



**Meeting Minutes**  
**Board of Supervisors Special Meeting**

*LASSEN COUNTY SUPERVISORS:*

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

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Tuesday, August 11, 2020

9:00 AM

Lassen County Fair  
Jensen Hall  
195 Russell Ave  
Susanville, CA 96130

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**9:10 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 - Aaron Albaugh, Chris Gallagher, David Teeter, Jeff Hemphill and Tom Hammond

**Excuse:** 0

**PUBLIC COMMENT**

Noble Feather: Discussed the District Attorney and Grand Jury reports.

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

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**

Closed session was held from 9:15 a.m. - 9:25 a.m.

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

Supervisor Hammond recused himself and was absent from 9:15 a.m. - 9:27 a.m.

**9:32 A.M. OPENING CEREMONIES**

**ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION**

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.

No reportable action.

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

After the flag salute invocation was offered by Supervisor Teeter.

### **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:** 5 - Albaugh, Gallagher, Teeter, Hemphill and Hammond

### **PUBLIC COMMENTS**

Office of Emergency Services (OES) Chief Silas Rojas: Gave an update on the Hog and Gold fires.

Michael Fuller: Discussed the Standish Litchfield Fire Protection District.

Steven Moss: Discussed Doyle Dollar General.

Supervisor Hammond recused himself and was absent from 9:44 a.m. - 10:53 a.m.

### **UNAGENDIZED REPORTS BY BOARD MEMBERS**

Supervisor Gallagher: Nothing to report.

Supervisor Albaugh: 1) Welcomed Supervisor Hemphill back; 2) announced that Caltrans had been working on Highway 139 and it was a smoother drive; 3) will be attending a Regional Council Representatives of California (RCRC) meeting via Zoom on August 12, 2020.

Supervisor Hemphill: 1) Stated it was good to be back; 2) requested to have a solar requirement on new construction discussion agenda; 3) stated the virtual fair went great.

Supervisor Teeter: 1) Welcomed Supervisor Hemphill back; 2) attended a Lassen Transit Service Agency (LTSA) meeting; 3) attended a Lassen County Transportation Commission (LCTC) meeting; 4) attended a Lassen County Local Agency Formation Commission (LAFCo) meeting; 5) attended a Lassen County Behavioral Health Advisory Board meeting; 6) acknowledged Mae Sherman for her dedication and service to the Lassen County Behavioral Health Advisory Board.

### **INFORMATION/CONSENT CALENDAR**

Supervisor Teeter pulled Item# G1 - Gray Wolves; Supervisor Albaugh pulled

Item# G3 - Agreement; Supervisor Hemphill pulled Item# G4 - Review of Local Emergency.

Supervisor Gallagher was absent from 9:56 a.m. - 9:57 a.m.

### **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 - Albaugh, Gallagher, Teeter and Hemphill

**Absent:** 1 - Hammond

#### COUNTY CLERK-RECORDER

##### MINUTES

SUBJECT: Meeting Minutes of July 28, 2020.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [DRAFT MINS](#)

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

#### COUNTY ADMINISTRATIVE OFFICE

##### 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 2019, through June 2020.

FISCAL IMPACT: None.

ACTION REQUESTED: Receive and file.

Attachments: [Prison Trial](#)

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

#### PUBLIC WORKS DEPARTMENT

##### SKYLINE ROAD EXTENSION

SUBJECT: Notice of Completion for Skyline Road Extension Construction Project, Lassen County, Contract No. 18-2363, RPSTPL-5907(014).

FISCAL IMPACT: The total project cost of \$8,428,317.74 has been paid from Fiscal Year (FY) 2019/2020 and FY 2020/2021 Road Construction Budget, Fund/Budget Unit No. 122-1222 with reimbursable STIP funding in the amount of \$7,970,000.

ACTION REQUESTED: 1) Approve the Notice of Completion; and 2) authorize the Director of Public Works to sign.

Attachments: [PW Skyline Completion Attach](#)

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

SKYLINE ROAD EXTENSION RESOLUTION

SUBJECT: Resolution adding Skyline Road Extension into the County Maintained Road System.

FISCAL IMPACT: Undetermined revenue from the Highway Users Gas Tax and negative impact of added maintenance responsibility, including snow removal and liability.

ACTION REQUESTED: 1) Adopt Resolution.

Attachments: [PW Skyline Rd Attach](#)

**This Resolution No. 20-035 was adopted on the Consent Agenda.**

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Lassen County Technical Advisory Committee Meeting Agenda for August, 6, 2020.
- b) Lassen County Planning Commission Notice of Cancellation for the regularly scheduled meeting on August 4, 2020.
- c) Lassen County Behavioral Health Advisory Board meeting agenda for August 10, 2020.
- d) Susanville City Council Special Meeting agenda for August 5, 2020.
- e) Central Valley Regional Water Quality Control Board Meeting Agenda for Thursday, August 13, 2020, and Friday, August 14, 2020.

