Lassen County

DRAFT

Meeting Minutes

Board of Supervisors

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, May 21, 2019 | **9:00 AM** | **Board Chambers, 707 Nevada Street, Susanville, CA 96130**

9:00 A.M. CALL TO ORDER

Present: Supervisors Gallagher, 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: 4 - Jeff Hemphill, Aaron Albaugh, Chris Gallagher and Tom Hammond

Absent: 1 - David Teeter

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: 1) County of Lassen vs. Cooper, Valenta, et al; Lassen Superior Court Case No. 60593.

2) Conference with Labor Negotiator Richard Egan: May include the following bargaining units - a) Lassen County Peace Officers Assn. (LCPOA).

3) Employee performance evaluation: Public Defender.

4) Liability Claim; - Claimant: 1) S. Ratliff; Agency claimed against, Lassen County; Claim # TIBS-600072; 2) S. Bennett; Agency claimed against, Lassen County; Claim# TIBT-600258.

CLOSED SESSION

Closed session was held from 9:02 a.m. - 9:35 a.m.

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

CAO Egan was absent from 9:11 a.m. - 9:14 a.m.

Claims Adjuster Sarah Haynes of Trindel was present from 9:03 a.m. - 9:19 a.m. via teleconference.
Public Defender Rhea Giannotti was present from 9:20 a.m. - 9:35 a.m.
Deputy CAO Shaw was absent from 9:20 a.m. - 9:35 a.m.
Supervisor Hemphill was absent from 9:34 a.m. - 9:35 a.m.

RECESS: 9:35 a.m. - 9:39 a.m.

9:39 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 closed session would be continued to the end of open session.

PUBLIC COMMENTS

None.

UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Gallagher: 1) Attended the CAC meeting at the prison; 2) going to meet with the High Desert State Prison Warden; 3) will not be present at the next regularly scheduled Board of Supervisors meeting.
Supervisor Hammond: 1) Had a town hall meeting in Doyle; 2) attended a Sierra Alliance meeting; 3) attended the military parade in Hawthorne.
Supervisor Albaugh: 1) Will not be present for the next regularly scheduled Board of Supervisors meeting.
Supervisor Hemphill: 1) Attended a Planning and Service Area Agency on Aging Advisory (PSA2 AAA) Council meeting; 2) will be attending an open house at SFT Ranch on Constantia Road; 3) received a letter from the Supervisors of Kern County regarding the High Speed Rail and requested CAO Egan to create a resolution opposing the project.

CAO Egan was absent from 9:40 a.m. - 9:41 a.m.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

Aye: 4 - Hemphill, Albaugh, Gallagher and Hammond

Absent: 1 - Teeter

INFORMATION/CONSENT CALENDAR

Supervisor Albaugh pulled Item# G4 - Minutes, and Item# G6 - Road Department.

Approval of the Consent Agenda

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

Aye: 4 - Hemphill, Albaugh, Gallagher and Hammond

Absent: 1 - Teeter

BOARD OF SUPERVISORS

SUPERVISOR GALLAGHER
SUBJECT: Request to designate: $300 to the Westwood Museum.
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.

CHILD SUPPORT SERVICES

TRAVEL AUTHORIZATION
SUBJECT: Travel authorization for Director, Kelley Cote to attend the 2019 NCSEA Leadership Symposium and NCSEA U in Minneapolis, MN, August 11 - 15, 2019, for an estimated travel cost of $2,307.01.
FISCAL IMPACT: There is no fiscal impact to the General Fund; there is no net increase to appropriations.
ACTION REQUESTED: 1) Approve the travel request; and 2) authorize the County Administrator to sign.

Attachments: DCSS Attach 1

DCSS Attach 2

DCSS Attach 3

This Action Item was approved on the Consent Agenda.

COUNTY ADMINISTRATIVE OFFICE

PERSONNEL REPORT
SUBJECT: Personnel Movement Report for March, 2019.
FISCAL IMPACT: None.
ACTION: Receive and file.

Attachments: Personnel Report

This Report was received and filed on the Consent Agenda.

HEALTH AND SOCIAL SERVICES

AGREEMENTS
SUBJECT: Agreements with Ray Morgan Company to Lease and Maintain Four High Speed and Volume Copiers from July 2019 through June 2024 for a Five-Year Total of $101,421.60 from Mental Health Fund #110, Alcohol and Drug Fund #110 and Health and Social Services Fund #110.
FISCAL IMPACT: There is no impact to County General Fund. All costs are budgeted and will be paid from Mental Health Fund #110, Alcohol and Drug Fund #110 and Health and Social Services fund #110.
ACTION REQUESTED: 1) Approve the Agreements; and 2) authorize the County Administrative Officer to sign the Lease and Maintenance Agreements.

Attachments: 2361_001

These Agreements were approved on the Consent Agenda.

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:
a) Susanville City Council Meeting Agenda for April 22, 2019.
b) Lassen Transit Service Agency Meeting Agenda for March 11, 2019.

Attachments: Misc Corr

These Reports were received and filed on the Consent Agenda.

