



Lassen County

Meeting Minutes Board of Supervisors

DRAFT

LASSEN COUNTY SUPERVISORS:

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

Tuesday, January 26, 2021

9:00 AM

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

9:03 A.M. CALL TO ORDER

Present: Supervisors Gallagher, Bridges, Hemphill, Albaugh and Hammond.
Also Present: County Administrative Officer (CAO) Richard Egan, County Counsel Amanda Uhrhammer, and Deputy Clerk of the Board Michele Yderraga.

Present: 5 - Tom Hammond, Chris Gallagher, Jeff Hemphill, Aaron Albaugh and Gary Bridges

Excuse: 0

PUBLIC COMMENT

None.

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.

CLOSED SESSION

Closed session was held from 9:04 a.m. - 9:20 a.m.

Present: Supervisors Gallagher, Bridges, Hemphill, and Albaugh. Also Present: CAO Egan, County Counsel Uhrhammer, Deputy Clerk of the Board Yderraga, Deputy CAO Tony Shaw, Director of Planning and Building Services Maurice Anderson and Deputy Director of Planning and Building Services Gaylon Norwood.

Supervisor Hammond recused himself and was absent from 9:04 a.m. - 9:20 a.m.

RECESS: 9:20 a.m. - 9:30 a.m.

B. 9:30 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

After the flag salute invocation was offered by Supervisor Albaugh.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

CAO Egan announced the following closed session item:

- 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9.

No reportable action.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

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

PUBLIC COMMENTS

None.

UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Hemphill: Attending a pool meeting this afternoon.

Supervisor Hammond: Will be absent for meetings of February 9th and February 16th.

Supervisor Bridges: Will be attending a pool meeting this afternoon.

Supervisor Gallagher: 1) Will be attending a Solid Waste meeting this afternoon; 2) stated Westwood Community Services District would no longer manage George Young Park and was actively seeking a new sponsor. **SPEAKER:** Gary Felt.

Supervisor Albaugh: 1) Attending a Solid Waste meeting this afternoon; 2) requested the Big Valley Groundwater Advisory Committee appointment be agendized for the next Board of Supervisors meeting.

BOARDS AND COMMISSIONS

FALL RIVER RESOURCE CONSERVATION DISTRICT (RCD)

SUBJECT: Request from Fall River CSD Board Members for consultation with Lassen County Board of Supervisors in appointing to fill vacancy on Fall River Resource Conservation District (RCD) (applicant Chris Christofferson) and 2 reappointments of Don Martin and Clay Jacobsen.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Support, oppose or remain neutral on appointment of applicant Dan Klatt to Fall River RCD; and/or 2) provide direction to staff.

Attachments: [doc01366820210121161509](#)

Brief discussion was held.

A motion was made by Supervisor Bridges, seconded by Supervisor Hemphill, to support these Appointments. The motion carried by the following vote:

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

FAR NORTHERN REGIONAL CENTER

SUBJECT: Request from Far Northern Regional Center for consultation in appointing to fill vacancy on Far Northern Coordinating Council on Developmental Disabilities (applicant Timothy Howard).

FISCAL IMPACT: None.

ACTION REQUESTED: Consider making appointment.

Attachments: [F2 Attach](#)

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

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

HERLONG PUBLIC UTILITY DISTRICT

SUBJECT: One Short Term vacancy on the Herlong Public Utility District. Term to expire 01/02/2023.

FISCAL IMPACT: None.

ACTION REQUESTED: Consider making appointment. (Applicants Felix Flores, Lee Harris, Theresa Turek).

Attachments: [doc01368320210121163154](#)

Supervisor Gallagher recommended to appoint Lee Harris. Brief discussion was held.

SPEAKERS: Sandy Raffelson.

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

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

INFORMATION/CONSENT CALENDAR

Supervisor Gallagher requested to pull Item# G2 - Letter of Support; Supervisor Bridges requested to pull Item# G6 - Road Department; Supervisor Albaugh requested to pull Item# G5 - Minutes, and Item# G9 - Honey Lake Resources Conservation District (RCD).

Approval of the Consent Agenda

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

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

BOARD OF SUPERVISORS**SUPERVISOR HAMMOND**

SUBJECT: Request to designate \$814.45 (Herlong cleanup), \$919.48 (Doyle cleanup), and \$584.32 (Leavitt Lake cleanup) to C&S Waste.

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.

AGRICULTURAL COMMISSIONER**WEED MANAGEMENT**

SUBJECT: January 15, 2021 - June 30, 2022, Cooperative Agreement between California Department of Food and Agriculture and Lassen County for noxious weed control for the purchase of equipment to help Lassen County's efforts of controlling noxious weed species throughout the county.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Approve Cooperative Service Agreement; and 2) authorize the Chairman to sign.

