



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 28, 2017

9:00 AM

Board Chambers
707 Nevada Street
Susanville, CA 96130

9:00 A.M. CALL TO ORDER

PRESENT: Supervisors Chris Gallagher, David Teeter, Jeff Hemphill, Aaron Albaugh. Also present: County Administrative Officer Richard Egan, County Counsel Robert Burns and Deputy Clerk of the Board Michele Yderraga.

Supervisor Tom Hammond arrived at 9:03 a.m.

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

Excuse: 0

1. PUBLIC COMMENT

Mike McCourt: Thanked Road Department for work during the storms. Gave suggestions on how to be more productive with a smaller staff. Suggested to allow volunteers to assist Road Department during times of need.

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: United Public Employees of California, Local 792 vs Lassen County; Public Employment Relations Board Case No. SA-CE-902-M.

2. CLOSED SESSION

Closed session was held from 9:08 a.m. - 9:34 a.m. Present: Supervisors Gallagher, Teeter, Hemphill, Albaugh and Hammond. Also present: CAO Egan, County Counsel Burns, Deputy Clerk of the Board Yderraga, Director of Health and Social Services Melody Brawley and Deputy CAO Tony Shaw.

Supervisor Hemphill was absent from 9:08 a.m. - 9:09 a.m.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

CAO Egan reported:

Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d) (1) of Government Code Section 54956.9: United Public Employees of California, Local 792 vs Lassen County; Public Employment Relations Board Case No. SA-CE-902-M.1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9. No reportable action.

9:30 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

After the flag salute, invocation was offered by Supervisor Albaugh.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

CAO Egan pulled Item# C3 Code Enforcement - Vorachak.

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

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

3. PUBLIC COMMENTS

Sirdon Navarro: Public Information Officer for US Small Business Administration (SBA). Gave presentation on SBA loans for victims of the recent storms in Lassen County.

Jeff Sheetz: Discussed outdoor cannabis grow.

Dennis Hinze: Discussed outdoor cannabis grow.

UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Hammond: Attended the Assessment Appeals Board hearing March 23, 2017.

Supervisor Hemphill: 1) Attended a Resource Conservation District (RCD) meeting; 2) Attended the Assessment Appeals Board hearing March 23, 2017.

Supervisor Gallagher: 1) Attended "Not My City Not My State" presentation; 2) Drove through Westwood to view abandoned vehicles. Going to try to re-initiate the Abandoned Vehicle Abatement. 3) Will be absent for meetings of April 25, 2017 and May 9, 2017.

Supervisor Teeter: Did not attend any meetings.

Supervisor Albaugh: 1) Attended Officer of Emergency Services meeting; 2) Attended a Treasury Oversight meeting; 3) Met with County Superintendent of Schools Patty Gunderson to discuss Rural Schools Act.

INFORMATION/CONSENT CALENDAR**Approval of the Consent Agenda**

Supervisor Albaugh pulled item# G6 Grants and Loans resolution authorizing sale of Plumas County property.

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

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

ADMINISTRATIVE SERVICES**BOARD OF SUPERVISORS****SUPERVISOR ALBAUGH**

SUBJECT: Request to designate \$500 to the Susanville Indian Rancheria POW WOW being held May 19 - 21, 2017. (March 21, 2017).

FISCAL IMPACT: Appropriation is included in the General Fund, Board of Supervisors budget (100-0011).

ACTION REQUESTED: Approve expenditures.

This Action Item was approved on the Consent Agenda.

SUPERVISOR HEMPHILL

SUBJECT: Request to designate \$500 to Janesville Town Council. (March 21, 2017).

FISCAL IMPACT: Appropriation is included in the General Fund, Board of Supervisors budget (100-0011).

ACTION REQUESTED: Approve expenditures.

This Action Item was approved on the Consent Agenda.

SUPERVISOR GALLAGHER

SUBJECT: Request to designate \$500 to the Lassen County Fish and Game Commission. (March 21, 2017).

FISCAL IMPACT: Appropriation is included in the General Fund, Board of Supervisors budget (100-0011).