DEPARTMENT REPORTS

COUNTY CLERK-RECORDER

MINUTES
SUBJECT: Meeting minutes of May 13, 2019, and May 14, 2019.
FISCAL IMPACT: None.
ACTION REQUESTED: Approve.

Attachments: DRAFT MINS2019-05-14

DRAFT MINS 2019-05-13

Supervisor Albaugh stated there was an error in the vote for the Sheriff's Office item "Armored Vehicle". The vote showed Supervisor Hemphill voting "Nay" and he should have been marked absent.

A motion was made by Supervisor Albaugh, seconded by Supervisor Hammond, that these Minutes be approved as corrected. The motion carried by the following vote:

Aye: 4 - Hemphill, Albaugh, Gallagher and Hammond

Absent: 1 - Teeter

PUBLIC WORKS DEPARTMENT

ROAD DEPARTMENT
SUBJECT: Agreement between Lassen County and Cal Signal Corp.
FISCAL IMPACT: The maximum agreement amount of $82,600. Funding is available in the Road Contruction Fund/Budget Unit No. 122-1222 where Federal STIP funding is available for reimbursement.
ACTION REQUESTED: 1) Approve agreement; and 2) authorize the Public Works director to sign.

Attachments: PW Attach

The Board of Supervisors commended Director of Public Works Larry Millar for decreasing the reimbursement amount for mileage and travel on the contract with Cal Signal Corp. Brief discussion was held.

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

Aye: 4 - Hemphill, Albaugh, Gallagher and Hammond

Absent: 1 - Teeter

COUNTY ADMINISTRATIVE OFFICE

COUNTY PROPERTY
SUBJECT: Receive request from the City of Susanville to acquire or lease County owned real property located on North Mesa Street, Susanville, Lassen County Assessor Parcel Numbers (APN) 105-130-01 and 105-180-23.
FISCAL IMPACT: Undetermined.
ACTION REQUESTED: Provide direction to staff.

CAO Egan stated he received a request from the City of Susanville to acquire a parcel owned by Lassen County to establish a dog park. Quincy McCourt from the City of Susanville gave a presentation of a possible dog park and the county owned property that the city is interested in. Mr. McCourt also discussed fencing, landscaping and maintenance of the park. Discussion was held. CAO Egan recommended Mr. McCourt speak with the City of Susanville's Counsel and informed him that a contract would need to be created.

MATTERS SET FOR TIME CERTAIN

RECOGNITION COMMITTEE PRESENTATION
SUBJECT: 10 Year Awards: Terri O'Bryan (Behavioral Health). 25 Year Awards: Richard Egan (County Administration). 30 Years: Julie Bustamante (County Clerk/Recorder)

FISCAL IMPACT: None.
ACTION: Present awards.

Supervisor Hemphill recognized the following employees: 10 Years: Terri O'Bryan (Behavioral Health); 25 Years: Richard Egan (County Administration Office); 30 Years: Julie Bustamante (County Clerk/Recorder).

SPEAKERS: Tiffany Armstrong, Nancy Cardenas, Bob Burns, Supervisor Albaugh, Supervisor Gallagher, Sarah Howe, Supervisor Hemphill.

SUPERVISOR HAMMOND
SUBJECT: Industrial hemp/CBD presentation by Tom Atwood of Terranovo CBD.
FISCAL IMPACT: None.
ACTION REQUESTED: 1) Receive report; and/or 2) provide direction to staff.

Supervisor Hammond introduced Tom Atwood of Terranovo CBD. Tom Atwood also introduced himself and gave an extensive power point presentation regarding the cultivation and testing of hemp. Discussion was held.

SPEAKERS: Richy Pearson, Nick Teck, Joe Adair and Lassen County Sheriff's Captain Mike Carney.

SUPERVISOR HEMPHILL
SUBJECT: Industrial hemp. Presentation by Mike Laca.
FISCAL IMPACT: None.
ACTION REQUESTED: 1) Receive report; and/or 2) provide direction to staff.

Mike Laca gave an extensive presentation regarding hemp, hemp growing, the market for hemp and hemp farmers in Nevada and the possibilities and benefits for Lassen County. Extensive discussion was held.

SPEAKERS: Joe Fray and Adrian Snow from Western States Hemp Co., Dave Roberti.

RECESS: 11:41 A.M. - 11:46 A.M.

COUNTY COUNSEL-DRAFT ORDINANCE ON INDUSTRIAL HEMP
SUBJECT: Consider a draft ordinance proposing changes to Titles 1, 3, 6, and 19 of the Lassen County Code to allow the cultivation of Industrial Hemp, to establish a taxation rate for that cultivation, to exempt it from the County's right to farm protection, and to move the code provisions related to nuisance abatement from one title to another.
FISCAL IMPACT: Undetermined.
ACTION REQUESTED: 1. Receive report from staff; and 2. Introduce and read (or waive the reading) of the ordinance; and 3. Provide direction to staff.

