



Robert Burroughs, District 1
Tom Walker, District 2
Pati Nolen, District 3, Vice Chair
Matt Hansen, District 4, Chairman
Greg Jones, District 5

Gabriel Hydrick
Chief Administrator

Margaret Long
County Counsel

Sean Houghtby
Clerk of the Board
(530) 527-3287

9:00 AM CALL TO ORDER / PLEDGE OF ALLEGIANCE

Present: Supervisor Greg Jones, Supervisor Rob Burroughs, Supervisor Tom Walker, Vice Chair Pati Nolen, and Chairperson Matt Hansen

Chairman Hansen presided. Present in the chambers were Clerk of the Board Sean Houghtby, County Counsel Margaret Long by Deputy Andrew Plett, and Chief Administrator Gabriel Hydrick.

PUBLIC COMMENT

A resident led a prayer and commented on the recent protests.

A resident commented on psychology.

A resident read a statement regarding recent union side letters.

A resident commented on public record act requests and County Counsel.

A resident commented on a book regarding the brain.

A resident suggested that the Board make sure they have all the facts.

A resident commented about well verification and permitting.

A resident commented regarding previous speakers and allowing free speech.

ANNOUNCEMENT OF AGENDA CORRECTIONS

None.

PREVIOUS REPORTABLE ACTIONS FROM CLOSED SESSION

None.

BOARD OF SUPERVISORS STANDING AND AD HOC COMMITTEE

Public Works Committee (Standing) (Hansen, Walker) - Canceled

Veterans Halls Advisory Committee (Standing) (Burroughs, Jones) - Has not met

Public Safety Tax Initiative Working Group (Hansen, Jones) - Scheduled for July 21st

Personnel Procedures & Guidelines Ad Hoc Committee (Burroughs, Walker) - Has not met

REPORTS OF MEETINGS ATTENDED INCLUDING AB1234

Supervisor Jones - None

Supervisor Burroughs - Bowman Road, Juvenile Detention Center

Supervisor Walker - Flood Control

Supervisor Nolen - First 5, Flood Control

Chairman Hansen - Sierra Sacramento EMS, Community Corrections Partnership, Flood Control

ANNOUNCEMENTS BY COUNTY DEPARTMENTS

Sheriff Dave Kain announced that he is sending letters to State and Federal officials regarding the State mutual aid budget and AB 1108 which would change the procedure for investigating in-custody deaths and asked the Board to consider sending letters as well. Mr. Kain also discussed several grant applications his office is submitting and the short timelines on those applications. Mr. Kain also thanked Jennifer Crane for her work as a grant writer for the Sheriff's Department.

CONSENT AGENDA

Approval of the Consent Agenda.

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

RESULT: APPROVED THE CONSENT AGENDA
MOVER: Greg Jones
SECONDER: Pati Nolen
AYES: Supervisor Jones, Supervisor Burroughs, Supervisor Walker, Vice Chair Nolen, and Chairperson Hansen

- | | | |
|-----------|--|----------------|
| 1. | GENERAL WARRANT REGISTER - 5/25/25 - 5/31/25 | 25-1013 |
| 2. | AUDITOR'S CLAIMS | 25-1010 |
| | a) Court Operations, 2026-53221, Benjamin E Magid, \$3,264.00. | |
| 3. | ENVIRONMENTAL HEALTH DEPARTMENT | 25-1018 |

a) RESOLUTION - Request adoption of a resolution authorizing the Director of Environmental Health to secure Enforcement Assistance Grant funds from Department of Resources Recycling & Recovery to be used to support Solid Waste Facilities permit and inspection programs

Enactment No: RES NO. 2025-048

b) AGREEMENT - Request approval and authorization for the Director of Environmental Health to sign the Grant Agreement Cover Sheet with CalRecycle to receive grant funding in the amount of \$16,485 and to sign the Grant Payment Request to secure Enforcement Assistance Grant funds from Department of Resources Recycling and Recovery, for the period of 7/1/25 to 6/30/26

