



# 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*

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Tuesday, November 13, 2018

9:00 AM

Board Chambers  
707 Nevada Street  
Susanville, CA 96130

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### **9:00 A.M. CALL TO ORDER**

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

Absent: Supervisor Hammond.

County Administrative Officer (CAO) Richard Egan arrived at 9:15 a.m.

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

**Absent:** 1 - Tom Hammond

**Excuse:** 0

### **PUBLIC COMMENT**

None.

### **ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION**

County Counsel Burns announced the following closed session items:

- 1) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: John Bohl vs. the County of Lassen; Workers Compensation Appeals Board; Case No. ADJ11211438.
- 2) Conference with Labor Negotiator Richard Egan: a) United Public Employees of California (UPEC).

### **CLOSED SESSION**

Closed session was held from 9:01 a.m. - 9:16 a.m.

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

CAO Egan arrived at 9:15 a.m.

RECESS: 9:16 a.m. 9:30 a.m.

**9:30 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**

County Counsel Burns announced the following closed session items:

1) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: John Bohl vs. the County of Lassen; Workers Compensation Appeals Board; Case No. ADJ11211438.

No reportable action.

2) Conference with Labor Negotiator Richard Egan: a) United Public Employees of California (UPEC).

No reportable action.

**AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS**

County Counsel Burns stated the Health and Social Services has requested to pull Item# G8 - Behavioral Health. County Counsel Burns also recommended that Item# C2 - Public Hearing Code Enforcement/Ortega. Supervisor Gallagher agreed and suggested to have the item on the December 11, 2018 Board of Supervisors Agenda.

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

**Aye:** 4 - Gallagher, Teeter, Hemphill and Albaugh

**Absent:** 1 - Hammond

**PUBLIC COMMENTS**

Juliana Moss: Senior Integrated Case Worker for Lassen Works thanked the Board of Supervisors on behalf of her department regarding the recent negotiations for their bargaining unit.

Orlando McElmurry: thanked the Board of Supervisors on behalf of the General Unit for the recent negotiations for their bargaining unit.

Captain Kevin Jones: 1) Gave an update to the Board pertaining to the "Camp Fire" in Butte County and the continuous support of the Lassen County Sheriff's Department; 2) briefly discussed overtime; 3) the Sheriff's office won the Coffin Race in the uptown Susanville 2018 Safe and Sane Halloween event.

Karen McDaniel: Gave a brief overview of the Susanville Salvation Army Angel Tree program sponsored by the Susanville Salvation Army.

## UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Teeter: 1) Briefly discussed the Susanville Salvation Army Angel Tree program and asked the rest of the Board of Supervisors to donate to the program; 2) requested to designate \$200 to the Susanville Salvation Army for the Angel Tree Program; 3) requested to designate \$250 to the Lassen/Modoc Food Bank; 4) attended a Susanville City Council meeting.

Supervisor Albaugh: 1) Requested to designate \$200 to the Susanville Salvation Army Angel Tree program; 2) requested to designate \$500 to the Lassen County Search and Rescue; 3) Big Valley High School Football Team will be playing Los Molinos for the championship; 4) attended the Future Farmers of America (FFA) Convention in Minneapolis; 5) visited Washington DC and met with Congressman LaMalfa's staff and attended a tour of the Capitol; 6) requested to send a letter of support to Butte County regarding the "Camp Fire"; 7) will be attending a Regional Council Representatives of California (RCRC) meeting November 14, 2018; 8) Big Valley High School had a nice Veteran's Day Program. Christine Boyd of the Blue Star Moms was present. The Cattlemen and Women prepared a nice luncheon; 9) thanked the candidates that ran in the California November 6, 2018 General Election that didn't win.