Attachments: Hemp 2019

Supervisor Hemphill stated the next step would be to amend Title 19 and to seperate hemp from cannabis. County Counsel Burns agreed that Title 19 needs

to be addressed. CAO Egan also agreed that the policy needs to move forward however staff needs additional direction and the process can take time. CAO Egan also informed the Board that County Counsel Burns has been working on revisions. County Counsel Burns stated a revised ordinance has been presented but hasn't seen any changes with state rules and regulations and Lassen County needs to be cautious. Director of Planning and Buildling Services Maurice Anderson addressed zoning. Extensive discussion was held. CAO Egan recommended the Board to table this item to the next scheduled Board of Supervisors meeting when all five (5) Board Members would be present. Supervisor Hemphill stated there would be a special meeting to be held on Tuesday, June 4, 2019, at 8:30 a.m. to continue discussion when all five (5) Supervisors would be present. The Board agreed.

SPEAKERS: Dave Ricardi, Cheryl Lauritsen from the Agricultural Commissioners Department (Ag Dept.), Jane Roberti, Robyn Hansen from the Ag Dept.

A motion was made by Supervisor Albaugh, seconded by Supervisor Gallagher, that this Action Item be continued to a Special Board Meeting to be held on Tuesday, June 4, 2019, at 8:30 a.m.. The motion carried by the following vote:

Aye: 4 - Hemphill, Albaugh, Gallagher and Hammond

Absent: 1 - Teeter

BOARDS AND COMMISSIONS

LASSEN COUNTY BEHAVIORAL HEALTH ADVISORY BOARD
SUBJECT: Appointment to the Lassen County Behavioral Health Advisory Board.
FISCAL IMPACT: None.
ACTION REQUESTED: Make appointment. (Gaylynn Garcia).

Attachments: F1 Attach

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

Aye: 4 - Hemphill, Albaugh, Gallagher and Hammond

Absent: 1 - Teeter

DEPARTMENT REPORTS - CONTINUED

OFFICE OF EMERGENCY SERVICES

EMERGENCY OPERATIONS PLAN
SUBJECT: Updated Lassen County and City of Susanville Emergency

Operations Plan (EOP) approval and adoption of EOP by Resolution.
FISCAL IMPACT: None known.
ACTION REQUESTED: 1) Receive the EOP; and 2) adopt Resolution.

Attachments: OES Complete Lassen and Susanville EOP Public (FINAL) Redacted

OES Disaster Council 3-5-19 Draft Minutes

OES EOP Letter of Promulgation

OES EOP RESOLUTION 2019 (TS edits)

OES Staff Report EOP

Office of Emergency Services (OES) Chief Mark Rotlisberger gave an overview of the revisions made to the Emergency Services Plan. Brief discussion was held.

A motion was made by Supervisor Albaugh, seconded by Supervisor Gallagher, that this Resolution No. 19-025 be adopted. The motion carried by the following vote:

Aye: 4 - Hemphill, Albaugh, Gallagher and Hammond

Absent: 1 - Teeter

SHERIFF'S DEPARTMENT

JAIL
SUBJECT: Bid award for Lassen County Jail Kitchen Appliance Replacement to East Bay Restaurant Supply, Inc. in the amount of $71,387.17.
FISCAL IMPACT: From Public Safety - Sheriff Jail Fund/Budget Unit No.130-0525.
ACTION REQUESTED: 1) Award the bid to East Bay Restaurant Supply, Inc.; and 2) authorize the County Administrative Officer to purchase the replacement Kitchen Appliances.

Attachments: SO Jail Kitchen Attach

Custody Lieutenant John McGarva gave a brief overview of the request for bid for kitchen appliance replacement for the jail and informed the board of the condition of the existing kitchen appliances. Brief discussion was held.

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

Aye: 4 - Hemphill, Albaugh, Gallagher and Hammond

Absent: 1 - Teeter

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan proposed to not call the regularly scheduled board meeting on May 28, 2019, as there would be a special Board of Supervisors meeting scheduled for June 4, 2019. The Board agreed.

CLOSED SESSION - CONTINUED

Closed session was held from 12:37 p.m. - 12:43 p.m.

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

Deputy CAO Shaw was present from 12:41 a.m. - 12:43 a.m.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

County Counsel Burns announced the following closed session items:

Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: 1) County of Lassen vs. Cooper, Valenta, et al; Lassen Superior Court Case No. 60593.

No reportable action.

Conference with Labor Negotiator Richard Egan: May include the following bargaining units - a) Lassen County Peace Officers Assn. (LCPOA).

No reportable action.

Employee performance evaluation: Public Defender.

Received an excellent evaluation by unanimous vote.

Liability Claim; - Claimant: 1) S. Ratliff; Agency claimed against, Lassen County; Claim # TIBS-600072; 2) S. Bennett; Agency claimed against, Lassen County; Claim# TIBT-600258.

No reportable action.

ADJOURNMENT

There being no further business, the meeting is adjourned at 12:45 p.m.

_____

Chairman of the Board of Supervisors

Date: _____

ATTEST:

_____

Michele Yderraga, Deputy Clerk of the Board