



# 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, August 13, 2019

9:00 AM

Board Chambers  
707 Nevada Street  
Susanville, CA 96130

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

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

Supervisor Hemphill arrived at 9:06 a.m.

Absent: Supervisor Hammond was absent by pre-arrangement.

**Present:** 4 - Jeff Hemphill, David Teeter, Aaron Albaugh and Chris Gallagher

**Absent:** 1 - Tom Hammond

**Excuse:** 0

#### PUBLIC COMMENT

None.

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

CAO Egan 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 (if needed).
- 2) Employee performance evaluation: Fair Manager.

#### CLOSED SESSION

Closed session was held from 9:02 a.m. - 9:41 a.m.

Present: Supervisors Gallagher, Teeter and Albaugh. Also Present: CAO Egan, County Counsel Burns and Deputy Clerk of the Board Yderraga. Supervisor Hemphill arrived at 9:06 a.m.

Fair Manager Jim Wolcott was present from 9:16 a.m. - 9:38 a.m.

RECESS: 9:41 a.m. - 9:44 a.m.

**9:44 A.M. OPENING CEREMONIES**

**Pledge of Allegiance and Invocation**

After the flag salute invocation was offered by Supervisor Hemphill.

**ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION**

CAO Egan announced closed session would be continued to the end of the meeting.

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

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

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

**Absent:** 1 - Hammond

**PUBLIC COMMENTS**

None.

**UNAGENDIZED REPORTS BY BOARD MEMBERS**

Supervisor Albaugh: 1) Attended the Blues and Brews Festival; 2) attended a Stake Holders meeting in Bieber; 3) attended the Fall River - Big Valley Cattleman's annual meeting; 4) will be attending a Regional Council Representatives of California (RCRC) meeting on August 14, 2019; 5) announced there will be a photo contest for the RCRC calendar; 6) announced there are numerous, large marijuana grows in North County.

Supervisor Teeter: 1) Attended two Susanville City Council meetings; 2) attended a First 5 meeting; 3) attended a Housing Advisory Board meeting; 4) attended a Mental Health Services Act (MHSA) Stake Holders meeting; 5) requested to donate \$350 to the Court Appointed Special Advocate (CASA) from discretionary funds for the Jenny Hoffman Program.

Supervisor Gallagher: 1) Briefly discussed elderly services; 2) requested to adjourn the meeting in memory of Charlene Gifford and Ed Tomasini.

Supervisor Hemphill: 1) Attended Doyle Days; 2) attended a Lassen County Local Agency Formation Commission (LAFCo) meeting; 3) requested to donate \$500 to the Future Farmers of America (FFA) from discretionary funds for the National Convention.

**INFORMATION/CONSENT CALENDAR**

Supervisor Hemphill requested to pull Item# G2i - Miscellaneous Correspondence; Supervisor Albaugh requested to pull Item# G4 - Minutes (for

corrections); Item# G7 - County Surveyor; Item# G8 - Road Department; Item# G9 - Disaster 211 Public Information Service.

**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:** 4 - Hemphill, Teeter, Albaugh and Gallagher

**Absent:** 1 - Hammond

BOARD OF SUPERVISORS

SUPERVISOR TEETER

SUBJECT: Request to designate \$250 to Lassen Senior Services Inc. for the annual BBQ cook-off fundraiser at the Lassen County Fairgrounds on August 17, 2019.

FISCAL IMPACT: Appropriation is included in the General fund, board of Supervisors Fund/Budget Unit No. 100-0011.

ACTION REQUESTED: Approve expenditure.

Attachments: [20190731155315448](#)

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

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Lassen County Architectural Review Committee Meeting Agenda for July 22, 2019.
- b) Central Valley Regional Water Quality Control Board Public Meeting Notice and Agenda for August 1 and August 2, 2019.
- c) Susanville City Council Special Meeting Agenda for July 23, 2019.
- d) Lassen County Technical Advisory Committee Meeting Agenda for August 1, 2019.
- e) Susanville City Council Special Meeting Agenda for July 31, 2019.
- f) Lassen County Architectural Review Committee Meeting Agenda for August 2, 2019.
- g) Application for Alcoholic Beverage License(s) - Wayside Inn Market.
- h) Susanville City Council Meeting Agenda for August 7, 2019.

