Fiscal Impact.

ACTION REQUESTED: 1) Approve the System-Improvement Plan (SIP); and 2) authorize the Chairman to execute the plan.

Attachments: [G3- BOS CSS.Probation SIP 9.10.24](#)

Supervisor Gallagher stated he pulled this item due to typographical errors within the contract. A word needed to be added on page 5 and a number was missing for the youth. Director of Community Social Services Jayson Vial informed the board they were actively seeking a full time nurse that would be housed in child

welfare. Having an in house nurse would allow for child medical exams to be done in a timely manner. Brief discussion was held.

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

Aye: 5 - Gallagher, Albaugh, Bridges, Neely and Ingram

DISTRICT ATTORNEY

CREATION OF CHIEF DISTRICT ATTORNEY INVESTIGATOR

SUBJECT: Creation of Chief District Attorney Investigator.

FISCAL IMPACT: This position is budgeted for in the proposed Fiscal Year 2024/2025 budget and is reimbursable through Prison Prosecution for at least 50% of the time.

ACTION REQUESTED: 1) Approve the creation of the new position; and 2) approve job description.

Attachments: [DA Board Packet](#)

District Attorney (DA) S. Melyssah Rios informed the board this item was a request to approve the job description for a Chief DA Investigator. Supervisor Gallagher stated he had recently spoken with DA Rios regarding the salary range and felt the position should start at a Range 25 rather than a Range 24. DA Rios briefly discussed the job qualifications and said she originally had the position at a Range 25, but was instructed to lower to a Range 24. DA Rios said she currently did not have any investigators on staff and she would prefer for the board to approve the job description as it stands due to any changes would require the job description to be resubmitted to the bargaining unit for approval. DA Rios stated she would like to have the job description in place should she be able to fill the position.

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

Aye: 5 - Gallagher, Albaugh, Bridges, Neely and Ingram

HEALTH AND SOCIAL SERVICES

AGREEMENT BETWEEN COUNTY OF LASSEN AND COLWEST INVESTMENTS, LLC

SUBJECT: An amendment to Agreement Between County of Lassen and ColWest Investments, LLC.

FISCAL IMPACT: A Behavioral Health Bridge Housing grant will be used for this agreement. There is no impact to the County general fund.

ACTION REQUESTED: 1) Approve an amendment; and 2) authorize the County Administrative Officer to execute the amendment; or 3) provide direction to staff.

Health and Social Services Program Manager Grace Poor informed the board this item was an amendment to an amended agreement between Lassen County and ColWest Investments, LLC. Supervisor Ingram asked if the contract was going to be separated into two contracts for service and construction. County Counsel Uhrhammer stated that was the intent and the item would have to go back to the board for approval. CAO Egan reminded the board owner of ColWest Investments, LLC Melanie Westbrook presented a sample of a bonding document and asked if the bond would be from ColWest Investments, LLC to Lassen County or Jason Colbert Construction to ColWest Investments, LLC. Ms Westbrook stated she was requesting to move forward with the Behavioral Health Bridge Housing or \$350,000. The bond would be for the Homekey Project from ColWest Investments, LLC to Lassen County. County Counsel Uhrhammer stated the bond obtained would put Lassen County as an additional obligee. In order for the county to claim any proceeds the obligee would have to complete the project. County Counsel Uhrhammer stated she did not feel this covered the county and why the amendment is before the board. CAO Egan questioned if the two projects could stand alone and if the City of Susanville was willing to issue permits. Ms. Westbrook stated both projects could stand alone and the city would issue permits. CAO Egan asked if a building permit had been issued. Ms. Westbrook stated no, but did have a written confirmation from Kelly Mumper at the City of Susanville. Discussion was held pertaining to the Demolition Permit. Supervisor Albaugh asked if the amendment changed could be approved with a stand alone project and move forward with permitting from the city. County Counsel Uhrhammer said it sounded like the engineer approved the Behavioral Health Bridge Housing (BHBH) Project as a stand alone and asked if the board was asking if the amendment could be approved contingent upon the city issuing permits. Supervisor Albaugh stated a permit of occupancy. County Counsel Uhrhammer recommended the item to be reagendaized, however the board could approve and authorize signature only when enough information had been provided to the board proving the project could be treated as a stand alone. The board could authorize CAO Egan to execute the agreement but it would be contingent upon CAO Egan receiving satisfactory documentation that the BHBH Project is a stand alone project for \$350,000. County Counsel Uhrhammer informed the board it's difficult to determine if the project is a stand alone until it's completed and this would be a risk the board would have as the decision would need to be made now. Supervisor Gallagher stated the only change he recommended would be to have the building permit in place prior to CAO Egan executing the amendment to the amendment. CAO Egan reminded the board the amendment being amended had not been fully executed.

Supervisor Gallagher made a motion to approve the amendment to the amended agreement, and to authorize CAO Egan to execute the agreement contingent upon receipt of a building permit issued by the City of Susanville. A second motion was made by Supervisor Ingram.

Additional discussion was held.

A motion was made by Supervisor Gallagher, seconded by Supervisor Ingram, to approve the amendment to the amended agreement and to authorize the County Administrative Officer to execute the agreement contingent upon receipt of a building permit issued by the City of Susanville. The motion carried by the following vote:

Aye: 4 - Gallagher, Albaugh, Bridges and Ingram

Nay: 1 - Neely

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan reported: Administration was continuing to work on the budget and was scheduled to go to board on September 24, 2024.

RECESS: 11:53 a.m. - 11:56 a.m.

CLOSED SESSION - CONTINUED

Closed session was held from 11:56 a.m. - 12:45 p.m.

Present: Supervisors Gallagher, Bridges, Neely, Albaugh, and Ingram. Also present: CAO Egan, County Counsel Uhrhammer, and Deputy Clerk of the Board Yderraga.

Supervisor Ingram was absent from 11:57 a.m. - 11:58 a.m.

Deputy CAO Tony Shaw was present from 11:57 a.m. - 12:18 p.m.

Director of Public Works Pete Heimbigner was present from 11:57 a.m. - 11:59 a.m.

Labor Negotiator Scott McLeran was present via teleconference from 12:00 p.m. - 12:18 p.m.

Supervisor Neely recused himself and was absent from 12:00 p.m. - 12:18 p.m.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

CAO Egan announced the following closed session items:

1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9: 1 case.

No reportable action.

2) Employee performance evaluation: 1) Fair Manager; 2) County Administrative Officer.

No reportable action.

3) 1) Liability Claim; - Claimant: Emilia Mojarra, Agency claimed against: Lassen County; 2) Liability Claim; - Claimant: Katherine Andreatta, Agency claimed against: Lassen County; 3) Liability Claim; - Claimant: David Fennell, Agency claimed against: Lassen County.

1) Claimant: Emilia Mojarra. No action taken; 2) Claimant: Katherine Andreatta. Approved; 3) Claimant: David Fennell. Claim denied.

4) Conference with Labor Negotiator Scott McLeran: Management and Professional Association.

No reportable action.

ADJOURNMENT

There being no further business, the meeting is adjourned at 12:47 p.m.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board