



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, May 23, 2017

9:00 AM

Board Chambers
707 Nevada Street
Susanville, CA 96130

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

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

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

Excuse: 0

1. PUBLIC COMMENT

None.

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION

CAO Egan announced:

- 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9.
- 2) Conference with Legal Counsel: Significant exposure to litigation pursuant to Subdivision (d)(2) of Government Code Section 54956.9. One case.
- 3) Public employee appointment - Veteran Services Officer.

2. CLOSED SESSION

Closed session was held from 9:01 a.m. - 9:44 a.m. Present: Supervisors Gallagher, Teeter, Hemphill, Albaugh and Hammond. Also Present: CAO Egan, County Counsel Burns and Deputy Clerk of the Board Yderraga. Chris Mancebo was present from 9:13 a.m. - 9:19 a.m.

Supervisor Hammond recused himself from 9:30 a.m. - 9:44 a.m. due to a conflict of interest.

RECESS: 9:44 a.m. - 9:49 a.m.

B. 9:53 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

After the flag salute invocation was offered by Supervisor Albaugh.

1. ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

CAO Egan announced:

1. Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9. No reportable action.
2. Conference with Legal Counsel: Significant exposure to litigation pursuant to Subdivision (d)(2) of Government Code Section 54956.9. One case. No reportable action.
3. Public employee appointment - Veteran Services Officer. A motion was made by Supervisor Hemphill, seconded by Supervisor Hammond, that Christopher Mancebo be appointed as the Veteran Services Officer. The motion carried by the following vote: Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond.

2. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

CAO Egan deleted Item# G5 Community Social Services per the request of the department.

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

Bill Fireoptem: Wanted to review the new board. The water fountain in 707 Nevada Street needs to be fixed.

Dennis Hinze: Discussed cannabis.

Sheriff Dean Growdon: Reminded everyone that the open house at the Sheriff's Office would be held on Wednesday, May 24, 2017 from 4:00 p.m. - 7:00 p.m. and a public meeting would begin at 7:00 p.m. Sheriff Growdon thanked Public Works and Staub Energy for a job well done on the replacement of a gas tank at the jail. Sheriff Growdon gave a brief update of the upcoming renovations to the jail.

Bob Weir: Discussed cannabis.

4. UNAGENDIZED REPORTS BY BOARD MEMBERS (Immediately following public comment and no later than 10:00 a.m.)

Supervisor Hammond: 1) Donated \$250 to Lassen Senior Services, \$250 to Fort Sage One Stop and \$250 to Doyle Senior Center; 2) July 18, 2017 will be the Change of Command event; 3) will not be present for the June 13, 2017 Board of Supervisors meeting.

Supervisor Hemphill: 1) Donated \$500 to the Janesville Elementary School

Coding Program; 2) A Caltrans meeting will be held on May 25, 2017 at 7:00 p.m. at the Janesville Fire Hall and in Doyle on May 24, 2017 at 6:00 p.m.; 3) requested to bring back the Doyle Shell ABC application to sell hard alcohol to a future board meeting for possible reconsideration. 4) requested the board meeting be adjourned in memory of Donald R. Baker.

Supervisor Gallagher: 1) Attended California State Association of Counties (CSAC) Legislative Days; 2) attended a 5 County Off Highway Vehicle Fee Analysis meeting; 3) on June 3, 2017 will coordinate with Solid Waste to have a free dump day in Westwood; 4) on June 15, 2017 will have another town hall meeting in Westwood. Requested CAO Egan to attend.

Supervisor Teeter: 1) Attended a City Council meeting; 2) attended a Depot 6 (Neighborhood Watch) meeting.

Supervisor Albaugh: 1) Attended the Susanville Indian Rancheria POW WOW; 2) attended a Little Valley Community Services District meeting.

F. BOARDS AND COMMISSIONS

- 1 CLEAR CREEK COMMUNITY SERVICES DISTRICT (CSD)
SUBJECT: Appointment.
FISCAL IMPACT: None.
ACTION REQUESTED: 1) Appointment to fill vacancy; and/or 2) provide direction to staff.

Attachments: [Clear Creek CSD](#)

Supervisor Albaugh gave a brief description of the Clear Creek Community Services District (CSD). Discussion was held. Judy Cooper was appointed to fill the short term position as Board Member for the Clear Creek CSD.

SPEAKER: Nicolet Moroney.