ACTION REQUESTED: Approve transfer.

This Action Item was approved on the Consent Agenda.

SUPERVISOR GALLAGHER

SUBJECT: Request to designate \$250 to the Westwood Little League. (March 21, 2017).

FISCAL IMPACT: Appropriation is included in the General Fund, Board of Supervisors budget (100-0011).

ACTION REQUESTED: Approve expenditures.

This Action Item was approved on the Consent Agenda.

DEPARTMENT OF CHILD SUPPORT SERVICES (DCSS)

SUBJECT: Authorize the Lassen County Department of Child Support Services (DCSS) to be closed to the general public from April 11, 2017 through April 13, 2017 for the purpose of moving the State's DCSS server network from 1600 Chestnut Street, Susanville to 2950 Riverside Drive, Susanville.

FISCAL IMPACT: None.

ACTION REQUESTED: Authorize closure and provide direction to staff.

Attachments: [Child Support](#)**This Action Item was approved on the Consent Agenda.**

SHERIFF'S DEPARTMENT

TRAINING

SUBJECT: Travel authorization for two (2) Correctional Deputies to attend the mandatory Correctional Core Academy in Marysville, CA April 10, 2017-May 9, 2017. The estimated cost of the training is approximately \$6,363.13; full per diem, tuition and clothing to be provided prior to the start of training session.

FISCAL IMPACT: From Public Safety - Sheriff Jail Fund# 130-0525.

ACTION REQUESTED: Approve.

Attachments: [Sheriff's Office Training](#)**This Action Item was approved on the Consent Agenda.**

COUNTY CLERK-RECORDER

MINUTES

SUBJECT: Meeting minutes of March 21, 2017.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [Draft Meeting Minutes](#)**This Action Item was approved on the Consent Agenda.**

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

a) Honey Lake Valley Recreation Authority Governing Board Meeting agenda for March 21, 2017.

Attachments: [Misc Corr](#)**This Report was received and filed on the Consent Agenda.****DEPARTMENT REPORTS**

HEALTH AND SOCIAL SERVICES

GRANTS AND LOANS

SUBJECT: Resolution Authorizing Sale of Surplus County Property Located at 169 Gay Street, Chester, Plumas County, California, Plumas County Parcel Number 100-055-014, via Bid4Assets.

FISCAL IMPACT: Proceeds from the sale will be deposited in Community Development Block Grant (CDBG) Program Income Trust #312-0941-7603396.

ACTION REQUESTED: Adopt Resolution.

Attachments: [BOS GLD Chester Property Sale Resolution](#)

Grants & Loans Program Manager Jenna Aguilera and Director of Health and Social Services Melody Brawley gave information pertaining to the property. Discussion was held.

A motion was made by Supervisor Hemphill, seconded by Supervisor Hammond, that Resolution No. 17-020 be approved. The motion carried by the following vote:

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

BOARD OF SUPERVISORS

SUPERVISOR TEETER

SUBJECT: Expenditure of \$5,000 to the Lassen County Chamber of Commerce for organizing a 100th anniversary celebration of the Historic Lassen County Courthouse to be held in the fall of 2017.

FISCAL IMPACT: Appropriation from the General Fund, Non-Departmental (100-0101).

ACTION REQUESTED: Approve expenditure and authorize the CAO and the Department of Public Works to work with the Lassen County Chamber of Commerce to obtain any necessary permits or approvals to use county property for the 100th anniversary celebration of the Historic Lassen County Courthouse.

Attachments: [Chamber of Commerce Historic Courthouse](#)

Lassen County Chamber of Commerce Executive Director Patty Hagata gave a presentation on how funds would be spent for the 100th anniversary of the Lassen County Historic Courthouse celebration. Extensive discussion was held. All items within Action Requested were approved including any necessary permits or approvals to use county property.

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

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

MATTERS SET FOR TIME CERTAIN

AUDITOR

SUBJECT: 2015-16 Financial Statements and Audit.

FISCAL IMPACT: None.

ACTION REQUESTED: Receive presentation.

