



# 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, September 26, 2017

9:00 AM

Board Chambers  
707 Nevada Street  
Susanville, CA 96130

#### 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

#### PUBLIC COMMENT

Deputy County Counsel Melyssah Rios: Discussed "Dancing for a Brand New Me" event scheduled for October 21, 2017 at 7:00 p.m.

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

- 1) Employee performance evaluation: County Administrative Officer Richard Egan.

#### CLOSED SESSION

Closed session was held from 9:02 a.m. - 9:43 a.m.

Present: Supervisors Gallagher, Teeter, Hemphill, Hammond and Albaugh. Also Present: CAO Egan.

RECESS: 9:43 a.m. - 9:47 a.m.

#### 9:43 A.M. OPENING CEREMONIES

##### Pledge of Allegiance and Invocation

After the flag salute invocation was offered by Supervisor Albaugh.

#### ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

Supervisor Albaugh announced employee performance evaluation for County Administrative Officer Richard Egan would be continued to the October 10, 2017 Board of Supervisors meeting. No reportable action.

## AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Hemphill requested the meeting be adjourned in memory of Angie Goni.

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

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

## PUBLIC COMMENTS

Henry Hart: A member of Lassen Senior Services Board of Directors and Planning and Service Area - Area Agency on Aging (PSA 2 AAA) discussed senior citizens in Lassen County.

Captain Kevin Jones: Gave an update to the Board on current crime in Lassen County.

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

Supervisor Hammond: Will be hosting a town hall meeting in Herlong, Wednesday, September 26, 2017 at 7:00 p.m.

Supervisor Hemphill: Will be attending the retirement party for Sierra Army Depot Public Affairs Officer Lori McDonald on Wednesday, September 27, 2017.

Supervisor Gallagher: 1) Will be hosting a town hall meeting in Westwood, Wednesday September 27, 2017 at 6:00 p.m. 2) thanked Planning and Building Services Director Maurice Anderson and the Sheriff's office for their assistance with boarding up abandoned buildings in Westwood.

Supervisor Teeter: Attended a Fish and Game Commission meeting.

Supervisor Albaugh: 1) Will be attending a Regional Council Representatives of California (RCRC) meeting at Squaw Valley in Lake Tahoe on Wednesday, September 26, 2017; 2) will be absent from the Board of Supervisors meeting on Tuesday, October 17, 2017 and possibly Tuesday, October 24, 2017.

## INFORMATION/CONSENT CALENDAR

Supervisor Gallagher pulled Item# G2 Personnel for discussion. Supervisor Albaugh pulled Item# G6 Public/Environmental Health & Child and Family Services and Item# G7 Grants & Loans for discussion.

## Approval of the Consent Agenda

**A motion was made by Supervisor Gallagher, 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

## BOARD OF SUPERVISORS

## LASSEN FAMILY SERVICES

SUBJECT: Proclamation designating the month of October 2017 as Domestic Violence Awareness Month.

FISCAL IMPACT: None.

ACTION REQUESTED: Adopt proclamation.

Attachments: [170926 Proclamation-DVAM](#)

**This Proclamation was adopted on the Consent Agenda.**

## COUNTY CLERK-RECORDER

## MINUTES

SUBJECT: Meeting minutes of September 19, 2017.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [Draft Meeting Minutes](#)

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

## PROPOSITION 65 REPORT

SUBJECT: REPORT NO. 140.11872.15686 NOTIFICATION OF HAZARDOUS MATERIALS RELEASE

Report received from California Highway Patrol (CHP) Commander J. A.Micheletti, Saturday, September 10, 2017, regarding a September 9, 2017 incident of approximately 1 quart of power steering fluid was spilled into an irrigation channel, on the east side of Old Town Road, approximately 4.9 miles south of Finland Drive, Westwood. The cleanup efforts were coordinated by the California Department of Fish and Wildlife, with the assistance of Cal-Fire. The cleanup was completed on September 9, 2017.

