



Lassen County

Meeting Minutes Board of Supervisors

DRAFT

LASSEN COUNTY SUPERVISORS:

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

Tuesday, March 26, 2019

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.

Present: 5 - Jeff Hemphill, David Teeter, Aaron Albaugh, Chris Gallagher and 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) Employee performance evaluation: County Administrative Officer.

CLOSED SESSION

Closed session was held from 9:00 a.m. - 9:33 a.m.

Present: Supervisors Gallagher, Teeter, Hemphill, Albaugh and Hammond. Also Present: CAO Egan.

9:30 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

After the flag salute invocation was offered by Supervisor Hemphill.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

CAO Egan announced the following closed session items:

- 1) Employee performance evaluation: County Administrative Officer.

This closed session item would be continued to the end of the meeting.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

CAO Egan informed the Board that Item# D1 - Historic Courthouse may need to be postponed to a future board date as the consultants, Lionakis couldn't attend the meeting. CAO Egan also stated that he would like to continue with Item# H4 - Historic Courthouse proposed phasing presentation.

Supervisor Hemphill requested to adjourn the meeting in memory of Clancy Ash; Supervisor Gallagher requested to adjourn the meeting in memory of Al Ceaglio.

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

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

PUBLIC COMMENTS

None.

UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Gallagher: Will be having a town hall meeting in Westwood on April 11, 2019.

Supervisor Hammond: 1) Attended a Sierra Alliance meeting; 2) will be having a town hall meeting on March 27, 2019; 3) will be missing the Board of Supervisors meeting on April 23, 2019, as he will be visiting a drone park; 4) had a question regarding the Planning Commission rules and procedures to become a board member; 5) requested a future board item to discuss the theater building in Herlong.

Supervisor Albaugh: 1) Missed March 19, 2019, Board of Supervisors meeting; 2) attended a Regional Council Representatives of California (RCRC) meeting; 3) attended the Fair Appreciation Dinner; 4) missed the Board of Supervisors meeting on March 19, 2019, to go with the Color Guard from Big Valley High School to visit the Metropolitan Water District that supplies water to Los Angeles and San Diego. The Color Guard presented colors at Ag Day at the State Capitol. They also attended an RCRC meeting, met with Karen Ross, Secretary of Food and Agriculture for the State of California and attended a dinner with Minority Speaker Marie Waldron; 5) attended the Modoc County Movie Night that was put on by the Modoc County Sheriff and got to meet their canine; 6) played an alumni basketball game in Big Valley.

Supervisor Teeter: 1) Attended a City of Susanville Council meeting; 2) will not be attending the March 9, 2019, Board of Supervisors meeting due to a previously scheduled CalPIA meeting that he will be attending.

Supervisor Hemphill: 1) Will be having a town hall meeting on April 4, 2019, at the Janesville Fire Hall; 2) informed CAO Egan that he would like to see the Board of Supervisors agenda be available via tablet for the Board. Would be more convenient for the Supervisors who live further away from Susanville.

Would also save money.

INFORMATION/CONSENT CALENDAR

Supervisor Albaugh requested to pull Item# G2 - Public Safety and Item# G3 - Public Health.

COUNTY CLERK-RECORDER

Approval of the Consent Agenda

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

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

MINUTES

SUBJECT: Meeting Minutes of March 19, 2019.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [DRAFT MINUTES](#)

These Minutes were approved on the Consent Agenda.

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Lassen County Planning Commission Special Agenda for March 20, 2019.
- b) Lassen County Architectural Review Committee Special Meeting Agenda for March 11, 2019.
- c) Susanville City Council Regular Meeting Agenda for March 20, 2019.

Attachments: [MISC CORR](#)

These Reports were received and filed on the Consent Agenda.

DEPARTMENT REPORTS

DISTRICT ATTORNEY

PUBLIC SAFETY

SUBJECT: District Attorney (DA) Travel Request.

FISCAL IMPACT: \$2,427.96 billed to DA Fund/Budget Unit No. 130-0431.

ACTION REQUESTED: 1) Authorize staff to travel to Carlsbad, California for Sentencing for Felony Prosecutors Seminar; and 2) authorize CAO and Board Chair to sign travel authorization.

