



Lassen County

Meeting Minutes

Board of Supervisors

LASSEN COUNTY SUPERVISORS:

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

Tuesday, October 9, 2018

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

None.

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION

County Counsel Burns announced the following items:

- 1) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: County of Lassen vs Charles Cooper, Debbie Valenta; Lassen Superior Court Case No. 60593.
- 2) Conference with Labor Negotiator Richard Egan: a) United Public Employees of California Local 792, b) Lassen County Management and Professional Association.
- 3) Conference with Labor Negotiator Richard Egan: The Board convenes as Lassen County In-Home Supportive Services Public Authority for discussion with Richard Egan regarding Service Employees International Union (SEIU) Local 2015, on labor negotiations. The Board reconvenes as the Board of Supervisors.

CLOSED SESSION

Present: Supervisors Gallagher, Teeter, Hemphill, Albaugh and Hammond. Also
Present: CAO Egan, County Counsel Burns, Deputy Clerk of the Board
Yderraga and Deputy CAO Tony Shaw.

Closed session was held from 9:01 a.m. - 9:21 a.m.

Director of Planning and Building Services Maurice Anderson was present from

9:01 a.m. - 9:09 a.m.

Recessed as the Board of Supervisors and convened as Lassen County In-Home Supportive Services (IHSS) Public Authority at 9:16 a.m.

Adjourned as the Lassen County IHSS Public Authority at 9:21 a.m. and reconvened as the Board of Supervisors at 9:21 a.m.

Supervisor Hammond was absent from 9:15 a.m. - 9:16 a.m.

RECESS: 9:21 a.m. - 9:30 a.m.

9:30 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

After the flag salute invocation was offered by Supervisor Gallagher.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

County Counsel Burns announced the following closed session items:

1) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: County of Lassen vs Charles Cooper, Debbie Valenta; Lassen Superior Court Case No. 60593.

No reportable action.

2) Conference with Labor Negotiator Richard Egan: a) United Public Employees of California Local 792, b) Lassen County Management and Professional Association.

No reportable action.

3) Conference with Labor Negotiator Richard Egan: The Board convenes as Lassen County In-Home Supportive Services Public Authority for discussion with Richard Egan regarding Service Employees International Union (SEIU) Local 2015, on labor negotiations. The Board reconvenes as the Board of Supervisors.

No reportable action.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Hemphill requested to have the meeting adjourned in memory of Stanley Dawson Arnold.

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

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

PUBLIC COMMENTS

Kerri Cobb: Gave her personal opinion of Measure M and presented a passout to the Board pertaining to the risks of Measure M.

Elaine Jacobs: Discussed her concerns with Measure M.

Assistant Chief of CAL FIRE Lassen-Modoc Unit Eric Ewing: Updated the Board on his recent promotion and introduced the new Office of Emergency Services (OES) Chief Mark Rotlisberger.

OES Chief Mark Rotlisberger: Gave a brief overview of his background in Lassen County and informed the Board of his work experience in the fire protection industry.

Captain Kevin Jones: 1) Updated the Board regarding the recent drug/gun operation and the multiple arrests that were made; and 2) briefly discussed the marijuana garden in Big Valley.

UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Hammond: 1) Congressman LaMalfa will be doing a meet and greet at the Sierra Alliance in Herlong today (October 9, 2018); 2) the roof on the old barracks in Herlong are being repaired and the apartments are expected to open on January 1, 2019; 3) the Sierra Alliance meeting scheduled for October 29, 2018, is still anticipated; 4) a contract for another solar ray in Herlong was finalized.

Supervisor Hemphill: 1) Attended a Lassen County Transportation Commission (LCTC) meeting; 2) attended the Rails to Trails event; 3) discussed drones with Christine Rymers from the Economic Development Council via teleconference; 4) congratulated CAO Egan on the recent marathon he participated in; 5) announced that it is National 4H week October 7 - October 13, 2018; and 6) thanked the Planning Commission for their support pertaining to Hat Creek Construction.

Supervisor Albaugh: Congratulated Big Valley High School Football Coach Bryan Gerig for breaking the 70 year record for most wins. Coach Gerig currently stands at a 45-5 win record. The last man who held the record was from Willows in the 1940's.

Supervisor Teeter: 1) Attended a LCOE meeting; 2) chaperoned the Lassen County Office of Education 6th grade science event; 3) requested to donate \$250 to the Lassen Land and Trails Trust (LLTT) for the nature camp.

