



Lassen County

Meeting Minutes

Board of Supervisors

DRAFT

LASSEN COUNTY SUPERVISORS:

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

Tuesday, February 11, 2020

9:00 AM

Board Chambers
707 Nevada Street
Susanville, CA 96130

9:00 A.M. CALL TO ORDER

Present: Supervisors Gallagher, Teeter, Hemphill and Albaugh. Also Present: County Administrative Office (CAO) Richard Egan, County Counsel Robert Burns and Deputy Clerk of the Board Michele Yderraga.

Supervisor Hammond was absent by pre-arrangement.

Present: 4 - Jeff Hemphill, David Teeter, Aaron Albaugh and Chris Gallagher

Absent: 1 - Tom Hammond

Excuse: 0

PUBLIC COMMENT

None.

ANNOUNCEMENT OF THE ITEMS TO BE 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: One case.
- 2) Employee performance evaluation: Agricultural Commissioner.

CLOSED SESSION

Closed session was held from 9:01 a.m. - 9:32 a.m.

Present: Supervisors Gallagher, Teeter, Hemphill and Albaugh. Also present: CAO Egan, County Counsel Burns and Deputy Clerk of the Board Yderraga.

Director of Planning and Building Services Maurice Anderson, County Surveyor Don Willis and Deputy CAO Tony Shaw was present from 9:01 a.m. - 9:07 a.m.

Agricultural Commissioner Craig Hemphill was present from 9:08 a.m. - 9:32 a.m.

RECESS: 9:32 a.m. - 9:36 a.m.

9:36 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

After the flag salute invocation was offered by Supervisor Teeter.

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: One case.

No reportable action.

2) Employee performance evaluation: Agricultural Commissioner.

No reportable action.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

Aye: 4 - Hemphill, Teeter, Albaugh and Gallagher

Absent: 1 - Hammond

PUBLIC COMMENTS

None.

UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Gallagher: 1) Attended Lassen County Local Agency Formation Commission (LAFCo) meeting; 2) will be having the Department of Fish and Wildlife give a presentation at the Community Center in Westwood at 6:00 p.m. on Thursday, February 13, 2020, regarding wolves; 3) attended the Cattlewomen's Taste of Beef, Sip of Wine event; 4) will be attending a California State Association of Counties (CSAC) meeting on Thursday, February 13, 2020.

Supervisor Albaugh: 1) Attended the Big Valley Authority Committee meeting and announced the next meeting would be held on March 4, 2020, at 5:30 p.m.; 2) reminded every to register to vote by February 17, 2020; 3) attended the Sportsman Summit in Big Valley; 4) requested to designate \$250 to Lassen Family Services from discretionary funds; 5) met with Regional Council Representatives of California (RCRC) in Big Valley to view sites for their project;

6) met with Lassen County staff on February 10, 2020.

Supervisor Hemphill: 1) Attended the Cattlewomen's Taste of Beef Sip of Wine event; 2) requested to designate \$500 to Lassen Land and Trails Trust for their upcoming marathon; 3) heard The Pioneer restaurant is closing at the end of April.

Supervisor Teeter: 1) Attended a Lassen County Transportation Commission (LCTC) special meeting; 2) attended a Lassen County Local Agency Formation Commission (LAFCo) meeting; 3) attended a Behavioral Health Advisory Board meeting; 4) will be in Redding on Thursday, February 13, 2020, to meet with District 2 Caltrans to discuss public safety.

INFORMATION/CONSENT CALENDAR

Supervisor Albaugh pulled Item# G3 - Minutes; Supervisor Hemphill pulled Item# G5 - Road Department.

BOARD OF SUPERVISORS

Approval of the Consent Agenda

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

Aye: 4 - Hemphill, Teeter, Albaugh and Gallagher

Absent: 1 - Hammond

SUPERVISOR ALBAUGH

SUBJECT: Request to designate: \$250 to the Junior Fair Advisory Board.

FISCAL IMPACT: Appropriation is included in the General Fund, Board of Supervisors Fund/Budget Unit No. (100-0011).

ACTION REQUESTED: Approve expenditure.

This Action Item was approved on the Consent Agenda.

COUNTY ADMINISTRATIVE OFFICE

PERSONNEL REPORT

SUBJECT: Personnel Movement Report for December, 2020.

FISCAL IMPACT: None.

ACTION: Receive and file.

Attachments: [Personnel Report](#)

This Report was received and filed on the Consent Agenda.

PUBLIC WORKS DEPARTMENT

ROAD DEPARTMENT

SUBJECT: Award bid for one (1) new 2020 Ford F250 4x4 Regular Cab

Pickup to Downtown Ford Sales, Sacramento, California, in the amount of \$30,128.80.