Attachments: [DA District Attorney Travel Request - S. Skeen](#)

Supervisor Albaugh asked why the cost for the hotel room on the travel authorization was more than what was advertised. County Counsel Burns stated that the hotel room being advertised was sold out and reservations had to be made at another hotel. Brief discussion was held.

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 - Hemphill, Teeter, Albaugh, Gallagher and Hammond

HEALTH AND SOCIAL SERVICES

PUBLIC HEALTH

SUBJECT: Job Description Approval for Director of Public Health Services.

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

ACTION REQUESTED: Approve job description.

Attachments: [BOS PH Director Job Description 03.26.19](#)

Supervisor Albaugh questioned that the position could be a manager or a nurse. Director of Health and Social Services (HSS) Barbara Longo stated yes and it depended on their staffing. Supervisor Albaugh also questioned the job description pertaining to the employee being able to move ten (10) pounds. Discussion was held.

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

Aye: 4 - Hemphill, Teeter, Gallagher and Hammond

Nay: 1 - Albaugh

PUBLIC HEARINGS

VANG

SUBJECT: Hearing on Accounting pursuant to Lassen County Code Section 19.140; and consideration of report of administrative civil penalties (as ordered to Seng Vang, by the Decision of Administrative Hearing Officer, CDEF2018-070 on October 2, 2018), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: \$16,119.20 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-CDEF2018-070Vang3-26-19](#)

Planning and Building Services Senior Planner Matt May gave a brief overview of the public hearing for Singh Vang.

The Public Hearing was opened from 10:01 a.m. - 10:13 a.m.

Senior Planner May stated that this hearing went to the Superior Court and it was dismissed. County Counsel Burns stated that he represented Planning and Building Services and for this public hearing he is not representing the Board of Supervisors, he is representing Planning and Building and would be reporting to the board as such. County Counsel Burns gave a brief update to the Board regarding the hearing and when it was heard by the Superior Court. Applicant Sing Vang stated that his father was the grower and requested the Board to grant a waiver of the fines. Extensive discussion was held.

A motion was made by Supervisor Gallagher, seconded by Supervisor Albaugh, that this Action item be approved and adopt Resolution No. 19-013 be adopted. The motion carried by the following vote:

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

CARTER

SUBJECT: Hearing on Accounting pursuant to Lassen County Code Section 19.140; and consideration of report of administrative civil penalties (as ordered to Christian Carter, by the Decision of Administrative Hearing Officer, CDEF2018-075 on October 2, 2018), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: \$2,330.73 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-CDEF2018-075Carter3-26-2019](#)

Planning and Building Services Senior Planner Matt May gave a brief overview of the public hearing and stated this public hearing is similar to the previous

public hearing (Vang). County Counsel Burns informed the Board that he participated as the representative for Planning and Building Services in the hearing and would be speaking to the Board during this hearing as such and not as a representative of the Board of Supervisors. County Counsel Burns proceeded to inform the Board that the grow did not have a proper residence, however when the property owner was given notice to abate they complied which was the reason why the fine was reduced. County Counsel Burns also explained to the Board that the reason this item is before the Board of Supervisors was due to two small hanging plants the property owner didn't remove which caused the grow to be over the amount allowed. Brief discussion was held.

The Public Hearing was open from 10:20 a.m. - 10:20 a.m.

A motion was made by Supervisor Albaugh, seconded by Supervisor Gallagher, that this Action item be approved and Resolution No. 19-014 be adopted. The motion carried by the following vote:

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

DEPARTMENT REPORTS - CONTINUED

PLANNING AND BUILDING SERVICES

ABATEMENT EXTENSION

SUBJECT: Request by Joseph Bertotti for an extension of the time to abate the substandard residence at 701-985 Johnstonville Road (APN: 116-050-65) before the structure is abated by Lassen County in accordance with the Board of Supervisors Resolution Number 18-072.

FISCAL IMPACT: Unknown cost if the County abates; which could potentially be recovered through recordation of a lien.

ACTION REQUESTED: 1) Consider request; and 2) amend Resolution No. 18-072 to allow additional time.

