



Lassen County

DRAFT

Meeting Minutes Board of Supervisors

LASSEN COUNTY SUPERVISORS:

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

Tuesday, January 9, 2018

9:00 AM

Board Chambers
707 Nevada Street
Susanville, CA 96130

9:00 A.M. CALL TO ORDER

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

BOARD OF SUPERVISORS ORGANIZATIONAL MEETING. (CALL TO ORDER BY DEPUTY CLERK OF THE BOARD YDERRAGA AND ELECTION OF CHAIRMAN AND VICE-CHAIRMAN.)

BOARD OF SUPERVISORS ORGANIZATIONAL MEETING. Supervisor Albaugh called the meeting to order at 9:00 a.m. and Deputy Clerk of the Board Yderraga called for nominations for Chairman of the Board.

A motion was made by Supervisor Albaugh, seconded by Supervisor Teeter, to nominate Supervisor Gallagher as Chairman for 2018. The motion was carried by the following vote:

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

Deputy Clerk of the Board Yderraga called for nominations for Vice-Chairman of the Board.

A motion was made by Supervisor Hammond, seconded by Supervisor Teeter, to nominate Supervisor Hemphill as Vice-Chairman for 2018. The motion was carried by the following vote:

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

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

Excuse: 0

PUBLIC COMMENT

Eddie Bauer asked the Board to consider current policies and making decisions.

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION

CAO Egan announced the following:

- 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9 (if needed).
- 2) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9. Two cases.
- 3) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: County of Lassen vs. Valenta, Cooper, and High Desert Wolves, et al, Lassen Superior Court Case # 60593.
- 4) Conference with Labor Negotiator Richard Egan: The Board convenes as Lassen County In-Home Supportive Services Public Authority for discussion with Richard Egan regarding Service Employees International Union (SEIU) Local 2015, on labor negotiations. The Board reconvenes as the Board of Supervisors.

CLOSED SESSION

Closed session was held from 9:06 a.m. - 9:55 a.m.

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

Deputy Director of Facilities Maintenance Pete Heimbigner was present from 9:06 a.m. - 9:17 a.m.

Assistant Planning and Building Services Director Gaylon Norwood and Associate Planner Matt May were present from 9:06 a.m. - 9:46 a.m.

Deputy CAO Tony Shaw was present from 9:12 a.m. - 9:55 a.m.

Recessed as the Board of Supervisors at 9:49 a.m.

Convened as Lassen County In-Home Supportive Services (IHSS) Public Authority at 9:49 a.m.

Adjourned as Lassen County IHSS Public Authority at 9:55 a.m.

Reconvened as the Board of Supervisors at 9:55 a.m.

RECESS: 9:55 a.m. - 10:00 a.m.

10:00 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

After the flag salute invocation was offered by Supervisor Gallagher.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

CAO Egan announced:

- 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9. Two cases. No reportable action.
- 2) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d) (1) of Government Code Section 54956.9: County of Lassen vs. Valenta, Cooper, and High Desert Wolves, et al, Lassen Superior Court Case # 60593. No reportable action.

County Counsel Burns announced:

- 3) Conference with Labor Negotiator Richard Egan: The Board convenes as Lassen County In-Home Supportive Services Public Authority for discussion with Richard Egan regarding Service Employees International Union (SEIU) Local 2015, on labor negotiations. The Board reconvenes as the Board of Supervisors. No reportable action.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Teeter requested the meeting to be adjourned in memory of Zellamae Miles.

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

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

PUBLIC COMMENTS

None.

INFORMATION/CONSENT CALENDAR

Supervisor Gallagher requested to pull Item# G2 Meeting Minutes and Supervisor Albaugh requested to pull Item# G3 Fair Advisory Board and Item# G5 Community Social Services for further discussion.