Enactment No: MISC. AGR 2025-175

4. SHERIFF'S OFFICE

25-0964

a) AGREEMENT - Request approval and authorization for the Chair and Sheriff to sign Agreement with Keefe Commissary Network Inc., for the purpose of providing commissary and inmate banking services at the Tehama County Jail, effective 5/8/25 and shall remain in effect for three (3) years, with the option to extend the agreement term up to two (2) additional one (1) year periods (*Subject to receipt of required insurance documentation*)

Enactment No: MISC. AGR 2025-168

5. SHERIFF'S OFFICE

25-0968

a) TRANSFER OF FUNDS: SHERIFF, B-71 - From Public Safety (106-301900) to Contingency (2002-59000), \$23,475.22; and From Contingency (2002-59000) to Maintenance of Structure/Improve Grounds (2032-53180), \$23,475.22 (**Requires a 4/5's Vote**)

6. FIRE

25-1016

a) Request authorization to issue a refund to Red Line Installations in the amount of \$501 for cancellation of the project at 23175 Solano Road Corning, CA 96021

7. FIRE

25-1014

a) AGREEMENT - Request approval and authorization for the Tehama County Fire Finance Representative to sign the Assistance By Hire Agreement with CAL FIRE for rental of County fire equipment for use within the CAL FIRE protection area, and coverage behind State engine commitments at the rates listed, effective 5/1/25 through 6/30/26

Enactment No: MISC. AGR 2025-169

8. SOCIAL SERVICES

25-1001

a) AGREEMENT - Request approval and authorization for the Social Services Director to sign the Agreement with Shasta County Office of Education for the provision of a Child Care Navigator, Trauma-Informed Care Training Services, and Temporary Emergency Child Care for Foster Caregivers, with maximum compensation not to exceed \$92,209, effective 7/1/25 and shall terminate 6/30/26 (*Subject to receipt of required insurance documentation*)

Enactment No: MISC. AGR 2025-170

9. SOCIAL SERVICES

25-1027

a) AGREEMENT - Request approval and authorization for the Director of Social

Services to sign the Amendment with Victor Community Support Services Inc. for the purpose of facilitating Child and Family Team meetings for FY 24/25 increasing the total amount not to exceed to \$160,000, effective 7/1/24 through 6/30/25
(Subject to receipt of required insurance documentation)

Enactment No: MISC. AGR 2025-171

10. TEHAMA COUNTY COMMUNITY ACTION AGENCY 25-1034

a) TRANSFER OF FUNDS: COMMUNITY ACTION AGENCY, B-75 - from Salary and Wages (5063-51010), \$1,000; to Extra Help (5063-51011) \$1,000 **(Requires 4/5's vote)**

11. HEALTH SERVICES AGENCY / MENTAL HEALTH 25-1032

a) AGREEMENT - Request approval and authorization for the Executive Director to sign the Agreement with Ghislaine Ramasar dba Crest Home for the Elderly for the purpose of providing licensed residential care services to certain mentally ill adult residents of Tehama County at the rates set forth in Exhibit "C". The maximum compensation payable under this Agreement shall not exceed \$1,350,000, effective 7/1/25 and shall terminate 6/30/28 (Subject to receipt of required insurance documentation)

Enactment No: MISC. AGR 2025-172

12. ASSESSOR 25-1037

a) TRANSFER OF FUNDS: ASSESSOR, B-72 - From Salary & Wages (1023-51010), \$15,000; to Extra Help (1023-51011), \$15,000 **(Requires a 4/5's vote)**

RECESS to convene as the Tehama County Air Pollution Control District

CONSENT AGENDA

13. TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT 25-0986

a) AGREEMENT - Request approval and authorization for the Chair and the Air Pollution Control Officer to sign the agreement renewal with TruePoint Solutions for the purpose of implementing a new permit tracking database in an amount not to exceed \$160,390, effective upon signing, and will terminate on 2/28/26 (Subject to receipt of required insurance documentation)

