



# 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, November 27, 2018

9:00 AM

Board Chambers  
707 Nevada Street  
Susanville, CA 96130

### **9:30 A.M. OPENING CEREMONIES**

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

Absent: Supervisor Gallagher.

County Counsel Burns announced that closed session was not held.

**Present:** 4 - David Teeter, Jeff Hemphill, Aaron Albaugh and Tom Hammond

**Absent:** 1 - Chris Gallagher

**Excuse:** 0

### **Pledge of Allegiance and Invocation**

After the flag salute invocation was offered by Supervisor Hemphill.

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

Supervisor Albaugh pulled Item No. G10 - Assistant & Deputy District Attorney Job Description from the 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 - Teeter, Hemphill, Albaugh and Hammond

**Absent:** 1 - Gallagher

### **PUBLIC COMMENTS**

None.

### **INFORMATION/CONSENT CALENDAR**

Supervisor Albaugh pulled Item No. G6 - Information Services for further

discussion and Item No. G15 - Road Department so Deputy CAO Shaw could recuse himself.

### **Approval of the Consent Agenda**

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

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

**Absent:** 1 - Gallagher

#### **BOARD OF SUPERVISORS**

##### **SUPERVISOR GALLAGHER**

SUBJECT: Request to designate: \$300 to the Susanville Salvation Army Angel Tree Program.

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.**

##### **SUPERVISOR TEETER**

SUBJECT: Request to designate: 1) \$200 to the Susanville Salvation Army Angel Tree Program; and 2) \$250 to the Lassen/Modoc Food Bank.

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.**

##### **SUPERVISOR HEMPHILL**

SUBJECT: Request to designate: \$200 to the Susanville Salvation Army Angel Tree Program.

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.**

##### **SUPERVISOR ALBAUGH**

SUBJECT: Request to designate: 1) \$200 to the Susanville Salvation Army Angel Tree Program; and 2) \$500 to the Lassen County Search and Rescue.

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.**

#### **AUDITOR'S OFFICE**

## FUND BALANCES

SUBJECT: Treasurer's Fund Balance Report and Auditor's verification for the month of October 31, 2018.

FISCAL IMPACT: None.

ACTION: Receive and file.

Attachments: [LASSEN COUNTY FUND BALANCES 10-31-18](#)

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

## COUNTY CLERK-RECORDER

## REGISTRAR OF VOTERS

SUBJECT: Appointment of nominees to District Boards and School Districts that did not have sufficient nominees to be placed on the November 8, 2016, Presidential General Election ballot.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: Appoint nominees, in lieu of Election as per Section 10515 of the California Elections Code and Section 5326 of the Education Code.

Attachments: [G7 Attach](#)

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

## REGISTRAR OF VOTERS

SUBJECT: Certified Statement of Results for the November 6, 2018 Statewide General Election.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1. Receive and file the Certified Statement of Results for the November 6, 2018, Statewide General Election as per Section 15372 of the California Elections Code; and 2. Declare the results as per Election Code Section 15400.

Attachments: [G8 Attach](#)

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

## MEETING MINUTES

SUBJECT: Meeting minutes of November 13, 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [Draft Meeting Minutes](#)

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

## DISTRICT ATTORNEY

## ASSISTANT &amp; DEPUTY DISTRICT ATTORNEY JOB DESCRIPTIONS

SUBJECT: Update to the Assistant and Deputy District Attorney's Job Descriptions.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve the updated job descriptions of the Assistant and Deputy District Attorneys.

**Attachments:** [DA Assistant District Attorney IV.V 10.22.2018](#)

[DA Deputy District Attorney I.II.III 10.22](#)

**THIS ITEM WAS PULLED FROM THE AGENDA**

HEALTH AND SOCIAL SERVICES

HEALTH AND SOCIAL SERVICES

SUBJECT: Amendment to Agreement with Kings View Corporation Fiscal Year 18/19.

FISCAL IMPACT: There is no impact to County General Fund. Additional costs for this Amendment will be paid with Behavioral Health funds.

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

**Attachments:** [HSS Kings View 11.27.18](#)

**This Action Item was approved 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 2018 through October 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

PUBLIC WORKS

SUBJECT: Use of Susanville Veterans Memorial Building by Lassen Family Services for Fundraising Event.

FISCAL IMPACT: Reduced use fee covers building's basic operational costs.

ACTION REQUESTED: 1) Retroactively consider a special reduced use fee of \$449 for use of the Susanville Veterans Memorial Building by Lassen Family Services for a fundraising special event; and 2) Retroactively refund \$631 to Lassen Family Services.