Supervisor Gallagher: Discussed speed issues on Johnstonville Road and a possible speed survey with the owner of Lassen Ale Works Boardroom.

INFORMATION/CONSENT CALENDAR

Approval of the Consent Agenda

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

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

BOARD OF SUPERVISORS

SUPERVISOR GALLAGHER

SUBJECT: Request to designate \$500 to Mountain Meadows Conservancy to fund the restocking of Mountain Meadows Reservoir.

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.

COUNTY ADMINISTRATIVE OFFICE

PERSONNEL REPORT

SUBJECT: Personnel Movement Report for August 2018.

FISCAL IMPACT: None.

ACTION: Receive and file.

Attachments: [Personnel Attach](#)

This Report was received and filed on the Consent Agenda.

COUNTY CLERK-RECORDER

MINUTES

SUBJECT: Meeting minutes of September 18, 2018 and September 25, 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [Draft Minutes 9-18](#)

[Draft Minutes 9-25](#)

These Minutes were 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 2018 through September 2018 and July 2017 through June 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Receive and file.

Attachments: [Prison Trial Costs Attach](#)

These Reports were received and filed on the Consent Agenda.

PUBLIC WORKS DEPARTMENT

LIQUID PROPANE**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 Ferrellgas, the lowest and only bidder, in the amount of \$0.29/gallon (firm margin above BPN) for the Doyle, Herlong, Janesville, Standish, Susanville, and Westwood areas; and \$0.49/gallon (firm margin above BPN) for Bieber and Ravendale.**Attachments:** [doc06032520181003103408](#)**This Action Item was approved on the Consent Agenda.****HEATING OIL****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 Harbert Oil Company Inc., the lowest bidder in the amount of \$0.13/gallon (firm margin above OPIS) for Bieber area; and \$0.17/gallon (firm margin above OPIS) for Susanville and Westwood areas.**Attachments:** [PW Oil Bid Attach](#)**This Action Item was approved on the Consent Agenda.****MISCELLANEOUS CORRESPONDENCE ITEMS****ACTION REQUESTED:** Receive and file the following correspondence:

- a) Honey Lake Valley Resource Conservation District Agenda for September 25, 2018.
- b) Lassen County Technical Advisory Committee Meeting Agenda for October 4, 2018.
- c) Lassen Transit Service Agency Special Meeting Agenda for October 1, 2018.
- d) Susanville City Council Regular Meeting agenda for October 3, 2018.
- e) Central Valley Regional Water Quality Control Board Meeting Agenda for October 4 - 5, 2018.
- f) Lassen County Architectural Review Committee Agenda for September 14, 2018.
- g) Lassen County Architectural Review Committee agenda for October 1, 2018.
- h) Lassen County Planning Commission Regular Session Agenda for October 3, 2018.

Attachments: [Misc Corr](#)

These Reports were received and filed on the Consent Agenda.

DEPARTMENT REPORTS

BOARD OF SUPERVISORS

CALIFORNIA STATE ASSOCIATION OR COUNTIES (CSAC)

SUBJECT: Appointment to CSAC Board of Directors Members for 2018-2019.

FISCAL IMPACT: None.

ACTION REQUESTED: Make appointments of regular and alternate members to the CSAC Board of Directors.

Attachments: [CSAC Appointment](#)

Supervisor Hemphill nominated Supervisor Gallagher as the Regular Member of the California State Association or Counties (CSAC) Board of Directors.

Supervisor Hammond nominated Supervisor Teeter is the Alternate Member of the CSAC Board of Directors.

These Appointments were approved by the following vote:

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

TREASURER/TAX COLLECTOR'S OFFICE

TAX SALE DISTRIBUTION

SUBJECT: Amendment of excess proceeds disbursement.

FISCAL IMPACT: None.

ACTION REQUESTED: Amend original distribution approved on July 17, 2018 to disperse tax sale proceeds in the following amounts: 1) \$21,198 to Global Discoveries; and 2) \$10,152 to Dennis Stevens through the Lassen County Sheriff Office.

Attachments: [3894_001](#)

[Tax Coll Attach 2](#)

Treasurer/Tax Collector Nancy Cardenas gave a detailed report of the amendment for the tax sale proceeds disbursement to Dennis Stevens and Global discoveries. Brief discussion was held.