Attachments: [Misc Corr](#)

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

COUNTY ADMINISTRATIVE OFFICE

PERSONNEL REPORT

SUBJECT: Personnel Movement Report for June, 2019.

FISCAL IMPACT: None.  
ACTION: Receive and file.

**Attachments:** [Personnel Report](#)

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

DISTRICT ATTORNEY

VICTIM WITNESS REQUEST FOR APPLICATION (RFA)  
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: \$261,404 for Victim/Witness; Fund/Budget Unit No.: 108-0433.  
ACTION REQUESTED: Adopt Resolution.

**Attachments:** [DA 2019 VW RFA](#)  
[DA VW RFA Memo 2019](#)  
[DA Resolution VW RFA 2019](#)

**This Resolution No. 19-035 was adopted on the Consent Agenda.**

HEALTH AND SOCIAL SERVICES

PUBLIC HEALTH  
SUBJECT: Amendment to Local Oral Health Program Grant.  
FISCAL IMPACT: None. The total amount of the grant remains unchanged.  
ACTION REQUESTED: 1) Approve the Agreement; and 2) authorize the County Administrative Officer to execute the Agreement.

**Attachments:** [HSS BOS PH Amendment LOHP Grant 08.13.19](#)

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

**DEPARTMENT REPORTS**

COUNTY CLERK-RECORDER

MINUTES  
SUBJECT: Meeting Minutes of July 23, 2019.  
FISCAL IMPACT: None.  
ACTION REQUESTED: Approve.

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

Supervisor Albaugh stated there was a time correction on the closed session item for the presence of David Williams.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Teeter, that these Minutes be approved as amended. The**

**motion carried by the following vote:**

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

**Absent:** 1 - Hammond

PUBLIC WORKS DEPARTMENT

ROAD DEPARTMENT

SUBJECT: First Amendment to Agreement between Lassen County and ZT Consulting Group Inc.

FISCAL IMPACT: An additional \$15,500 is available in the Road Construction Fund/Budget Unit No. 122-1222 for this Amendment where Federal STIP funding is available for reimbursement.

ACTION REQUESTED: Approve the First Amendment to Agreement with ZT Consulting Group Inc. and authorize the Public Works Director to sign.

Attachments: [PW Attach](#)

Supervisor Albaugh asked for a definition of tip elevation. Public Works Director Larry Millar gave a report of the current job, errors and recent outcomes. Brief discussion was held.

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

PLANNING AND BUILDING SERVICES

COUNTY SURVEYOR

SUBJECT: Resolution to approve Parcel Map No. 2018-006, a Parcel Map for Segregation of Homesite, for Raymond and Rebecca Jones, located in a portion of Section 1, Township 29 North, Range 12 East, Mount Diablo Base and Meridian.

FISCAL IMPACT: None.

ACTION REQUESTED: Adopt Resolution.

Attachments: [PB PM2018-006 Jones 8-13-19](#)

Director of Planning and Building Services Maurice Anderson gave an overview of the Resolution to approve a Parcel Map for Segregation of Homesite. CAO Egan briefly explained non-conforming parcels. Discussion was held.

**A motion was made by Supervisor Gallagher, seconded by Supervisor Teeter, that this Resolution No. 19-036 be adopted. The motion carried by the following vote:**

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

**Nay:** 1 - Albaugh

**Absent:** 1 - Hammond

OFFICE OF EMERGENCY SERVICES

**DISASTER 211 PUBLIC INFORMATION SERVICE**

**SUBJECT:** Approval of a Letter of Endorsement to the California Public Utilities Commission to establish and implement Disaster 2-1-1 public information service in Lassen County.

**FISCAL IMPACT:** No anticipated start-up and implementation costs in years one through three; potential annual cost of \$5,000 annually in years five and six; Unknown cost in year seven and beyond.