**Attachments:** [PW B of B LFS 11-27-18 Attach](#)

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

PUBLIC WORKS

SUBJECT: Use of Susanville Veterans Memorial Building by Lassen County Best of Broadway for the Year 2019 Theatrical Production.

FISCAL IMPACT: Long term use fee covers building's operational costs.

ACTION REQUESTED: 1) Consider a special long term use fee for use of the Susanville Veterans Memorial Building (SVMB) for a special event by the Lassen County Best of Broadway's (B of B) 2019 theatrical production; and 2) accept long term use fee upon conclusion of event; and 3) utilize currently adopted short term Application and Use Agreement and User Responsibilities for special event use.

Attachments: [PW B of B SVMB 11-27-18 Attach](#)

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

#### TREASURER/TAX COLLECTOR

##### PORTFOLIO

SUBJECT: Treasurer's Investment Report for October 31, 2018.

FISCAL IMPACT: None.

ACTION: Receive and file.

Attachments: [LASSEN COUNTY PORTFOLIO 10-31-2018](#)

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

#### MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Susanville City Council Regular Meeting Agenda for November 21, 2018.
- b) Lahontan Regional Water Quality Control Board Notice of California Environmental Quality Act Public Scoping Meeting December 6, 2018.
- c) Lassen Transit Service Agency Special Meeting Agenda for November 19, 2018.
- d) PSA 2 Area Agency on Aging Advisory Executive Board Special Meeting Conference Call November 19, 2018.

Attachments: [Misc Corr](#)

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

#### DEPARTMENT REPORTS

##### COUNTY ADMINISTRATIVE OFFICE

##### INFORMATION SERVICES

SUBJECT: Annual Computer Replacement Purchase as budgeted in the fiscal 2018-19 budget in an amount not to exceed \$75,000.

FISCAL IMPACT: This expenditure will be paid from existing funds in Fund 104-0322, Information Services, and the revenue has been received from the multiple departments scheduled for replacement this year.

ACTION REQUESTED: Approve purchase.

**Attachments:** [181127 Annual Computer Replacement](#)

Information Services Supervisor Jason Housel gave an overview of the current computer purchase and installation process. 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 - Teeter, Hemphill, Albaugh and Hammond

**Absent:** 1 - Gallagher

#### PUBLIC WORKS DEPARTMENT

##### ROAD DEPARTMENT

SUBJECT: Award bid for Tires for the Public Works Department (Road Division).

FISCAL IMPACT: Funding is budgeted within the Road Budget, Fund 122-1221. Estimated annual cost of \$60,000.

ACTION REQUESTED: Award bid for Tires for Road Division, for the period of November 1, 2018 through October 31, 2019, to Carlson's Tire Pros and Auto, Susanville, CA, the lowest bidder meeting specifications.

**Attachments:** [PW Tire Bid Attach](#)

Deputy CAO Shaw recused himself and was absent from 9:36 a.m. - 9:37 a.m..

There was no discussion pertaining to this item.

**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 - Teeter, Hemphill, Albaugh and Hammond

**Absent:** 1 - Gallagher

#### UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Albaugh: Big Valley Football Team didn't win the championships but congratulated the team for having a good year.

Supervisor Teeter: 1) Attended a Behavioral Health Advisory Board meeting; 2) attended a Lassen County Transportation Commission (LCTC) meeting.

Supervisor Hammond: Attended the ribbon cutting ceremony for the solar rays at the Sierra Army Depot.

Supervisor Hemphill: 1) Had a good Thanksgiving; 2) reminded everyone that this Saturday, December 1, 2018, is the Magical Country Christmas in Uptown Susanville.

County Counsel Burns was absent from 9:38 a.m. - 9:40 a.m.

**PUBLIC COMMENT**

(Supervisor Hemphill re-opened Public Comment)

Sheriff/Coroner Dean Growdon: Discussed the Camp Fire in Paradise, California and Lassen County's assistance. Sheriff Growdon also discussed a future action plan in the event of an emergency in Lassen County. Discussion was held.

District Attorney (DA) Program Coordinator Michelle Latimer: Introduced Multi-Disciplinary Interview Team (MDIT) Coordinator Krystle Hollandsworth. MDIT Coordinator Krystle Hollandsworth: Briefly discussed the MDIT program and invited the Board to the open house to be held on December 7, 2018 from 1:00 p.m. - 4:00 p.m.