ACTION: Receive and file Report No. 140-11872.15686.

Attachments: [Prop 65 Report](#)

**This Report was received and filed on the Consent Agenda.**

## DISTRICT ATTORNEY

## INVESTIGATIONS

SUBJECT: Travel authorization for Doug Wilber, Senior Investigator for the District Attorney's Office, to attend the POST mandated DA Investigator training from October 15, 2017 through October 27, 2017 in Roseville, CA. The total estimated cost is \$2,372.44.

FISCAL IMPACT: There is no fiscal impact to the General Fund, funds have been appropriated through Public Safety Fund/Budget Unit No. 130 0431 and costs for travel and per diem will be reimbursed by POST.

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

**Attachments:** [DA PDF of Investigator Wilber's Training for Consent Calendar](#)

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

PUBLIC WORKS DEPARTMENT

PUBLIC WORKS

SUBJECT: Notice of Completion for Contract No. 2016-H37-124-3006100 for Herlong Airport Overlay Runway, Taxiway and Apron Project in Herlong, California.

FISCAL IMPACT: The total project cost of \$355,856.62 was paid from the FY 2017/18 Aviation Fund/Budget Unit No 124-1241 with reimbursement in the amount of \$324,096.00 (90%) expected from the State (Caltrans Aviation Division).

ACTION REQUESTED: 1) Approve the Notice of Completion; and 2) authorize the Director of Public Works to sign.

**Attachments:** [PW doc04486020170914130423](#)

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

PUBLIC WORKS

SUBJECT: Bid Award: Liquid Propane.

FISCAL IMPACT: Funding is budgeted within the utility line item of various departments.

ACTION REQUESTED: Award bid for Liquid Propane for various County facilities to Ed Staub & Son's, the lowest bidder, in the amount of \$0.25/gallon (firm margin above BPN) for the Bieber, Doyle, Herlong, Janesville, Ravendale, Standish, Susanville, and Westwood areas.

**Attachments:** [Liquid propane bid attach](#)

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

PUBLIC WORKS

SUBJECT: Bid Award: Heating Oil, Diesel #2.

FISCAL IMPACT: Funding is budgeted within the utility line item of various departments.

ACTION REQUESTED: Award bid for Heating Oil, Diesel #2 for the Bieber, Susanville and Westwood areas to Ed Staub & Son's, the lowest bidder in the amount of \$0.188/gallon (firm margin above OPIS).

**Attachments:** [PW Heating oil attach](#)

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

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Susanville City Council meeting agenda for September 20, 2017.
- b) Lassen County Architectural Review Committee agenda for September

18, 2017.

Attachments: [Misc Corr](#)

**These Reports were received and filed on the Consent Agenda.**

## **DEPARTMENT REPORTS**

### **ADMINISTRATIVE SERVICES**

#### **PERSONNEL**

**SUBJECT:** A revised job description for the Automotive Technician/Motor-pool Program Coordinator I/II to include: "may drive heavy equipment as needed", and change the driver's license from "Valid California driver's license" to "Valid California class A or B driver's license" and to revise the Drug Free Workplace Policy with the addition of the revised job title of Automotive Technician/Motor-pool Coordinator I/II to Title 6-Commercial Vehicle Safety-Sensitive Employees. The revised job title is to include random Department of Transportation (DOT) testing.

**FISCAL IMPACT:** \$41.25 per test.

**ACTION REQUESTED:** Approve the revised job description and revised Drug Free Workplace Policy.

Attachments: [20170921090312267](#)

Supervisor Gallagher questioned the wording of the document. Brief discussion was held. This item was not approved and was requested to be brought back for further discussion at a future meeting.

## **PUBLIC HEARINGS**

### **PLANNING AND BUILDING SERVICES - FREITAS FAMILY TRUST**

**SUBJECT:** Rezone lands within Lassen County owned by the Freitas Family Trust into an Agricultural Preserve Combining District (A-P) and allow these lands to be entered into a new Land Conservation (Williamson Act) contract. If approved, the rezone and contract will affect five assessor's parcels and approximately 796 acres of non-contiguous land. The project is exempt from CEQA under Section 15317 (class 17) of the Guidelines. (File RZ #2017-004 and AA #2017-003).