RESULT: APPROVE

MOVER: Tom Walker

SECONDER: Pati Nolen

AYES: Supervisor Jones, Supervisor Burroughs, Supervisor Walker, Vice Chair Nolen, and Chairperson Hansen

Enactment No: MISC. AGR 2025-173

ADJOURN to reconvene as the Tehama County Board of Supervisors

REGULAR AGENDA

14. ADMINISTRATION - Chief Administrator Gabriel Hydrick & GreenWaste of Tehama District Manager Amanda Garrett 25-0792

a) INFORMATIONAL PRESENTATION - Regarding GreenWaste's Education Program for 2023 and 2024, and overall program management and goal achievements

related to residential and commercial solid waste management services in the unincorporated areas of Tehama County

Greenwaste of Tehama District Manager Amanda Garrett & Recycling Coordinator Max Bartlett presented GreenWaste diversion efforts for 2023 & 2024.

In response to Supervisor Walker, Mrs. Garrett explained the sorting that happens at the landfill and tracking of items diverted.

b) Board discussion and possible approval that GreenWaste made a good faith effort in attempting to meet its 2023 minimum diversion goals

RESULT: APPROVE

MOVER: Pati Nolen

SECONDER: Tom Walker

AYES: Supervisor Jones, Supervisor Burroughs, Supervisor Walker, Vice Chair Nolen, and Chairperson Hansen

c) Board discussion and possible approval that GreenWaste made a good faith effort in attempting to meet its 2024 minimum diversion goals

RESULT: APPROVE

MOVER: Pati Nolen

SECONDER: Tom Walker

AYES: Supervisor Jones, Supervisor Burroughs, Supervisor Walker, Vice Chair Nolen, and Chairperson Hansen

15. BUILDING & SAFETY DEPARTMENT - Building Official Patrick Ewald 25-1012

a) INFORMATIONAL PRESENTATION - Regarding Tehama County Building Department providing a streamlined permit process for pre-approved Accessory Dwelling Units (ADU) plans

In response to Supervisor Walker, Building Official Patrick Ewald clarified the requirements to build an Accessory Dwelling Unit and the requirements for solar panels on new construction. Mr. Ewald also explained utility connection requirements.

In response to Supervisor Hansen, Mr. Ewald explained the restrictions on Accessory Dwelling Unit size.

Mr. Ewald further explained that the pre-approved plans can be expanded in the future depending on usage.

16. SHERIFF'S OFFICE - Sheriff Dave Kain 25-0965

a) AGREEMENT - Request approval and authorization for the Sheriff to sign the Agreement with Express Services Inc. DBA Express Employment Professionals, for the purpose of providing temporary employees, for the rates as set forth in Exhibit "B", with maximum compensation not to exceed \$100,000 per year, effective on 7/1/25 and shall terminate 6/30/26

RESULT: APPROVE

MOVER: Tom Walker

SECONDER: Greg Jones
AYES: Supervisor Jones, Supervisor Burroughs, Supervisor Walker, Vice Chair Nolen, and Chairperson Hansen
Enactment No: MISC. AGR 2025-174

17. DISTRICT ATTORNEY / PERSONNEL - District Attorney Matt Rogers 25-0990

a) Request approval of revisions to the classification specifications of District Attorney Investigator I/II and District Attorney Investigator III, including a title change to District Attorney Investigator I/II/III, effective 6/17/25

RESULT: APPROVE
MOVER: Pati Nolen
SECONDER: Greg Jones
AYES: Supervisor Jones, Supervisor Burroughs, Supervisor Walker, Vice Chair Nolen, and Chairperson Hansen

18. PERSONNEL / CHILD SUPPORT SERVICES - Director of Child Support Services Tonya Moore 25-1019

a) Request approval of a new classification specification of Child Support Specialist IV, within the Joint Council bargaining unit, effective 6/17/25

In response to Supervisor Walker, Child Support Director Tonya Moore explained the typical case load for a Child Support Specialist.