Attachments: [2015-16 Lassen Financial Statements - Final](#)
[2015-16 Lassen Single Audit -Final](#)

Lassen County Auditor Diana Wemple introduced Managing and Audit Partner of Price Paige and Company Fausto Hinojosa and a gave a brief description of the subject. Fausto Hinojosa gave a detailed report and power point presentation of Lassen County's annual audit report. Extensive discussion was held.

Supervisor Hemphill was absent from 10:16 a.m. - 10:17 a.m.

RECESS: 10:46 a.m. - 10:52 a.m.

PUBLIC HEARINGS

CODE ENFORCEMENT - SUSTAINABLE AG ENERGY

Hearing on Accounting pursuant to Lassen County Code Section 19.140; and Consideration of Report of Administrative civil penalties (as ordered to Sustainable Ag Energy, by the Decision of Administrative Hearing Officer, MCOH-16-60; CDEF 2016-056 on September 15, 2016), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: Potential \$62,327.98 increase to the General Fund.

ACTION REQUESTED:

1) Receive the Enforcing Officer's Report; and 2) Conduct a public hearing pursuant to County Code Section 19.140 (Hearing on Accounting); and a) Consider enforcing, and recording in the Office of Lassen County Recorder, a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs associated with said violation, as accounted for by the Enforcing Officer; or b) Through adoption of a resolution, order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

Attachments: [PBSusAgEnergy3-28-17packet](#)

Planning and Building Services Director Maurice Anderson gave an explanation of the subject. Extensive discussion was held.

SPEAKERS: Gary Lord, Russell Burkett.

A motion was made by Supervisor Teeter, seconded by Supervisor Gallagher, that Resolution No.17-016 be adopted. The motion carried by the following vote:

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

CODE ENFORCEMENT - MATHFALLU

SUBJECT: Hearing on Accounting pursuant to Lassen County Code Section 19.140; and Consideration of Report of Administrative civil penalties (as ordered to Amar Singh Mathfallu, by the Decision of Administrative Hearing Officer, MCOH-16-21; CDEF 2016-054 on September 1, 2016), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: Potential \$28,905.66 increase to the General Fund.

ACTION REQUESTED: 1) Receive the Enforcing Officer's Report; and 2) Conduct a public hearing pursuant to County Code Section 19.140 (Hearing on Accounting); and a) Consider enforcing, and recording in the Office of Lassen County Recorder, a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs associated with said violation, as accounted for by the Enforcing Officer; or b) Through adoption of a resolution, order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

Attachments: [PBMathfallu3-28-17packet](#)

Planning and Building Services Director Maurice Anderson gave an explanation of the subject. Extensive discussion was held.

A motion was made by Supervisor Gallagher, seconded by Supervisor Hammond, that this Resolution No.17-017 be adopted. The motion carried by the following vote:

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

CODE ENFORCEMENT - MACKAY

SUBJECT: Hearing on Accounting pursuant to Lassen County Code Section 19.140; and Consideration of Report of Administrative civil penalties (as ordered to Reade Mackay, by the Decision of Administrative Hearing Officer, MCOH-16-08; CDEF 2016-032 on July 20, 2016), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: Potential \$36,712.45 increase to the General Fund.

ACTION REQUESTED: 1) Receive the Enforcing Officer's Report; and 2) Conduct a public hearing pursuant to County Code Section 19.140 (Hearing on Accounting); and a) Consider enforcing, and recording in the Office of Lassen County Recorder, a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs associated with said violation, as accounted for by the Enforcing Officer; or b) Through adoption of a resolution, order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

Attachments: [PBMackay3-28-17packet](#)

Planning and Building Services Director Maurice Anderson gave an explanation of the subject. Extensive discussion was held.

A motion was made by Supervisor Hemphill, seconded by Supervisor Teeter, that this Resolution No.17-018 be adopted. The motion carried by the following vote:

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

CODE ENFORCEMENT - MUA

SUBJECT: Hearing on Accounting pursuant to Lassen County Code Section 19.140; and Consideration of Report of Administrative civil penalties (as ordered to Neng Mua, by the Decision of Administrative Hearing Officer, MCOH-16-17; CDEF 2015-006 on September 15, 2016), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: Potential \$46,344.85 increase to the General Fund.