Supervisor Hemphill: 1) Congratulated the candidates that won the election in the California November 6, 2018 General Election; 2) thanked everyone in Susanville who has helped the community of Paradise during the "Camp fire"; 3) attended a Veterans Building Taskforce meeting; 4) requested to designate \$200 to the Susanville Salvation Army Angel Tree program; 5) family participated in the Veterans Day Parade; 6) congratulated the Big Valley High School Football Team for making it to the championships.

Supervisor Gallagher: 1) Thanked the volunteers from Susanville who have helped Butte County during the "Camp Fire"; 2) attended the Veterans Day Parade; 3) attended the Swing Concert at the Veterans Hall; 4) reminded everyone that the Nutcracker will be appearing at the Veterans Hall the weekend of November 16, 2018; 5) requested to designate \$300 to the Susanville Salvation Army Angel Tree Program.

**INFORMATION/CONSENT CALENDAR**

Supervisor Albaugh requested to pull Item# G2 - Purchasing Agent.

COUNTY CLERK-RECORDER

**Approval of the Consent Agenda**

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

**Aye:** 4 - Gallagher, Teeter, Hemphill and Albaugh

**Absent:** 1 - Hammond

MEETING MINUTES

SUBJECT: Meeting minutes of October 16, 2018 and October 23, 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

**Attachments:** [Draft Minutes 2018-10-23](#)

[Draft Minutes 2018-10-16](#)

**These Minutes were approved on the Consent Agenda.**

PERSONNEL REPORT

SUBJECT: Personnel Movement Report for September 2018.

FISCAL IMPACT: None.

ACTION: Receive and file.

**Attachments:** [Personnel Report](#)

**This Report was received and filed on the Consent Agenda.**

PRISON TRIAL COSTS

PRISON TRIAL COSTS REIMBURSEMENT PROGRAM ITEMS

SUBJECT: Recap of CCC Prison and High Desert State Prison Trials Cost Reimbursement Billing for the months of July 2017 through June 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Receive and file.

**Attachments:** [Prison Trial Costs Attach](#)

**These Reports were received and filed on the Consent Agenda.**

PUBLIC WORKS DEPARTMENT

ROAD DEPARTMENT

SUBJECT: Surplus 1992 Ford Ranger (P-33) to Lassen County Waterworks District 1.

FISCAL IMPACT: \$500.00 revenue to the Road Budget, Fund/Budget Unit No. 122-1221.

ACTION REQUESTED: Authorize the Public Works Department to surplus a 1992 Ford Ranger (P-33) to Lassen County Waterworks District 1.

**Attachments:** [PW Road Dept Attach](#)

**This Action Item was approved on the Consent Agenda.**

EQUIPMENT SURPLUS

SUBJECT: Equipment Surplus and Sale.

FISCAL IMPACT: Anticipated revenue to the Road Department Operating Budget Fund/Budget Unit No. 122-1221 in the estimated amount of \$8,000.00.

ACTION REQUESTED: 1) Authorize the Public Works/Road Department to proceed with the surplus and sale of various heavy equipment; and 2) authorize the Public Works Director to sign the Contract to Auction with Ritchie Bros. Auctioneers (America) Inc.

Attachments: [PW doc06151720181101084253](#)

**This Action Item was approved on the Consent Agenda.**

AGREEMENT AMENDMENT

SUBJECT: Third Amendment to Agreement between Lassen County and Bender Rosenthal, Inc. Long Valley Creek Bridges 7C-12 and 7C-81.

FISCAL IMPACT: The additional cost for this Third Amendment is \$5,000 which makes the maximum amount payable under this multi-year contract \$30,000. Funding is available in the Road Construction Budget Fund/Budget Unit No. 122-1222 where 100% Highway Bridge Funding is available for reimbursement.

ACTION REQUESTED: 1) Approve the Third Amendment with Bender Rosenthal, Inc.; and 2) authorize the Public Works Director to sign.

