



Lassen County

Meeting Minutes

Board of Supervisors

LASSEN COUNTY SUPERVISORS:
DISTRICT 1 - BOB PYLE-CHAIRMAN; DISTRICT 2 - JIM CHAPMAN; DISTRICT 3 - JEFF HEMPHILL;
DISTRICT 4 - AARON ALBAUGH; DISTRICT 5 - TOM HAMMOND

Tuesday, March 17, 2015

9:00 AM

JENSEN HALL
LASSEN COUNTY FAIRGROUNDS
SUSANVILLE, CA 96130

9:02 A.M. CALL TO ORDER

PRESENT: Supervisors Bob Pyle, Jim Chapman, Jeff Hemphill and Tom Hammond. Supervisor Aaron Albaugh entered at 9:03 a.m. Also present: County Administrative Officer Richard Egan, County Counsel Bob Burns and Deputy Clerk of the Board Susan Osgood.

Present: 5 - Supervisor Bob Pyle, Supervisor Jim Chapman, Supervisor Jeff Hemphill, Supervisor Aaron Albaugh and Supervisor Tom Hammond

Excuse: 0

1. PUBLIC COMMENTS - NONE.

2. CLOSED SESSION

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION

- 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Government Code Section 54956.9 - NOT NEEDED FOR THIS MEETING.
- 2) Conference with real property negotiator: a) Location - 2950 Riverside Drive, Susanville, California; b) Negotiator – County Administrative Officer (CAO) Richard Egan; c) Subject - Provide direction to Property Negotiator regarding price and terms of potential purchase or lease; d) Negotiate with Mr. H. W. (Bill) Haedrich on behalf of real property owner.
- 3) Conference with Labor Negotiator Rick Haeg: May include the following bargaining units - a) Lassen County Peace Officers Assn. (LCPOA), b) Lassen County Peace Officers Supervisors Assn. (LCPOSA), c) Lassen County Peace Officers Management Assn. (LCPOMA), g) Lassen County Deputy Sheriffs Association (LCDSA).
- 4) Employee performance evaluation: County Administrative Officer Richard Egan - POSTPONED TO THE NEXT MEETING.

9:30 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

Following the flag salute, the invocation was offered by Chairman Pyle.

1. ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

Closed session was held 9:05 a.m. - 9:15 a.m.

SPEAKERS: Eileen Spencer.

2) Conference with real property negotiator: a) Location - 2950 Riverside Drive, Susanville, California; b) Negotiator – County Administrative Officer (CAO) Richard Egan; c) Subject - Provide direction to Property Negotiator regarding price and terms of potential purchase or lease; d) Negotiate with Mr. H. W. (Bill) Haedrich on behalf of real property owner - NO REPORTABLE ACTION.

3) Conference with Labor Negotiator Rick Haeg: May include the following bargaining units - a) Lassen County Peace Officers Assn. (LCPOA), b) Lassen County Peace Officers Supervisors Assn. (LCPOSA), c) Lassen County Peace Officers Management Assn. (LCPOMA), g) Lassen County Deputy Sheriffs Association (LCDSA) - NO REPORTABLE ACTION.

2. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

Aye: 5 - Pyle, Chapman, Hemphill, Albaugh and Hammond

3. PUBLIC COMMENTS

1) Dennis French - Comments on the State of Jefferson. 2) Don Armentrout - Comments on the State of Jefferson. 3) Robert Vacher - Comments on marijuana issue.

MATTERS SET FOR TIME CERTAIN

UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Albaugh: Will attend a Regional Council Representatives of California (RCRC) meeting in Sacramento this week.

Supervisor Hammond: Will attend an Association of Defense Communities meeting this weekend; commented on Sierra Army Depot and 2017 Base Realignment and Closure (BRAC).

Supervisor Chapman: 1) Reported on the 26th annual Fishing Derby to be held April 18, 2015. 2) Reported on the Susanville Rotary auction on KSUE Radio.

BOARDS AND COMMISSIONS

LASSEN COUNTY FISH AND GAME COMMISSION RESOLUTION

SUBJECT: Resolution to Assemblyman Brian Dahle requesting introduction of legislation to correct California Fish & Game Codes (code) to allow distribution of funds to the county where the violation occurs.

ACTION REQUESTED: Adopt resolution and forward to Assemblyman Dahle.

Lassen County Fish and Game Commission Chairman Don Armentrout and Vice-Chairman Paul Chappell presented detailed information on agenda request.

SPEAKERS: Alan Schumacher.

A motion was made by Supervisor Hemphill, seconded by Supervisor Hammond, that Resolution No. 15-019 be adopted. The motion carried by the following vote:

Aye: 5 - Pyle, Chapman, Hemphill, Albaugh and Hammond

BOARD OF SUPERVISORS

STATE OF JEFFERSON

SUBJECT: State of Jefferson.