ACTION REQUESTED:1) Receive the Enforcing Officer's Report; and 2)

Conduct a public hearing pursuant to County Code Section 19.140 (Hearing on Accounting); and a) Consider enforcing, and recording in the Office of Lassen County Recorder, a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs associated with said violation, as accounted for by the Enforcing Officer; or b) Through adoption of a resolution, order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

Attachments: [PBMua3-28-17packet](#)

Planning and Building Services Director Maurice Anderson gave an explanation of the subject. Extensive discussion was held.

A motion was made by Supervisor Gallagher, seconded by Supervisor Hemphill, that this Resolution No.17-019 be adopted. The motion carried by the following vote:

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

DEPARTMENT REPORTS - Continued

DISTRICT ATTORNEY

CONTRACT AMENDMENT

SUBJECT: Proposed amendment to contract with Dan Howe for Special Prosecution services (County contract #2017-0113 C0170248) and District Attorney's Office Public Informational and Statistical Update.

FISCAL IMPACT: Increase contract \$20,000 from contingency from General Reserve.

ACTION REQUESTED: 1) Provide caseload report; 2) Increase appropriation by \$20,000 in fund #130-0431 authorize transfer from contingency in fund 101 to fund #130-0431.(4/5 vote).

Attachments: [DA Case Summary 2007 through 2017 revised 3.12.2017](#)
[DA Presentation Materials PDF](#)

District Attorney (DA) Stacey Montgomery gave a presentation of the DA's office functions and case summary statistics. Extensive discussion was held. SPEAKERS: DA Program Coordinator Michelle Latimer, Chief Probation Officer Jennifer Branning, Darrell Beck-Chamber.

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

Aye: 4 - Gallagher, Teeter, Hemphill and Hammond

Nay: 1 - Albaugh

RECESS: 12:52 p.m. - 12:54 p.m.

COUNTY ADMINISTRATIVE OFFICE

CHILD SUPPORT SERVICES

SUBJECT: Director of Child Support Services.

FISCAL IMPACT: No impact to the General Fund.

ACTION REQUESTED: 1) Approve step increase from Range M30 Step D to Range M30 Step E; 2) Provide direction to staff.

Attachments: [Child Support Services](#)

CAO Egan gave explanation of the subject. Discussion was held.

A motion was made by Supervisor Gallagher, seconded by Supervisor Teeter to approve the step increase. The motion died for lack of a second.

Aye: 2 - Gallagher and Teeter

Nay: 3 - Hemphill, Albaugh and Hammond

COUNTY ADMINISTRATIVE OFFICE

JUNIOR FISHING DERBY

SUBJECT: Request from the Lassen Sportsmens Club to designate a County Supervisor as the Lassen County Board of Supervisor's representative for the 28th Annual Junior Fishing Derby to be held on April 22nd, 2017 at Memorial Park, Susanville; to extend the County's insurance coverage to the event, and authorizing an expenditure from Supervisor's discretion funds in the amount of up to \$1,000.

FISCAL IMPACT: Appropriation from General Fund, Board of Supervisors budget (100-0011).

ACTION REQUESTED: 1) Designate a Supervisor; 2) Approve request to extend the County's insurance coverage to the event; and 3) Approve

expenditure.

Attachments: [0083_001](#)

[0079_001](#)

CAO Egan extended county insurance. Supervisor Gallagher volunteered to take over the fishing derby. Each Supervisor donated \$200 to the Junior Fishing Derby. 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 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan reported: 1) April 25, 2017 board meeting will be held in Big Valley. The Modoc/Lassen Flood Control will meet at the same time; 2) Budget memo will be sent to each department today. Department Heads need to report with a 5% reduction in expenditures; 3) Tour for 2950 Riverside Drive property is scheduled for 4/11/2017. Discussion was held.

ADJOURNMENT

There being no further business, the meeting is adjourned at 1:06 p.m.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board