**FISCAL IMPACT:** Potential for loss of tax revenue if Williamson Act Contract offered.

**ACTION REQUESTED:** 1) Receive the Planning Commission's recommendation on rezoning; and 2) Conduct a public hearing pursuant to County Code Section 18.124.050 (Procedures for Precise Zoning and Amendments); and 3) Introduce (and waive reading) and adopt an Ordinance implementing the rezone of the 796 acres of property from U-C-2 to U-C-2-A-P; and 4) receive and consider the Land Conservation Committee recommendation on the establishment of an agricultural preserve; and 5) adopt resolution establishing an agricultural preserve and authorize the execution of a

Williamson Act Contract; or 6) alternatively, the Board could determine that the lands are not suitable for the purpose of establishing a Williamson Act Contract and deny the applications.

**Attachments:** [PB Freitas 9-26-17- FINAL pkt](#)

Planning and Building Services Senior Planner Matt May gave a detailed report of rezoning land in Lassen County owned by the Freitas Family Trust and a definition of the Williamson Act. Discussion was held.

The public hearing was open from 10:09 a.m. - 10:11 a.m.

SPEAKERS: Robert Freitas.

**A motion was made by Supervisor Gallagher, seconded by Supervisor Teeter to 1) Introduce, waive reading and adopt Ordinance No. 2017-009 implementing the rezone of the 796 acres of property from U-C-2 to U-C-2-A-P; and 2) receive and consider the Land Conservation Committee recommendation on the establishment of an agricultural preserve; and 3) adopt Resolution No. 17-057 establishing an agricultural preserve and authorize the execution of a Williamson Act Contract. The motion carried by the following vote:**

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

PLANNING AND BUILDING SERVICES - WYNN AND TAMSEN MYERS  
SUBJECT: Rezone lands within Lassen County owned by Wynn and Tamsen Myers into an Agricultural Preserve Combining District (A-P) and allow these lands to be entered into a new Land Conservation (Williamson Act) contract. If approved, the rezone and contract will affect seventeen assessor's parcels and approximately 3,307 acres of contiguous, partially irrigated land (about 75 irrigated acres). The project is exempt from CEQA under Section 15317 (class 17) of the Guidelines. (File RZ #2017-002 and AA #2017-001).

FISCAL IMPACT: Potential for loss of tax revenue if Williamson Act Contract offered.

ACTION REQUESTED: 1) Receive the Planning Commission's recommendation on rezoning; and 2) conduct a public hearing pursuant to County Code Section 18.124.050 (Procedures for Precise Zoning and Amendments); and 3) introduce (and waive reading) and adopt an Ordinance implementing the rezone of the 3,307 acres of property from A-1, U-C and U-C-2 to U-C-2-A-P; and 4) receive and consider the Land Conservation Committee recommendation on the establishment of an agricultural preserve; and 5) adopt resolution establishing an agricultural preserve and authorize the execution of a Williamson Act Contract; or 6) alternatively, the Board could determine that the lands are not suitable for the purpose of establishing a Williamson Act Contract and deny the applications.

**Attachments:** [PB Myers 9-26-17- FINAL pkt](#)

Supervisor Albaugh recused himself and departed from 10:16 a.m. - 10:21 a.m. The gavel was given to Vice Chairman Hemphill.

Planning and Building Services Senior Planner Matt May gave a report of rezoning lands within Lassen County owned by Wynn and Tamsen Myers. Brief discussion was held.

The public hearing was opened from 10:17 a.m. - 10:19 a.m.

SPEAKERS: Tamson Myers.

