



Lassen County

Meeting Minutes

Board of Supervisors

LASSEN COUNTY SUPERVISORS:

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

Tuesday, May 11, 2021

9:00 AM

Lassen County Fairground
Jensen Hall
195 Russell Ave
Susanville, CA 96130

9:03 A.M. CALL TO ORDER

Present: Supervisors Gallagher, Bridges, Hemphill, Albaugh and Hammond.
Also Present: County Administrative Officer (CAO) Richard Egan, County Counsel Amanda Uhrhammer and Deputy Clerk of the Board Michele Yderraga.

Present: 5 - Chris Gallagher, Gary Bridges, Jeff Hemphill, Aaron Albaugh and 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.
- 2) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: Jagpreet Singh; Bajinder Kaur. Case No. 63552.

CLOSED SESSION

Closed session was held from 9:05 a.m. - 9:15 a.m.

Present: Supervisors Gallagher, Bridges, Hemphill, Albaugh, and Hammond.
Also Present: CAO Egan, County Counsel Uhrhammer, Deputy CAO Tony Shaw, Director of Planning and Building Services Maury Anderson, and Deputy Clerk of the Board Yderraga.

Supervisor Hammond recused himself and was absent from 9:08 a.m. - 9:11 a.m.

RECESS: 9:15 a.m. - 9:32 a.m.

9:32 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

After the Pledge of Allegiance, invocation was offered by Supervisor Albaugh.

Supervisor Albaugh read a poem entitled "Save Old Glory" written by Lassen County Poet Laureate Violet Stout.

ANNOUNCEMENT OF ITEMS 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.

No reportable action.

2) Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d)(1) of Government Code Section 54956.9: Jagpreet Singh; Bajinder Kaur. Case No. 63552.

No reportable action.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

Supervisor Albaugh requested an emergency item to be added to the agenda to send a letter in support of Assembly Bill 754 (AB 754) Sustainable Groundwater Management: Groundwater Sustainability Plan.

CAO Egan recommended the Board to make findings that this item is to be added to the agenda as it became to the attention of the Board after the agenda was posted.

County Counsel Uhrhammer informed the Board two separate motions would need to be made. The first motion would be to add the emergency item and the second motion would be approval of the agenda.

A motion was made by Supervisor Bridges, seconded by Supervisor Gallagher, to add the emergency item to the agenda. The motion carried by the following vote:

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

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

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

PUBLIC COMMENTS

Deb Bumpus, Lassen National Forest, Forest Supervisor: Gave an update to the Board regarding the Lassen National Forest.

Patty Gunderson, Lassen County Superintendent of Schools: Updated the Board regarding Lassen County Schools and Covid-19.

Bruce Davie: Informed the Board his property behind the Veterans Memorial Hall is for sale.

Sharon Ouka and Maya Horsey: Discussed animal (horse) abuse and neglect in Janesville.

UNAGENDIZED REPORTS BY BOARD MEMBERS

Supervisor Hemphill: 1) Attended a Lassen County Transportation Commission (LCTC) meeting; 2) attended the sheep and hog weigh in at the Lassen County Fairground; 3) Fire season has begun. There was a fire near Janesville last weekend.

Supervisor Hammond: 1) Attended a Sierra Army Depot meeting; 2) attended an LCTC meeting.

Supervisor Bridges: 1) Attended a Rural Council Representatives of California (RCRC) meeting; 2) attended a Golden State Finance Authority (GSFA) meeting; 3) attended a Juvenile Justice Coordinating meeting; 4) attended the Re-Grand Opening of the Salvation Army and thanked Gary Felt for his contribution to the organization; 5) attended a Big Valley Groundwater Advisory Board Committee (BVAC) meeting; 6) attended a meeting for the citizens of California Correctional Center (CCC); 7) attended a meeting with Senator Brian Dahle and Assemblywoman Megan Dahle; 8) was a judge at the Lassen County Fairground car show. Commended Fair Manager Kaitlyn Downing.