Attachments: [G3 Attach](#)

This Action Item was approved on the Consent Agenda.

COUNTY ADMINISTRATIVE OFFICE**PERSONNEL REPORT**

SUBJECT: Personnel Movement Report for November, 2020.

FISCAL IMPACT: None.

ACTION: Receive and file.

Attachments: [G4 attach](#)

This Report was received and filed on the Consent Agenda.

PUBLIC WORKS DEPARTMENT**ROAD DEPARTMENT**

SUBJECT: First Amendment to Agreement with Owen Equipment Sales for Repair of Road Division Street Sweeper.

FISCAL IMPACT: Cost increase to service agreement in the amount of

\$10,000. Funding for repair is available in Fund/Budget Unit No. 122-1221.
ACTION REQUESTED: 1) Approve first amendment to agreement with Owen Equipment Sales to add \$10,000 in additional funding to agreement for total not to exceed amount of \$35,000 and authorize Director of Public Works/Transportation to sign amendment.

Attachments: [Owen Equipment Attach](#)

This Action Item was approved on the Consent Agenda.

VETERANS SERVICES

ANNUAL CALVET COMPLIANCE DOCUMENTS

SUBJECT: Annual required signature forms required by CalVet to verify that Veterans Services is complying with California code of Regulations, Title 12, Subchapter 4, and the CalVet Procedure Manual for Subvention and Medi-Cal Cost Avoidance.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Approve; and 2) authorize the Chairman to sign.

Attachments: [VA Certificate of Compliance Subvention 2020-2021](#)
[VA Medi-Cal Certificate of Compliance Med 2020-2021 \(1\)](#)

This Action Item was approved on the Consent Agenda.

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:
a) Susanville City Council Regular Meeting agenda for January 20, 2021.

Attachments: [MISC CORR](#)

These Reports were received and filed on the Consent Agenda.

DEPARTMENT REPORTS

BOARD OF SUPERVISORS

LETTER OF SUPPORT

SUBJECT: Approval of a letter supporting a universal speed limit of 65 miles per hour for heavy trucks and passenger cars traveling on US Highway 395 in Lassen County.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve letter and authorize the Chairman to sign.

Attachments: [210126 Caltrans US HWY 395 Letter](#)

Supervisor Gallagher stated he had asked this letter to be resent to Caltrans to address the speed limit on US Highway 395 and asked if a few changes could be made to the letter. CAO Egan briefly discussed the contents of the letter. Supervisor Hammond recommended using the state line as the common place.

Supervisor Gallagher requested a change in the letter regarding heavy trucks with three axles or more to reflect the vehicle code and would make a motion to approve with the change.

SPEAKERS: Gary Felt.

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

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

COUNTY CLERK-RECORDER

MINUTES

SUBJECT: Meeting Minutes of January 19, 2021.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [DRAFT MINS](#)

Supervisor Albaugh stated the Adjournment was missing from the Draft Minutes and requested the Minutes to be corrected.

A motion was made by Supervisor Gallagher, seconded by Supervisor Bridges, that these Minutes be approved as amended. The motion carried by the following vote:

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

PUBLIC WORKS DEPARTMENT

ROAD DEPARTMENT

SUBJECT: Purchase of Parts and Service to Rebuild Engine for Road Division Dump Truck.

FISCAL IMPACT: Cost of parts and service totals \$25,985.52. Funding for repair is available in Fund/Budget Unit No. 122-1221.

ACTION REQUESTED: Approve purchase of parts and service from Silver State International, located in Sparks, NV, to rebuild the diesel engine for a Road Division dump truck in the amount of \$25,985.52.

Attachments: [PW Dump Truck Attach](#)

Supervisor Bridges asked what the warranty was on the engine for the dump truck. Director of Public Works Pete Heimbigner stated there wasn't a warranty due to the age and mileage. Director Heimbigner also discussed the Requests for Proposal (RFP). Supervisor Albaugh asked about the warranty on the rebuilt engine. Road Field Supervisor Bob McGarva informed the Board it has a standard short term warranty, but was unsure of the details.

A motion was made by Supervisor Bridges, seconded by Supervisor

Hemphill, that this Action Item be approved. The motion carried by the following vote:

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

HONEY LAKE RESOURCE CONSERVATION DISTRICT (RCD)

SUBJECT: Provide a letter of support for Honey Lake RCD's application to NACD Urban Agriculture Conservation Grant Fiscal Year 2021.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Provide a letter of support for Honey Lake RCD's application for NACD Urban Agriculture Conservation Grant 2021 Fiscal Year.