**ACTION REQUESTED:** Approve letter and authorize Chairman to sign the letter.

**Attachments:** [190813 211 OES Packet](#)

Office of Emergency Services (OES) Chief Mark Rotlisberger gave an overview of the Disaster 211 Public Information Service for Lassen County residents. Chief Rotlisberger explained that there are two options for this service, full service and service during disaster/emergency situations only. Chief Rotlisberger also stated he was told there would be a three year part of the program paid by the Public Utility Commissions from the Teleconnect Fund SB1212. Chief Rotlisberger stated the 211 system would provide information for evacuation routes, shelter and emergency services during a disaster. Discussion was held.

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

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

**Absent:** 1 - Hammond

**MISCELLANEOUS CORRESPONDENCE ITEMS**

**ACTION REQUESTED:** Receive and file the following correspondence:  
i) Service Employees International Union (SEIU) Local 15 letter dated 7/25/2019.

CAO Egan gave a brief summary of a letter sent by the Service Employees International Union (SEIU) Local 15 and informed the Board that the County doesn't supervise or oversee this group. CAO Egan also stated the county would incur a small penalty if a bargaining agreement isn't reached by October 1, 2019, and more than likely the penalty would be less than what is being requested in the bargaining agreement.

**PUBLIC HEARINGS****BIEBER LIGHTING DISTRICT**

**SUBJECT:** Recess as the Board of Supervisors and convene as the Bieber Lighting District. Bieber Lighting District Fiscal Year 2019/2020 Budget Hearing and Budget Adoption.

**FISCAL IMPACT:** No significant impact.

ACTION REQUESTED: Open public hearing on the 2019/2020 Bieber Lighting District Budget and either continue the public hearing or take actions as follows: 1) Adopt Resolution Establishing Appropriations Limit the amount of \$21,945, for Fiscal Year 2019/2020 Pursuant to California Constitution Article XIII-B and Government Code Sec. 7910; and 2) adopting the 2019/2020 Bieber Lighting District Budget in the amount of \$3,575. Adjourn as the Bieber Lighting District and reconvene as the Board of Supervisors.

**Attachments:** [190813 Bieber Lighting District Budget](#)

The Board of Supervisors recessed at 10:14 a.m. and convened as the Bieber Lighting District.

The Public Hearing was opened from 10:14 a.m. - 10:15 a.m.

CAO Egan stated this is an annual item to adopt the Budget for Fiscal Year 2019/2020.

The Bieber Lighting District adjourned at 10:15 a.m. and reconvened as the Board of Supervisors.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Gallagher, that this Resolution No. 19-037 be adopted. The motion carried by the following vote:**

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

**Absent:** 1 - Hammond

HONEY LAKE TV

SUBJECT: 10:05 a.m.: Recess as the Board of Supervisors and convene as the County Service Area #1 Budget Honey Lake TV. County Service Area #1 Honey Lake TV Fiscal Year 2019/2020 Budget Hearing and Budget Adoption. FISCAL IMPACT: No significant impact.

ACTION REQUESTED: Open public hearing on the 2019/2020 County Service Area #1 Budget (Honey Lake TV) Budget and either continue the public hearing or take actions as follows: 1) Adopt Resolution approving the 2019/2020 County Service Area #1 Budget (Honey Lake TV) in the amount of \$110,108; and 2) adopting the 2019/2020 TV User Fee in the amount of \$25 per single-family unit and \$10 per multi-family unit. Adjourn as the County Service Area #1 and reconvene as the Board of Supervisors.

**Attachments:** [190813 Honey Lake TV](#)

The Board of Supervisors recessed at 10:15 a.m. and convened as Honey Lake TV (HLTV). HLTV President Dan Douglas gave a brief overview of the current channels provided by HLTV. Jim Pekard of HLTV explained how different channels are determined by what is viewed by the people. Mr. Pekard also discussed licensing and local stations. Brief discussion was held.

**A motion was made by Supervisor Albaugh, seconded by Supervisor Teeter, that this Resolution No. 19-038 be adopted. The motion carried by the following vote:**

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

**Absent:** 1 - Hammond

## **MATTERS SET FOR TIME CERTAIN**

### **CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

**SUBJECT:** Presentation by California Department of Fish and Wildlife regarding deer, antelope, elk and gray wolf populations in Lassen County.

