



# Lassen County

## Meeting Minutes

### Board of Supervisors

#### *LASSEN COUNTY SUPERVISORS:*

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

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Tuesday, December 18, 2018

9:00 AM

Board Chambers  
707 Nevada Street  
Susanville, CA 96130

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#### **9:01 A.M. CALL TO ORDER**

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

**Present:** 5 - David Teeter, Jeff Hemphill, 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 closed session items:

- 1) Conference with Legal Counsel: Significant exposure to litigation pursuant to Subdivision (d)(2) of Government Code Section 54956.9: Two case.
- 2) Conference with Labor Negotiator Richard Egan: May include the following bargaining units - a) Lassen County Peace Officers Assn. (LCPOA), b) Lassen County Road Workers Assn. (LCRWA), c) Lassen County Peace Officers Assn. Supervisors Unit (LCPOSA), d) Lassen County Peace Officers Assn. Management Unit (LCPOMA), e) Lassen County Deputy Sheriffs Association (LCDSA), f) Lassen County Management Association (LCMA).
- 3) Employee performance evaluation: County Administrative Officer.
- 4) Liability Claim-Workers Compensation Claim CTIF-236210.

#### **CLOSED SESSION**

Closed session was held from 9:02 a.m. - 9:39 a.m.

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

Marrietta Orden Schaab and Melissa (last name unknown) from Trindel were present via teleconference from 9:04 a.m. - 9:16 a.m.

RECESS: 9:39 a.m. - 9:43 a.m.

## 9:43 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 stated closed session would be continued to end of the meeting.

### AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

**A motion was made by Supervisor Teeter, 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

Pat Holley: Announced that he wished to speak for Item# D3 Hayden Hill Gold Mine.

Curtis Portal: Briefly discussed Measure M and cannabis tax.

### UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Albaugh: Wished everyone a Merry Christmas and Happy New Year.  
Supervisor Teeter: 1) Attended the Symphony Youth Orchestra; 2) working hard at the bookstore.

Supervisor Hammond: 1) Attended a Standish Fire Department meeting; 2) been keeping in contact with the drone guys; 3) will be giving a presentation to the Washoe County Board in February to present the 395 project; 4) requested to designate \$956.34 from discretionary funds to C&S Waste for the Leavitt Lake cleanup; 5) requested to designate \$200 to the Doyle Senior Center for two cleanups.

Supervisor Hemphill: 1) Wished everyone a Merry Christmas and Happy New Year; 2) thanked the Lassen County employees for all their work.

Supervisor Gallagher: 1) Attended the Employee Christmas Dinner; 2) attended a Christmas symphony concert; 3) family stayed the weekend. Had a great time visiting; 4) Wished everyone a Merry Christmas and Happy New Year; 5) thanked the Lassen County employees for all they do.

## INFORMATION/CONSENT CALENDAR

Supervisor Teeter pulled Item# G1 Morning Glory and Item# G3 Health and Social Services; and Supervisor Albaugh pulled Item# G6 Travel Authorization for further discussion.

### **Approval of the Consent Agenda**

**A motion was made by Supervisor Hammond, seconded by Supervisor Hemphill, to approve the Consent Agenda 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 December 7, 2018, and December 11, 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

**Attachments:** [Draft Mins 2018-12-7SPEC](#)

[Draft Mins 2018-12-11](#)

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

#### PROBATION DEPARTMENT

##### TRAVEL AUTHORIZATION

SUBJECT: Travel authorization for Angela Cobb to attend the mandatory Probation officer core course training, January 2, 2019 through February 7, 2019 in Sacramento. The total estimated cost of the training is approximately \$5,503.48.

FISCAL IMPACT: From Fund/Budget Unit No. 145-0561 with partial reimbursement from the Standards & Training for Corrections (STC) Program.

ACTION REQUESTED: Approve.

**Attachments:** [Prob Attach](#)

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

#### PUBLIC WORKS DEPARTMENT

##### ROAD DEPARTMENT

SUBJECT: Resolution authorizing the Public Works Director or the County Administrative Officer to perform Right of Way functions for various Public Works Construction Projects.

FISCAL IMPACT: To be determined on a project-by-project basis. Funding will be from the Road Budget utilizing Fund/Budget Unit No. 122-1221 (Road Maintenance) or Fund/Budget Unit No. 122-1222 (Road Construction).

ACTION REQUESTED: Adopt Resolution which authorizes the Director of Public Works or the County Administrative Officer to: 1) Approve Appraisals; and 2) establish Just Compensation; and 3) negotiate for the Acquisition of Right of Way; and 4) execute Right of Way Contracts; and 5) approve Administrative Settlements; and 6) sign Right of Way Certifications for various Public Works construction projects.