Attachments: [MISC CORR](#)

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

**DEPARTMENT REPORTS**

CHILD SUPPORT SERVICES

AGREEMENT

SUBJECT: Request the Board to approve the State Fiscal Year 2020/21 agreement between the Department's and Law Office of Jessica Ryan Ann Keeney in the amount of \$95,000.00 per year.

FISCAL IMPACT: There is no fiscal impact to the General Fund; there is no net increase to appropriations.

ACTION REQUESTED: Approve the agreement with the Law Office of Jessica Ryan Ann Keeney; authorize the County Administrator Officer to sign the contract on behalf of the Lassen Board of Supervisors.

Attachments: [DCSS 8.11.20 Staff Report](#)

[DCSS Shared Service - Plumas](#)

[DCSS Final SFY 20-21 Jessica Ann Ryan Keeney Contract](#)

Director of Child Support Services Kelley Cote gave a brief overview of the shared contract with Plumas County for services provided by the Law Office of Jessica Ryan Ann Keeney. Director Cote also informed the Board once Plumas County spends their allotment, Lassen County will invoice Plumas County for additional amounts over \$20,000. Brief discussion was held.

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

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

## **PUBLIC HEARINGS**

PLANNING AND BUILDING SERVICES - APPEAL PROCEEDINGS OF JULY 28, 2020, RE-AGENDIZED AT DIRECTION OF CHAIRMAN  
SUBJECT: Appeal by Jagpreet (Jay) Singh of the Planning Commission's approval of Use Permit Number 2019-011. Said approval permitted construction of a 9,100-square-foot retail store off of Old Highway Road near Doyle. The project site is located approximately one mile north of the Town of Doyle at 436-400 and 436-410 Old Highway Road (also known as Carol Drive) APNs 141-060-12, and 141-060-13.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1) Having conducted the public hearing on July 28, 2020, provide the then absent board member (District 3) an opportunity to participate in a decision on the appeal.

**Attachments:** [C1 Attach Exhibit D Inventory Sample Book Dollar General](#)

[C1 Attach](#)

[Staff Report](#)

[Five Page Woodcrest Letter](#)

[Support Letters Submitted by Applicant](#)

[Email from Caltrans Submitted by Eugene Chittock](#)

[Twelve Letters Submitted by S. Singh on May 26, 2020](#)

Supervisor Hammond recused himself and was absent from 9:44 a.m. - 10:53 a.m.

Supervisor Teeter called the matter and asked Counsel to report on the status of the matter.

County Counsel gave a brief overview of the status of the appeal indicating the reason the matter was placed back on the agenda was, and at the direction of the Chair, to give the then absent board member, Supervisor Hemphill, an opportunity to participate in the decision making process on this appeal. County Counsel stated that, in anticipation of this, copies of all items that are part of the record from the July 28 public hearing were duplicated and provided to Supervisor Hemphill in advance of today's meeting, including the audio recording from that date, so he could become informed prior to participating.

The Chair opened the matter to public comment.

SPEAKERS: Hanes Snyderaker, Steve Powell, Wade Wyland, Kathleen Catron, Bandon Moss, Noble Feather, Frank Eragon, Thomas Franklin, Eric Moss, Jay Singh, Josh McKernon.

At the conclusion of public comment, the matter was brought back to the Board for discussion and possible action.

Supervisor Hemphill stated he received this packet on Friday, August 7, 2020, and had questions about how this was handled by staff. Supervisor Hemphill stated he was amazed how quickly this project was approved and couldn't believe Caltrans signed off on the intersection. Supervisor Hemphill felt the intersection was too small for the delivery trucks to get in and out of the store for deliveries as there is only one way in and out. Discussion was held regarding the highway, driveway and parking lot. CAO Egan reminded the Board this wasn't the appropriate forum and the purpose of this decision would be to grant or deny an appeal. Director of Planning and Building Services Maurice Anderson stated his department made a great effort to evaluate the project and was able to enter into early consultations with agencies including Caltrans. There were no concerns from Lassen County Public Works or Caltrans. Director Anderson stated he reached out a third time and there were still no concerns. Supervisor Albaugh made a motion to deny the appeal as stated in the motion he originally made at the July 28, 2020, Public Hearing. The motion died for lack of a second. Supervisor Gallagher moved to grant the appeal. Supervisor Hemphill seconded the motion. Additional discussion was held regarding the Planning Commission, Caltrans, new and current businesses in Lassen County and the location and set up of the Doyle Dollar General.

**A motion was made by Supervisor Gallagher, seconded by Supervisor Hemphill, that the Appeal be granted. The motion carried by the following vote:**

**Aye:** 3 - Gallagher, Teeter and Hemphill

**Nay:** 1 - Albaugh

**Recuse:** 1 - Hammond

RECESS: 10:45 a.m. - 10:53 a.m.