**FISCAL IMPACT:** None.

**ACTION REQUESTED:** Receive presentation.

Brian Haler of the California Department of Fish and Wildlife gave a power point presentation on the gray wolves in California. Mr. Haler discussed tracking collars on wolves and deer, annual surveys of the animals, hunting zones and the migration pattern of the animals. Wildlife Biologist Kent Laudon also gave a power point presentation regarding the wolves in Lassen County and surrounding area. Discussion was held.

RECESS: 11:15 a.m. - 11:21 a.m.

## **DEPARTMENT REPORTS - CONTINUED**

### **BOARD OF SUPERVISORS**

#### **PUBLIC EMPLOYEE APPOINTMENT - PUBLIC DEFENDER**

**SUBJECT:** Appointment of new Lassen County Public Defender Mr. Mark Beallo effective August 14, 2019, at Range 36 Step A.

**FISCAL IMPACT:** Approximately \$127,000 annually.

**ACTION REQUESTED:** 1) Appoint Mr. Mark Beallo Public Defender; and/or 2) provide direction to staff.

**Attachments:** [Beallo Offer\\_Redacted](#)  
[Beallo Acceptance\\_Redacted](#)

County Counsel Burns introduced Mark Beallo and gave a brief background of his experience. Mr. Beallo thanked the Board for the opportunity.

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

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

**Absent:** 1 - Hammond



**PUBLIC HEARINGS - CONTINUED****PLANNING AND BUILDING SERVICES**

SUBJECT: Public Hearing: Amendment to Title 18 of the Lassen County Code regarding cannabis dispensaries, cannabis testing facilities and commercial cannabis cultivation (File #318.01.56).

FISCAL IMPACT: Possible future implementation costs if an ordinance is adopted.

ACTION REQUESTED: 1) Receive report from staff and recommendation of approval by the Planning Commission; and 2) conduct a public hearing; 3) introduce and adopt, by title only, the proposed ordinance; or 4) provide direction to staff.

**Attachments:** [PB Rev cannabis ord 8-13-19 pkt](#)

Director of Planning and Building Services Maurice Anderson gave an overview of the proposed ordinance pertaining to cannabis dispensaries, cannabis testing facilities and commercial cannabis cultivation. Director Anderson also discussed the requirements and time frame to purchase a use permit. CAO Egan announced that he received correspondence regarding cannabis from three constituents to be added to the record. Brief discussion was held.

The Public Hearing was open from 11:34 a.m. - 1:22 p.m.

SPEAKERS: Amy Holley, Bruce Ross, Carol Clarke, Joe Turner, Hugh Antonucci, Jack Hansen, Rick Wilson, Taylor Hagata, Dr. Steven Braatz, Gary Bridges, Tyra Selig, Randy Darrow, Tim Lunblade, Chris Cole, Curtis Bortle, Grace Scanlan, Natalie Karso, Brian Gorman, Jerry Rose, Catherine Duerksen (not present), Dailene Hokinson (not present), Daniel Ferreira, Irene Schimdt (not present), Robert Schmidt (not present), Mike Scanlan, Leann Vanderly, Daniel Cook, Holley Mueller, Bob Weir, Sheriff/Coroner Dean Growdon, Carol Byers, Natalie Karso (read correspondence from Denise Roberts).

Supervisor Gallagher read Measure M aloud and stated 52% of the voters voted "Yes" for Measure M. Supervisor Gallagher also discussed cannabis activity in Lassen County as well as other counties. Supervisor Albaugh thanked everyone for their comments and stated this item is another major decision. Supervisor Albaugh also stated this is a moral and cultural issue. Supervisor Teeter thanked everyone for coming and discussed possible changes within Lassen County.

Supervisor Teeter made a motion to adopt the ordinance. County Counsel Burns stated Supervisor Gallagher had asked if a provision could be made to the ordinance. Supervisor Teeter withdrew his motion.

