



Lassen County

Meeting Minutes Board of Supervisors

LASSEN COUNTY SUPERVISORS:

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

Tuesday, March 14, 2017

9:00 AM

Board Chambers
707 Nevada St.
Susanville, CA 96130

9:00 A.M. CALL TO ORDER

Present: 5 - Supervisor Chris Gallagher, Supervisor David Teeter, Supervisor Jeff Hemphill, Supervisor Aaron Albaugh and Supervisor Tom Hammond

Excuse: 0

Also Present: County Administrative Officer Richard Egan, County Counsel Robert Burns, and Deputy Clerk of the Board Crystle Henderson.

1. PUBLIC COMMENT - 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 Subdivision (d)(2) of Government Code Section 54956.9. - NOT NEEDED.

2) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: Fletcher vs County of Lassen; Workers Compensation Appeals Board; Case Nos. ADJ9088187, ADJ9884532, ADJ7064957, ADJ9088167, ADJ10416389, ADJ9270985, and ADJ9128827.

9:31 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation led by Supervisor Albaugh.

1. ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

Closed session was held 9:02 a.m. - 9:10 a.m. Present for closed session: Supervisor Gallagher, Teeter, Hemphill, Hammond and Albaugh. Also present: CAO Egan, County Counsel Burns, Deputy County Administrative Officer Tony Shaw, Deputy County Counsel Melyssah Rios and Deputy Clerk of the Board Henderson.

Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: Fletcher vs County of Lassen; Workers Compensation Appeals Board; Case Nos. ADJ9088187, ADJ9884532,

ADJ7064957, ADJ9088167, ADJ10416389, ADJ9270985, and ADJ9128827. -
NO REPORTABLE ACTION.

2. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Hemphill asked to adjourn the meeting in memory of Edna Henderson.

The agenda was approved as amended.

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

3. PUBLIC COMMENTS

Speakers: Supervisor Albaugh- read a poem by Lassen County Poet Laureate Violet Stout titled March 17, 2017.

Office of Emergency Services Chief Eric Ewing - gave an update on the January and February storms.

Fred Nagle - concerned about getting permits to fix storm damage.

Supervisor Albaugh absent 9:40 a.m. - 9:42 a.m.

4. UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Hammond: Holding a Town Hall meeting tonight in Herlong at 6:30 p.m. The marijuana guys are going to give a presentation to the local community.

Supervisor Hemphill: Attended Transportation Commission and Transit Commission meetings last week attending a Special Transportation Commission meeting today. Attended a soft opening last Thursday at Lassen Ale Works new business on Johnstonville Rd. Lake 4-H is having a fundraiser Saturday night at the Janesville Fire Hall serving corned beef and cabbage.

Supervisor Gallagher: Attended Westwood Chamber meeting last and night talked to Richard about some things that needed maintenance. Attended Best of Broadway had a great crowd. Thanked the County for allowing the performance to be held at the Veteran's Hall. There in their 17th year and it's been a great partnership with the County. There will be two Symphony performances this weekend. Mark Leonard Anderson a renowned pianist will be performing. Special fundraiser on Wednesday night at the Methodist Church and a meet and greet and reception for him at the Monticola Club. His performance will be at the Church on Richmond Rd Friday and Sunday.

Supervisor Teeter: Attended a Behavioral Health Advisory Board meeting last night. Need to look for more Board members. Discussion about Tele meds and psychiatrists. Need to keep the talent that we have here.

Supervisor Albaugh: March 13th Southern Cascades opened up for business and had an open house. Asked to donate \$1000 to the Big Valley Recreation District out of discretionary funds for their pool. Attending Regional Council Representatives of California (RCRC) tomorrow in Sacramento. Attended Transportation Commission Meeting last Monday and will be attending a Special Transportation Commission meeting today. Attended North Eastern

California Water Association (NECWA) meeting last week. Last Saturday Shasta and Lassen County basketball teams teamed up and beat Sacramento. Big Valley Varsity girl's basketball team won the Division 7 championships. Wanted to recognize McKenzie Fry a senior for having over 1,000 career points at the Varsity level. Fair Board meeting tonight at 5:30 needs someone to attend.