Supervisor Gallagher: 1) Stated he was happy to see the county getting back to normal after Covid; 2) attended a symphony concert; 3) met with Senator Brian Dahle and Assemblywoman Meghan Dahle to discuss CCC; 4) received requests from constituents in Westwood regarding drugs and hypodermic needles being discarded through out the town. Discussed a possible disposal area with Health and Social Services Director Barbara Longo; 5) received multiple requests to clean the Westwood Cemetery. Suggested Public Works or prison inmates to do a cleanup; 6) working diligently regarding the closure of CCC; 7) received several calls regarding the water level of Antelope Lake.

Supervisor Albaugh: 1) Attended an LCTC meeting; 2) attended a BVAC meeting; 3) there was a fire in the Big Valley area due to an illegal cannabis growers electrical fence short circuiting.

MATTERS SET FOR TIME CERTAIN

RECOGNITION COMMITTEE PRESENTATION

SUBJECT: 10 Year: Joseph Vicondoa (Road Department); 15 Year: Shannon Parker (Sheriff's Department); 26 Year: Marian Tweddell (Courts).

FISCAL IMPACT: None.

ACTION: Present award.

CAO Egan stated there wasn't anyone present from the Recognition Committee. Deputy Clerk of the Board Yderraga said she added the item to the agenda in error. Supervisor Albaugh announced the item would not be addressed.

PROBATION / HEALTH AND SOCIAL SERVICES

SUBJECT: Resolution for National Foster Care Month. The US Government and the State of CA designate the month of May as National Foster Care Month. The attached resolution recognizes May as Foster Care Month in Lassen County.

FISCAL IMPACT: None.

ACTION REQUESTED: Adopt Resolution.

Attachments: [Prob May Foster Youth Month Resolution CDE FYS 2021](#)

Chief Probation Officer Jennifer Branning presented a Proclamation for Foster Care Awareness Month and informed the Board every year in May they get to thank the foster parents in Lassen County. Director of Community Social Services (CSS) Jenna Aguilera gave statistics for 2020 of children in foster care and recognized all staff that works with the foster youth. Brief discussion was held.

A motion was made by Supervisor Hemphill, seconded by Supervisor Gallagher, that this Resolution No. 21-016 be adopted. The motion carried by the following vote:

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

INFORMATION/CONSENT CALENDAR

Approval of the Consent Agenda

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

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

AUDITOR'S OFFICE

FUND CASH BALANCES

SUBJECT: Treasurer's Fund Balance Report and Auditor's verification for the month of March, 2021.

FISCAL IMPACT: None.

ACTION: Receive and file.

Attachments: [LASSEN COUNTY FUND BALANCES 3-31-2021](#)

This Report was received and filed on the Consent Agenda.

COUNTY CLERK-RECORDER

MINUTES

SUBJECT: Meeting Minutes of April 20, 2021.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [DRAFT MINS](#)**These Minutes were approved on the Consent Agenda.**

INFORMATION SERVICES

THIS ITEM HAS BEEN PULLED FROM THE AGENDA.

TREASURER/TAX COLLECTOR

PORTFOLIO

SUBJECT: Treasurer's Investment Report for March, 2021.

FISCAL IMPACT: None.

ACTION: Receive and file.

Attachments: [LASSEN COUNTY PORTFOLIO 3-31-2021](#)**This Report was received and filed on the Consent Agenda.**

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Lassen County Behavioral Health Advisory Board meeting agenda for May 17, 2021.
- b) Lassen County Planning Commission Meeting agenda for May 4, 2021.
- c) Application for Alcoholic Beverage License(s) - Turen, Tamesh.
- d) Notice of Meeting Cancellation - Lassen County Technical Advisory Committee scheduled for May 6, 2021.