Attachments: [PW Long Valley Creek Bridge Attach](#)

**This Action Item was approved on the Consent Agenda.**

HEALTH AND SOCIAL SERVICES

BEHAVIORAL HEALTH

SUBJECT: Agreement between Lassen County and Disability Response for Fiscal Year 2018/2019.

FISCAL IMPACT: None. There is no impact to County General fund. The funding for this contract will be paid by the Mental Health Services Act (MHSA) Budget.

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

Attachments: [HSS BOS BH CIT Training 11.13](#)

**This Agreement was approved on the Consent Agenda.**

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Lassen County Technical Advisory Committee Meeting Agenda for November 1, 2018.
- b) Honey Lake Valley Resource Conservation District Special Meeting Minutes for August 31, 2018.
- c) Central Valley Regional Water Quality Control Board Public Hearing for December 6-7, 2018.
- d) Susanville City Council Regular Meeting Agenda for November 7, 2018.
- e) Lassen County Planning Commission Agenda for November 6, 2018.

- f) Honey Lake Valley Resource Conservation District Special Meeting Agenda for October 8, 2018.
- g) Land Conservation Committee meeting agenda for November 2, 2018.
- h) Lassen County Behavioral Health Advisory Board meeting agenda for November 13, 2018.
- i) Honey Lake Valley Resource Conservation District Special Meeting Agenda for October 26, 2018.
- j) Honey Lake Valley Resource Conservation District Closed Session Meeting Agenda for August 31, 2018.

Attachments: [Misc Corr](#)

**These Reports were received and filed on the Consent Agenda.**

## DEPARTMENT REPORTS

### COUNTY ADMINISTRATIVE OFFICE

#### PURCHASING AGENT

SUBJECT: Resolution authorizing the County Purchasing Agent (County Administrative Officer) to sell or dispose of any personal property belonging to the county not required for public use.

FISCAL IMPACT: None

ACTION REQUESTED: Approve Resolution.

Attachments: [Admin 181113 Resolution Clarifying Purchasing Agent Authority](#)

Supervisor Albaugh pulled this item due to unsurety of a resolution number. Deputy Clerk of the Board Yderraga stated that the resolution number would be 18-073. Supervisor Gallagher had a question regarding the fourth "Whereas" and estimated value. CAO Egan stated the purpose of the resolution.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Hemphill, that this Resolution No. 18-073 be adopted.**

**The motion carried by the following vote:**

**Aye:** 4 - Gallagher, Teeter, Hemphill and Albaugh

**Absent:** 1 - Hammond

## PUBLIC HEARINGS

### CODE ENFORCEMENT / BOYLESCOPE

SUBJECT: Public Hearing on Accounting pursuant to Lassen County Code Sections 19.140; and consideration of report of administrative civil penalties (as ordered to Ira Lee Boylescope, by the Decision of Administrative Hearing Officer, CDEF2017-224 on October 23, 2017), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: \$13,259.08 to the General Fund.

ACTION REQUESTED: 1) Conduct Public Hearing; and 2) receive report from

staff; and; 3) adopt Resolution.

Attachments: [PB Boylescope Packet](#)

Senior Planner Matt May recommended to the Board to adopt the resolution to recover marijuana abatement costs and to aminizters costs of Title 19. The Board of Supervisors discussed the area, the tenant and the renter's responsibilities. Extensive discussion was held. Owner's Exhibit 1 was submitted into the record. Extensive discussion was held.

SPEAKERS: Ira Boylescope.

The Public Hearing was opened from 10:15 a.m. - 10:16 a.m.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Teeter, that this Resolution No. 18-074 be adopted. The motion carried by the following vote:**

**Aye:** 4 - Gallagher, Teeter, Hemphill and Albaugh

**Absent:** 1 - Hammond

CODE ENFORCEMENT / ORTEGA

**THIS ITEM WAS PULLED FROM THE AGENDA**

## **MATTERS SET FOR TIME CERTAIN**

SUPERVISOR GALLAGHER

SUBJECT: Presentation by Mountain Meadows Conservancy regarding bass stocking effort at Walker Lake (Mountain Meadows Reservoir), Mountain Meadows Gateway property acquisition, and Indian Ole Dam Enhancement Project.