BOARD OF SUPERVISORS

Approval of the Consent Agenda

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

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

SUPERVISOR GALLAGHER

SUBJECT: Request to designate: 1) \$500 to Westwood Neighborhood Watch c/o Westwood Chamber of Commerce; 2) \$150 to Spalding Neighborhood Watch; 3) \$500 to Westwood Library; 4) \$500 to Lassen Land and Trails Trust; 5) \$200 to the Westwood Chamber of Commerce; 6) \$250 Lake Forest Fire Protection District; 7) \$250 to Spalding Community Services District Fire Department; 8) \$250 to Westwood Community Services District Fire Department. (December 19, 2017).
FISCAL IMPACT: Appropriation is included in the General Fund, Board of Supervisors Fund/Budget Unit No. (100-0011).
ACTION REQUESTED: Approve expenditures.

This Action Item was approved on the Consent Agenda.

HEALTH AND SOCIAL SERVICES

BEHAVIORAL HEALTH

SUBJECT: Amendment to Agreement with Theodore Tamborski for Fiscal Year (FY) 2017/2018.
FISCAL IMPACT: There is no impact to County General Fund. Costs are covered by Behavioral Health Mental Health Services Act (MHSA) funds.
ACTION REQUESTED: 1) Approve the Amendment; and 2) authorize the County Administrative Officer to execute the agreement.

Attachments: [HSS BOS BH Tamborski 1.9.17](#)

This Action Item was approved on the Consent Agenda.

PRISON TRIAL COSTS

PRISON TRIAL COSTS

SUBJECT: Recap of CCC Prison and High Desert State Prison Trials Cost Reimbursement Billing for the months of July through November 2017.
FISCAL IMPACT: None.
ACTION REQUESTED: Receive and file.

Attachments: [G6 Attach](#)

These Reports were received and filed on the Consent Agenda.

SHERIFF'S DEPARTMENT

FINANCIAL AID APPLICATION/BOATING AND WATERWAYS

SUBJECT: Fiscal Year (FY) 2018/19 Financial Aid Application to the State of California Department of Parks and Recreation, Division of Boating and Waterways.
FISCAL IMPACT: \$121,800.86 Potential revenue Fund/Budget Unit No. 111-0520.
ACTION REQUESTED: 1) Approve; and 2) authorize the Sheriff to sign the application for program participation; and 3) authorize the Chairman to sign the agreement.

Attachments: [SO Attach 1-9-17](#)

This Action Item was approved on the Consent Agenda.

MISCELLANEOUS CORRESPONDENCE ITEMS

DEPARTMENT REPORTS

COUNTY CLERK-RECORDER

MINUTES

SUBJECT: Meeting minutes of December 19, 2017.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [Draft Meeting Minutes](#)

Supervisor Gallagher requested to have Item# G2 Meeting Minutes amended from the Board of Supervisors meeting of December 19, 2017 to reflect additional information regarding the discussion of policy and procedure of board appointments for Stones Bengard Community Services District.

A motion was made by Supervisor Hemphill, seconded by Supervisor Hammond, that these meeting Minutes be amended.

The motion carried by the following vote:

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

FAIR

FAIR ADVISORY BOARD

SUBJECT: Approve amended Lassen County Fair Advisory Board Policy Manual.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [180109 Ag Pkt-LCFAB Policy and Procedure-Adopted by LCFAB 11-14-17 Rev 11-21-17 \(3\)](#)

Supervisor Albaugh asked for clarification pertaining to the use of the fair's equipment and the Junior Fair Board. Lassen County Fair Manager Jim Wolcott gave a brief explanation.

A motion was made by Supervisor Albaugh, 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

HEALTH AND SOCIAL SERVICES

COMMUNITY SOCIAL SERVICES

SUBJECT: Approval of Lassen County’s 5 Year (2016-2021) Child and Family Services Review (CFSR) System Improvement Plan (SIP).

FISCAL IMPACT: There is no impact to County General Fund.

ACTION REQUESTED: 1) Approve Lassen County’s 2016-2021 CF SR SIP; and 2) Sign the Child and Family Services Review signature sheet.

Attachments: [HSS BOS CSS CFS CRSR SIP 1.9.18](#)

Supervisor Albaugh asked for additional information regarding the System Improvement Plan attachment. Director of Community Social Services Eric Nielson gave a detailed description. Discussion was held.