Supervisor Gallagher requested to have the entire section 18.108.047 stricken from the ordinance. County Counsel Burns stated the request would be to adopt

the ordinance allowing cannabis testing facilities and cannabis dispensaries but not to approve commercial cultivation of cannabis. Supervisor Albaugh stated that section 18.14.242 "Commercial Cannabis Cultivation" would also need to be stricken from the ordinance. The Board agreed to the revision. Brief discussion was held.

County Counsel Burns was absent from 12:35 p.m. - 12:38 p.m.  
CAO Egan was absent from 12:52 p.m. - 12:54 p.m.

**A motion was made by Supervisor Gallagher, seconded by Supervisor Teeter, that this Ordinance No. 2019-08 be adopted. The motion carried by the following vote:**

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

**Nay:** 1 - Albaugh

**Absent:** 1 - Hammond

**DEPARTMENT REPORTS - CONTINUED**

HEALTH & SOCIAL SERVICES

HEALTH AND SOCIAL SERVICES

SUBJECT: Appointment to Partnership HealthPlan of California Commission.

FISCAL IMPACT: None.

ACTION REQUESTED: Appoint Lynn Hudgens to serve as the Lassen County representative on the Partnership HealthPlan of California Commission.

Attachments: [HSS BOS HSS PHC Commission Appointment 08.13.19](#)

Director of Health and Social Services Barbara Longo gave a brief background of Lynn Hudgens and requested the Board to appoint Mr. Hudgens to serve as the Lassen County representative on the Partnership HealthPlan of California Commission.

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

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

**Absent:** 1 - Hammond

PUBLIC WORKS DEPARTMENT

HERLONG ONE STOP

SUBJECT: Approve increase of contract limit for additional contract change order costs.

FISCAL IMPACT: Funding is available within the current approved FY 2019/20 Mental Health Services Act account Fund/Budget Unit No. 164-7520.

ACTION REQUESTED: 1) Increase contract amount available for contract change orders from \$10,000 to \$30,000; 2) Authorize Director of Public Works to execute contract change orders up to "Not to Exceed" amount of \$30,000 or a total contract "Not to Exceed" amount of \$222,871.

**Attachments:** [PW Herlong One Stop](#)

Deputy Director of Facilities Maintenance Peter Heimbigner requested the Board to increase the contract limit for the Herlong One Stop and gave an update of the current conditions of the building. Brief discussion was held.

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

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

**Absent:** 1 - Hammond

#### COUNTY ADMINISTRATIVE OFFICE

LASSEN REGIONAL SOLID WASTE MANAGEMENT AUTHORITY  
SUBJECT: Exploration of management options for the Lassen Regional Solid Waste Management Authority.

FISCAL IMPACT: None. Pursuant to Joint Exercise of Powers Agreement establishing the Authority, all County costs and charges against the Authority are recoverable through A-87 or as approved by the Authority.

ACTION REQUESTED: Provide direction to staff.

**Attachments:** [190813 LRSWMA Packet](#)

CAO Egan stated that he recently met with the Lassen Regional Solid Waste Management Authority. The Board briefly discussed management options, requirements for the management position and recruitment. CAO Egan recommended that the position be overseen by the Department of Public Works as a Deputy Director. The Board directed to staff to return to the Board with a proposed job description as soon as possible. Tom Valentino announced his last day would be November 13, 2019, but would stay through Thanksgiving to assist a new manager. Discussion was held.

GRAND JURY REPORT

SUBJECT: 2018/19 Grand Jury Report response.

FISCAL IMPACT: None.

ACTION REQUESTED: Discuss and approve the Grand Jury report response.

Attachments: [Grand Jury Attach 1](#)  
[Grand Jury Attach 2](#)

**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 - Hemphill, Teeter, Albaugh and Gallagher

**Absent:** 1 - Hammond

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

Nothing to report.

ANNOUNCEMENT OF THE ITEMS 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.

No reportable action.

2) Employee performance evaluation: Fair Manager.

No reportable action.

**ADJOURNMENT**

There being no further business, the meeting is adjourned at 2:15 p.m. in memory of Charlene Gifford and Ed Tomasini.

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

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

ATTEST:

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