Attachments: [MISC CORR](#)**These Reports were received and filed on the Consent Agenda.****DEPARTMENT REPORTS**

BOARD OF SUPERVISORS

SUPERVISOR HEMPHILL

SUBJECT: Potential report on possible enforcement actions for an event planned in violation of Lassen County Code titled "The Great Awakening," located at 465-565 Elysian Valley Road, Janesville (Assessor Parcel Number 129-020-012; previously 129-020-12).

FISCAL IMPACT: Unknown.

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

Attachments: [BOS Packet 129-020-012 Elysian Valley Ranch-The Great Awakening](#)
[c](#)

Supervisor Hemphill thanked everyone for attending and appreciated the packet provided by Planning and Building Services.

Director of Planning and Building Services Maury Anderson gave a detailed explanation of land use and zoning. Director Anderson also discussed the process of use permits and informed the Board the land owner did not apply for a use permit after instruction was given on two separate occasions. If the land owner chooses not to participate in the process there will be ramifications.

Supervisor Hemphill stated he spoke with the land owner, Theresa Capreze, and said Ms. Capreze informed him this was going to be a family event with her son and some friends. Supervisor Hemphill viewed the website and gave a brief overview of the event, which included pyrotechnics. Supervisor Hemphill strongly expressed his concern and said the event is too dangerous of a situation.

Supervisor Albaugh announced the Board would be recessing this item to after the 11:00 a.m. Time Certain with the California Department of Corrections and Rehabilitation (CDCR).

SPEAKERS: Joan Burn, Tammy Pratter, Lisa Perez, Theresa Corteze, Gino Meyer, Barney Mckee, unknown speaker (didn't state their name for the record), Steve Schmidt.

RECESS: 10:54 a.m. - 11:05 a.m.

MATTERS SET FOR TIME CERTAIN - CONTINUED

BOARD OF SUPERVISORS

SUBJECT: Verbal report regarding closure of the California Correctional Center from Jennifer Barretto, Undersecretary, Administration California Department of Corrections and Rehabilitation (CDCR) and Dean Borg, Director, Division of Facility Planning, Construction and Management CDCR.

FISCAL IMPACT: Unidentified potentially significant negative impact.

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

Jennifer Barretto, Undersecretary of Administration for California Department of Corrections and Rehabilitation (CDCR) introduced herself and Dean Borg, Director of Facility Planning, Construction, and Management for CDCR. Ms. Barretto gave an extensive report as to why CDCR has decided to permanently close California Correctional Center. Discussion included prison population, occupancy rate, cost to operate, inmate mental instability, inmates with specialty care needs, Americans with Disability Act (ADA) compliancy, Penal Codes (PC) 2067 and 5003.7, recruiting and retaining staff, cost of upkeep, and the fire camps.

Supervisor Albaugh discussed economic impact and how the closure of CCC will effect the community. Supervisor Albaugh asked Ms. Barretto the purpose of spending millions of dollars to renovate the prison's kitchen and who made the final decision to close CCC. Ms. Barretto recited PC 2067. Supervisor Albaugh requested an explanation as to why CCC was being closed before San Quentin based on it's age. Ms. Barretto stated there were many factors such as medical and mental services, infrastructure, population, lack of specialty services for the location, difficulties in recruiting and retaining staff, and this was the purpose CCC was chosen. The age of the facility is complex and irrelevant.

CAO Egan informed the Board, Lassen County has made numerous requests for the analysis and data that determined CCC was the best choice to close. CDCR has yet to deliver any documents. CAO Egan added there were five (5) other prison choices to close before CCC and asked if CDCR performed the analysis and why it was not being shared. Ms. Barretto stated the analysis had been completed and would be provided to Lassen County by the end of the week.

Extensive discussion was held regarding property value, policies and consequences, fire camps, impact to businesses and schools, Lassen County Jail, CCC employee job placements, inmate placements, California Environmental Quality Act (CEQA), and COVID-19.

SPEAKERS: Jerry Aske, Terry Loflin, Dan Newton, Director of Health and Social Services Barbara Longo, Unknown, Gloria Bagby, Bob Fine, Director of Planning and Building Services Maury Anderson, Chris Cole, and Sheriff/Coroner Dean Growdon.