RESULT: APPROVE
MOVER: Pati Nolen
SECONDER: Greg Jones
AYES: Supervisor Jones, Supervisor Burroughs, Supervisor Walker, Vice Chair Nolen, and Chairperson Hansen

b) Request approval of revisions to the classification specifications of Child Support Specialist I/II, Child Support Specialist III, including a title change to Child Support Specialist I/II/III, and Child Support Supervisor, within the Memorandum of Understanding between Tehama County and the Joint Council bargaining unit, effective 6/17/25

RESULT: APPROVE
MOVER: Pati Nolen
SECONDER: Tom Walker
AYES: Supervisor Jones, Supervisor Burroughs, Supervisor Walker, Vice Chair Nolen, and Chairperson Hansen

c) RESOLUTION - Request adoption of a resolution to amend the FY 2024-25 Personnel Allocation List (PAL), (Reso #2024-080), by deleting one (1.00 FTE) Child Support Supervisor allocation at Salary Range 31, deleting six (6.00 FTE) Child Support Specialist I/II allocations, adding six (6.00 FTE) Child Support Specialist I/II/III allocations, deleting one (1.00 FTE) Child Support Specialist III allocation and adding two (2.00 FTE) Child Support Specialist IV allocations at Salary Range 31, and changing the salary range of one (1.00 FTE) Child Support Supervisor allocation from Salary Range 31 to Salary Range 34, effective 6/17/25

RESULT: APPROVE
MOVER: Greg Jones
SECONDER: Pati Nolen
AYES: Supervisor Jones, Supervisor Burroughs, Supervisor Walker, Vice Chair Nolen, and Chairperson Hansen
Enactment No: RES NO. 2025-049

d) Request approval to reclassify one (1.00 FTE) Child Support Specialist III incumbent to Child Support Specialist IV, effective 6/17/25

RESULT: APPROVE
MOVER: Pati Nolen
SECONDER: Tom Walker
AYES: Supervisor Jones, Supervisor Burroughs, Supervisor Walker, Vice Chair Nolen, and Chairperson Hansen

FUTURE AGENDA ITEMS

Supervisor Burroughs requested a study session regarding cell towers and emergency alert notification options (Consensus received)

CLOSED SESSION

Jessica Clark commented on Closed Session #19 and #21.

Louise Wilkenson commented on Closed Session #19.

Michael Kain commented on Closed Session #19.

Jenny Alexander commented on Closed Session #19 and #21.

Martha Klaykamp commented on Closed Session #19.

Liz Merry commented on Closed Session #19.

- | | | |
|------------|--|----------------|
| 19. | CLOSED SESSION | 25-0896 |
| | a) PERSONNEL / PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957) Title: Chief Administrator | |
| 20. | CLOSED SESSION | 25-0909 |
| | a) PERSONNEL / PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957) Title: Part One of the Librarian Annual Performance Evaluation Process | |
| 21. | CLOSED SESSION | 25-1093 |
| | a) Liability Claims Pursuant to Government code 54956.95 Claimant: Holly Dawley Agency claimed against: Tehama County | |

10:57 A.M. RECESS

1:30 P.M. RECONVENE

1:30 P.M.

Chairman Hansen called a recess to allow time for the presenter to arrive.

1:30 P.M. RECESS

1:32 P.M. RECONVENE

22. BOARD OF SUPERVISORS

25-0960

a) INFORMATIONAL PRESENTATION - Informational presentation to receive information regarding the California State Association of Counties (CSAC)

California State Association of Counties Executive Director Graham Knaus gave a presentation about California State Association of Counties (CSAC) and their activities.

In response to Supervisor Walker, Mr. Knaus discussed realignment dollars and how that process came about.

In response to Supervisor Nolen, Mr. Knaus discussed CSAC's role in finding a solution to homelessness and the roles of the state, cities and counties. Mr. Knaus further discussed the AT HOME pilot project.

Bob Williams commented regarding CSAC's support of Senate Bill 1 and asked what CSAC's policy is on the potential for taxing vehicle mileage and gas taxes.

