



# 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*

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Tuesday, April 18, 2017

9:00 AM

Board Chambers  
707 Nevada Street  
Susanville, CA 96130

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### **9:00 A.M. CALL TO ORDER**

Present: Supervisors Chris Gallagher, David Teeter, Jeff Hemphill, Aaron Albaugh and Tom Hammond. Also Present: County Administrative Officer (CAO) Richard Egan, County Counsel Robert Burns, Deputy Clerk of the Board Michele Yderraga.

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

**Excuse:** 0

### **PUBLIC COMMENT**

No public comment.

### **ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION**

CAO Egan announced employee evaluation for Public Defender Rhea Giannotti.

### **CLOSED SESSION**

1. Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9 (if needed).
2. Employee performance evaluation: 1) Public Defender Rhea Giannotti.

### **9:30 A.M. OPENING CEREMONIES**

#### **Pledge of Allegiance and Invocation**

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

### **ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION**

Closed session was held from 9:01 a.m. - 9:35 a.m. Present: Supervisors Gallagher, Teeter, Hemphill, Albaugh and Hammond. Also present: CAO Egan, County Counsel Burns, Deputy Clerk of the Board Yderraga and Public Defender Rhea Giannotti.

Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9. Not needed.

Employee Performance Evaluation: Public Defender Rhea Gianotti. CAO Egan reported the Board gave Public Defender Giannotti an excellent evaluation.

Supervisor Hemphill was absent from 9:19 a.m. - 9:20 a.m.

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

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

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

#### PUBLIC COMMENTS

No public comment.

#### UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Gallagher: 1) Will be absent for the Board of Supervisors meetings of April 25, 2017 and May 9, 2017; 2) will be going to Sacramento for training.

Supervisor Teeter: Attended a Planning and Service Area - Area Agency on Aging (PSA2) meeting.

Supervisor Hemphill: Thanked Supervisor Teeter for his service on the PSA2 board.

Supervisor Hammond: 1) Will be absent for the Board of Supervisors meeting of June 13, 2017 and June 20, 2017; 2) in process of creating an agenda to present to the facilities group; 3) in process of creating a congressional tour for the change of command at the Sierra Army Depot.

Supervisor Albaugh: Nothing to report.

#### INFORMATION/CONSENT CALENDAR

Supervisor Albaugh pulled Item# G2 District Attorney Victim/Witness and Item# G4 Sheriff's Department Boating and Waterways.

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

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

#### COUNTY CLERK-RECORDER

##### MINUTES

SUBJECT: Meeting minutes from April 11, 2017.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

**Attachments:** [Draft Minutes 4-11-17](#)

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

SHERIFF'S DEPARTMENT

SHERIFF'S OFFICE

SUBJECT: Travel authorization for one (1) Correctional Corporal to attend the mandatory STC Supervisory Course in Dublin, CA May 8-19, 2017. The estimated cost of the training is approximately \$2,423.64. Full per diem and tuition are to be provided prior to the start of training session.

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

ACTION REQUESTED: Approve.

**Attachments:** [board agenda.supervisory 2017](#)

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

TREASURER/TAX COLLECTOR

TAX COLLECTOR

SUBJECT: Lassen County Investment Policy.

FISCAL IMPACT: None.

ACTION REQUESTED: Adopt resolution renewing the Lassen County Investment Policy for the 2017-2018 fiscal year.

**Attachments:** [Tax Collector - Investment Policy](#)

**This Resolution No. 17-027 was adopted on the Consent Agenda.**

TAX COLLECTOR

SUBJECT: Delegation of Authority.

FISCAL IMPACT: None.

ACTION REQUESTED: Adopt resolution renewing the Delegation of Authority to Invest and Reinvest Funds of the County and Funds of other Depositors in the County Treasury.

**Attachments:** [Tax collector Resolution](#)

**This Resolution No, 17-028 was adopted on the Consent Agenda.**

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

a) Lassen County Fair meeting agenda for April 18, 2017.

b) Planning and Service Area (PSA) 2 Area Agency on Aging Advisory Council Agenda for Monday, April 17, 2017.

**Attachments:** [Misc Corr](#)

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

**DEPARTMENT REPORTS**

## DISTRICT ATTORNEY

## VICTIM/WITNESS

SUBJECT: Extension of the Lassen County Victim/Witness Grant fiscal year from June 30, 2017 to September 30, 2017.

FISCAL IMPACT: None to the General Fund, however the grant will be increased by \$67,575. The grant will be extended from \$175,291 to \$242,866. (108-0433).

ACTION REQUESTED: Approve Resolution.

Attachments: [Resolution](#)

[Memo Regarding VW](#)

Victim Witness Advocate Latoya Salas gave a brief description of the item. Discussion was held.

**A motion was made by Supervisor Gallagher, seconded by Supervisor Hammond, that this Resolution No.17-024A be approved. The motion carried by the following vote:**

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

## SHERIFF'S DEPARTMENT

## BOATING AND WATERWAYS

SUBJECT: Patrol Services. 2017-2018 Financial Aid Application/Agreement for California Parks and Recreation, Division of Boating and Waterways.

FISCAL IMPACT: \$98,418.92 in potential revenue for the 2017 Boating Program.

ACTION REQUESTED: 1) Approve the 2017-2018 Financial Aid Application for Fiscal Year 2017-2018 to the State of California Department of Parks and Recreation, Division of Boating and Waterways; 2) authorize the Chairman of the Board of Supervisors to sign the Agreement for Fiscal Year 2017-2018 which covers the summer boating season in 2017; 3) authorize the Sheriff to sign the Application for program participation.

Attachments: [SO Financial Aid app](#)

Lassen County Sheriff Dean Growdon gave detailed report on boating and waterways. Discussion was held.

