



# Lassen County

G5

## 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*

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Tuesday, March 16, 2021

9:00 AM

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

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### **9:00 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 - Chris Gallagher, Gary Bridges, Jeff Hemphill, Aaron Albaugh 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 item:

- 1) Employee performance evaluation: 1) Public Defender; and 2) County Administrative Officer.

### **CLOSED SESSION**

Closed session was held from 9:01 a.m. - 9:47 a.m.,

Present: Supervisors Gallagher, Bridges, Hemphill, Albaugh and Hammond.

Also Present: CAO Egan, County Counsel Uhrhammer, and Deputy Clerk of the Board Yderraga.

RECESS: 9:47 a.m. - 9:53 a.m.

### **9:53 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 closed session would be continued to the end of the

meeting.

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

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

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

#### PUBLIC COMMENTS

Caleb Shortz: Gave a report on Lassen County Transportation Commission (LCTC).

Curtis Bortle: Discussed cannabis.

Director of Public Health Cynthia Raschein: Discussed the COVID-19 vaccination clinic.

Wade Workman: Discussed the fishing derby.

#### UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Gallagher: 1) Attended a Solid Waste meeting; 2) reminded everyone of the COVID-19 vaccination drive through clinic on March 17, 2021.

Supervisor Hammond: 1) Requested to donate \$1763.92 to C&S Waste for the Doyle town clean-up; 2) will be attending a Sierra Alliance meeting; 3) will be attending a conference call with consultants and Washoe County regarding the US Highway 395 project.

Supervisor Hemphill: 1) Attended a Planning and Service Area - Area on Aging (PSA 2 AAA) meeting; 2) attended the St. Patrick's Day Corned Beef and Cabbage dinner in Janesville; 3) requested to donate \$500 to Janesville Elementary School Locker Program fund; 4) requested to donate \$500 to the Lassen Union High School Clay Breakers.

Supervisor Bridges: 1) Attended a Fair Advisory Board Meeting; 2) attended Rural County Representatives of California (RCRC) meeting via Zoom; 3) attended a Golden State Finance Authority (GSFA) meeting via Zoom.

Supervisor Albaugh: 1) Attended a Lassen County Transportation Commission (LCTC) meeting; 2) attended a Solid Waste meeting; 3) attended a Big Valley Water Board Advisory Committee meeting; 4) thanked Supervisor Bridges for attending the RCRC and GSFA meetings.

#### MATTERS SET FOR TIME CERTAIN

##### RECOGNITION COMMITTEE

SUBJECT: Recognition Committee Award Presentation for March.

FISCAL IMPACT: None.

ACTION REQUESTED: Present Recognition Awards to: 15 Years: Orlando Caprari (Health and Social Services); and Wesley Gray (District Attorney's Office). 25 Years: Daniel Schlueter (Assessor's Office).

Supervisor Albaugh presented awards and recognized the following employees for their service: 15 Years: Orlando Caprari (Health and Social Services - not present); and Wesley Gray (District Attorney's Office). 25 Years: Daniel Schlueter (Assessor's Office).

Scott Nordstrom accepted on behalf of Orlando Caprari.

SPEAKERS: District Attorney Melyssah Rios, Assessor Nick Ceaglio.

## **PUBLIC HEARINGS**

### **PLANNING AND BUILDING SERVICES**

SUBJECT: Public Hearing: Appeal, filed by property owners and applicants Norman "Bud" Laraway and Becky Thompson, of Planning Commission Resolution 2-03-21, adopted February 2, 2021, which denied the appeal of the Technical Advisory Committee's disapproval of Lot Line Adjustment Application #2020-007. The proposed line adjustment is between two parcels that together total approximately 200 acres. Parcel A is currently 120 acres in size, whereas Parcel B is currently 80 acres in size. If the appeal were granted and the lot line adjustment application were approved, Parcel A would be approximately 40 acres in size, whereas Parcel B would be approximately 160 acres in size. Parcel A: APN 129-210-61. Parcel B: APN 129-210-62.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1) Receive the report; and 2) conduct a public hearing pursuant to Lassen County Code Section 16.08.280; and 3) render a decision (grant or deny the appeal) within 60 days of the February 11, 2021, filing of the appeal.

Attachments: [LL 2020-007 Laraway BOS 3-16-21 Packet 2](#)

Planning and Building Services Senior Planner Stefano Richichi gave a brief overview of the appeal and informed the Board the Technical Advisory Committee (TAC) and Planning Commission disapproved the appeal prior to this Public Hearing. Sr. Planner Richichi discussed state law and regulations of property and lot line adjustments, zoning, rezoning, Lassen County Code, TPZ Districts, and preservation of timber. Sr. Planner Richichi also discussed the reasoning Planning and Building Services, TAC and the Planning Commission disapproved the application.