SPEAKERS: Child and Family Services Program Manager Lisa Chandler and Chief Probation Officer Jennifer Branning.

A motion was made by Supervisor Albaugh, 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

COMMITTEE APPOINTMENTS

SUBJECT: Annual Committee appointments for 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Make appointments to the following Boards, Committees and Commissions:

BOARD OF SUPERVISORS APPOINTMENTS 2018

- 1. Behavioral Health Advisory Board
 - a. Welfare and Institution Code section 5604; Resolution No. 13-025.
 - b. One County Supervisor and one Alternate.

- 2. California State Association of Counties-Excess Insurance (CSAC-EIA) Authority
 - a. Government Code section 6500, Joint Powers Agency.
 - b. One director from each member County and one alternate director.

- 3. Eagle Lake Interagency Board
 - a. Unknown.
 - b. Appoint one member of Board of Supervisors.

- 4. Emergency Medical Care Committee
 - a. Health and Safety Code Section 1797.272.
 - b. One regular member and one alternate from the Board of Supervisors.

- 5. Honey Lake Valley Recreation Authority

- a. Government Code section 6500, Joint Powers Agency.
- b. Two regular appointees from each member entity (Supervisors) and one alternate (Supervisor).

6. Indian Gaming Local Community Benefit Committee

- a. Government Code section 12715.
- b. Two representatives from the County, selected by the Board of Supervisors.

7. Land Conservation Committee

- a. Resolution No. 12-050; Minute Order of January 16, 2001.
- b. A member of the Board of Supervisors.

8. Lassen County Air Pollution Control District

- a. Health and Safety Code section 40100.5; April 25, 2000 Minute Order of the Board of Supervisors.
- b. Three County Supervisors.

9. Lassen County Children and Families First Commission

- a. Health and Safety Code section 130100; County Code Chapter 7.02.
- b. One County Supervisor.

10. Lassen County Transportation Commission

- a. Government Code section 29535.
- b. Three members appointed by the Board of Supervisors. Three alternates appointed by the Board of Supervisors.

11. Lassen Regional Solid Waste Management Authority (LRSWMA)

- a. Government Code section 6500, Joint Powers Agency.
- b. Two directors to be selected from a list of eligible applicants; an alternate for each director may be appointed also.

12. Lassen Transit Services Agency

- a. Government Code section 6500, Joint Powers Agency.
- b. Three individuals, the same three as are on Transportation Commission. Three alternates, who must be same alternates as to Transportation Commission.

13. Lassen-Plumas-Sierra Community Action Agency

- a. Government Code section 6500, Joint Powers Agency.
- b. Two elected officials or their representatives, appointed by the Board of Supervisors.

14. Northern Rural Training and Employment Consortium (NorTEC)

- a. Government Code Section 6500, Joint Powers Agency.

b. One County Supervisor and one alternate.

15. Planning and Service Area 2-Area Agency on Aging (PSA 2 AAA)
Executive Board

a. Government Code Section 6500, Joint Powers Agency.

b. At least one member of Board of Supervisors and an additional appointee,

at large, for two regular seats. One alternate will, at large, also be appointed.

16. Susanville Veterans Memorial Building Task Force

a. Resolution 09-057; Minute Order of October 13, 2009.

b. Multiple.

1) Board of Supervisors

i. Primary (reappointment, Supervisor Hemphill).

ii. Alternate (vacant, a nominee by the City of Susanville).

2) Blue Star Mothers of America

i. Primary (reappointment, Michele Passwaters).

ii. Alternate (reappointment, Joan Schmidt).

3) Marine Corps League

i. Primary (Vacant).

ii. Alternate (Vacant).

4) Veterans of Foreign Wars

i. Primary (reappointment, Jim Dandois).

ii. Alternate (reappointment, Ron Wood).

5) Veterans Auxiliary Groups

i. Primary (reappointment, Lola Ramey).

ii. Alternate (reappointment, Joyce Ewing).

6) Public-at-Large

i. Primary (reappointment, Geoff Pregill).

ii. Alternate (reappointment, Jim Chapman).

