



# 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, April 16, 2019

9:00 AM

Board Chambers  
707 Nevada Street  
Susanville, CA 96130

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### **9:02 A.M. CALL TO ORDER**

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

Supervisor Hemphill was absent due to illness.

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

**Excuse:** 0

### **PUBLIC COMMENT**

None.

### **CLOSED SESSION**

Closed session was held from 9:02 a.m. - 9:33 a.m.

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

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

CAO Egan announced the following closed session item:

- 1) Employee performance evaluation: County Administrative Officer.

RECESS: 9:33 a.m. - 9:36 a.m.

### **9:36 A.M. OPENING CEREMONIES**

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

Supervisor Teeter announced the following closed session item:

Employee performance evaluation: County Administrative Officer.

No reportable action.

## **Pledge of Allegiance and Invocation**

After the flag salute invocation was offered by Supervisor Teeter.

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

Supervisor Gallagher requested to have the meeting adjourned in memory of Leonard Griswald.

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

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

**Absent:** 1 - Hemphill

## **PUBLIC COMMENTS**

Captain John Bohl: Informed the Board of National Public Safety Dispatchers Week. Briefly discussed the duties of Lassen County dispatchers and expressed his appreciation for their work.

Gary Felt: President of Lassen County Chamber of Commerce, informed the Board that Rural America Export/Import Expo would be cancelled for this year and possibly brought back for year 2020.

## **UNAGENDIZED REPORTS BY BOARD MEMBERS**

Supervisor Gallagher: 1) Attended a Mountain Meadows Neighborhood Watch meeting in Westwood; 2) attended the Walk a Mile in Their Shoes event; 3) informed the Board that the Fish and Game Commission will be receiving a \$20,000 grant; 4) received two (2) letters regarding Ward Lake Pit and forwarded to staff; 5) expressed his condolences for Leonard Griswald; 6) announced that Dr. Boomer, a Lassen County eye doctor, will be retiring and would like to give his business to another eye doctor willing to take over and requested everyone to share this business opportunity.

Supervisor Hammond: 1) Attended a Sierra Alliance meeting; 2) Fort Sage School District received a grant for \$3.8 Million. This grant is combined with Long Valley Charter School; 3) thanked Planning and Building Services for abating the Herlong Junction building.

Supervisor Albaugh: 1) Attended a ceremony for Dr. Dahle in Adin, Ca. celebrating Dr. Dahle for receiving the Country Doctor of the Year award; 2) attended the Intermountain Cattlewomens Beef and Brew event; 3) announced there will be a 150 year celebration for the town of Adin this Summer in Modoc County and would like to present them with a Resolution or Proclamation from Lassen County.

Supervisor Teeter: 1) Attended a CalPIA meeting in Sacramento; 2) briefly

discussed highway damage on US Highway 36 and the California Department of Transportation (CalTrans); 3) attended a Lassen County Transportation Commission meeting.

## **INFORMATION/CONSENT CALENDAR**

Supervisor Albaugh requested to pull Item# G5 - Road Mileage and Item# G7 - Grant, for further discussion.

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

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

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

**Absent:** 1 - Hemphill

#### **BOARD OF SUPERVISORS**

##### **SUPERVISOR ALBAUGH**

**SUBJECT:** Request to designate \$500 to the Junior Fishing Derby.

**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.**

#### **AUDITOR'S OFFICE**

##### **FUND CASH BALANCES**

**SUBJECT:** Treasurer's Fund Balance Report and Auditor's verification for the month of March 31, 2019.

**FISCAL IMPACT:** None.

**ACTION:** Receive and file.

**Attachments:** [LASSEN COUNTY FUND BALANCES 3-31-2019](#)

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

#### **COUNTY CLERK-RECORDER**

##### **MINUTES**

**SUBJECT:** Meeting minutes of April 9, 2019.

**FISCAL IMPACT:** None.

**ACTION REQUESTED:** Approve.

**Attachments:** [DRAFT MINS](#)

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

## PUBLIC WORKS DEPARTMENT

## GRAZING LEASE

SUBJECT: Confirm grazing lease with Jesse Midgley for use of Susanville Ranch Park for spring 2019 grazing.

FISCAL IMPACT: Anticipated revenue to the Natural Resources Budget, Fund 141 of \$750.00.

ACTION REQUESTED: 1) Confirm 2019 spring grazing lease with Jesse Midgley for use of Susanville Ranch Park in the amount of \$12.50 per AUM; and 2) authorize CAO to sign.

Attachments: [PW Grazing Lease Attach](#)

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

## SHERIFF'S DEPARTMENT

## BOATING AND WATERWAYS

SUBJECT: Resolution for 2019/20 Fiscal Year (FY) application for financial aid, State of California Department of Parks and Recreations, Division of Boating and Waterways.