FISCAL IMPACT: Unknown.

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

Attachments: [BOS 181113 Ag Req- Mountain Meadows](#)

Nils Lunder from Mountain Meadows Conservancy and Feather River Land Trust introduced himself and gave a detailed presentation regarding Walker Lake, the malfunction of the dam, the bass and replanting of the bass. Extensive discussion was held.

**RECESS: 10:39 A.M. - 10:45 A.M.**

## **MATTERS SET FOR TIME CERTAIN - CONTINUED**

PROCLAMATION

SUBJECT: Proclamation commending the Susanville FFA Veterinary Science

Team for winning the 91st National FFA Convention & Expo Veterinary Science Competition and for being Susanville FFA's first national winning team in the organization's history.

FISCAL IMPACT: None.

ACTION REQUESTED: Adopt Proclamation.

**Attachments:** [181113 FFA proclamation FINAL](#)

Supervisor Gallagher presented a proclamation to the Susanville Future Farmers of America (FFA) Veterinary Science Team for making local history and winning the 91st National FFA Convention & Expo Veterinary Science competition. Honestly Drake gave the Board a brief presentation on what the first day of competition consisted of. Waylon Miller discussed day two. Elizabeth Ammon gave examples of the different scores of the group and how the competition was judged. Discussion was held.

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

**Aye:** 4 - Gallagher, Teeter, Hemphill and Albaugh

**Absent:** 1 - Hammond

## DEPARTMENT REPORTS - CONTINUED

### BOARD OF SUPERVISORS

#### COMMITTEE APPOINTMENTS

SUBJECT: Annual Committee Appointments for 2019.

FISCAL IMPACT: None.

ACTION REQUESTED: Make appointments to the following Board, Committee, and Commission:

1. (RCRC) Rural County Representatives of California
  - a. California Non-Profit Corporation
  - b. One member of Board of Supervisors. One alternate from Board of Supervisors.
2. (RCRC) Golden State Finance Authority
  - a. Government Code section 6500, Joint Powers Agency
  - b. One member of Board of Supervisors. One alternate from Board of Supervisors

**Attachments:** [Admin 2019 RCRC Meeting Calendar](#)

[Admin RCRC 2019 Memo \(1\)](#)

[Admin RCRC 2019 Memo \(2\)](#)

[Admin GSFA 2019 Memo](#)

[Admin FORM for 2019 GSFA Delegate and Alternate](#)



Supervisor Hemphill nominated Supervisor Albaugh and Supervisor Teeter as the Alternate for the Rural County Representatives of California (RCRC) and the Golden State finance Authority.

#### PLANNING AND BUILDING SERVICES

##### WILLDAN ENGINEERING CONTRACT

SUBJECT: Third Amendment to the 2016 contract with Willdan Engineering, to change the not to exceed amount from \$40,000 to \$80,000.

FISCAL IMPACT: The full costs of this contract are proposed to be paid from Fund/Budget Unit No.100-0682. The corresponding building permit application fees will be paid into Fund/Budget Unit No. 100-0682.

ACTION REQUESTED: 1) Receive report; and 2) authorize the Chairman to sign the Third Amendment with Willdan Engineering.

Attachments: [PB Amend Willdan 11-13-18 pkt](#)

Assistant Planning and Building Services Director Gaylon Norwood gave a brief overview of the Willdan Engineering Contract. Supervisor Hemphill asked why the county didn't contract with the city. Assistant Planning and Building Services Director Norwood stated the county needed to have an engineer as well. Brief discussion was held.