Attachments: [PW Right of Way Functions Attach](#)

**This Resolution No. 18-079 was adopted on the Consent Agenda.**

#### MISCELLANEOUS CORRESPONDENCE ITEMS

##### MISCELLANEOUS CORRESPONDENCE

ACTION REQUESTED: Receive and file the following correspondence:  
a) Lassen County Air Pollution Control District Governing Board Meeting Agenda for December 7, 2018.

Attachments: [Misc Corr](#)

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

#### DEPARTMENT REPORTS

##### BOARD OF SUPERVISORS

##### MORNING GLORY, INC

SUBJECT: Letter in support of Morning Glory Inc. to the California Correctional Center, High Desert State Prison, California Prison Industry Authority, and California Prison Industry Board.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve Letter and authorize Chairman to sign.

Attachments: [181218 Morning Glory Complete Packet](#)

Supervisor Teeter stated he recently spoke to the new owner of Morning Glory, Inc. Supervisor Teeter encouraged the Board to keep pushing the state, Assemblyman and Governor's office by sending letters of support for local contracts. 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

##### HEALTH AND SOCIAL SERVICES

##### BEHAVIORAL HEALTH

SUBJECT: 2018/19 Fiscal Year (FY) Mental Health Services Act (MHSA) Plan Update.

FISCAL IMPACT: There is no impact to County General Fund.

ACTION REQUESTED: Adopt the 2018/19 FY MHSA Plan Update and approve its submission to the Mental Health Services Oversight and Accountability Commission. (MHSOAC).

**Attachments:** [BOS BH MHSA Plan Update FY 18.19](#)

Supervisor Teeter wanted to recognize the effort that went into the plan and commend Health and Social Services for their efforts. Brief discussion was held.

**A motion was made by Supervisor Teeter, 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

#### SHERIFF'S OFFICE

##### TRAVEL AUTHORIZATION

SUBJECT: Travel authorization for three (3) Deputy Sheriff Recruits to attend Butte College Basic Law Enforcement Academy December 31, 2018 - June 7, 2019 in Chico, Ca.

FISCAL IMPACT: \$28,820.00 from Public Safety - Sheriff Fund/Budget Unit No. 130-0522.

ACTION REQUESTED: 1) Approve.

**Attachments:** [SO Travel Attach](#)

Supervisor Albaugh recognized Sheriff/Coroner Dean Growdon on a good job he has done with the four new deputies and three cadets going to the academy. Brief discussion was held.

SPEAKERS: Sheriff/Coroner Dean Growdon.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Hemphill, 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 AWARDS

SUBJECT: Recognition Committee Awards Presentation for December.

FISCAL IMPACT: None.

ACTION REQUESTED: Present Recognition Awards to the following: 10 Years: Cheryl Lauritsen (Ag Commission) and Robert Muller (Road Department); 15 Years: Cliff Banister (Sheriff's Department); 30 Years: Tamar Dean (Community Social Services).

Supervisor Gallagher recognized the following employees: 10 Years: Robert Mueller (Road Department) and Cheryl Lauritsen (Agricultural Department). 15

Years: Cliff Banister (Sheriff's Office. 30 Years: Tamar Dean (Health and Social Services.

**NOISE ELEMENT**

**SUBJECT:** Proposal to Update the Noise Element of the Lassen County General Plan.

**FISCAL IMPACT:** No impact to General Fund; costs to be paid from Geothermal Trust Fund #174-1741-3002300.

**ACTION REQUESTED:** 1) Receive report; and 2) find that "there is no new geothermal development and substantial planning, maintenance, and environmental mitigation of geothermal development has been achieved" as referenced in Public Resources Code Section 3824.5 in order to use the County's geothermal fund to pay for said update; and 3) authorize the Chairman to sign the contract with Dudek to update the Noise Element in the amount of \$54,445.

**Attachments:** [PB Dudek contract 12-18-18 pkt](#)

Assistant Director of Planning and Building Services Gaylon Norwood gave a brief over view and process of the Noise Element. Jonathon Leach of Dudek also gave a brief presentation on the process of determining the noise element. Supervisor Hemphill strongly disagreed with the item actions. Discussion was held.

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

**Aye:** 3 - Gallagher, Teeter and Albaugh

**Nay:** 2 - Hemphill and Hammond

RECESS: 10:39 a.m. - 10:46 a.m.

**HAYDEN HILL GOLD MINE**

**SUBJECT:** Consider approval of partial release of financial assurances held by Lassen County for reclamation of the Hayden Hill Gold Mine, operated by Lassen Gold Mining, Inc. (LGMI).

**FISCAL IMPACT:** No foreseeable impact to general fund.

**ACTION REQUESTED:** 1) Receive report; and 2) adopt a Resolution approving partial release of financial assurances.

**Attachments:** [Board Packet 12.18.18](#)

Senior Planner Matt May gave a detailed report of the Hayden Hill Gold Mine regarding a bond release for reclamation of Hayden Hill Gold Mine. Senior Planner May also updated the board of current replacements and repairs. Extensive discussion was held.