FISCAL IMPACT: Funding in the amount of \$30,128.89 is available in the Capital Outlay portion of the current Fiscal Year 2019/20 Road Operating Budget, Fund/Budget Unit No. 122-1221.

ACTION REQUESTED: Award bid off State of California Contract 1-18-23-20A to Downtown Ford Sales, Sacramento, California.

Attachments: [PW Ford Truck Attach](#)

This Action Item was approved on the Consent Agenda.

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Planning and Service Area Agency on Aging Advisory (PSA2 AAA) Public Notice, Calling for Letters of Intent.
- b) Lassen County Behavioral Health Advisory Board meeting agenda for February 10, 2020.
- c) Susanville City Council Meeting Agenda for February 5, 2020.
- d) Lassen Family Services Letter of Support.
- e) Lassen County Planning Commission Meeting Agenda for February 4, 2020.
- f) Lassen County Architectural Review Committee Meeting Agenda for February 6, 2020.

Attachments: [MISC CORR](#)

These Reports were received and filed on the Consent Agenda.

DEPARTMENT REPORTS

COUNTY CLERK-RECORDER

MEETING MINUTES

SUBJECT: Meeting Minutes of January 28, 2020.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [DRAFT MINS](#)

Supervisor Albaugh stated that he wanted to make note that the meeting minutes are rarely pulled and wanted to thank Deputy Clerk of the Board Yderraga for doing a good job. There were no flaws noticed on the Meeting Minutes of January 28, 2020.

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

Aye: 3 - Hemphill, Teeter and Albaugh

Absent: 1 - Hammond

Abstain: 1 - Gallagher

PUBLIC WORKS DEPARTMENT

ROAD DEPARTMENT

SUBJECT: Bid Award: Mower.

FISCAL IMPACT: Funding in the amount of \$203,998.66 from Road Operating Budget, Fund/Budget Unit No. 122-1221.

ACTION REQUESTED: Award the bid to Pape Machinery, Inc., Redding, California, in the amount of \$203,998.66 for the purchase of one (1) new John Deere 6110R Tractor complete with Flail Mower.

Attachments: [PW Mower Attach](#)

Supervisor Hemphill stated that he wanted to thank the Director of Public Works Larry Millar for buying a new mower. Supervisor Hemphill also stated he had been receiving calls from constituents regarding the roads getting mowed. Brief discussion was held regarding the type of mower to be purchased.

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

Aye: 4 - Hemphill, Teeter, Albaugh and Gallagher

Absent: 1 - Hammond

BOARDS AND COMMISSIONS

EMERGENCY MEDICAL CARE COMMITTEE

SUBJECT: Appointments to the Emergency Medical Care Committee.

FISCAL IMPACT: None.

ACTION REQUESTED: Consider making appointments:

Emergency Medical Care Committee

a. Health Safety Code Section 1797.272

b. Multiple

1) Physician representing Lassen County Medical Community - One Vacancy

Applicants: Dr. Eric M. Rudnick; Dr. Marc Nielsen D.O.

2) Public Consumer - Two Vacancies

Applicants: Nora J. Bitick; Elizabeth Groneman; David W. Junette

Attachments: [200211 EMCC Vacancy Applications](#)

CAO Egan stated this item was to make appointments to the emergency Medical Care Committee (EMCC). There is one appointment for the physician seat with two applicants and two appointments for the public seat with three applicants. Supervisor Hemphill nominated Dr. Nielsen for the physician's seat.

Supervisor Albaugh nominated Nora J. Bitick and David W. Junette for the public seats.

A motion was made by Supervisor Gallagher, seconded by Supervisor Albaugh, that that these Appointmens be approved. The motion carried by the following vote:

Aye: 4 - Hemphill, Teeter, Albaugh and Gallagher

Absent: 1 - Hammond

DEPARTMENT REPORTS - CONTINUED

FAIR

REPORT

SUBJECT: Fair Manager's monthly report.

FISCAL IMPACT: None.

ACTION REQUESTED: Receive report.

Attachments: [Fair Attach](#)

Fair Manager Jim Wolcott gave a detailed report of the activities at the fairgrounds for the month of January which included the Grand Stands, ground entertainment, fair entertainment, the races and the race track. Fair Manager Wolcott also informed the Board that poultry will not be shown at the fair this year due to disease however discussion was held regarding a video judging. Discussion was held.

This item was re-opened later in the meeting at 10:18 a.m. for the race promoter, Jeff Ouisheska could briefly discuss the race track, 2019 race season, upgrades and attendance. Brief discussion was held.