FISCAL IMPACT: Potentially provide of \$45,640.14 to the Lassen County Sheriff's Office for Boating Patrol Services for 2019/20 FY.

ACTION REQUESTED: Adopt Resolution required by Boating and Waterways for Financial Aid for the 2019/20 FY previously approved on March 12, 2019, by the Lassen County Board of Supervisors.

Attachments: [SO Boating and Waterways Attach](#)

**This Resolution No. 19-019 was adopted on the Consent Agenda.**

## TREASURER/TAX COLLECTOR

## PORTFOLIO

SUBJECT: Treasurer's Investment Report for March 31, 2019.

FISCAL IMPACT: None.

ACTION: Receive and file.

Attachments: [LASSEN COUNTY PORTFOLIO 3-31-2019](#)

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

## DEPARTMENT REPORTS

## PUBLIC WORKS DEPARTMENT

## ROAD MILEAGE

SUBJECT: Resolution Certifying County Maintained Road Mileage for 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Adopt Resolution.

**Attachments:** [PW Mileage Attach](#)

Supervisor Albaugh thanked Director of Public Works Larry Millar for doing a good job on the requested revisions of this Resolution. Supervisor Hammond also thanked Director Millar.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Gallagher, that this Resolution No. 19-020 be adopted. The motion carried by the following vote:**

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

**Absent:** 1 - Hemphill

#### SHERIFF'S DEPARTMENT

GRANT

SUBJECT: Resolution regarding Byrne/JAG grant.

FISCAL IMPACT: None.

ACTION REQUESTED: Adopt a Resolution granting the CAO authority to sign the application, the grant agreement and any amendments thereof.

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

Supervisor Albaugh asked if this grant was a multi-year agreement. Captain John Bohl confirmed. Brief discussion was held.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Hammond, that this Resolution No. 19-021 be adopted. The motion carried by the following vote:**

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

**Absent:** 1 - Hemphill

RECESS: 10:03 a.m. - 10:07 a.m.

#### PUBLIC HEARINGS

PLANNING AND BUILDING SERVICES

SUBJECT: Public Hearing: to consider the extension for 22 months and 15 days of urgency Ordinance Number 2019-02, a moratorium on the cultivation of industrial hemp.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1) Conduct a public hearing; and 2) introduce, waive the reading of, and adopt an ordinance extending the moratorium (4/5 vote required); and/or 3) provide direction to staff.

**Attachments:** [PBS HEMP Urgency Ord Ext. 4-16-19 pckt](#)

Director of Planning and Building Services Maurice Anderson reminded the Board that this item was being brought back per the Board's request and gave a

brief overview of the Moratorium. Agricultural (Ag) Commissioner Craig Hemphill discussed current regulations in California. Director Anderson informed the Board of the rules of a Moratorium.

The Public Hearing was open from 10:19 a.m. - 10:23 a.m.

SPEAKERS: Nick Tech spoke against the Moratorium.

Supervisor Albaugh asked about testing and testing facilities. The Board also discussed changes to Title 19, economic development and possible revenue for Lassen County. Extensive discussion was held.

The Board agreed to table this item for the next Board of Supervisors meeting to be held on April 23, 2019.

CAO Egan was absent from 10:25 a.m. - 10:29 a.m.

**A motion was made by Supervisor Gallagher, seconded by Supervisor Albaugh, to table this item with direction to staff for the next Board of Supervisors meeting to be held on April 23, 2019. A Motion was made by the following vote:**

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

**Absent:** 1 - Hemphill

## **DEPARTMENT REPORTS - CONTINUED**

### COUNTY CLERK-RECORDER

#### REGISTRAR OF VOTERS

SUBJECT: Consolidation of Stones Bengard Community Services District to Even-year Elections.

FISCAL IMPACT: No impact to the General Fund, district will reimburse all cost.

ACTION REQUESTED: Approve Stones Bengard Community Services District (SBCSD) Resolution No. 19-01 requesting board members to be elected during even-numbered years, to coincide with the November General Elections, in accordance with Elections Code 10404.2 and the Government Codes 61042 and 61008(b).

**Attachments:** [Elec Consolidateion Even Yrs](#)

[SBCSD Res 19-01](#)

[Codes](#)

[SBCSD History](#)

County Clerk/Recorder Julie Bustamante gave a brief overview of the resolution that was adopted by Stones-Bengard Community Services District (CSD) to

change their elections to all even years.

SPEAKERS: Stones-Bengard CSD Chairperson Kay Oring.

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

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

**Absent:** 1 - Hemphill

#### COUNTY COUNSEL

#### POLICY ON FEDERALLY PROTECTED TAX INFORMATION

SUBJECT: Authorize implementation of draft policy # 19-01 regarding employees who have access to federally protected tax information (FTI).