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

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

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

G. INFORMATION/CONSENT CALENDAR

Supervisor Gallagher pulled Item# G3 Minutes and Item# G8 Road Department.

Approval of the Consent Agenda

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

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

BOARD OF SUPERVISORS

- 1** SUPERVISOR HEMPHILL
SUBJECT: Request to designate \$500 to the Janesville Elementary School Music Program (May 9, 2017).
FISCAL IMPACT: Appropriation is included in the General Fund, Board of Supervisors Fund/Budget Unit No. 100-0011.
ACTION REQUESTED: Approve expenditure.

This Action Item was approved on the Consent Agenda.

- 2** SUPERVISOR TEETER
SUBJECT: Request to designate \$500 to the Blue Star Moms (May 9, 2017).
FISCAL IMPACT: Appropriation is included in the General Fund, Board of Supervisors Fund/Budget Unit No. 100-0011.
ACTION REQUESTED: Approve expenditure.

This Action Item was approved on the Consent Agenda.

HEALTH AND SOCIAL SERVICES

- 4** HEALTH AND SOCIAL SERVICES
SUBJECT: Second amendment to agreement with Community Impact Consulting for an additional \$20,000 for Fiscal Year (FY) 2016/17.
FISCAL IMPACT: There is no impact to County General Fund. Additional costs for this Amendment will be covered with Behavioral Health funds.
ACTION REQUESTED: (1) Approve; and (2) authorize the County Administrative Officer to sign the Amendment on the Board's behalf.

Attachments: [BOS HSS Community Impact Consulting Amend FY 16.17](#)

This Action Item was approved on the Consent Agenda.

PLANNING AND BUILDING SERVICES

- 6** PLANNING AND BUILDING
SUBJECT: Authorization of payment for attorney services to Maire & Deedon for Woodall litigation Case No. 50065.
FISCAL IMPACT: Reduction to General Fund 100-0682 in the amount of \$42,347.61.
ACTION REQUESTED: 1) Receive report; and 2) authorize payment in the amount of \$42,347.61 from Fund Budget/Unit 100-0682-3002300.

Attachments: [PB WoodallMaireDeedon5-23-17ltr](#)

This Action Item was approved on the Consent Agenda.

PUBLIC WORKS DEPARTMENT

- 7 PUBLIC WORKS
SUBJECT: Award bid for one (1) new 2017 Ford F250 Regular Cab 4x4 truck to Downtown Ford Sales, Sacramento, California, in the amount of \$27,609.90.
FISCAL IMPACT: Funding in the amount of \$27,609.90 is available in the current Fiscal Year (FY) 2016/17 Public Works-Building and Grounds Fund Budget Unit 100-0221.
ACTION REQUESTED: Award bid off State of California Contract 1-16-23-20A to Downtown Ford Sales, Sacramento, California.

Attachments: [ROAD PDF](#)

This Action Item was approved on the Consent Agenda.

SHERIFF'S DEPARTMENT

- 9 OPERATIONS
SUBJECT: Radio Controller purchase.
FISCAL IMPACT: \$149,464.71 from Fund/Budget Unit No.130-0523 .
ACTION REQUESTED: Authorize CAO to sign contract.

Attachments: [SO-Updated Avtec PDF](#)

This Action Item was approved on the Consent Agenda.

H. DEPARTMENT REPORTS

COUNTY CLERK-RECORDER

- 3 MINUTES
SUBJECT: Meeting minutes of May 9, 2017.
FISCAL IMPACT: None.
ACTION REQUESTED: Approve.

Attachments: [Draft Minutes 5-16-17](#)

Supervisor Gallagher requested to have additional wording added to the meeting minutes of May 16, 2017 for the Westwood Abatement. CAO Egan requested to have the meeting minutes of May 16, 2017 re-reviewed and added to the June 13, 2017 agenda for approval due to an incorrect date of May 9, 2017 given on the agenda. The correct date should have been for May 16, 2017.

PUBLIC WORKS DEPARTMENT

- 8 ROAD DEPARTMENT
SUBJECT: Use of Volunteers for Emergency Repairs.
FISCAL IMPACT: To be determined.
ACTION REQUESTED: 1) Receive report; and 2) provide direction to staff.

Attachments: [Road Emergency Repairs attachment](#)

CAO Egan gave a report on workers compensation and volunteer workers. Extensive discussion was held.