Supervisor Hemphill absent 9:53 a.m. - 9:54 a.m.

INFORMATION/CONSENT CALENDAR

Item G4 - Health and Social Services was pulled for further discussion by Supervisor Albaugh and Item G7 - Probation was pulled by Supervisor Hammond.

Approval of the Consent Agenda

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

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

ADMINISTRATIVE SERVICES

PERSONNEL REPORT

SUBJECT: Personnel Movement Report for January, 2017.

FISCAL IMPACT: None.

ACTION: Receive and file.

Attachments: [Personnel Report January 2017](#)

This Report was received and filed on the Consent Agenda.

COUNTY CLERK-RECORDER

MINUTES

SUBJECT: Meeting minutes of February 28, 2017.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [Draft 2-28 17 minutes](#)

These Minutes were received and filed on the Consent Agenda.

PROPOSITION 65 REPORT

SUBJECT: REPORT NO. 17-01 NOTIFICATION OF HAZARDOUS MATERIALS RELEASE

Report received from California Highway Patrol (CHP) Commander J. A. Micheletti, regarding a February 17, 2017 incident of approximately 30 gallons of diesel fuel on the west dirt shoulder of SR-139 just south of

County Road A-1. The clean-up was coordinated by the carrier, Basin Logistics, LLC and the California Department of Transportation (Caltrans) and was completed by StoneCo Construction, Inc. on February 17, 2017.
ACTION: Receive and file Report No. 17-01.

Attachments: [Prop 65 Report](#)

This Report was received and filed on the Consent Agenda.

HEALTH AND SOCIAL SERVICES

PUBLIC HEALTH

SUBJECT: Revenue Agreement #16-10776 with California Department of Public Health for a Total of \$17,025 to Conduct HIV Surveillance Program for the Term July 1, 2016, through June 30, 2019.

FISCAL IMPACT: There is no impact to County General Fund. This is a revenue Agreement.

ACTION REQUESTED: Approve and authorize the CAO to sign.

Attachments: [BOS PH HIV/AIDS St Contract Renewal](#)

This Agreement was approved on the Consent Agenda.

PRISON TRIAL COSTS

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 2016 through February 2017.

FISCAL IMPACT: None.

ACTION REQUESTED: Receive and file.

Attachments: [Prison Trial Costs](#)

This Report was received and filed on the Consent Agenda.

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Susanville City Council meeting agenda for March 1, 2017.
- b) Lassen County Architectural Review Committee agenda for March 2, 2017.
- c) Lassen County Planning Commission Board Meeting Agenda for March 1, 2017 Cancel notice.
- d) Lassen Transit Service Agency meeting agenda for March 6, 2017.
- e) Lassen County Behavioral Health Advisory Board meeting agenda for March 13, 2017.
- f) Lassen County Transportation Commission meeting agenda for March 6, 2017.
- g) Application for Alcohol Beverage License for Lassen RV Resort, located at 548-335 Old Highway Rd, McArthur, CA 96056.
- h) Lassen-Plumas-Sierra Community Action Agency meeting for March 16, 2017.

Attachments: [Misc Corr](#)

These Reports were received and filed on the Consent Agenda.

DEPARTMENT REPORTS

HEALTH AND SOCIAL SERVICES

HEALTH AND SOCIAL SERVICES

SUBJECT: Revised Job Description for Director of Health & Social Services.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [BOS HSS Revised Job Descriptions 03.14.17](#)

Discussion was held. Supervisor Gallagher asked about the job description and suggested changes. CAO Egan agreed to make the changes to the job description.

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, Teeter, Hemphill, Albaugh and Hammond

PROBATION DEPARTMENT

PROBATION

SUBJECT: Memorandum of Understanding (MOU) between the Lassen Union High School Community Day School and the Lassen County Probation Department for the Truancy Reduction Program.

FISCAL IMPACT: Revenue agreement for Probation 145-0561 of \$2,372.50.

ACTION REQUESTED: Approve MOU and authorize Chief Probation Officer to sign.

Attachments: [Probation](#)

Supervisor Hammond asked Chief Probation Officer Jennifer Branning if they reached out to all the schools. Branning answered that they did. She also stated that the Probation department reaches out to all the schools every year to see if they want to participate in the Truancy Reduction Program. It's up to the school whether or not they want to be a part of the program.