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1. Receive staff report; and 2. Approve draft policy 19-01; and 3. Approve changes to identified job descriptions; and 4. Approve creation of 2 new job descriptions (Housing Program Coordinator and Housing Grants Specialist); and/or 5. Provide direction to staff.

**Attachments:** [CoCo Master LetterHead 4.16.19 BOS Staff Report](#)

[Lassen IRS Background Investigation Requirements - Access to Federal Tax Information 2.1.19](#)

[Background Investigation Questionnaire Lassen](#)

[FAQs Re IRS Pub 1075 Policy-Final 1.1.19](#)

[5. Revised Deputy Public Conservator Guardian Administrator 02.19](#)

[6. Revised Director of Child Support Services 02.19](#)

[7. Revised Director of Community Social Services 02.19](#)

[8. Revised Director of Health and Social Services 02.19](#)

[9. Revised Program Manager 02.19](#)

[10. Revised Public Administrator Public Guardian 02.19](#)

[11. Revised Senior Account Clerk 02.19](#)

[12. Revised Senior Administrative Clerk 02.19](#)

[13. Revised Account Clerk 02.19](#)

[14. Revised Administrative Assistant 02.19](#)

[15. Revised Administrative Clerk 02.19](#)

[16. Revised Analyst 02.19](#)

[17. Revised Housing Program Coordinator 02.19](#)

[18. Revised Housing Grants Specialist 02.19](#)

County Counsel Burns thanked the Department of Child Support Services and Health & Social Services for the work they put into creating this document.

County Counsel Burns gave an extensive report of the policy and procedure of

Federally Protected Tax Information (FTI), the employees it applies to and employees who have access to this information. Discussion was held.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Hammond, to approve draft policy 19-01, approve changes to identified job descriptions, and approve creation of 2 new job descriptions (Housing Program Coordinator and Housing Grants Specialist). The motion carried by the following vote:**

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

**Absent:** 1 - Hemphill

#### PUBLIC WORKS DEPARTMENT

##### COURTHOUSE ANNEX

SUBJECT: Courthouse Annex - Equity Buy Out of Judicial Council of California.

FISCAL IMPACT: The buyback will occur over a five (5) year period in the amount of \$50,000 per year for a total of \$250,000. Funding is available in Fund 119 Accumulated Capital Outlay for the first payment.

ACTION REQUESTED: 1) Approve entering into an Equity Rights Purchase Agreement with the Judicial Council of California; and 2) execute the supplementary Revocable, Exclusive License for Real Property.

**Attachments:** [PW Courthouse Annex Attach](#)

Deputy Director of Facilities Maintenance Peter Heimbigner gave a brief overview of the portion of the Historic Courthouse and Annex Building that is currently owned by the Hall of Justice. Deputy Director Heimbigner also discussed the amount of cost to Lassen County to buy out the Hall of Justice portion in both buildings. Brief discussion was held.

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

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

**Absent:** 1 - Hemphill

##### HERLONG THEATER

SUBJECT: Disposition of Herlong Theater (Building 2071).

FISCAL IMPACT: Unknown.

ACTION REQUESTED: Discuss possible options for re-use of Herlong Theater and provide direction to staff.

**Attachments:** [PW Herlong Theater Attach](#)

Deputy Director of Facilities Maintenance Peter Heimbigner gave a brief update



of the Herlong Theater in Herlong and informed the Board that it is a County owned building. Director Heimbigner explained to the Board of the current issues of the building and it's use by Fort Sage School District. The Board discussed a possible Request for Proposal (RFP). CAO Egan favored an RFP. Brief discussion was held.

#### COUNTY ADMINISTRATIVE OFFICE

##### RESOLUTION

SUBJECT: Salary and Benefits for Department Heads (elected and appointed), and confidential employees.

FISCAL IMPACT: Undetermined.

ACTION REQUESTED: 1) Receive staff report; and 2) approve Resolution restating salary and benefits for Department Heads (appointed and elected), and confidential employees; and/or 3) provide direction to staff.

Attachments: [DH, EL, Conf Reso](#)  
[Historic Docs](#)

CAO Egan discussed a revised Memorandum of Understanding (MOU) for unrepresented (elected officials, appointed departed heads and confidential) employees of Lassen County. County Counsel Burns discussed the changes of the current MOU to the revised MOU. Supervisor Albaugh questioned the current financial status of the County. Brief discussion was held.

**A motion was made by Supervisor Gallagher, seconded by Supervisor Hammond, that this Resolution No. 19-022 be adopted. The motion carried by the following vote:**

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

**Absent:** 1 - Hemphill

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

None.

#### ADJOURNMENT

There being no further business, the meeting is adjourned at 11:31 a.m. in memory of Leonard Griswald.

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

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

ATTEST:

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