The Board agreed to table the item to a tentative date of February 19, 2019, for

follow up.

SPEAKERS: United States Forest Service (USFS) District Ranger for Big Valley Ranger District Chris Christofferson, Pat Holley from Lassen Municipal Utility District (LMUD), Director of Ken Ross Gold and Lassen Gold Mining, Inc (LGMI) Kevin Roach, Crystal Keesey of East Side Environmental.

## DEPARTMENT REPORTS - CONTINUED

### PLANNING AND BUILDING SERVICES

#### GEOGRAPHIC INFORMATION SYSTEM

SUBJECT: Geographic Information System Coordinator class specification.

FISCAL IMPACT: Appropriation included in Fiscal Year 2018-2019 budget, General Fund/Budget Unit No.100.

ACTION REQUESTED: Approve specification.

**Attachments:** [PB GIS position Attach](#)

Assistant Director of Planning and Building Services Gaylon Norwood gave a detailed description of the Geographic Information System Coordinator class specification and how this position will be able to assist in other departments. Information Services Supervisor Jason Housel briefly discussed the software and licensing. Director of Health and Social Services Barbara Longo stated that she and her department fully support this position. Discussion was held.

**A motion was made by Supervisor Albaugh, 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

### SHERIFF'S DEPARTMENT

#### ADMINISTRATION

SUBJECT: Re-organization of Sheriff's office administration including the change in classification of one Undersheriff position and one Sheriff's Sergeant position to two positions classified as Sheriff's Lieutenants, and the reclassification of two Sheriff's Captain positions.

FISCAL IMPACT: There will be some cost savings based on the newly promoted personnel being low on the pay scale, but costs will increase as those employees move through the pay ranges in future years.

ACTION REQUESTED: 1) Change in classification of one Sergeant position in the Police Officer's Association (POA) Supervisors Unit at range 21, to a Sheriff's Lieutenant in the POA Management Unit at range 25; and 2) change in classification of one Undersheriff position (unrepresented/at-will) at range 28 to a Sheriff's Lieutenant position in the POA Management Unit at range 25; and 3) reclassification of two Captain positions from range 25 in the POA Management Unit to range 27 in the POA Management Unit; and 4)

approve the revised job descriptions for Lieutenant and Captain.

Attachments: [SO Administration Attach](#)

Sheriff/Coroner Dean Growdon gave a detailed report of the re-organization of the Sheriff's office administration and the effect it will have on the office as well as staff. Discussion was held.

Supervisor Hammond was absent from 12:11 p.m. - 12:12 p.m.

**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

#### COUNTY ADMINISTRATIVE OFFICE

##### MEMORANDUM OF UNDERSTANDING

SUBJECT: Memorandum of Understanding with Lassen County Road Workers Association.

FISCAL IMPACT: Undetermined.

ACTION REQUESTED: 1) Ratify Memorandum of Understanding; and/or 2) provide direction to staff.

Attachments: [181212 RWA MOU Final Draft](#)

CAO Egan stated they had successfully negotiated an extension to the bargaining agreement with Lassen County Road Workers Association. Brief discussion was held.

**A motion was made by Supervisor Hammond, seconded by Supervisor Teeter, to ratify the Memorandum of Understanding. 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) will be spending Christmas in Maui with family. Deputy CAO Shaw will take CAO Egan's place in his absence; 2) California Department of Fish and Wildlife announced this morning they are in the middle of a criminal investigation surrounding the death of OR59.

#### CLOSED SESSION - CONTINUED

Closed session was held from 12:19 p.m. - 1:33 p.m.

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

Deputy Clerk of the Board Yderraga was absent during closed session.



County Counsel Burns departed for the day at 12:19 p.m.

**ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION**

- 1) Employee performance evaluation: County Administrative Officer.

Supervisor Gallagher announced: CAO Egan received an excellent evaluation by unanimous vote.

- 2) Conference with Legal Counsel: Significant exposure to litigation pursuant to Subdivision (d)(2) of Government Code Section 54956.9: Two case.

CAO Egan announced: No reportable action.

- 3) Conference with Labor Negotiator Richard Egan: May include the following bargaining units - a) Lassen County Peace Officers Assn. (LCPOA), b) Lassen County Road Workers Assn. (LCRWA), c) Lassen County Peace Officers Assn. Supervisors Unit (LCPOSA), d) Lassen County Peace Officers Assn. Management Unit (LCPOMA), e) Lassen County Deputy Sheriffs Association (LCDSA), f) Lassen County Management Association (LCMA).

CAO Egan announced: No reportable action.

- 4) Liability Claim-Workers Compensation Claim CTIF-236210.

CAO Egan announced: No reportable action.

**ADJOURNMENT**

There being no further business, the meeting is adjourned at 1:34 p.m.

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

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

ATTEST:

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