Attachments: [PB Bertotti Extension 3-26-19](#)

Director of Planning and Building Service Maurice Anderson gave a brief overview of a previous request to extend an abatement for Joseph Bertotti with a completion date of April 1, 2019. Director Anderson informed the Board that Mr. Bertotti was requesting an additional extension with a completion date of May 16 - May 19, 2019. Director Anderson also stated the abatement has been on going for approximately two years. Brief discussion was held. Jim Uruburu gave an update to the Board of Supervisors of the current status of the residence and the purpose for request of another extension. Extensive discussion was held. The majority of the Board agreed to grant the extension with a completion date of May 23, 2019.

SPEAKERS: Property Owner Joseph Bertotti and California Department of Corrections and Rehabilitation Fire Chief Chris Hallmark.

A motion was made by Supervisor Gallagher, seconded by Supervisor Hammond, that this Resolution No. 19-015 be adopted. The motion carried by the following vote:

Aye: 4 - Hemphill, Teeter, Gallagher and Hammond

Nay: 1 - Albaugh

REPORT

SUBJECT: Code Enforcement Program update.

FISCAL IMPACT: None.

ACTION REQUESTED: Receive report.

Planning and Building Services Director Maurice Anderson gave a detailed update of the current code enforcement program from July 2018 to present. Director Anderson also stated a new Code Enforcement Officer has recently been hired. Nancy Cardenas stated that she received \$6,000 from Mr. Sing Vang for the abatement fine from earlier in the meeting.

MATTERS SET FOR TIME CERTAIN

HISTORIC COURTHOUSE

SUBJECT: Presentation of Lassen County Courthouse Square Due Diligence Report.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Receive presentation; and 2) accept report and/or provide direction to staff.

Attachments: [Lassen CHSq Due Diligence FINAL DRAFT Report 190315](#)

[D1 Historic Courthouse Square](#)

CAO Egan announced that Lionakis wasn't going to be able to attend the presentation today and requested to postpone to a later date. Supervisor Hemphill stated this item would be tabled to a later agenda.

BOARD OF SUPERVISORS

DEPARTMENT REPORTS - CONTINUED

THIS ITEM HAS BEEN PULLED

COUNTY ADMINISTRATIVE OFFICE

HISTORIC COURTHOUSE

SUBJECT: Proposed Phasing Plan for the Lassen County Courthouse Renovation Project.

FISCAL IMPACT: None. Anticipated in Fiscal Year (FY) 2019/2020.

2019/2020 (FY) General Fund impact, if any, may be identified during budget discussions with impacted County Department(s).

ACTION REQUESTED: Approve phasing plan and/or provide direction to staff.

Attachments: [190326 Historic Courthouse Renovation Project](#)

CAO Egan thanked Deputy CAO Tony Shaw and Deputy Director of Facilities Maintenance Peter Heimbigner for the work they put into the agenda packets. CAO Egan explained to the Board that the \$8,000,000 grant was solely to fund the Historic Courthouse project and stated there had been recent concern about the county's budget and possible layoffs. CAO Egan also informed the board of the renovation process of the Historic Courthouse, Annex building, old jail, parking lot, storage and temporary placement of county offices and employees that currently work in the historic courthouse. CAO Egan gave a power point presentation of the different phases and tentative time frames for the project. Discussion was held.

SPEAKERS: Jim Chapman.

Supervisor Hemphill was absent from 11:40 a.m. - 11:42 a.m.; County Counsel Burns was absent from 11:44 a.m. - 11:47 a.m.

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

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

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan asked who would be presenting the Proclamation at the Welcome Home Vietnam Veterans Day. Supervisor Teeter stated he would be presenting.

County Counsel Burns left for the day at 11:52 a.m.

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION - CONTINUED

CAO Egan announced the following closed session item:

- 1) Employee performance evaluation: County Administrative Officer. Continued from morning closed session.

CLOSED SESSION

Closed session was held from 11:52 a.m. - 11:55 a.m.

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

ANNOUNCEMENT OF THE ITEMS DISCUSSED IN CLOSED SESSION

Supervisor Hemphill announced the following closed session item:

- 1) Employee performance evaluation: County Administrative Officer.

No reportable action.

ADJOURNMENT

There being no further business, the meeting is adjourned at 12:00 p.m. in memory of Clancy Ash and Al Ceaglio.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board