ACTION REQUESTED: Consider adoption of declaration and petition or provide direction to staff.

County Counsel Burns presented information.

SPEAKERS: Mark Baird; Donna Koch; Roxanna Hall; Thomas Mohler; Eileen Richard; Gary Bridges; Carol Byers; Barbara Keeling; Cindy Elsworth.

Extensive discussion was held. (Supervisor Chapman absent 10:37 a.m. - 10:38 a.m.)

A motion was made by Supervisor Hemphill and seconded by Supervisor Hammond (clarified by County Counsel) to adopt the declaration and petition with Supervisor Albaugh's requested change to the fifth whereas to read "proposed" implementation. It is noted it is the intent of the Board this is adopted under the condition that it is approved by the voters in 2016.

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

Aye: 3 - Hemphill, Albaugh and Hammond

Nay: 2 - Pyle and Chapman

RECESS 11:12 a.m. - 11:25 a.m.

RECOGNITION COMMITTEE PRESENTATION

SUBJECT: 10 Year Awards: Chief Probation Officer Jennifer Branning; Jessica Valdovinos (Probation); Diana Sohodolsky (Probation); Latoya Salas (District Attorney's office)

15 Year Awards: Nathan Spalding (Sheriff); Lori Garrigan (Sheriff)

20 Year Award: Judith Davis (Auditor's office).

ACTION REQUESTED: Present awards.

Chairman Pyle presented awards for years of service: 10 Year Awards: Chief Probation Officer Jennifer Branning; Jessica Valdovinos (Probation); Diana Sohodolsky (Probation); Latoya Salas (District

Attorney's office) - not present.

15 Year Awards: Nathan Spalding (Sheriff) - not present; Lori Garrigan (Sheriff) - not present.

20 Year Award: Judith Davis (Auditor's office) - not present.

HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT (HLVRCD)

SUBJECT: 1) Discussion regarding appointment of an entity other than HLVRCD to serve as watermaster.

2) Discussion of letter of inquiry from HLVRCD on appointing to fill vacancy of board member.

ACTION REQUESTED: Discuss and provide direction to staff.

County Counsel Burns presented information on the agenda request regarding watermaster appointment and a vacancy on the RCD Board.

Extensive discussion was held. No decision was made by the Board.

SPEAKERS: Jay Dow; Larry Cabodi; John Bentley; Barbara White; Pam Traney.

INFORMATION/CONSENT CALENDAR

Items pulled for separate discussion: G5 Conflict of Interest Code by Supervisor Chapman.

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: 5 - Pyle, Chapman, Hemphill, Albaugh and Hammond

ADMINISTRATIVE SERVICES ITEM

ADMINISTRATION

SUBJECT: Letter to the Pacific Southwest Region of the U.S. Forest Service and the Lassen National Forest requesting actions of the Forest Service to expedite the removal of wind-blown debris and blowdown timber from the Forest as caused from the major wind event of February 6-7, 2015.

ACTION: Approve and authorize the Chairman to sign letter.

AUDITOR AND TREASURER DEPARTMENTS ITEM

REPORT

SUBJECT: Treasurer's Fund Balance Report and Auditor's verification for the month of January, 2015.

ACTION: Receive and file.

CHILD SUPPORT SERVICES

NATIONAL ASSOCIATION OF COUNTIES (NACo) ACHIEVEMENT AWARD

SUBJECT: Application submission for the National Association of Counties (NACo) 2015 Achievement Award.

FISCAL IMPACT: No significant impact.

ACTION: Authorize Child Support Services to submit the application.

PUBLIC WORKS DEPARTMENT

ROAD

SUBJECT: Resolution authorizing the Public Works Director or the County Administrative Officer to Approve the Appraisals, Establish Just Compensation, Negotiate for the Acquisition of Right of Way, Execute Right of Way Contracts and Approve Administrative Settlements for the Beaver Creek Bridge 7C-82 re-construction project.

FISCAL IMPACT: Funding in an estimated amount of \$120,000 will be programmed from the Federal Highway Bridge Program (HBP) for the Right of Way phase which includes the necessary acquisitions and utility relocations. Funding will be from Fund 122-1222, Road Construction with 88.53% federal reimbursement and 11.47% local.

ACTION: Adopt Resolution No. 15-020 which authorizes the Director of Public Works or the County Administrative Officer to: 1) Approve the Appraisals. 2) Establish Just Compensation. 3) Negotiate for the Acquisition of Right of Way. 4) Execute Right of Way Contracts. 5) Approve Administrative Settlements for right of way the County needs to acquire for the Beaver Creek Bridge 7C-82 on Pittville Road re-construction project.

ROAD

SUBJECT: Resolution authorizing the Public Works Director or the County Administrative Officer to Approve the Appraisals, Establish Just Compensation, Negotiate for the Acquisition of Right of Way, Execute Right of Way Contracts and Approve Administrative Settlements for the Hackstaff Road Bridge 7C-12 and Hackstaff Road Bridge 7C-81 re-construction projects.