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

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

PUBLIC HEARINGS

PLANNING AND BUILDING

SUBJECT: Public Hearing to determine, pursuant to the Sustainable Groundwater Management Act, whether Lassen County will submit a Notice of Intent to the Department of Water Resources indicating that Lassen County will be the Groundwater Sustainability Agency for the portion of the Big Valley Groundwater Basin located in Lassen County (File 1252.02).

FISCAL IMPACT: Unknown

ACTION REQUESTED: 1) Receive report; 2) Conduct a Public Hearing; 3) Adopt a resolution.

Attachments: [PBBigValleyGSA3-14-17](#)

Staff report was given by Planning and Building Services Director Maurice Anderson. GEI Consultant John Ayres gave presentation on the Sustainable Groundwater Management Act (SGMA). If Lassen County decided they wanted to be the Groundwater Sustainability Agency (GSA) it would need to be formed by June 30, 2017. The Big Valley GSA would consist of two agencies, Lassen and Modoc Counties. The two GSAs would need to work together to come up with one plan. Discussion was held.

The Public Hearing was opened by Chairman Albaugh at 10:29 a.m. No one was in favor or opposition of Lassen County becoming the Groundwater Sustainability Agency (GSA) for all portions of the Big Valley Groundwater Basin located within Lassen County. The Public Hearing closed at 10:30 a.m.

A motion was made by Supervisor Hemphill, seconded by Supervisor Hammond, that Resolution No.17-013 be approved. The motion carried by the following vote:

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

RECESS 10:32 a.m. - 10:52 a.m.

Reconvened at 10:52 a.m. at The Lassen County Fairgrounds located at Jensen Hall 195 Russell Ave Susanville, CA 96130.

DEPARTMENT REPORTS - Continued**ADMINISTRATIVE SERVICES ITEM****WORK FORCE REDUCTION**

SUBJECT: Notice of Reduction in Work Force (Layoff) for Lassen County Road Department and Lassen County Probation Department (one employee each department).

FISCAL IMPACT: Decrease of approximately \$84,700 (annually) from the Road Operating Budget 122-1221 and approximately \$25,840 (annually) from the Probation Department Budget 145-0562.

ACTION REQUESTED: 1) Approve Reduction in Force (Layoff) for the Lassen County Road Department, Assistant Engineer, Lassen County Probation Department, Juvenile Hall Superintendent; and 2) Defund

Assistant Engineer position 9263 in Road Fund 122-1221 and Juvenile Hall Superintendent position 9220 in Probation Fund 145-0562; and 3) Fund Supervising Juvenile Hall Counselor position 9221 in Probation Fund 145-0562; and 4) Authorize Notice of Reduction in Force.

Attachments: [doc03444920170216133210](#)

CAO Egan presented staff report. Discussion was held.

A motion was made by Supervisor Teeter, seconded by Supervisor Gallagher, to approve recommendations 1-4. The motion carried by the following vote:

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

AGRICULTURAL COMMISSIONER

AGRICULTURAL DEPARTMENT

SUBJECT: Pickup Truck purchase for Agricultural Department.

FISCAL IMPACT: Budgeted in Fiscal Year 2016/2017 - Bid price \$33,850.78. Budget Fund# 100-0601.

ACTION REQUESTED: Approve purchase of pickup from State Contracted Vendor (Downtown Ford - Sacramento, Ca.).

Attachments: [2017 vehicle board packet](#)

CAO Egan presented staff report.

This Action Item was approved.

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

MATTERS SET FOR TIME CERTAIN

SUPERVISOR HAMMOND - COMMERCIAL CANNABIS ACTIVITY

Presentation from proposed Colorado investors commercial cultivation site in Lassen County.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: Receive presentation and provide direction to staff.

Attachments: [Lassen Project Presentation Outline](#)

Presentation was given by CEO Owner of Kine Co. Kyle Bishop. He discussed commercial cannabis in Lassen County. Discussed the revenue and jobs his company would create if they were allowed to do business here and were approved to get their licensing through the state to be able to start in 2018. Extensive discussion was held.