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

**Aye:** 4 - Gallagher, Teeter, Hemphill and Albaugh

**Absent:** 1 - Hammond

##### SUSTAINABLE GROUND WATER MANAGEMENT ACT

SUBJECT: Receive report on implementation of the Sustainable Groundwater Management Act (California Water Code Section 10720 et seq) in Lassen County and preparation of a Groundwater Sustainability Plan (GSP) for the Big Valley Groundwater Basin.

FISCAL IMPACT: None. Discussion only.

ACTION REQUESTED: 1) Receive report; and 2) provide direction if necessary.

Assistant Planning and Building Services Director Gaylon Norwood gave a detailed report regarding the grant by DWR for Big Valley Ground Water Basin and briefly discussed a possible Advisory Committee. Extensive discussion was held.

Supervisor Hemphill was absent from 11:08 a.m. - 11:09 a.m.

#### PUBLIC WORKS DEPARTMENT

##### BIEBER ONE STOP

SUBJECT: Bid Award for Bieber One Stop Remodel Project.

FISCAL IMPACT: Funding is available within the current 2018/19 Fiscal Year (FY) Mental Health Services Act Fund/Budget Unit No. 164-0752.

ACTION REQUESTED: 1) Award the contract for "Lassen County Bieber One Stop Remodel Project" to RSJ Design and Construction of Susanville CA, the lowest bidder meeting the specifications, in the amount of \$187,355; and 2) authorize the Director of Public Works to sign the Agreement (agreement has been approved by County Council); and 3) authorize the Director of Public Works to authorize Change Orders up to a "not-to-exceed" amount of \$10,000 (approximately 5%) or a total contract not-to-exceed cost of \$197,355.

**Attachments:** [PW Bieber One Stop Attach](#)

Deputy Director of Facilities Maintenance Peter Heimbigner gave an update to the board regarding the bid received for the Bieber One Stop. Supervisor Albaugh asked when construction was expected to start. Deputy Director of Facilities Maintenance Heimbigner is anticipating the first week in December 2018. Brief discussion was held.

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

**Aye:** 4 - Gallagher, Teeter, Hemphill and Albaugh

**Absent:** 1 - Hammond

#### COUNTY ADMINISTRATIVE OFFICE

##### LASSEN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE

SUBJECT: Proposed multi-jurisdictional meeting of the Lassen County Board of Supervisors with the City of Susanville City Council and Susanville Indian Rancheria Tribal Business Council to receive Lassen County Multi-Jurisdictional Hazard Mitigation Plan Update.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Select preferences for time, date and place; and/or 2) provide direction to staff.

CAO Egan Requested to have the Office of Emergency Services (OES) Mark Rotlisberger speak at the upcoming special meeting of the Lassen County Multi-Jurisdictional Hazard Mitigation Plan to be held on December 7, 2018 at 10:00 a.m. Brief discussion was held.

**SPEAKERS:** City of Susanville Fire captain James Moore.

**SUBJECT:** INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan announced: the Board of Supervisors meeting held for November 20,

2018 will not be called. The next Board meeting will be held on November 27, 2018.

MEMORANDUM OF UNDERSTANDING

SUBJECT: Memorandum of Understanding (MOU) between the County of Lassen and United Public Employees of California (UPEC) Local 792.

FISCAL IMPACT: Undetermined.

ACTION REQUESTED: 1) Ratify MOU; and/or 2) provide direction to staff.

Attachments: [MOU Attach](#)

County Counsel Burns gave a brief overview of the Memorandum of Understanding (MOU).

**A motion was made by Supervisor Hemphill, seconded by Supervisor Teeter, to ratify the Memorandum of Understanding. The motion carried by the following vote:**

**Aye:** 4 - Gallagher, Teeter, Hemphill and Albaugh

**Absent:** 1 - Hammond

**ADJOURNMENT**

There being no further business, the meeting is adjourned at 11:33 a.m.

\_\_\_\_\_  
Chairman of the Board of Supervisors

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Michele Yderraga, Deputy Clerk of the Board