**A motion was made by Supervisor Hemphill, 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

## DEPARTMENT REPORTS - Continued

## COUNTY ADMINISTRATIVE OFFICE

## COUNTY ADMINISTRATIVE OFFICE

SUBJECT: Approve contract with Ecology & Environment, Inc., the successful proponent of the RFP for Updated Emergency Services Operations Plan in the amount of \$49,370.

FISCAL IMPACT: From CCF Equipment Replacement Budget-Fund 185-0540.

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

Attachments: [Executed Agreement](#)

CAO Egan gave a description of the item. Discussion was held.  
Speakers: Sheriff Dean Growdon.

**A motion was made by Supervisor Hemphill, seconded by Supervisor Teeter, 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**

## RECOGNITION COMMITTEE PRESENTATION

SUBJECT: 10 Year Award: Phyllis Red-Horse (Probation).

35 Year Award: Julie Amos (Community Social Services).

FISCAL IMPACT: None.

ACTION: Present awards.

Chairman Albaugh made presentations to Phyllis Red-Horse (Probation Department) and Julie Amos (Community Social Services) in recognition of their years of service to Lassen County.

**DEPARTMENT REPORTS - Continued**

## COUNTY COUNSEL

## LEAVITT LAKE MARKET

SUBJECT: Make determination of whether the ability to sell beer and wine at the Leavitt Lake Market (472-425 Buffum LN, Susanville, CA) would serve public convenience or necessity for purposes of an application for licensure before the department of Alcoholic Beverage Control.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Adopt resolution; and/or 2) provide direction to staff.

Attachments: [Leavitt Lake Market](#)

County Counsel Burns gave a detailed description of the item. Extensive discussion was held.

Speakers: Pamela Lee-Matlock, Sheriff Dean Growdon.

**A motion was made by Supervisor Gallagher, seconded by Supervisor**

**Teeter, that Resolution No. 17-025 be adopted. The motion carried by the following vote:**

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

RECESS: 10:11 a.m. - 10:15 a.m.

## **PUBLIC HEARINGS**

### **CODE ENFORCEMENT**

**SUBJECT:** Hearing on Accounting pursuant to Lassen County Code Section 19.140; and Consideration of Report of Administrative civil penalties (as ordered to Chanthala Vorachak, by the Decision of Administrative Hearing Officer, MCOH-16-19; CDEF 2016-049 on September 1, 2016), charged pursuant to Lassen County Code Section 19.170.

**FISCAL IMPACT:** Potential \$20,113.80 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:** [PB Vorachak4-18-17pckt2final](#)

Planning and Building Services Director Maurice Anderson gave a detailed report of the hearing. Extensive discussion was held. The hearing was open to the public from 10:20 a.m. - 10:22 a.m.

Speakers: Curtis Portal.

**A motion was made by Supervisor Hammond, seconded by Supervisor Gallagher, that this Resolution No.17-026 be adopted. The motion carried by the following vote:**

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

## **DEPARTMENT REPORTS - Continued**

### **COUNTY ADMINISTRATIVE OFFICE**

**SUBJECT:** INFORMATION FOR THE BOARD OF SUPERVISORS

RECESS: 10:27 a.m. - 10:35 a.m.

## **MATTERS SET FOR TIME CERTAIN - Continued**

### **ADMINISTRATIVE**

SUBJECT: Lassen National Forest State of the Forest Fiscal Year 2017 presentation by Mr. Dave Hays, Lassen National Forest Supervisor.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1) Receive presentation; and 2) provide direction to staff.

Attachments: [D3 Attach](#)

Lassen National Forest Supervisor Dave Hays and the Acting Ranger of Eagle Lake Carol Thornton gave a power point presentation on the direction for the next five (5) years and local projects for the Lassen National Forest. Extensive discussion was held.

Speakers: Sheriff Dean Growdon, Deputy CAO Tony Shaw and Joe Egan.

## DEPARTMENT REPORTS - Continued

### LASSEN COUNTY CANNABIS ACTIVITY

SUBJECT: Proposed amendment to Title 19 of Lassen County Code defining allowable cannabis activities in Lassen County (banning all commercial cannabis activities and allowing certain non-commercial cultivation activities).

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1) Read (or waive the reading) and adopt ordinance; and/or 2) provide direction to staff.

Attachments: [April 11 2017 amendment](#)

County Counsel Burns discussed the possible adoption of the proposed amendment to Title 19 of the Lassen County Code. Extensive discussion was held. Additional amendments need to be added.

Speakers: Dena Eastwood, Jeff Sheetz, Taylor Hagata, Randy Darrow, Dayda Montgomery, Trisha Wood, Ramsey Wood, Ken Wemple, Curtis Barrow, Nicky Dilts, Bob Weir, Wes Reeves, Joseph Salia, Sheriff Dean Growdon, Lassen County Agricultural Commissioner Craig Hemphill, Thomas Wasson, Randy Bach, Ryan Bach,

Supervisor Hemphill absent: 11:17 a.m. - 11:19 a.m.; 12:43 p.m. - 12:44 p.m.

Supervisor Hammond absent: 12:17 p.m. - 12:19 p.m.; 1:40 p.m. - 1:41 p.m.

CAO Egan absent: 12:43 p.m. - 12:44 p.m.

**A motion was made by Supervisor Teeter, seconded by Supervisor Gallagher, that this Ordinance be approved. The motion failed.**

**Aye:** 2 - Gallagher and Teeter

**Nay:** 3 - Hemphill, Albaugh and Hammond

## ADJOURNMENT

There being no further business, the meeting is adjourned at 1:46p.m.

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Chairman of the Board of Supervisors

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

ATTEST:

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