MARIJUANA AD-HOC COMMITTEE

SUBJECT: Proposed moratorium. Update from Ad-Hoc committee regarding cannabis activity in Lassen County.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: Receive report and provide direction to staff.

County Counsel Burns presented staff report. The Marijuana Ad-Hoc Committee composed of Supervisors Teeter and Gallagher to discuss the cannabis activity in Lassen County. The Committee recommended a moratorium for the short term. No on commercial cannabis activity whether it be recreational or medical but at the same time aside from commercial activity perhaps a development of Title 19 into the conditions of cultivation to allow a small outdoor plot as a change from where it is now.

Extensive Discussion was held.

Speakers: Randy Bock, Jeff Scheetz, Norma Scheetz, Dennis Hinze, Lou Oring, CJ Johnson, Joseph Turner, Iona McCain, Ron Edwards, Felix Flores, Thomas Wasson, Joel Soft and Kyle Russo.

CAO Egan left briefly at 1:31 p.m.

DEPARTMENT REPORTS - Continued

BOARD OF SUPERVISORS

WELCOME HOME VIETNAM VETERAN'S DAY

SUBJECT: Resolution recognizing Welcome Home Vietnam Veteran's Day in Lassen County on Saturday, April 1, 2017 at 9:00 AM at the Susanville Veterans Memorial Building.

FISCAL IMPACT: None.

ACTION REQUESTED: Adopt resolution.

Attachments: [170314 Resolution-Welcome Home Vietnam Vet Day](#)
[170314 VFW letter](#)

A motion was made by Supervisor Gallagher, seconded by Supervisor Teeter, that Resolution No.17-014 be approved. The motion carried by the following vote:

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

COMMITTEE APPOINTMENTS

SUBJECT: Annual Committee Appointments for 2017.

FISCAL IMPACT: None.

ACTION REQUESTED: Make appointment to the following boards, committees, commissions:

Lassen County Fair Advisory Board

- a) Minute Order of October 15, 1996
- b) Term to Expire on March 31, 2021
 - 1) SUPERVISOR DISTRICT ONE
 - i. Primary (reappointment, Dan Douglas)
 - ii. Primary (reappointment, Brett Smith)
 - 2) SUPERVISOR DISTRICT TWO

- i. Primary (reappointment, Jason Bernard)
 - ii. Primary (reappointment, Lonnie Mahenski)
- 3) SUPERVISOR DISTRICT FOUR
 - i. Primary (reappointment, Becky Albaugh)
 - ii. Primary (reappointment, Kevin Stafford)
- c) Fill a Vacancy, Term to Expire on March 31, 2019
 - 1) SUPERVISOR DISTRICT THREE
 - i. Primary (applicant, Holly Mueller)

Lassen County Fish and Game Commission

- a) Resolution No. 80/81-104
- b) Term to Expire on March 31, 2021
 - 1) SUPERVISOR DISTRICT ONE
 - i. Primary (Tony Ardito)
 - ii. Primary (Eric Sandeen)
 - iii. Alternate (vacant)
 - 2) SUPERVISOR DISTRICT TWO
 - i. Primary (reappointment, Wade Workman)
 - ii. Primary (applicant, Christopher O'Brien)
 - iii. Alternate (vacant)
 - 3) SUPERVISOR DISTRICT FOUR
 - i. Primary (reappointment, George Affonso)
 - ii. Primary (reappointment, Donald Armentrout)
 - iii. Alternate (reappointment, Dave Meseve)

Lassen County Planning Commission

- a) Title 7, Chapter 3 of California Government Code; Lassen County Code Chapter 2.20
- b) Term to Expire on March 31, 2021
 - 1) SUPERVISOR DISTRICT ONE
 - i. Primary (vacancy)
 - 2) SUPERVISOR DISTRICT TWO
 - i. Primary (reappointment, Tim Purdy)
 - 3) SUPERVISOR DISTRICT FOUR
 - i. Primary (reappointment, Donald Meyer)

Lassen County Poet Laureate

- a) None
- b) Term: Serves at the Pleasure of the Board
 - 1) Violet Stout

Attachments: [Fair Advisory Board](#)
[Fish and Game Commission](#)
[Planning Commission](#)

Supervisor Hemphill absent 1:52 p.m.-1:54 p.m.