Attachments: [HLRCD Attach](#)

Supervisor Albaugh requested additional information regarding the grant. Andrea Stvemky from Honey Lake Valley RCD gave a brief overview of urban agriculture that included community gardens, orchards, food banks, and health. Additional 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 - Hammond, Gallagher, Hemphill, Albaugh and Bridges

PUBLIC HEARINGS

CODE ENFORCEMENT - BRAGG

SUBJECT: Public hearing to consider the recovery of administrative penalties and Hearing on Accounting for the abatement of a public nuisance located at 741-925 Park Drive, Doyle CA (APN: 139-270-01); as provided in Title 1, Chapter 1.18.170(i) and 1.18.150, of Lassen County Code. This property is owned by Fred Bragg. The associated code enforcement file number CDEF2018-087. The administrative penalty is due to the owner's failure to abate the public nuisance, in accordance with the Notice and Order to Correct Violations, and 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 Hearing on Accounting; and

2) Receive report from staff; and 3) Adopt a resolution directing staff to execute and record a lien on said property, with the Lassen County Recorder and if unpaid after 90 days, amend said lien for the full cost of abatement.

Attachments: [C1 Attach](#)

Planning and Building Services Chief Planner Matt May gave a brief overview of the abatement and informed the Board the Mr. Bragg did not clean the property. Chief Planner May updated the Board on the new abatement process.

The Public Hearing was open from 10:06 a.m. - 10:09 a.m.

SPEAKERS IN FAVOR: Roberta Bragg.

SPEAKERS IN OPPOSITION: None.

Treasurer/Tax Collector Nancy Cardenas stated she spoke with Mr. and Mrs. Bragg regarding a payment plan, however the amount they were willing to pay would not be sufficient. Treasurer/Tax Collector Cardenas explained the policy and procedure of the payment plan. Additional discussion was held.

A motion was made by Supervisor Gallagher, seconded by Supervisor Bridges, that this Resolution No. 21-002 be adopted. The motion carried by the following vote:

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

CODE ENFORCEMENT - MENDOZA

SUBJECT: Public hearing to consider the recovery of administrative penalties for a public nuisance located at 308 Delwood Street, Westwood, CA (APN: 125-151-19); as provided in Title 1, Chapter 1.18.170(i), of Lassen County Code. This property is owned by Alberto Baragan Mendoza. The associated code enforcement file number CDEF2019-047. The administrative penalty is due to the owner's failure to abate the public nuisance, in accordance with the Notice and Order to Correct Violations and 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 a lien on said property, with the Lassen County Recorder.

Attachments: [C2 Attach](#)

Planning and Building Services Chief Planner Matt May gave a brief overview of the hearing and explained to the Board this hearing doesn't have an abatement. The property owner previously cleaned the nuisance, however the property returned to the condition it was originally. The Hearing Officer recently heard the case and will impose fines and penalties. Chief Planner May introduced a revised Resolution.

The Public Hearing was open from 10:17 a.m. - 10:18 a.m.

SPEAKERS IN FAVOR: None.

SPEAKERS IN OPPOSITION: None.

A motion was made by Supervisor Gallagher, seconded by Supervisor Bridges, that this Resolution No. 21-003 be adopted. The motion

carried by the following vote:

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

CODE ENFORCEMENT - MATHFALLU

SUBJECT: Public hearing to consider recovery of administrative penalties for a public nuisance located at 460-760 Wray Road, Janesville, CA (APN: 129-490-01); as provided in Title 1, Chapter 1.18.170(i), of Lassen County Code. This property is owned by Amar Singh Mathfallu. The associated code enforcement file number CDEF2019-045. The administrative penalty is due to the owner's failure to abate the public nuisance, in accordance with the Notice and Order to Correct Violations and 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 a lien on said property, with the Lassen County Recorder.

Attachments: [C3 Attach](#)

Chief Planner May introduced a revised Resolution.

The Public Hearing was open from 10:20 a.m. - 10:24 a.m.

SPEAKERS IN FAVOR: None.

SPEAKERS IN OPPOSITION: Peter Talia.

Brief discussion was held.

A motion was made by Supervisor Bridges, seconded by Supervisor Hemphill, that this Resolution No. 21-004 be adopted. The motion carried by the following vote:

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

CODE ENFORCEMENT - COLLINS

SUBJECT: Public hearing to consider the recovery of administrative penalties for a public nuisance located at 446-855 Spruce Ave, Herlong, CA (APN: 139-153-14/139-153-15); as provided in Title 1, Chapter 1.18.170(i) of the Lassen County Code. This property is owned by John R. Collins. The associated code enforcement file number CDEF2018-011. The administrative penalty is due to the owner's failure to abate the public nuisance, in accordance with the Notice and Order to Correct Violations and 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 a lien on said property, with the Lassen County Recorder.