Supervisor Bridges asked if the application were approved if this would set precedence for people to move back. Director of Planning and Building Services Maury Anderson stated absolutely in this case and this was something they guard against. Director Anderson also stated split zoning was to make a bad situation better, however in this case, it would be making a good situation worse.

Sr. Planner Richichi stated the TPZ replaced the Williamson Act in the 1970's

and was very similar. Agriculture zoning is protected through the Williamson Act, and TPZ is meant for preservation of timber. Assessor Nick Ceaglio gave a detailed description of property taxes, property assessment and how it is related to TPZ zoning. Chief Appraiser, Business and Administration Dan Schlueter added that it was a similar process. Extensive discussion was held.

The Public Hearing was open from 10:42 a.m. - 11:17 a.m.

SPEAKERS IN FAVOR: Jeff Morrish, Becky Thompson, Jeff Spangler, Curtis Bortle.

SPEAKERS IN OPPOSITION: None.

Sr. Planner Richichi stated Planning and Building Services reached out to Cal Fire and the United States Forest Service and they agreed multiple access was the issue. Director Anderson reminded the Board Lassen county has consistently denied this type of an appeal.

Additional discussion was held.

Supervisor Albaugh stated there was an error on page 9 of 58. Sr. Planner Richichi acknowledged it was a typo.

CAO Egan was absent from 10:41 a.m. - 10:43 a.m.

**A motion was made by Supervisor Gallagher, seconded by Supervisor Bridges, that this Resolution No. 21-013 be adopted denying the appeal filed on February 11, 2021, as amended, and disapproving the lot line adjustment. The motion carried by the following vote:**

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

**Nay:** 1 - Hemphill

RECESS: 11:38 a.m. - 11:45 a.m.

## **INFORMATION/CONSENT CALENDAR**

Supervisor Albaugh requested to pull Item# G6 - Road Department; Supervisor Gallagher requested to pull Item# G7 - Road Department.

## **Approval of the Consent Agenda**

**A motion was made to approve the Consent Agenda as amended. The motion carried by the following vote:**

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

## BOARD OF SUPERVISORS

## SUPERVISOR GALLAGHER

SUBJECT: Request to designate \$500 to Lassen Land and Trails Trust for the Paiute Run.

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 as amended.**

## LETTER OF SUPPORT

SUBJECT: Approve letter of support to the Sierra Nevada Conservancy for Lassen Fire Safe Council's Thompson Peak Initiative Bootsole Project.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Approve letter; and 2) authorize Chair to sign.

**Attachments:** [Thompson Peak Initiative Lassen County Fire Safe Council Letter](#)

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

## AUDITOR'S OFFICE

## FUND CASH BALANCES

SUBJECT: Treasurer's Fund Balance Report and Auditor's verification for the month of February, 2021.

FISCAL IMPACT: None.

ACTION: Receive and file.

**Attachments:** [LASSEN COUNTY FUND BALANCES 2-28-2021](#)

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

## COUNTY ADMINISTRATIVE OFFICE

## PERSONNEL REPORT

SUBJECT: Personnel Movement Report for January, 2021.

FISCAL IMPACT: None.

ACTION: Receive and file.

**Attachments:** [Personnel Report](#)

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

## COUNTY CLERK-RECORDER

## MINUTES

SUBJECT: Meeting Minutes of March 9, 2021.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

**Attachments:** [DRAFT MINS](#)

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

**SHERIFF'S DEPARTMENT**

**TRAINING**

SUBJECT: Travel authorization for one sergeant to attend the California Peace Officer's Standards and Training (POST) Sherman Block Supervisory Leadership Institute program. The course consists of eight separate 24-hour sessions. Seven sessions are held in Folsom, California, and one in Los Angeles, California.

FISCAL IMPACT: The estimated cost of the training is approximately \$4,877.56; full per diem is to be provided prior to the start of training session. From Public Safety - Sheriff Patrol Fund/Budget Unit No. 130-0522. The course tuition is reimbursed by California POST with no up-front cost.

ACTION REQUESTED: 1) Authorize Sergeant Chris McNally to attend the California POST Sherman Block Supervisory Leadership Institute course; and 2) approve per diem to be provided prior to each training session.

Attachments: [SO Packet](#)

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

**TREASURER/TAX COLLECTOR**

**PORTFOLIO**

SUBJECT: Treasurer's Investment Report for February, 2021.

FISCAL IMPACT: None.

ACTION: Receive and file.

Attachments: [LASSEN COUNTY PORTFOLIO 2-28-2021](#)

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

**DEPARTMENT REPORTS**

**PUBLIC WORKS**

**ROAD DEPARTMENT**

SUBJECT: Award Asphalt Concrete (1/2" max. med. PG Grade 64-28).