Supervisor Albaugh recused himself from the Lassen County Fair Advisory Board Appointments. He was absent 1:54 p.m.-1:56 p.m.

Lassen County Fair Advisory Board

- a) Minute Order of October 15, 1996
- b) Term to Expire on March 31, 2021
 - 1) SUPERVISOR DISTRICT ONE
 - i. Primary (reappointment, Dan Douglas)
 - ii. Primary (reappointment, Brett Smith)
 - 2) SUPERVISOR DISTRICT TWO
 - i. Primary (reappointment, Jason Bernard)
 - ii. Primary (reappointment, Lonnie Mahenski)
 - 3) SUPERVISOR DISTRICT FOUR
 - i. Primary (reappointment, Becky Albaugh)
 - ii. Primary (reappointment, Kevin Stafford)
- c) Fill a Vacancy, Term to Expire on March 31, 2019
 - 1) SUPERVISOR DISTRICT THREE
 - i. Primary (applicant, Holly Mueller)

A motion was made by Supervisor Hammond, seconded by Supervisor Teeter, that the Lassen County Fair Advisory Board appointments be approved. The motion carried by the following vote:

Aye: 4 - Gallagher, Teeter, Hemphill and Hammond

Recuse: 1 - Albaugh

Lassen County Fish and Game Commission

- a) Resolution No. 80/81-104
- b) Term to Expire on March 31, 2021
 - 1) SUPERVISOR DISTRICT ONE
 - i. Primary (Tony Ardito)
 - ii. Primary (Eric Sandeen)
 - iii. Alternate (vacant)
 - 2) SUPERVISOR DISTRICT TWO
 - i. Primary (reappointment, Wade Workman)
 - ii. Primary (applicant, Christopher O'Brien)
 - iii. Alternate (vacant)
 - 3) SUPERVISOR DISTRICT FOUR
 - i. Primary (reappointment, George Affonso)
 - ii. Primary (reappointment, Donald Armentrout)
 - iii. Alternate (reappointment, Dave Meseve)

A motion was made by Supervisor Teeter, seconded by Supervisor Gallagher, that the Lassen County Fish and Game Commission appointments be approved. The motion carried by the following vote:

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

Lassen County Planning Commission

- a) Title 7, Chapter 3 of California Government Code; Lassen County Code Chapter 2.20
- b) Term to Expire on March 31, 2021
 - 1) SUPERVISOR DISTRICT ONE
 - i. Primary (vacancy)
 - 2) SUPERVISOR DISTRICT TWO
 - i. Primary (reappointment, Tim Purdy)
 - 3) SUPERVISOR DISTRICT FOUR
 - i. Primary (reappointment, Donald Meyer)

A motion was made by Supervisor Teeter, seconded by Supervisor Gallagher, that the Lassen County Planning Commission appointments be approved. The motion carried by the following vote:

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

Lassen County Poet Laureate

- a) None
- b) Term: Serves at the Pleasure of the Board
 - 1) Violet Stout

A motion was made by Supervisor Hemphill, seconded by Supervisor Gallagher, that the Lassen County Poet Laureate appointment be approved. The motion carried by the following vote:

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

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

No information for the Board of Supervisors.

CORRESPONDENCE

ADMINISTRATION

SUBJECT: Proposed Resolution of Public Utilities Commission of the State of California regarding Susan River Park Water Company. Order authorizing a general rate increase producing an additional annual revenue of \$24,890 or 57.62%, for test year 2017 to be paid by the ratepayers; and the establishment of Tariff Schedule F for facilities fees and is scheduled to appear on the March 23, 2017 Commission Meeting Agenda. Comments on the proposed resolution will be accepted by the Commission on or before March 13, 2017.

FISCAL IMPACT: Not applicable.

ACTION REQUESTED: Receive and file.

Attachments: [Correspondence](#)

This Correspondence was Received and Filed.

ADJOURNMENT

There being no further business, the meeting is adjourned at 1:59 p.m. in memory of Edna Henderson.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Crystle Henderson, Deputy Clerk of the Board