Mr. Knaus explained CSAC is not in favor of vehicle mileage taxes. Mr. Knaus further discussed clean fleet mandates.

Mr. Williams commented on the classes offered by CSAC for the education of County Supervisors and Executives.

2:13 P.M. RECESS

5:15 P.M. RECONVENE

REPORTABLE ACTIONS FROM CLOSED SESSION

19. a) PERSONNEL / PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)
Title: Chief Administrator

Reportable Action: Evaluation held.

Attorney Present: Andrew Plett, Margaret Long

20. a) PERSONNEL / PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)
Title: Part One of the Librarian Annual Performance Evaluation Process

Reportable Action: Evaluation held.

Attorney Present: Andrew Plett

21. a) Liability Claims Pursuant to Government code 54956.95
Claimant: Holly Dawley
Agency claimed against: Tehama County

Reportable Action: Direction to Staff

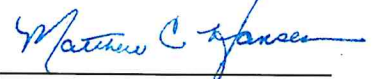
Attorney Present: Andrew Plett

ADJOURN

5:15 P.M. There being no further business before the Board, the meeting was adjourned.

ATTEST: June 20, 2025

APPROVED



Chairman of the Board
of Supervisors

SEAN HOUGHTBY, Clerk
of the Board of Supervisors

by 

Sean Houghtby

From: jeneric@digitalpath.net
Sent: Thursday, June 12, 2025 12:23 PM
To: Tehama County Board of Supervisors
Cc: Liz Merry
Subject: Public Comment/closed session

Board,

I believe this is the item wherein you wished to address Mr. Hydrick's inappropriate comments regarding our previous Tehama County Supervisor.

This is not the first time that Mr. Hydrick has been disrespectful of elected officials. I hope this board will address this personnel rule violation. Additionally, I hope this is dealt with in writing in his personnel file.

As for the Dawley claim? I hope the board will consider the following:

Was this claim looked at by any outside county counsel? Specifically someone other than Margaret (who should be recused), Daniel Klausner, Andrew Plett or any other attorney supervised or working for her firm.

If such an opinion on the claim was done, I hope you will present that opinion in writing.

Additionally insurance matters such as this one likely is? This will not cost taxpayers anymore if it goes to litigation. I hope all of the facts will be shared with you and I hope you force that to occur before deciding for or against settlement.

I worked for an insurance defense firm...primarily defended superior national company claims...litigation can be cheaper even if there is liability. For example the case wherein we defended a restaurant that a woman slipped in a wet substance and blew up her knee. Unquestionably there was liability to our client. We offered a reasonable settlement which included medical, future medical and some money for lost wages and pain and suffering. She turned it down. We went to trial in San Andreas County. We chose an old retired conservative jury...who came back with nothing for the plaintiff. She lost because she wanted to never work again and could not prove her loss of wages...as a self employed realtor. Ended up being cheaper to go to trial...

I hope our board considers this. Litigation is risky but settling if liability is not clear or the settlement is unreasonable could actually be cheaper for your insurance company. The county realistically doesn't pay with a settlement or with a trial. That is what insurance is for.

I am reasonably certain you will be advised to settle. I hope you will consider the message that sends to the citizens of this county...please don't just roll over and settle if there truly is not significant legal exposure. The citizens in our county would be the jury should it go to trial. I hope you will leave it in the hands of the citizens as there is no real cost to the county.

Thank you.

Jenny Alexander

****CAUTION: This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

To: Tehama County Board of Supervisors

In August 2024, the County terminated a historic Sick Leave Past Practice which resulted in my filing of a PERB complaint naming the County of Tehama as Respondents.

On June 3rd, the Board approved Side Letters, that changed the County's past practice to the detriment of current represented employees. The failure of negotiated offsets for the substantial pay differential raises questions whether the County provided full disclosure to the Bargaining Representatives.

Several PERB Rulings State: An employer must maintain a status quo during a pending investigation. The changing of a policy under current investigation is an unlawful interference and a breach of good faith bargaining obligations. Such action during an investigation exposes the County to escalated legal exposure.