SUPERVISOR HEMPHILL - CONTINUED

SUBJECT: Potential report on possible enforcement actions for an event planned in violation of Lassen County Code titled "The Great Awakening," located at 465-565 Elysian Valley Road, Janesville (Assessor Parcel Number 129-020-012; previously 129-020-12).

FISCAL IMPACT: Unknown.

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

Gino Meyers stated he had decided not to have the event at this location and would be removing the website.

RECESS: 1:40 p.m. - 2:51 p.m.

COUNTY COUNSEL / PLANNING AND BUILDING SERVICES

DEMAND LETTER

SUBJECT: Hayden Hill Power Line.

FISCAL IMPACT: Undetermined.

ACTION REQUESTED: Approve Demand Letter to Lassen Municipal Utility District (LMUD) regarding compliance with power line removal.

Attachments: [210511 Hayden Hill Reclamation Plan](#)

CAO Egan informed the Board the letter outlines Lassen Municipal Utility District (LMUD) not complying with the reclamation plan being proposed. The letter is demanding they abide by the plan. County Counsel Uhrhammer stated the letter would need to be amended for corrections. LMUD General Manager Pat Holley stated they continue to work on alternate uses to maintain the electrical transmission line and it wouldn't make sense to remove a \$9,000,000 asset. Mr. Holley also stated he had received a letter from Mr. Kresge from Surprise Valley and they do have interest in the line. Supervisor Hemphill discussed the agreement when the power line was installed. Director of Planning and Building Services Maury Anderson expressed to the Board if LMUD wanted to keep the line, there must be a plan, and urged LMUD to apply for use permits. CAO Egan stated LMUD needed to determine a way to keep the line or take it out. This was the purpose of the letter County Counsel drafted. Additional discussion was held.

Supervisor Bridges made a motion to approve the letter with the correction to the General Manager. Supervisor Hemphill seconded. Supervisor Albaugh stated the LMUD Board President needed to be updated as well. County Counsel Uhrhammer stated this would be a Substitute Motion, to amend the letter written and willing to allow six months for the project to be completed.

A Substitute Motion was made by Supervisor Bridges, seconded by Supervisor Hemphill to send the letter, re-address the letter to the LMUD Board President and to include a time frame to have the project completed within six months. Brief discussion was held. Deputy Clerk of the Board Yderraga took a roll call vote. Supervisors Hemphill, Hammond, Bridges, Gallagher, and Albaugh, voted "No". The substitute motion failed.

County Counsel Uhrhammer asked if there was another motion to be made. Supervisor Hemphill requested to make a motion to send the letter with a caveat within six months to have an application in for an Environmental Impact Report (EIR), or California Environmental Quality Act (CEQA) to Lassen County, or to have a permit to remove the power line, and to address the letter to the Board President. A second Motion was made by Supervisor Hammond.

SPEAKERS: Larry Newhall, Curtis Bortle, LMUD Public Relations Manager Theresa Phillips.

A substitute 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, Bridges, Hemphill, Albaugh and Hammond

SUPERVISOR ALBAUGH

ASSEMBLY BILL 754 / SUSTAINABLE GROUNDWATER MANAGEMENT:
GROUNDWATER SUSTAINABILITY PLAN

SUBJECT: Assembly Bill 754 / Sustainable groundwater management:
groundwater sustainability plan letter of support.

Supervisor Albaugh stated the emergency item was added to write a letter of support for Assembly Bill (AB) 754 to allow for a 180 day extension for the Sustainable Groundwater Management Act (SGMA) process. This letter needs to be sent no later than May 14, 2021, which was the reason this item was added as an emergency. Brief discussion was held.

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

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

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

CAO reported: Nothing to report.

ADJOURNMENT

There being no further business, the meeting is adjourned at 2:47 p.m.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board