## **DEPARTMENT REPORTS - CONTINUED**

### **BOARD OF SUPERVISORS**

#### **GRAY WOLVES**

SUBJECT: California Department of Fish and Wildlife's (CDFW) draft Local Implementation Strategy for the Conservation Plan for Gray Wolves in California: Information for Livestock Producers, Local Governments, Organizations, and other Stakeholders and draft Proposed CDFW Location Reporting System.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: Receive information.

Attachments: [BOS - Gray Wolves Attach](#)

CAO Egan stated this item was agendaized due to California Department of Fish and Wildlife promised a draft conservation plan and were present for discussion. Senior Environmental Scientist Kent Laudon offered to reschedule the presentation to give additional time for the Board to review the wolf plan. Supervisor Hammond stated his concern was the direct loss in restitution and would like that to be the focus. Supervisor Gallagher stated he would like to go through the plan line by line to see what can be added or deleted. Supervisor Gallagher would also like to discuss goals and objectives and offered an individual meeting with Mr. Laudon and possibly Supervisor Albaugh. Additional discussion was held regarding restitution and wolves. The Board recommended to begin with the Fish and Game Commission for direction and bring back to the Board of Supervisors for additional discussion.

SPEAKERS: Brian Ayler and Pete Figueroa from California Department of Fish and Wildlife.

#### OFFICE OF EMERGENCY SERVICES

##### REVIEW OF LOCAL EMERGENCY

SUBJECT: Review Proclamation of Local Emergency, Resolution No. 20-014 and the Local Health Emergency Regarding Novel Coronavirus (COVID-19), Resolution No. 20-015.

FISCAL IMPACT: None.

ACTION REQUESTED: Review and continue Resolution No. 20-014 and Resolution No. 20-015.

Supervisor Hemphill asked if Lassen County was still under an emergency. Office of Emergency Services (OES) Chief Silas Rojas gave a brief overview of the current emergency situation and how it allows us to seek disaster funding while in an emergency situation. CAO Egan stated it is a way of preserving the ability to potentially recover some costs at a later date. This is reviewed every thirty days.

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

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

**Nay:** 1 - Hemphill

#### COUNTY COUNSEL

##### ASSESSMENT APPEALS

SUBJECT: Imposition of a fee for the filing of assessment appeals application.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1) Receive report; and 2) provide direction to staff.

Attachments: [200811 Assessment Appeals Filing Fees](#)

County Counsel Burns gave a brief overview of the filing for applications for changed assessments. County Counsel Burns also stated there was a resolution being presented from the Assessment Appeals Board (AAB) which lays out their position and need for a filing fee to be established. The AAB requested this item to be brought to the Board of Supervisors for review. County Counsel Burns discussed the costs associated with filing, processing, hearings, and how a small fee would do a couple of things. Such as encouraging applicants to realistically view their case. County Counsel Burns proceeded to inform the Board the number of applications submitted over the past five years and the AAB is currently caught up with an overwhelming amount of applications, with just a few outstanding. Brief discussion was held regarding how an application fee would be divided amongst departments. County Counsel Burns informed the Board the fee would go to the General Fund. Additional discussion was made regarding a per application fee or a per parcel fee. County Counsel Burns gave a brief overview of land with several parcel numbers and how the Assessor's Office use of parcel numbers for assessment. Supervisor Teeter requested an example by legal parcel and APN number.

CAO Egan was absent from 11:31 a.m. - 11:43 a.m.

## PLANNING AND BUILDING SERVICES

### GROUNDWATER SUSTAINABILITY PLAN LETTERS

SUBJECT: Letter from the Board of Supervisors to Governor Gavin Newsom, and a separate letter to the State Legislature, both requesting that the January 31, 2022, deadline to prepare a Groundwater Sustainability Plan for the Big Valley groundwater Basin be extended as a result of difficulties the Groundwater Sustainability Agency is having conducting public outreach during the COVID-19 pandemic.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: Authorize Chairman to sign.

Attachments: [letter to legislature re more time for GSP BOS Letterhead](#)

[Letter to Governor Re Big Valley BOS Letterhead](#)

Assistant Planning and Building Services Director Gaylon Norwood gave a brief overview of the letters to be sent to Governor Gavin Newsom and the State Legislature regarding a request for an extension to prepare a Groundwater Sustainability Plan for the Big Valley Groundwater Basin. Discussion was held. Supervisor Albaugh commended Assistant Director Norwood for articulation of letter.

Supervisor Hemphill was absent from 11:48 a.m. - 11:49 a.m.



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

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

SHERIFF'S DEPARTMENT

ADMINISTRATION

SUBJECT: Fiscal Year (FY) 2020/2021 Budget Adoption for identified Sheriff's Office Budgets.

