



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, August 28, 2018

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 Officer (CAO) Richard Egan, County Counsel Robert Burns, Deputy Clerk of the Board Michele Yderraga, Deputy CAO Tony Shaw and Director of Planning and Building Maurice Anderson.

Absent: Supervisor Hammond.

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

Absent: 1 - Tom Hammond

Excuse: 0

PUBLIC COMMENT

Alan Schumacher: Briefly discussed Diamond Mountain Speedway and the Fair Manager.

Gary Bridges: Requested status on a Resolution previously discussed by the Board pertaining to sanctuary city for Lassen County.

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION

CAO Egan announced that Supervisor Hammond requested to postpone the employee evaluation for the Fair Manager to a future meeting when the entire Board was present: The Board agreed. 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.

CLOSED SESSION

RECESS: 9:27 a.m. - 9:33 a.m.

9:30 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

After the Pledge of Allegiance invocation was offered by Supervisor Gallagher.

ANNOUNCEMENT OF ITEMS 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. One case. No reportable action.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

Aye: 4 - Gallagher, Teeter, Hemphill and Albaugh

Absent: 1 - Hammond

PUBLIC COMMENTS

None.

UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Hemphill: Nothing to report.

Supervisor Albaugh: 1) Wished good luck to the High School students on the new school year and sports; 2) wished his wife, Becky Albaugh a happy birthday.

Supervisor Teeter: 1) Attended a Northern Rural Training and Employment Consortium (NoRTEC) meeting.

Supervisor Gallagher: 1) Went to Graeagle and discussed the local fires with US Representative Doug LaMalfa.

INFORMATION/CONSENT CALENDAR

Approval of the Consent Agenda

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

Aye: 4 - Gallagher, Teeter, Hemphill and Albaugh

Absent: 1 - Hammond

BOARD OF SUPERVISORS

Supervisor Albaugh pulled Item# G5 - Community Social Services for further discussion.

SUPERVISOR TEETER

SUBJECT: Request to designate: \$250 to the Lassen Senior Services.

FISCAL IMPACT: Appropriation is included in the General Fund, Board of

Supervisors Fund/Budget Unit No. (100-0011).
ACTION REQUESTED: Approve expenditures.

COUNTY ADMINISTRATIVE OFFICE

TITLE III FUNDING

SUBJECT: Approval of requests for Title III funding from the Lassen County Fire Safe Council, Inc. in the amount of \$54,000 for Firewise Communities programs and Community Wildfire Protection Plans; and to the Lassen County Sheriff's Office in the amount of \$54,000 for search and rescue and emergency services training and equipment purchases to provide emergency service on national forest lands.

FISCAL IMPACT: To be paid from Fund 142, Federal Title III.

ACTION REQUESTED: Approve requests and authorize public posting.

Attachments: [Title III Funds](#)

This Action Item was approved on the Consent Agenda.

COUNTY CLERK-RECORDER

MINUTES

SUBJECT: Meeting minutes of August 21, 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [Draft Meeting Minutes](#)

These Minutes were approved on the Consent Agenda.

PUBLIC WORKS DEPARTMENT

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ROAD DEPARTMENT

SUBJECT: ECORP Consulting, Inc. - Environmental Studies.

FISCAL IMPACT: The total not-to-exceed contract amount of \$145,000 is for various projects within a multi-fiscal year agreement. Funding is set aside within the annual Road Operating Budget (122-1221) for completing this work. State or Federal reimbursement is sometimes available depending on the project and funding sources.

ACTION REQUESTED: 1) Approve an Agreement with ECORP Consulting, Inc. to perform environmental engineering services for various maintenance/construction projects; and 2) authorize the Public Works Director to enter into an agreement for an amount not-to-exceed \$145,000.

Attachments: [PW doc05852620180817093346](#)

This Action Item was approved on the Consent Agenda.

DEPARTMENT REPORTS

HEALTH AND SOCIAL SERVICES

COMMUNITY SOCIAL SERVICES

SUBJECT: Sub-Lease with Alliance for Workforce Development, Inc. for Fiscal Year 2018/2019.

FISCAL IMPACT: There is no impact to County General Fund. The cost for this will be covered by Fund/Budget No. 120-852.

ACTION REQUESTED: 1) Approve the Sub-Lease; and 2) authorize the County Administrative Officer to execute the Agreement.

Attachments: [BOS CSS AFWD Sub-Lease 08.28.18](#)

Supervisor Albaugh questioned the rental rate of the sub-lease with Alliance for Workforce Development, Inc. Director of Community Social Services Jenna Aguilera gave a detailed explanation of the cost. Brief discussion was held.

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

Aye: 3 - Gallagher, Teeter and Hemphill

Nay: 1 - Albaugh

Absent: 1 - Hammond

OFFICE OF EMERGENCY SERVICES

WHALEBACK FIRE

SUBJECT: Adopt Resolution Proclaiming the Continuation of the Local Emergency in Lassen County due to the Whaleback Fire.