7) Lassen County Veterans Service Officer

i. Primary - Veteran Services Officer.

ii. Alternate - Designee of VSO.

8) Lassen County Director of Public Works

i. Primary - Director of Public Works.

ii. Alternate - Designee of Director.

9) American Legion

- i. Primary (reappointment, John Wilczynski).
- ii. Alternate (reappointment, Hans Schindeler).

17. Trindel Insurance Fund

- a. Government Code section 6500, Joint Powers Agency.
- b. One elected official or employee appointed by Board of Supervisors. One alternate appointed by Board also.

18. Long Valley Groundwater Management District

- a. Government Code section 6500, Joint Powers Agency.
- b. A member of the Board of Supervisors, to fill a vacancy for the remainder of a four-year term (Director 1) to end on July 1, 2021.

County Counsel Burns gave a brief description of the process of appointments. Brief discussion was held and appointments were made. It was the consensus of the Board to approve in one motion.

1. Behavior Health and Advisory Board.

Supervisor Teeter and Supervisor Gallagher as the alternate.

2. California State Association of Counties-Excess Insurance (CSAC-EIA)

CAO Egan and Deputy CAO Shaw as the alternate.

3. Eagle Lake Interagency Board.

Supervisor Gallagher.

4. Emergency Medical Care Committee.

Supervisor Hemphill and Supervisor Albaugh as the alternate.

5. Honey Lake Valley Recreation Authority.

Supervisor Hammond and Supervisor Hemphill as the alternate.

6. Indian Gaming Local Community Benefit Committee.

Supervisor Hammond and Supervisor Hemphill.

7. Land Conservation Committee.

Supervisor Hemphill.

8. Lassen County Air Pollution Control District.

Supervisors Hammond, Gallagher and Hemphill.

9. Lassen County Children and Families First Commission.

Supervisor Teeter.

10. Lassen County Transportation Commission.

Supervisor Albaugh, Supervisor Hammond and Supervisor Teeter.

Supervisor Gallagher is Alternate for Supervisors Albaugh and Teeter and Supervisor Hemphill is Alternate for Supervisor Hammond.

11. Lassen Regional Solid Waste Management Authority (LRSWMA)

Supervisors Gallagher, Hammond and Supervisor Hemphill as the alternate.

12. Lassen Transit Services Agency.

Supervisor Albaugh, Supervisor Hammond and Supervisor Teeter.

Supervisor Gallagher is Alternate for Supervisors Albaugh and Teeter

and Supervisor Hemphill is Alternate for Supervisor Hammond.

13. Lassen-Plumas-Sierra Community Action Agency.

Supervisor Teeter.

14. Northern Rural Training and Employment Consortium (NorTEC).

Supervisor Teeter and Supervisor Gallagher as the alternate.

15. Planning and Service Area 2-Area on Aging (PSA 2 AAA).

Supervisor Teeter and Supervisor Hemphill as the alternate.

16. Susanville Veterans Memorial Building Task Force.

Supervisor Gallagher.

17. Trindel Insurance Fund.

CAO Egan and Deputy CAO Shaw as the alternate.

18. Long Valley Groundwater Management District.

Supervisor Hemphill and Supervisor Hammond as the alternate.

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

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

COUNTY COUNSEL

LAW LIBRARY

SUBJECT: Law Library Board of Trustees.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Receive report; and 2) adopt Resolution.

Attachments: [Law Library attach](#)

County Counsel Burns gave a description of the current Law Library Board of Trustees. Brief discussion was held.

A motion was made by Supervisor Albaugh, seconded by Supervisor Hammond, that this Resolution No.18-001 be adopted. The motion carried by the following vote:

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

RECESS: 10:41 a.m. - 10:47 a.m.

4. UNAGENDIZED REPORTS BY BOARD MEMBERS (Immediately following public comment and no later than 10:00 a.m.)

Supervisor Hammond: 1) Will be having a town hall meeting in Doyle; 2) discussed the upcoming tour at the Sierra Army Depot.

Supervisor Hemphill: Had dinner with the film crew Wicked Pixel.

Supervisor Albaugh: Wished everyone a Happy New Year.