FISCAL IMPACT: Funding will be from the current 2019-2020 Fiscal Year (FY) Road Operating Fund/Budget Unit No. 122-1221. Maximum cost would be an amount equal to \$230,721.57 if all the material was utilized.

ACTION REQUESTED: Award Asphalt Concrete (1/2" max. med. PG Grade 64-28) to Hat Creek Construction, Inc. in the amount of \$70.25 per ton (not to exceed 1,000 tons or \$75,343.13 w/tax) for the Bieber area; to Hat Creek Construction and Materials, Inc. in the amount of \$70.25 per ton (not to exceed 1,000 tons or \$75,343.13 w/tax) for Susanville/Standish area; to Eagle Peak Rock in the amount of \$70.25 per ton (not to exceed 500 tons or \$37,671.56 w/tax) for Ravendale; to Sierra Cascade Aggregate and Asphalt

Products, Inc. in the amount of \$79.00 per ton (not to exceed 500 tons or \$42,363.75 w/tax) for Westwood, the lowest bidders meeting the requirements considering transportation costs and standby time to haul the material from the respective plants to the individual job sites.

**Attachments:** [PW Asphalt Concrete Attach](#)

Supervisor Albaugh asked about the dollar amount per ton and what was the purpose of different quantities from the recommendation in the bid. Director of Public Works Pete Heimbigner stated it was an error and would be adjusted. Director Heimbigner added they were asking for 4000 tons county wide. A portion of the material would be taken to each site within the county.

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

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

ROAD DEPARTMENT

SUBJECT: Bid Award: Asphalt Emulsion Oil.

FISCAL IMPACT: Funding available in Road Operating Fund/Budget Unit No. 122-1221.

ACTION REQUESTED: Award the bid to Albina Asphalt, 801 Main Street, Vancouver, WA 98660, the lowest bidder meeting the specifications, in the amount of \$161,630 asphalt emulsion oil plus an additional amount of \$25,000 for trucking costs associated with transport and placement for total of \$186,630.

**Attachments:** [PW Asphalt Emulsion Oil Attach](#)

Supervisor Gallagher stated the bid to transport the truck was \$25,000 but there wasn't a comparison. Director of Public Works Pete Heimbigner informed the Board they received a low bid on oil quantities. Road Field Supervisor Bob McGarva stated the oil was coming from Klamath Falls and not Washington. Road Field Supervisor McGarva also informed the Board they have two spreaders and it would break out over several weeks. The bid also included to haul the freight to Lassen County.

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

PUBLIC WORKS/TRANSPORTATION

SUBJECT: Revised Job Descriptions.

FISCAL IMPACT: Funding is available within the Department's budget and some offset may be available from the Solid Waste fund depending on possible reorganization of Lassen Regional Solid Waste Management Authority.

ACTION REQUESTED: 1) Approve revised job description for Assistant Director of Public Works/Transportation; and 2) approve revised job description for Deputy Director of Public Works/Transportation.

**Attachments:** [PW Revised Job Descriptions Attach](#)

Director of Public Works Pete Heimbigner reminded the Board he was originally trying to recruit a Deputy Public Works Director that would also act as the Solid Waste Manager but was unsuccessful with recruitment. Director Heimbigner gave a brief overview of the realignment of the Public Works department to get additional staff. Discussion was held.

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

PUBLIC WORKS/TRANSPORTATION

SUBJECT: SB-1 Road Maintenance and Rehabilitation Account (RMRA) Funding 2020/2021 Fiscal Year (FY).

FISCAL IMPACT: Anticipated revenue in the estimated amount \$2,278,175 from the 2020/2021 FY appropriation of SB 1 RMRA Funds to the 2020/2021 FY Road Construction Fund/Budget Unit No. 122-1222. State revenue report (attached) through February 2021 shows a revenue amount of 1,294,648.

ACTION REQUESTED: Receive update on revised projects to be funded by SB-1 Road Maintenance and Rehabilitation Account funding for 2020/2021 FY.

**Attachments:** [PW Revised Job Descriptions Attach](#)

Director of Public Works Pete Heimbigner gave a brief update on the SB1 Funding and projects with the last and current fiscal year. Director Heimbigner also discussed dirt and gravel road projects. Additional discussion was held pertaining to other roads within the county.

SPEAKERS: Road Field Supervisor Bob Mcgarva.

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

Nothing to report.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

CAO Egan announced closed session would be continued.

CLOSED SESSION - CONTINUED



Closed session was continued from 12:05 p.m. - 12:21 p.m.

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

#### ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

CAO Egan announced:

- 1) Employee performance evaluation: 1) Public Defender; and 2) County Administrative Officer.

No reportable action.

#### ADJOURNMENT

There being no further business, the meeting is adjourned at 12:21 p.m.

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

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

ATTEST:

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