

LASSEN COUNTY LOCAL AGENCY FORMATION COMMISSION
City Council Chambers 66 N. Lassen St. Susanville, CA 96130

REGULAR MEETING
Monday, February 13, 2023

Meeting called to order at 3 p.m.

Members present: Commissioner McCourt, Commissioner Bridges, Commissioner Stafford and Vice Chair Gallagher. Absent: Chair Eid.

Staff Present: Jennifer Stephenson Executive Officer, and Ruth McElrath, Building Permit Tech.

1. Approval of Agenda: Motion by Commissioner Bridges, seconded by Commissioner Stafford, to approve the agenda. Motion carries: Bridges, Stafford, McCourt and Gallagher. Absent: Eid.

2. Correspondence: Ms. Stephenson said two of the items are covered under Agenda Item 7 – the request for Vice Chair Gallagher to recuse himself on items pertaining to Spalding CSD and a letter from Spalding CSD members regarding concerns about the CSDs operations, matter and governance.

Another is a public record request for the recording of the Dec. 12, 2022, meeting, which was provided.

3. Approval of the meeting minutes Motion by Commissioner Stafford, seconded by Commissioner Bridges, to approve the December 12, 2022, minutes. Motion carries: Ayes: Stafford, Bridges, McCourt and Gallagher. Absent: Eid.

4. Public Comment: William Turner, Spalding resident, thanked the board and staff for addressing the issues. Due to the evidence and materials submitted, he believes the board has an idea of the problems at hand. He stated laws have been broken, and there has been no resolution since he filed his first complaint several years ago. He continued there have been numerous violations by staff and board members. Due to the illegal aspects of the violations, they should be submitted to the District Attorney for a complete investigation along with Brown Act violations. There is no faith in the board and staff whatsoever.

Vicki Shoemaker, Spalding resident, stated she has repeatedly requested training records and certifications for all volunteers and employees. The records indicate that fire responders meet the National Fire Protection Association Standards. Spalding is an aging and isolated community and having adequately trained medical and first responders is vital to us. She said staff responded that the information would not be provided because it is an invasion of privacy to the volunteers. We are requesting LAFCo ask for these documents from the district.

Tammy LoBue, Spalding resident, said based on the recommendations in the agenda packet, it appears LAFCo is going to move forward on the issues. She asked how they can move on with citizens pointing out

unethical and illegal actions by the board. She stated a new Municipal Service Review (MSR) is critically needed.

Addressing Vice Chair Gallagher, Ms. LoBue said anytime the board, chairman, or current general manger can't answer a question, his name is always brought up. It brings up the question of whether he's a sacrificial victim or has he been advising them. She said his recusal would really help things.

5. Discussion regarding Spalding CSD

- (a) Consider request for recusal of Commissioner Gallagher from discussions regarding Spalding CSD
- (b) Report from Executive Officer
- (c) Review/discuss letter from community group regarding concerns
- (d) Review/discuss response from CSD regarding concerns identified in audit
- (e) Review/discuss previous Municipal Service Review
- (f) Provide direction to staff regarding next steps

Vice Chair Gallagher said he has given a lot of thought to the matter and appointed an ad hoc committee of Commissioners McCourt and Stafford to review the matter including the current MSR. They will come back with an updated review for recommendation by the August meeting.

He explained the review would include looking into the current and future running of the district - how things aren't running correctly, changes, and updates to the MSR. The end-result will be a new MSR in August which will be presented to the entire board with recommendations.

Ms. Stephenson clarified she would be drafting the MSR, collecting the information and doing most of the drafting. The board can go through findings as they come up, as well as the recommendations that will be included in the report and will be able to see the process as she goes through the information.

She also received correspondence from the district, as well as a voluminous amount of information from public members regarding their items of concerns, however, she didn't want to delve into the specifics at this meeting.

The idea is to determine whether an update from the 2021 MSR is warranted, Ms. Stephenson explained. There are certainly struggles the district is facing, and the new general manager said she would welcome an MSR update. The MSR is used as an educational tool, and might be quite informative to a new employee to delve into that much detail.

At the end, there will be some solid recommendations on where improvements might be made, Ms. Stephenson said. The intent will be focusing on existing issues and challenges. She explained the management and board members changed multiple times, and the most productive use of time is what is going on right now. She recommends the MSR be limited in its scope and not go back multiple years.

She appreciates the information provided today, at this part of the process she will be developing a questionnaire, preparing a request for information and interviewing district members. It can become time

consuming and overwhelming for a small district to receive multiple requests for information so we will try to limit and work with them with information the do have.

Vice Chair Gallagher said the last MSR was in 2021 and the general manager was not there very long. While he was in that job, he worked with Mr. Benoit quite extensively. It's always good for the general manager or staff to go over this document and ensure it's accurate before being brought back to LAFCo to be passed.

Commissioner McCourt stated he and Commissioner Stafford would be doing exactly what they were appointed to do and look at the MSR. Their main focus would be on what was and what Ms. Stephenson provides. He added we don't want to make anyone feel left out.

Ms. Stephenson said part of the process is collecting information. She would schedule an hoc committee meeting, compile a draft for public review, which will be open to the public for a certain period. She would also discuss the possibility of meeting with the community members to discuss the report prior to it becoming a public review document and to get feedback on higher level findings. She ensured they could communicate with her during the process.

6. Authorize payment of claims Motion by Commissioner Bridges, seconded by Commissioner Stafford to authorize payment of claims for December 2022 and January 2023. Motion carried: Ayes: Bridges, Stafford, McCourt, and Gallagher. Absent: Eid.

7. Executive Officer's Monthly Reports

- (g) Fire Reorganization Townhall/LAFCo website
- (h) Public member alternate recruitment
- (i) AB 2449 Process
- (j) Form 700s due April 3 to County

Ms. Stephenson shared about the fire reorganization townhall meeting held in December. About 30 members of the community, including firefighters, staff and officers, were in attendance. They seemed receptive to her presentation, and they had a lot of questions. During that meeting she explained this was LAFCo's final attempt in supporting the conversation and whatever happened next was up to them. Overall, she felt the outcome was good. There were several requests for additional information after the meeting but nothing about the status.

There was general discussion about the next steps.

Ms. Stephenson said those interested are primarily in the South county area. Based on the pros and cons, a joint power authority is the most feasible option for restructuring. They don't have to go through LAFCo and they can make it what they want it to be. The only out of pocket cost is legal counsel to draft the Joint Powers Authority.

There was further discussion regarding the matter, and clarification of what LAFCo's jurisdiction is and Sphere of Influences.

There is still a need to fill the public alternate member seat. Ms. Stephenson said a person cannot be an officer of any district in the county. community member alternate.

Ms. Stephenson explained AB 2449 is less applicable to Lassen County because we have not been holding virtual meetings. However, if it became a necessity - emergency circumstances, or just cause - then meetings can be set up so Commissioners can access the meeting remotely. It's a little bit different than how it's been done under the State of Emergency. She went over the processes for how Commissioners can participate virtually, but can only do two annually.

Regarding Form 700s, Ms. Stephenson stated all forms should be given to her, and her form goes to the County.

8. Commissioner Reports- Commissioner McCourt stated there are discussions regarding potential growth and future annexations, but nothing is definitive.

9. Adjourn: Meeting adjourned at 3:51 p.m.

Todd Eid, Chair

Ruth McElrath, Building Permit Technician

Approved _____