This Report was approved on the Consent Agenda.

Aye: 4 - Gallagher, Teeter, Albaugh and Hammond

Nay: 1 - Hemphill

BOARD OF SUPERVISORS

- 1** SUPERVISOR TEETER
SUBJECT: Proclamation proclaiming May, 2017 as Older Americans Month in Lassen County.
FISCAL IMPACT: None.
ACTION REQUESTED: 1) Adopt proclamation.

Attachments: [170523 Procl Older Americans Month May 2017](#)

Supervisor Teeter gave a description of the Older Americans Month. Brief discussion was held.

SPEAKERS: Henry Hart.

A motion was made by Supervisor Teeter, seconded by Supervisor Hemphill, that this Proclamation be adopted. The motion carried by the following vote:

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

PLANNING AND BUILDING SERVICES

- 2** VEHICLE ABATEMENT ORDINANCE
SUBJECT: Proposed ordinance to revise Chapter 1.19 (Abandoned Vehicles) of the Lassen County Code to define "screened from ordinary view," amend abatement procedures, and delete a portion of Section 1.19.070. The addition of Chapter 2.14 of the Lassen County Code defines the Planning and Building Services Director.
FISCAL IMPACT: Unknown.
ACTION REQUESTED: 1) Adopt Ordinance; or 2) provide direction to staff.

Attachments: [PB CHP1.19AdoptOrd5-23-17ord](#)

Planning and Building Services Director Maurice Anderson reminded the Board that this ordinance was introduced at the May 9, 2017 Board of Supervisors meeting. Brief discussion was held.

A motion was made by Supervisor Teeter, seconded by Supervisor Gallagher, that this Ordinance No. 2017-001 be adopted. The motion carried by the following vote:

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

3

MINING FEES

SUBJECT: Consider an amendment to Lassen County Code Section 3.18.021 (Planning Department fees for surface mining and related activities) to include in the "Annual Surface Mine Administration and Operations Monitoring Fee" a minimum fee amount of \$1,000 per site and a maximum fee amount of \$3,850 per site, regardless of mining status. As the County fee is currently calculated as a percentage of the State fee (75%), a set County fee maximum per site will prevent continual increases due to ongoing increases to the State fee maximum.

FISCAL IMPACT: None. The revenue generated by this fee is expected to remain consistent with previous years.

ACTION REQUESTED: 1) Adopt Ordinance; or 2) provide direction to staff.

Attachments: [PB MiningOrd5-23-17ord](#)

Planning and Building Services Director Maurice Anderson reminded the Board that this ordinance was introduced at the May 9, 2017 Board of Supervisors meeting. Brief discussion was held.

A motion was made by Supervisor Hemphill, seconded by Supervisor Hammond, that this Ordinance No. 2017-002 be adopted. The motion carried by the following vote:

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

SHERIFF'S DEPARTMENT

4

OPERATIONS

SUBJECT: Basic Law Enforcement Academy.

FISCAL IMPACT: \$23,670.

ACTION REQUESTED: 1) Authorize listed training expenditures for required training; and 2) approve the full per diem amount for two recruit Deputy Sheriffs.

Attachments: [Butte July Acad 2017](#)

Sheriff Dean Growdon gave a detailed report of the Basic Law Enforcement Academy. 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

COUNTY COUNSEL

5

PROPOSED AMENDMENT TO TITLE 19 OF LASSEN COUNTY CODE

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) Introduce and read (or waive reading); and/or 2) provide direction to staff.

Attachments: [H3](#)

CAO Egan gave a brief description of a previous discussion held pertaining to cannabis and requested further direction from the Board. Extensive discussion was held.

SPEAKERS: CJ Johnson, Jason Ingram, Daryl Anderson and Bob Weir.

COUNTY ADMINISTRATIVE OFFICE

6

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan reported: 1) Met with CalFire to discuss a project; 2) approximately one month ago, CAO Egan received strong input from the community of Westwood regarding the deterioration of the town. Supervisor Gallagher and Planning and Building Services Director Maurice Anderson toured Westwood and confirmed that was the case. Extensive discussion was held; 3) will be attending a meeting in Sacramento; 4) will be attending a California State Association of Counties (CSAC) Director's meeting.

ADJOURNMENT

There being no further business, the meeting is adjourned at 12:22 p.m. in memory of Donald R Baker.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board