Based upon the lack of offset, resulting from the policy change, raises questions whether complete transparency was provided with Bargaining Representatives; For example:

That the sick leave policy was the subject of an active PERB investigation.

That the proposed Side Letter substantially reduced existing employee benefit.

That the change would create differential treatment among represented employees within all bargaining units.

The Side Letter applies exclusively to employees who transition to elected office, which now requires sick leave to be cashed out at the

time of transition, based upon the current hourly rate of pay, rather than upon retirement at the higher hourly rate, a deviation from the county's existing practice. In contrast, employees who transition into one of the County's contract positions are permitted to retain all accrued sick leave and receive a cash payment upon retirement that is calculated at a higher hourly rate of pay. The allowance of sick leave transfers and higher payouts for contract employees effectively creates inequitable treatment of staff.

Simply put, the Side Letter creates unlawful employee discrimination in violation of Section 3506, which prohibits differential treatment of similarly situated employees.

In addition to the discriminatory and unfair treatment of employees, the County's interference in an active PERB investigation, combined with apparent failure to provide critical information during negotiations, provides a clear path for Bargaining Units to file PERB violations against the County, requesting rescission of the Side Letters in question.

The County's sudden decision to alter a 46-year past practice—while under a legally binding investigation, which is likely to be restored to its original interpretation—lacks rational justification and raises the question: what is the urgency? The Side Letter has no bearing on current or retired elected officials. It fails to restore sick leave accruals abolished by the County for current elected officials and has no impact on retired officials who received a sick leave payout. The action is not only poorly conceived but also is a misuse of time and resources for both the County and Bargaining Unit Representatives, while failing to address the Board's December 3rd,

directive to the Personnel Director to bring back options for complete resolution of the previously terminated sick leave past practice.

Side Note: One negative impact of the Side Letter on employees that transition to elected office will no longer accrue additional years of county service during their time in office. If sick leave is cashed out upon transition, the accumulation of county service time for sick leave cashout stops. Under the current past practice, total county service includes time served in elected positions.

Example: If a Sheriff has 12 years of county service at the time they are elected and transition into elected office, Part A of the Sick Leave Policy requires removing 176 hours from the employee's sick leave bank. If the Sheriff then serves 8 years in office, the total county service would then be 20 years. At a rate of \$80.00 per hour, losing 176 hours equates to a \$14,000 reduction in potential pay.

Meanwhile, contract employees who are not required to cash out sick leave upon transition continue to accrue county service time for purposes of the sick leave policy. Thus being allowed to add county service credits while serving in a non-represented position.

Charging Party's Response to Respondent's Position Statement

KENNETH L. BROWN,

Charging Party,

Vs.

Case No. SA-CE-1280-M

TEHAMA COUNTY BOARD OF
SUPERVISORS,

Respondent.

Exhibit 28: The documents produced by the County in response to my Public Records Act (PRA) request are a disorganized and incomplete collection. However, despite their crude and inconsistent nature, they nevertheless support and demonstrate the County's long-standing practice of allowing sick leave cashouts for employees who transition from represented bargaining units to elected positions—a practice I refer to as the "Sick Leave Past Practice."

Each of the individuals identified in the documents—those whose sick leave was "frozen" until retirement, those who received a Sick Leave Memorandum or Letter, and those whose Personnel Action Forms (PAFs) were annotated with sticky notes regarding sick leave—were members of a County bargaining unit under a Memorandum of Understanding (MOU) at the time they transitioned to elected status. These records therefore substantiate the County's historical practice of extending MOU sick leave cashout provisions to elected officials who came from represented service. This practice has been in place for decades.

For example, Robert Risberg was elected to office in 1978, and his sick leave was "frozen"—or more accurately, held in trust—until his retirement in 1991. His case illustrates that this policy has been in effect for at least 46 years.