FISCAL IMPACT: To be determined.

ACTION REQUESTED: Adopt Resolution.

Attachments: [180828 Resolution Continuation of Local Emergency Whaleback \(2\)](#)

Office of Emergency Services (OES) Chief Eric Ewing informed the Board that the continuation of the local emergency in Lassen County was a routine matter. Brief discussion was held.

A motion was made by Supervisor Hemphill, seconded by Supervisor Albaugh, that this Resolution No. 18-058 be adopted. The motion carried by the following vote:

Aye: 4 - Gallagher, Teeter, Hemphill and Albaugh

Absent: 1 - Hammond

TREASURER/TAX COLLECTOR'S OFFICE

ORDINANCE

SUBJECT: Ordinance amending Title III of the Lassen County Code pertaining to Treasurer/Tax Collector Fees.

FISCAL IMPACT: Undetermined anticipated revenue.

ACTION REQUESTED: 1) Adopt Ordinance; or 2) provide direction to staff.

Attachments: [Ordinance](#)

Treasurer/Tax Collector Nancy Cardenas reminded the Board that this item was introduced at the August 21, 2018 Board of Supervisors meetings and is being presented today for adoption. Brief discussion was held.

A motion was made by Supervisor Teeter, seconded by Supervisor Albaugh, that this Ordinance No. 2018-09 be adopted. The motion carried by the following vote:

Aye: 4 - Gallagher, Teeter, Hemphill and Albaugh

Absent: 1 - Hammond

RECESS: 9:50 a.m. - 10:00 a.m.

PUBLIC HEARINGS

10:00 a.m.: PLANNING DIVISION

SUBJECT: Appeal by William and Peggy Butler of the Planning Commission's approval of Use Permit #2017-002, HL Solar, LLC. Said approval permitted a proposal to add a 2.75-megawatt (alternating current), ballasted, single-axis tracker photovoltaic solar array to a permitted (but unconstructed) 5-megawatt AC photovoltaic solar array and to relocate an unconstructed substation permitted at APN 119-350-77 to APN 119-350-85. The project site is located approximately 2.5 miles east of the intersection of Wendel Road and U.S. Highway 395. The Lassen County Surveyor has assigned the address 472-600 Viewland Road to APN 119-350-85. APN 119-350-77 is located at 732-025 Wendel Road, Wendel CA, 96136.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1) Conduct a public hearing to consider the appeal; and 2) receive Planning Commission Resolution Number 7-01-18, which approved Use Permit #2017-002; and 3) render a decision for the appeal within 60 days of the filing of the appeal.

Attachments: [PB HLSolarAppeal 8-28-18pkt](#)

Director of Planning and Building Services Maurice Anderson gave a detailed report of the appeal being filed by William and Peggy Butler and the recommendations from Planning and Building Services.

The Public Hearing was open from 10:16 a.m. - 11:30 a.m.

SPEAKERS IN FAVOR: NextEra Energy Resources Project Manager Jonathan Hichborn, Honey Lake Power Plant Manager Benjamin Gates, NextEra Energy Resources Environmental Services Manager Winifred Perkins and Lassen Municipal Utility District General Manager Doug Smith.

SPEAKERS IN OPPOSITION: Peggy Butler, William Butler and Rusty Burkett.

A motion was made by Supervisor Albaugh, seconded by Supervisor Teeter, that this Resolution No. 18-059 deny William and Peggy Butler's appeal filed July 10, 2018 (therefore upholding the Planning commission's approve of User Permit# 2017-002) be adopted. The motion carried by the following vote:

Aye: 4 - Gallagher, Teeter, Hemphill and Albaugh

Absent: 1 - Hammond

RECESS: 11:31 a.m. - 11:38 a.m.

MATTERS SET FOR TIME CERTAIN

BOARD OF SUPERVISORS

SUPERVISOR ALBAUGH

SUBJECT: Presentation by the Modoc National Forest regarding the status of Cove Fire restoration activities.

FISCAL IMPACT: None.

ACTION REQUESTED: Receive presentation.

Supervisor Albaugh briefly discussed the Cove Fire. Modoc National Forest Northern Side District Ranger Chris Christofferson discussed how Modoc National Forest was salvaging burnt timber in their area after fires. Modoc National Forest, Forest Supervisor Amanda McAdams discussed the importance of partnerships with other agencies regarding fires, fire prevention and salvaging of timber. Discussion was held.

SPEAKERS: Mark Shafer and Gary Bridges.

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan announced: 1) Lassen Municipal Utility District requested to close a portion of County Road A1 while trying to work on the power line; and 2) reminded everyone that the Employee Recognition Luncheon will be held from 11:30 a.m. - 1:00 p.m. in front of the Historic Courthouse after the meeting today.

ADJOURNMENT

There being no further business, the meeting is adjourned at 12:03 p.m.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board