**DEPARTMENT REPORTS - CONTINUED**

**COUNTY ADMINISTRATIVE OFFICE**

Deputy CAO Shaw announced: 1) There will be a special meeting held at 10:00 a.m. on December 7, 2018, at the Veteran's Memorial Hall to discuss the Multi-Jurisdictional Hazard Mitigation Plan update.

RECESS: 9:52 a.m. - 10:00 a.m.

**MATTERS SET FOR TIME CERTAIN**

**RECOGNITION COMMITTEE**

SUBJECT: 10 Year Awards: Cheryl Lauristen (Ag Commission); 15 Year Awards: Scott Withrow (Sheriff Department); 30 Year Award: Tamar Dean (Community Social Services).

FISCAL IMPACT: None.

ACTION: Present awards.

Supervisor Albaugh thanked the Recognition Committee for all they do.

Supervisor Hemphill recognized the following employee:

10 Years: Cheryl Lauristen (Ag Department - Not Present).

15 Years: Scott Withrow (Sheriff's Office).

30 Years: Tamar Dean (Community Social Services - Not Present).

**PUBLIC HEARINGS**

**CODE ENFORCEMENT / POWLES**

SUBJECT: Hearing on Accounting pursuant to Lassen County Code Sections 19.160; and consideration of report of administrative civil penalties (as ordered to Executive Planners Group LLC, formerly owned by Garry C. Powles,

Registered Agent of Executive Planners Group LLC, by the Decision of Administrative Hearing Officer, CDEF2018-044 on August 6, 2018), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: \$12,915.23 to the General Fund.

ACTION REQUESTED: 1) Receive the Enforcing Officer's Report; and 2) conduct a public hearing; and 3) adopt a resolution to do the following: a) Order recordation of a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs and the administrative civil penalties associated with said violation, as accounted for by the Enforcing Officer; and b) Order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

**Attachments:** [PB CDEF2018-044 Powles11-27-18 packet](#)

County Counsel Burns stated that Attorney Stephen King contacted his office at 9:00 a.m. on November 27, 2018, stating he had an interest in the Powles matter but was in court. County Counsel Burns stated that Mr. King has not expressed an interest in the matter until the call this morning and was unclear of what Mr. King's intentions were.

Director of Planning and Building Services Maurice Anderson stated he was prepared to continue. The Board agreed. Director of Planning and Building Services Anderson stated the action requested and gave a brief overview of the abatement.

The Public Hearing was open from 10:13 a.m. - 10:15 a.m.

Brief discussion was held.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Teeter, that this Resolution No. 18-075 be adopted. The motion carried by the following vote:**

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

**Absent:** 1 - Gallagher

CODE ENFORCEMENT / CEBRIAN

SUBJECT: Public hearing to consider the recovery of administrative abatement costs for the abatement of a public nuisance located at 716 Delwood Street, Westwood, CA (APN: 125-060-04); and with the recovery of abatement and administrative costs as provided in chapter 1.18 of the Lassen County Code. This property is owned by Bertram Cebrian. The associated code enforcement file number CDEF 2016-011. The abatement was executed due to the owner's failure to abate the public nuisance, in accordance with the Decision of the Hearing Officer.

FISCAL IMPACT: Unknown, all or a portion of the costs could be recovered



through recordation of an amended abatement lien.

ACTION REQUESTED: 1) Conduct Public Hearing; and 2) receive report from staff; and 3) adopt a resolution directing staff to execute and record the amendment to the lien on said property, with the Lassen County Recorder.

**Attachments:** [PB 2016-011 Cebrian 11-27-18 pkt](#)

Director of Planning and Building Services Maurice Anderson gave a brief overview of the abatement located at 716 Delwood Street in Westwood.

The Public Hearing was open from 10:18 a.m. - 10:19 a.m.

Brief discussion was held.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Hammond, that this Resolution No. 18-076 be adopted. The motion carried by the following vote:**

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

**Absent:** 1 - Gallagher

## CORRESPONDENCE

ESTILL RANCHES LLC GROUNDWATER EXPORTATION UPDATE  
SUBJECT: Update the Board of Supervisors on the 2018 Estill Ranches LLC groundwater exportation activity (Groundwater Exportation Permit #2017-001).  
FISCAL IMPACT: None.  
ACTION REQUESTED: Receive report.

**Attachments:** [PB Estill Update 11-27-18 packet](#)

County Counsel Burns stated that this item didn't call for any action.

## ADJOURNMENT

There being no further business, the meeting is adjourned at 10:22 a.m.

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

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

ATTEST:

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