**A motion was made by Supervisor Hammond, seconded by Supervisor Teeter to 1) Introduce, waive reading and adopt Ordinance No. 2017-010 implementing the rezone of the 3,307 acres of property from A-1, U-C and U-C-2 to U-C-2-A-P; and 2) receive and consider the Land Conservation Committee recommendation on the establishment of an agricultural preserve; and 3) adopt Resolution No. 17-058 establishing an agricultural preserve and authorize the execution of a Williamson Act Contract. The motion carried by the following vote:**

**Aye:** 4 - Gallagher, Teeter, Hemphill and Hammond

**Recuse:** 1 - Albaugh

## **DEPARTMENT REPORTS - Continued**

### HEALTH AND SOCIAL SERVICES

PUBLIC/ENVIRONMENTAL HEALTH & CHILD AND FAMILY SERVICES  
SUBJECT: Agreements with Ray Morgan Company to lease and maintain two high speed and volume copiers for Public/Environmental Health and Child & Family Services.

FISCAL IMPACT: There is no impact to County General Fund. All costs were budgeted and will be paid from Public/Environmental Health Fund/Budget Unit No. #110 and Child and Family Services Fund/Budget Unit No. #120.

ACTION REQUESTED: 1) Approve the Agreement with Ray Morgan Company and 2) authorize the County Administrative Officer to sign the Lease and Maintenance Agreements on behalf of the Board.

**Attachments:** [BOS PH-EH Ray Morgan Agr 09.26.17](#)

Director of Health and Social Services Barbara Longo gave a detailed report of the agreement with Ray Morgan Company. Brief discussion was held.

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

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

GRANTS AND LOANS

SUBJECT: Resolution authorizing the application for, and receipt of, No Place Like Home Program Technical Assistance Grant Funds.

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

ACTION REQUESTED: 1) Adopt Resolution; and 2) authorize the County Administrative Officer to sign the Certification of Application; and 3) authorize the Health and Social Services Director, or designee, to execute a grant agreement, additional application and participation documentation, and all relevant materials necessary to implement program funds.

Attachments: [BOS GLD No Place Like Home Grant Res 09.26.17](#)

Grants & Loans Program Manager Jenna Aguilera gave a report of the grant and how the funding could be used. Brief discussion was held.

**A motion was made by Supervisor Hammond, seconded by Supervisor Gallagher, that this Resolution No. 17-059 be adopted.  
The motion carried by the following vote:**

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

PUBLIC WORKS DEPARTMENT

ROAD DEPARTMENT

SUBJECT: SB 1 Road Maintenance and Rehabilitation Account (RMRA) Funding Fiscal Year (FY) 2017/18.

FISCAL IMPACT: Anticipated revenue in the estimated amount of \$810,000 from the 2017/18 appropriation of SB 1 RMRA Funds to the FY 2017/18 Road Operating Budget, Fund/Budget Unit No. 122-1221, to cover the material costs and possibly some of the in-house labor and equipment costs for these projects.

ACTION REQUESTED: That the Board of Supervisors approve the Project List for the 2017/18 SB-1 Road Maintenance and Rehabilitation Account (RMRA) Funding and the corresponding Resolution and authorize the Chairman to sign.

Attachments: [PW SB1RMRA attach](#)

Public Works Director Larry Millar gave a report of the projects that are to be funded through the SB1 Road Maintenance and Rehabilitation Account (RMRA). Discussion was held.

**A motion was made by Supervisor Gallagher, seconded by Supervisor Hemphill, that this Resolution No. 17-060 be adopted.  
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

CAO Egan reported: 1) Attended the Trindel Board of Directors meeting in Modoc county; 2) will be attending the Regional Council Representatives of California (RCRC) meeting in Lake Tahoe; 3) will be attending the California State Association of Counties (CSAC) meeting in Sacramento next week.

**ADJOURNMENT**

There being no further business, the meeting is adjourned at 10:52 a.m. in memory of Angie Goni.

\_\_\_\_\_  
Chairman of the Board of Supervisors

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

ATTEST:

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