FISCAL IMPACT: Funding in an estimated amount of \$80,000 will be programmed from the Federal Highway Bridge Program (HBP) for the Right of Way phase which includes the necessary acquisitions. Funding will be from Fund 122-1222, Road Construction with 100% federal reimbursable funding.

ACTION: Adopts Resolution No. 15-021 which authorizes the Director of Public Works or the County Administrative Officer to: 1) Approve the Appraisals. 2) Establish Just Compensation. 3) Negotiate for the Acquisition of Right of Way. 4) Execute Right of Way Contracts. 5) Approve Administrative Settlements for right of way the County needs to acquire for the Hackstaff Road Bridge 7C-12 and Hackstaff Road Bridge 7C-81 re-construction projects.

SHERIFF'S DEPARTMENT

PATROL SERVICES

SUBJECT: 2015/2016 Financial Aid Application/Agreement for California Parks and Recreation, Division of Boating and Waterways.

FISCAL IMPACT: \$109,172 in potential revenue for the 2015 Boating Program.

ACTION: 1) Approve 2015/2016 Financial Aid Application to the State of California Department of Parks and Recreation, Division of Boating and Waterways; 2) authorize the Chairman to sign the Agreement; and 3) authorize the Sheriff to sign the application for program participation.

TREASURER/TAX COLLECTOR

REPORT

SUBJECT: Treasurer's Investment Report for January, 2015.

ACTION: Receive and file.

MISCELLANEOUS CORRESPONDENCE ITEMS - NONE PRESENTED.

COUNTY CLERK-RECORDER AND COUNTY COUNSEL

AMENDED CONFLICT OF INTEREST CODE

SUBJECT: Review of amended Conflict of Interest Code submitted by Hallelujah Junction Fire Protection District.

ACTION REQUESTED: Adoption of amended Conflict of Interest Code.

Supervisor Chapman commented on agenda item G5 noting the proposed Conflict of Interest Code addresses his previous concerns.

A motion was made by Supervisor Chapman, seconded by Supervisor Hemphill, that the Conflict of Interest Code be adopted. The motion carried by the following vote:

Aye: 5 - Pyle, Chapman, Hemphill, Albaugh and Hammond

ASSESSOR'S OFFICE

APPRAISAL DIVISION

SUBJECT: Request to hire retired Assessor Ken Bunch as an extra help Senior Appraiser (Range 23E) on or about March 23, 2015.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve hiring of extra help; adopt resolution.

Assessor Dan Schlueter presented request to hire extra help per agenda. Extensive discussion was held.

A motion was made by Supervisor Albaugh but the motion died for lack of a second.

COUNTY CLERK-RECORDER

MINUTES

SUBJECT: Minutes of September 16, 2014.

ACTION REQUESTED: Approve.

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

Aye: 4 - Pyle, Chapman, Albaugh and Hammond

Abstain: 1 - Hemphill

COUNTY ADMINSTRATIVE OFFICE

HONEY LAKE VALLEY RECREATION AUTHORITY (HLVRA)

SUBJECT: Purchase and Sale Agreement between Honey Lake Valley Recreation Authority (HLVRA) and County of Lassen for the sale of the westerly 148 feet of 720 Richmond Road.

FISCAL IMPACT: No revenue will be generated from the sale. HLVRA is responsible for all closing costs associated with the sale of the property.

ACTION REQUESTED: Approve and authorize Chairman to sign.

Supervisor Hemphill made motion to approve. Supervisor Chapman suggested adding referee clause wording to the agreement. Discussion was held. Supervisor Hemphill agreed to that amendment.

A motion was made by Supervisor Hemphill, seconded by Supervisor Chapman, that this Agreement be approved as amended. The motion carried by the following vote:

Aye: 4 - Pyle, Chapman, Hemphill and Hammond

Nay: 1 - Albaugh

COUNTY COUNSEL

MARIJUANA

SUBJECT: Marijuana cultivation.

ACTION REQUESTED: Receive draft ordinance and provide direction to staff.

County Counsel Burns presented information and possible options for the proposed ordinance. Extensive discussion was held with Supervisors giving suggestions on the number of plants to be allowed, size of property, setbacks, and other proposed requirements or restrictions. (Supervisor Chapman absent 12:50 p.m. - 12:51 p.m.; Supervisor Albaugh absent 1:25 p.m. - 1:27 p.m.) County Counsel will bring further information back to the Board.

SPEAKERS: Planning and Building Services Director Maurice Anderson; Health and Social Services Director Melody Brawley; Sheriff Dean Growdon; Randy Bock; M. Mankins; Annie Westerbeke; Dennis Hinze; Ken Davis.

ADJOURNMENT

There being no further business, the meeting is adjourned at 2:30 p.m.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Susan Osgood, Deputy Clerk of the Board