It is unfortunate—and should not be interpreted as a reflection of my ability to provide clear and well-documented evidence—that the County appears to maintain incomplete or inconsistent employee records, and has demonstrated difficulty, and at times a seeming unwillingness, to fully comply with Public Records Act (PRA) request requirements. This is evident in the fragmented and incomplete documents provided in response to my request. I can personally attest to processing the retirement of Assessor Dale Stroud, who, like me, transitioned from the TCMEA bargaining unit and received a sick leave cashout upon retirement. Yet, his Personnel Action Form (PAF) and related sick leave documentation were conspicuously absent from the PRA response.

I would like to bring attention to a significant and troubling inconsistency involving the County Personnel Director's actions regarding my sick leave accruals following my transition from a regular employee to an elected official. **Exhibits 2 and 2c** are included to underscore what I believe is a legally questionable and administratively inconsistent decision—one that exemplifies the Personnel Director's lack of professional maturity in making determinations that directly contradict her own prior official actions.

Exhibit 2, The Payroll Recovery Letter, issued by the Personnel Director, states in highlighted text:

“Upon transition from a regular employee to an elected official, sick leave accruals should have been abolished.”

However, **Exhibit 2c**, is a copy of my **December 13, 2018**, PAF documenting my transition from represented employee to elected status, which contains customary language used in the support of the County's historic past practice. The statement in highlighted text:

“Sick Leave Frozen until retirement if applicable.”

It is important to note that the wording “if applicable” is standard language used on these types of PAFs, acknowledging that not all elected officials may reach PERS or Social Security eligibility upon leaving office. This language clearly contemplates the continued existence of accrued sick leave for elected officials, recognizing that sick leave may be preserved in a frozen status for future use, such as upon retirement and not abolished outright. It should also be noted that none of the County's five Memoranda of Understanding (MOUs) governing its bargaining units contain any language or policy that permits or authorizes the abolishment of accrued sick leave.

The fact that the Personnel Director personally authorized—by her own written initials—the freezing of my sick leave accrual in 2018, ensuring it would be held until my retirement, only to assert nearly six years later that my sick leave should have been abolished on the very same day she signed the Personnel Action Form (PAF) which explicitly preserves it, raises serious concerns. This contradiction is not only glaring but indicative of a troubling level of administrative overreach and inconsistency. Such conduct undermines confidence in the integrity and lawfulness of personnel management within the County. These actions suggest that the Personnel Director may have been promoted beyond the scope of her demonstrated professional competence.

The retroactive claim that my sick leave should have been abolished in 2018, when none of the County's 5 bargaining unit MOU's allow for the abolishment of employee earned sick leave, despite my PAF which is formal written documentation stating otherwise, constitutes a violation of due process and supports my claim of estoppel and administrative error. I relied in good faith on the language contained in my official Personnel Action Form (PAF), which was signed and approved by the Personnel Director

that clearly indicated my sick leave was to be frozen until retirement, not forfeited.

Exhibit 28

At a minimum, these actions are not only absent legal justification but violate California employment law and the County's stated principles of fair and equitable treatment.

Exhibit 29: In spite of the County's deliberate refusal to provide key documents requested under the Public Records Act (PRA), documents that would confirm my continued employee status following my transition to elected office. I was able to obtain a determination from CalPERS, which states in part:

Exhibit 29

"Once CalPERS accepts the election for Membership for these elected officers (Auditor, Assessor, District Attorney, Sheriff, and Clerk-Recorder) they are considered employees of the County under the County Pension Plan with CalPERS."

As previously stated, I contacted CalPERS by telephone to ask whether a Tehama County elected official could be summarily "retired" by the County and be able to return to office and still maintain the same PERS employee membership and status, including the continued accrual of service credits. PERS response was unequivocally no. They made it clear that under Tehama County's agreement with PERS, such an arrangement is not permitted. Furthermore, PERS confirmed that the county has no authority to unilaterally "retire" a member; only the member can initiate their own retirement. During the call with the PERS Rep., I requested a written summary of our conversation. However, once it became apparent that I was engaged in a dispute with the County and that a PERB filing was at issue, the Rep. courteously declined to provide such documentation.