PLANNING AND BUILDING SERVICES

FEE WAIVER

SUBJECT: Request on behalf of the Department of Planning and Building Services to waive the application fee and appropriate the California Environmental Quality Act (CEQA) fee listed under Section 16.42.040 of the Lassen County Code (Modification of Subdivision Maps) for modification of one of the notes shown on Parcel Map No. 2005-046.

FISCAL IMPACT: Potential loss to the General Fund of up to \$1,110 (\$610 maximum for actual processing costs of the modification application plus \$500 for a CEQA Notice of Exemption (NOE) fee).

ACTION REQUESTED: 1) Waive the application fee; and 2) appropriate the CEQA fee listed under Section 16.42.040 of Lassen County Code (Modification of Subdivision Maps) for modification of one of the notes shown on said Parcel Map No. 2005-046.

Attachments: [PB FeeWaiver 2-11-20 pkt](#)

CAO Egan gave a brief overview for the purpose of the waiver. Lassen County made an error on a recorded parcel map and the individuals who own the property have requested to have the error corrected. The recommendation from Planning and Building Services was to waive the application fee. This would require a public hearing. Brief discussion was held.

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

Aye: 4 - Hemphill, Teeter, Albaugh and Gallagher

Absent: 1 - Hammond

INDUSTRIAL ZONES

SUBJECT: Request for Board of Supervisors to provide direction regarding processing an amendment of the Susanville Vicinity Area Plan, 1984, and an associated ordinance to allow commercial uses in industrial zones by use permit in the Susanville vicinity Planning area for future consideration (File #318.01.59).

FISCAL IMPACT: None at this time.

ACTION REQUESTED: 1) Receive staff report; and 2) direct staff to prepare an Area Plan amendment and ordinance to allow commercial uses in industrial zones by use permit in the Susanville Vicinity Area Plan, 1984; or 3) provide other direction.

Attachments: [PB ReqDirection 2-11-20 RevPckt](#)

Director of Planning and Building Services Maurice Anderson gave a brief overview of the item and read the subject and action requested to the Board. Director Anderson stated there had been some commercial pressure in the area of Susanville and most of the property is zoned industrial and it's very difficult to re-zone for commercial activities. Director Anderson requested direction from the Board. The Board recommended staff to prepare an Area Plan amendment and ordinance to allow commercial uses in industrial zones by use permit in the Susanville Vicinity Area Plan, 1984. Brief discussion was held.

SPEAKERS: Randy Darrow.

RECESS: 10:12 a.m. - 10:18 a.m.

MATTERS SET FOR TIME CERTAIN

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

SUBJECT: Presentation from California Department of Fish and Wildlife regarding gray wolves in California.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Receive presentation; and 2) provide direction to staff.

Attachments: [BOS - California Dept of Fish and Wildlife](#)

Tina Barlett introduced herself as the Regional Manager for California Fish and Wildlife for the Northern Region and expressed her interest in further working with Lassen County. Ms. Barlett gave a power point presentation on the gray wolf in Lassen and surrounding counties. This power point presentation included wolf management, hazing and harassment, summary of wolf activity in California, livestock conflicts, natural prey, non-lethal deterrence and funding programs. Department Director of Fish and Wildlife Stafford Layer stated his department listened to the Board of Supervisors request in September 2019, and brought back the staff for additional discussion. Mr. Layer discussed a safe harbor agreement, multi-land use options, road bill, grading, grazing and multi-purpose operations. Another program is the Voluntary Land Owner Incentive program . This approach was sponsored by the Farm Bureau. Supervisor Hemphill asked what was the benefit of the wolf in Lassen County and who is paying for the programs discussed. Mr. Layer gave a brief explanation of an apex predator and landscape, the cost is being discussed and is unsure of exact amount spent on the wolf. Extensive discussion was held regarding the number of wolves and cost per wolf. Supervisor Gallagher stated the apex predator isn't being managed and Fish and Wildlife need to do a better job at management. Hunting was also discussed. Supervisor Albaugh thanked Fish and Wildlife for attending, discussed hunting and a constituent who was falsely accused of killing a wolf in Modoc County. Supervisor Albaugh also requested additional discussion on OR54 and investigation. Fish and Wildlife Law Enforcement Chief Bass stated that the carcass was collected and there's an open investigation. Nothing more could be said at this time. Additional discussion was held on working closely together with Lassen County, law enforcement, handling of the gray wolf, safe harbor agreements, livestock and natural prey killed, funding spent and game wardens.

SPEAKERS: Kent Lowden and Jeff Stoddard from Fish and Wildlife, Pamela Flick, Taylor Hagata, Lassen County Director of Cooperative Extension David Lile, David Junette.

WALKER FIRE

SUBJECT: Presentation from the United States Forest Service (USFS), Plumas National Forest, regarding the Walker Fire.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Receive presentation; and 2) provide direction to staff.