FISCAL IMPACT: No General Fund impact.

ACTION REQUESTED: 1) Adopt FY 2020/2021 Sheriff's Budgets for the following Fund/Budget Units in the identified amounts: a) \$319, 271 for Equipment Depreciation, Fund/Budget Unit No. 185-0540; b) \$1,316.963 for Lassen County Motor Pool, Fund/Budget Unit No. 135-0352; and c) \$231,980 for Sheriff Contracts - Boat Patrol, Fund/Budget Unit No. 111-0520.

**Attachments:** [SO Admin attach](#)

Sheriff's Captain John McGarva gave a brief overview of the Sheriff's Budget Units that needed adoption for the current Fiscal Year 2020/2021. Captain McGarva also discussed Motorpool, Boat Patrol, and Homeland Security grants.

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

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

JOB DESCRIPTION

SUBJECT: Approval of Correctional Lieutenant job description, and approval to fill the existing Sheriff's Lieutenant position in the Jail, Fund/Budget Unit No. 130-0525, with a Correctional Lieutenant.

FISCAL IMPACT: There will be some cost savings based on the Police Officers Association (POA) - B pay scale being lower than the POA - A pay scale, as well as some differences in incentives available to the two positions.

ACTION REQUESTED: 1) Approve the creation of a Correctional Lieutenant position; and 2) set compensation at Range 25 in the POA - B pay scale, and approve including the position in the Lassen County Police Officers Association (LCPOA) Management Unit; and 3) approve filling the existing Sheriff's Lieutenant position in the Jail, Fund/Budget Unit No. 130-0525, with a Correctional Lieutenant.

**Attachments:** [SO Job Descript Attach](#)

Sheriff's Captain Michael Carney gave a brief overview of the new job

description and requested approval to create the position. Captain Carney informed the Board this would also include a cost savings to Lassen County. Brief discussion was held.

**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 - Albaugh, Gallagher, Teeter, Hemphill and Hammond

#### COUNTY ADMINISTRATIVE OFFICE

##### CAL FIRE AGREEMENT

SUBJECT: Ratification of an executed agreement between Cal-Fire and Lassen County for use of Lassen County fairgrounds for the Hog Fire Incident.

FISCAL IMPACT: Revenue to Fund/Budget Unit No. 175-1751.

ACTION REQUESTED: 1) Receive report and ratify agreement; and/or 2) Provide direction to staff.

**Attachments:** [OES Resolution Attach](#)  
[200728 Cal-Fire CALMU003874 HOG Fire-Executed](#)

CAO Egan requested ratification of an agreement executed with Calfire for the rental of the Lassen County Fairgrounds as grounds base and necessity and urgency to act. Lassen County discovered there isn't a clear authority in county policy to make such arrangements and asking to bring this agreement back to make that policy and authority clear. CAO Egan also stated there were generally three entities the county works with regarding the rental of the fairgrounds and suggested to adopt a policy for those types of agencies with a prescribed charge. Brief discussion was held.

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

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

##### COVID-19 CARES ACT FUNDING

SUBJECT: Fiscal Year (FY) 2020/2021 budget appropriation of \$2,940,000 from the Coronavirus Aid, Relief and Economic Security Act ("CARES Act").

FISCAL IMPACT: Positive.

ACTION REQUESTED: 1) Approve a budget appropriation of \$2,940,000 in Fund/Budget Unit No. 160-1601 for Coronavirus related expenditures. (4/5 vote required).

**Attachments:** [CARES Act Funding](#)

The Board agreed to combine Item# H6 - COVID-19 CARES ACT FUNDING and Item# H7 - COVID-19 CARES ACT FUNDING RESOLUTION for discussion

and approval.

CAO Egan informed the Board the amount of CARES funding applied to Lassen County and the restrictions and time frames for spending that were allowed. CAO Egan also discussed how the CARES funding could be used. 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 - Albaugh, Gallagher, Teeter, Hemphill and Hammond

COVID-19 CARES ACT FUNDING RESOLUTION

SUBJECT: Resolution waiving competitive procurement processes for the procurement of goods and services to allow for the expeditious use of Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") funding and related authorizations.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Adopt Resolution (4/5 vote required); and/or 2) provide direction to staff.

**Attachments:** [200811 resolution CARES ACT Procurement](#)

THIS ITEM WAS COMBINED WITH ITEM# H6 COVID CARES ACT PER REQUEST OF THE BOARD.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Hammond, that this Resolution No. 20-034 be adopted. The motion carried by the following vote:**

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

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

Nothing to report.

## ADJOURNMENT

There being no further business, the meeting is adjourned at 12:10 p.m.

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

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

ATTEST:

\_\_\_\_\_

Michele Yderraga, Deputy Clerk of the Board