Supervisor Teeter: 1) Attended a Depot 6 Neighborhood Watch meeting; 2) will be attending a Susan Ranch Neighborhood watch meeting January 9, 2018; 3) attended the Behavioral Health Advisory Board meeting.

Supervisor Gallagher: 1) Westwood will be starting a neighborhood watch group; 2) the Chowder cookoff will be held in Westwood on Saturday, January 13, 2018.

COUNTY ADMINISTRATIVE OFFICE

SALES TAX

SUBJECT: Discussion and direction to staff on the subject of a transactions and use (sales) tax revenue measure for county voter approval.

FISCAL IMPACT: County voter approval of any increase in the local transaction and use tax rate, known as sales tax, is expected to have a positive fiscal impact to the county general fund. The local sales tax rate is 1% at the point of sale. For the 2013-2016 calendar years, \$2,863,007 was the average amount of sales tax revenue collected annually at a rate of 1% at the point of sale. A 0.50% sales tax increase would generate about \$1,431,503, annually, in additional revenue to the county's general fund and it could be used for any government purpose.

ACTION REQUESTED: Provide direction to staff.

CAO Egan gave a detailed report of his meeting with Interim City Administrator Dan Newton regarding sales tax. Extensive discussion was held.

SPEAKERS: Interim City Administrator Dan Newton, Lassen County Sheriff/Coroner Dean Growdon, Patricia Ferne.

DISTRICT ATTORNEY

SPECIAL PROSECUTOR CONTRACT AMENDMENT

SUBJECT: Contract amendment to increase rate of Special Prosecutor, Dan A. Howe, to coincide with the Lassen County Superior Court Order 2017-04.

FISCAL IMPACT: To be paid from existing appropriation in fund and budget unit 107-0431 to be reimbursed by the California Department of Corrections.

ACTION REQUESTED: 1.) Approve contract amendment; 2.) Authorize CAO and Chairman to sign.

Attachments: [DA Howe Contract Amendment for 10.1.2017](#)

Program Coordinator for the District Attorney (DA) Michelle Latimer gave a description of the contract amendment. Brief discussion was held.

CAO Egan was absent from 11:47 a.m. - 11:49 a.m.

A motion was made by Supervisor Albaugh, 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

DISTRICT ATTORNEY

SUBJECT: Resolution to authorize the District Attorney's Office application for the Child Advocacy Center (KC) Program grant and receipt of funds available through from the State of California, administered by the Governor's Office of Emergency Services (Cal OES).

FISCAL IMPACT: \$218,750 to the Lassen County District Attorney budget.

ACTION REQUESTED: 1) Adopt resolution; and 2) authorize County Administrative Officer to sign the Certification of Application.

Attachments: [Lassen District Attorney CAC RFA Application 1](#)

[Lassen County District Attorney CAC RFA Application 2](#)

Program Coordinator for the DA Michelle Latimer gave a detailed report of the Child Advocacy Center Program grant. Discussion was held.

SPEAKERS: Child and Family Services Program Manager Lisa Chandler.

A motion was made by Supervisor Hemphill, seconded by Supervisor Teeter, that this Resolution No.18-002 be adopted. The motion carried by the following vote:

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

BOARD OF SUPERVISORS

SUPERVISOR HEMPHILL

SUBJECT: Advisory measure on commercial marijuana activities.

FISCAL IMPACT: Unknown.

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

The Board had a brief discussion regarding future commercial marijuana activity in Lassen County and whether or not to run an advisory question on the upcoming ballot for commercial marijuana activity in Lassen County. Supervisor Gallagher asked if there was a motion. There was no response. County Counsel Burns stated that the measure dies for lack of a motion.

SPEAKERS: Jason Ingram, Dennis Hinze, Nicholas Text, Ryan from Janesville, Randy Bach and Tom Wasson.

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan reported: 1) Will be working with Interim City Administrator Dan Newton regarding sales tax and the upcoming joint meeting; 2) wished everyone a Happy New Year.

ADJOURNMENT

There being no further business, the meeting is adjourned at 12:28 p.m. in memory of Zellamae Miles.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board