A motion was made by Supervisor Teeter, seconded by Supervisor Albaugh, 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

PUBLIC WORKS

SUBJECT: Update Report - Merrillville Road, County Road 226.

FISCAL IMPACT: To be determined.

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

Attachments: [PW Merrillville Rd Attach](#)

Public Works Director Larry Millar gave an updated report of Merrillview Road. Discussion was held pertaining to maintenance, upkeep and speed limit.

SPEAKERS: Larry Rawlings and Rick Gifford.

DISTRICT ATTORNEY (DA) EXPERT WITNESS

SUBJECT: District Attorney's Office request for the cost of an expert witness.

FISCAL IMPACT: General Fund costs in the amount of \$6,500. Fund/Budget Unit No. 130/0431.

ACTION REQUESTED: 1) Increase appropriation/transfer in amount of \$6500.00 from Fund/Budget Unit No.100-1111 (4/5ths vote required); and 2) Increase revenue in amount of \$6500.00 to Fund/Budget Unit No.130-0431 (3/5ths vote required); and 3) Increase appropriation in amount of \$6500.00 to Fund/Budget Unit No.130-0431 (4/5ths vote required); or 4) provide direction to staff.

Attachments: [DA Raglan Attach](#)

District Attorney (DA) Program Coordinator Michelle Latimer gave a detailed report of the cost and the definition of an expert witness. DA Program Coordinator Latimer also updated the board on the Homicide Budget and it's purpose. Discussion was held.

The Board provided direction to staff.

VICTIM/WITNESS

SUBJECT: Resolution approving the undertaking/ continuation of the Lassen County District Attorney's Victim/Witness Assistance Program to be funded from funds available through the State and Federal funds, administered by the California Office of Emergency Services (CalOES).

FISCAL IMPACT: \$109,195.00 increase in revenue to Victim/Witness Program for Fund/Budget Unit No.108-0433.

ACTION REQUESTED: 1) Adopt Resolution; and 2) increase revenue in Fund/Budget Unit No. 108-0433 in the amount of \$109,195 (3/5 vote required); and 3) increase appropriation in Fund/Budget Unit No. 108-0433 (4/5 vote required).

Attachments: [DA 2018-2019 VW Grant](#)

DA Program Coordinator Michelle Latimer gave a brief report of the District Attorney's Victim/Witness Assistance Program and State and Federal funding. Discussion was held.

A motion was made by Supervisor Hemphill, seconded by Supervisor Hammond, to: 1) Adopt Resolution No. 18-068; and 2) increase

revenue in Fund/Budget Unit No. 108-0433 in the amount of \$109,195; and 3) increase appropriation in Fund/Budget Unit No. 108-0433. The motion carried by the following vote:

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

DEPARTMENT REPORTS - CONTINUED

COUNTY COUNSEL

MEMORANDUM OF UNDERSTANDING (MOU)

SUBJECT: Management and Professional Association.

FISCAL IMPACT: Undetermined.

ACTION REQUESTED: Ratify Memorandum of Understanding with Lassen County Management and Professional Association; and/or 2) Provide direction to staff.

Attachments: [MPA Final](#)

CAO Egan reported to the Board that an agreement had been reached regarding the extension of the Memorandum of Understanding (MOU) with Lassen County Management and Professional Association through June 30, 2020. Brief discussion was held.

A motion was made by Supervisor Hammond, 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

COUNTY ADMINISTRATIVE OFFICE

BOARD OF SUPERVISORS

SUBJECT: Board Meeting Schedule.

FISCAL IMPACT: None.

ACTION REQUESTED: 1) Cancel meeting of 11/20/2018; or 2) provide direction to staff.

CAO Egan briefly discussed as to whether or not the November 20, 2018 Board of Supervisors regular meeting will be called. The Board provided direction to staff.

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO Egan reported: 1) Will be attending the Clear Creek Community Services District meeting tonight (October 9, 2018); 2) ran in the Bizz Johnson Trail marathon; and 3) reminded the Board that there will be a meeting this afternoon (October 9, 2018) at 1:30 p.m. for the Lassen-Modoc County Flood Control and Water Conservation District Board meeting.

ADJOURNMENT

There being no further business, the meeting is adjourned at 10:55 a.m. in memory of Stanley Dawson Arnold.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board