Forest Supervisor for Plumas County Chris Carlton introduced the Department Forest Fire Managers and stated representatives from CalFire were also present. Mr. Carlton stated he had previously committed to return to Lassen County to give a presentation on the evolution of the Walker Fire. Mr. Carlton gave an extensive overview of the fire's timeline, equipment used and resources. Mr. Carlton stated the total cost of the Walker Fire was \$35.6 Million and burned

54,000 acres. Discussion was held pertaining to fence reconstruction, buildings and livestock, seeding, timber harvesting and better communication with surrounding counties.

SPEAKERS: Gary Bridges, Office of Emergency Services Chief Silas Rojas, Plumas County Forest Fire Managers Matt Jedra, Aaron Grove and Mitch Wilson.

COUNTY ADMINISTRATIVE OFFICE

DEPARTMENT REPORTS - CONTINUED

JUVENILE HALL

SUBJECT: Approval of a letter requesting Federal Bureau of Justice Assistance (BJA) approval authorizing Lassen County to use the Juvenile Detention Facility for an allowable criminal justice purpose of expanding upon capacity and services provided from the Lassen County Jail.

FISCAL IMPACT: To be determined. The facility was expanded in 1999 using \$2 million dollars in federal funding. On September 10, 2019, the Federal Bureau of Justice Assistance approved the temporary closure of the facility for one year. During that period of time, Lassen County has had several options: 1) re-open the facility for its original purpose; or 2) receive BJA approval to use the facility for another federally-allowable criminal justice purpose; or 3) initiate property disposal for a non-federally-allowable criminal justice purpose and repayment of some portion of the grant. All options will have a financial impact to Lassen County. The temporary closure of the facility has had a positive impact.

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

Attachments: [doc00241020200207163225](#)

CAO Egan stated this item is coming from his office, the Sheriff's Office and Probation. CAO Egan reminded the Board they granted a temporary closure of the Juvenile Hall for a year due to the hall being built with grant funds. Chief Probation Officer Jennifer Branning thanked Deputy CAO Tony Shaw for his hard work on this project. Chief Branning also stated possible uses for the juvenile hall once permanently closed. CAO Egan addressed the suggestion of using the hall as a homeless shelter but recommended against the suggestion due to the terms of the grant. Chief Branning also added that the construction of the hall is a detention center and the building would need to be de-institutionalized which would cost more than what is left on the grant. Discussion was held.

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

Aye: 4 - Hemphill, Teeter, Albaugh and Gallagher

Absent: 1 - Hammond

BUDGET

SUBJECT: Mid-Year Budget Review.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve recommended adjustments.

Attachments: [19-20 Mid-Year Review H5_001](#)

Assistant to the CAO Julie Morgan stated Lassen County is half way through the fiscal year and this is when the budget is re-reviewed. Assistant Morgan gave a detailed report of the adjustments to the general fund and stated the first and second adjustments were for the Assessor's software, third adjustment was for the Sheriff's Office request for a grant enforcement and the fourth adjustment was for the fair, due to more revenue and more expenditures and a small amount of contingency. Assistant Morgan also discussed property taxes and sales tax numbers. Assistant Morgan gave a brief report for each of the department's adjustments that impacted the general fund. Auditor Diana Wemple gave a brief overview of the difference between marijuana tax and marijuana revenue. Brief discussion was held regarding election billing. Assistant Morgan stated she had spoken with each Department Head with the exception of Cooperative Extension and the Veterans Service Officer.

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

Aye: 4 - Hemphill, Teeter, Albaugh and Gallagher

Absent: 1 - Hammond

HISTORIC COURTHOUSE

SUBJECT: Historic Courthouse project update.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Receive update; and 2) provide direction to staff.

Attachments: [doc00240820200207163147](#)

Deputy CAO Tony Shaw gave a brief update on the current status of the Historic Courthouse. Deputy CAO Shaw reminded the Board that it was agreed to keep Lionakis for Phase 1 which includes hasmat removal. Deputy CAO Shaw also discussed the historic features of the courthouse which includes the hallway, stairs, lobby and courtroom. This will be going out to bid in 6-8 weeks and asking for sealed proposals to do the work on the historic features of the courthouse. Deputy CAO Shaw also thanked Deputy Director of Facilities Maintenance Peter Heimbigner, staff and the departments that transitioned from the courthouse to the annex.

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan announced that he attended a California State Association of Counties Excess Insurance Authority (CSAC-EIA) meeting and changed the

name to Public Risk Management (PRM) due to a name conflict with CSAC. Also discussed claims, adjustments, and premium increases from CSAC-EIA meeting.

ADJOURNMENT

There being no further business, the meeting is adjourned at 1:17 p.m.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board