Attachments: [C4 Attach](#)

Planning and Building Services Chief Planner Matt May informed the Board of the new abatement ordinance and explained the abatement. Brief discussion was held.

The Public Hearing was opened from 10:28 a.m. - 10:30 a.m.

SPEAKERS IN FAVOR: None.

SPEAKERS IN OPPOSITION: John Collins.

Additional discussion was held.

A motion was made by Supervisor Gallagher, seconded by Supervisor Bridges, that this Resolution No. 21-005 be adopted. The motion carried by the following vote:

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

CODE ENFORCEMENT - STRATTON

SUBJECT: Public hearing to consider the recovery of administrative penalties for of a public nuisance located at 716-560 Cummings Road, Janesville, CA (APN: 131-090-26); as provided in Title 1, Chapter 1.18.170(i) of Lassen County Code. This property is owned by Jack Stratton. The associated code enforcement file number CDEF2020-018. The administrative penalty is due to the owner's failure to abate the public nuisance, in accordance with the Notice and Order to Correct Violations and 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 a lien on said property, with the Lassen County Recorder.

Attachments: [C5 Attach](#)

Brief discussion was held.

The Public Hearing was opened from 10:34 a.m.. - 10:37 a.m.

SPEAKERS IN FAVOR: None.

SPEAKERS IN OPPOSITION: None.

SPEAKERS: Treasurer/Tax Collector Nancy Cardenas.

Additional discussion was held.

Supervisor Hemphill was absent from 10:38 a.m. - 10:39 a.m.,

A motion was made by Supervisor Hemphill, seconded by Supervisor Bridges, that this Resolution No. 21-006 be adopted. The motion carried by the following vote:

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

RECESS: 10:39 a.m. - 10:51 a.m.

DEPARTMENT REPORTS - CONTINUED

PLANNING AND BUILDING SERVICES

COMMERCIAL CANNABIS CULTIVATION

SUBJECT: Discuss possible amendments to Title 18 of the Lassen County Code regarding commercial cannabis cultivation.

FISCAL IMPACT: Possible future implementation and environmental review costs if an ordinance is adopted.

ACTION REQUESTED: Provide direction to staff.

Attachments: [H1 Attach](#)

Supervisor Albaugh stated this item needed to be tabled for an evening meeting to give the public the full ability to participate. Supervisor Hammond requested to hear Sheriff/Coroner Dean Growdon's opinion. Sheriff Growdon informed the Board they would have to eventually allow some form of commercial cultivation and that he and Treasurer/Tax Collector Nancy Cardenas had recently spoken with the Farm Bureau. The Sheriff's Office had received numerous calls pertaining to enforcement action on illegal outdoor grows and explained his staff was very busy this past summer. Sheriff Growdon suggested a pilot program and to have very limited indoor cultivation. Sheriff Growdon added he was extremely opposed to outdoor commercial cultivation.

Supervisor Bridges asked about the Proposition 64 grant. Sheriff Growdon gave a brief overview of the grant and issues with his staffing. There were a lot of grows in Moon Valley that were very visible, but many were out of view and only visible from the air. Director of Planning and Building Services Maury Anderson briefly discussed the previous fires, staffing, marijuana abatements and a possible internal pilot program that would use real time GIS. Treasurer/Tax Collector Cardenas informed the Board cannabis tax is an unsecured tax, not a secure lien. Measure M was written to allow commercial cannabis in Lassen County and not as a punitive measure. Treasurer/Tax Collector Cardenas did a comparison of the revenue brought in by Measure M past two years and stated it was going to be harder to receive taxes from this source. Additional discussion was held regarding Measure M, state laws and Title 18.

Supervisor Gallagher motioned to table this item for a future date. Supervisor Bridges seconded the motion adding the future meeting to be held in the evening. Brief discussion was held.

SPEAKERS: Agricultural Commissioner Craig Hemphill.

A motion was made by Supervisor Gallagher, seconded by Supervisor Bridges, to table this item to a future Board of Supervisors meeting. The motion carried by the following vote:

Aye: 3 - Gallagher, Albaugh and Bridges

Nay: 2 - Hammond and Hemphill

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan reported: Reminded the Board there would be a special Board of Supervisors meeting at Jensen Hall on Thursday, January 28, 2021 at 9:00 a.m.

ADJOURNMENT

There being no further business, the meeting is adjourned at 11:43 a.m.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board