In addition, PERS did acknowledge that elected officials in Tehama County are in fact employees of the county for PERS membership. This is demonstrated by the County's contractual agreement to pay the employer share of PERS membership contributions for its elected officials, which ensures the continual accumulation of employee service credits while serving in elected office. These facts affirm that by PERS stance and the County's PERS agreement, Tehama County Elected Officials remain employees of the County while in office.

The documentation I requested in a PRA request which was improperly withheld by the County—would have substantiated my continued employee status as both a county employee and a member of PERS. Specifically, the records would confirm that neither I nor the County submitted a Termination of Membership Change in December 2018, when I transitioned to elected office. The County's claim that I left County employment in 2018 is categorically false. **Exhibit AA**

My status as a county employee remained valid under the County's PERS agreement. This was demonstrated by the County's continued payment of my membership contributions and further supported by my continuing to accrue PERS member service credits.

My employment status remained in effect until I formally submitted my retirement notice, effective December 30, 2023. **Exhibit BB**

Exhibit 31: The central fact in this dispute — and the most compelling evidence of misconduct — is the County’s refusal to produce the very statute it claims justified its actions. According to Board Member Statements, and both written and Public Statements of the County Personnel Director, the abrupt and retroactive termination of a 46-year past practice was based on advice allegedly provided by County Counsel, who reportedly informed the Board **during closed session** that a “new law” rendered prior sick leave cash-outs illegal under the constitutional prohibition against gifts of public funds.

Despite repeated California Public Records Act (PRA) requests, the County has refused to produce:

1. The statute or code section County Counsel presented to the Board;
2. Any written analysis or legal memorandum relied upon in forming that opinion;
3. The agendas or public notices for the closed session meetings where the issue was discussed;
4. The public “report out” of the decision, as required under Gov. Code § 54957.1.

Under the California Public Records Act (Gov. Code §§ 6250–6276.48), **statutes, laws, and publicly available legal authorities are not exempt from disclosure**. A request for a copy of a statute, particularly when it is alleged to have been altered, is not protected under any PRA exception.

Refusing to produce the statute—particularly one presented to the Board as binding law—suggests the document may not exist in the form described, or may have been deliberately altered, exposing County Counsel and the Board to serious consequences.

The deliberate withholding of public documents is not a trivial procedural failure — it is the **smoking gun** in this case. The absence of an applicable statute, including the County’s refusal to produce legally requested documentation, strongly supports the inference that **no such statute exists**, or that it was **misrepresented and/or materially altered** to mislead the Board. Either possibility supports my belief that the County’s conduct was deceptive, unlawful, and lacking in good faith.

The County’s Position Statement Is Notable for What It Omits

Respondent’s Position Statement is carefully worded to exclude any response to several core allegations of my UPC Complaint:

- It does not refute my claim that the Board held clandestine closed session meetings without public notice or reporting out the nature of the topic and decision made;

- It fails to address or deny my repeated claim that County Counsel presented a manipulated or altered version of **California Labor Code § 246(g)(1)** to the Board — specifically, a version containing “added language” that materially changed the meaning of the statute and misled the Board into believing an illegal violation had occurred.

The County's silence on these points is telling. If the statute were legitimate and truly supported the County's position, it would have been readily disclosed. If the meetings were properly noticed and agendized, those records would have been produced. If my allegations regarding **Labor Code § 246(g)(1)** were false, Respondent's Counsel would have enjoyed the opportunity to refute them in the Respondent's Position Statement. But the County did none of these. The silence and lack of transparency speak volumes.

My assertion that the County's actions were based on a purported “new law” arises from a September 2024 one-on-one meeting with then-Supervisor William (Bill) Moule, during which he informed me that County Counsel Long referred to a printed document to the Board of Supervisors during closed session meetings. According to Supervisor Moule, Counsel Long informed the Board that a “**new law**” had recently been enacted that rendered prior sick leave cash-out payments to elected officials illegal gifts of public funds under California law. Supervisor Moule stated he did not believe he was provided with a copy of the “new law” Counsel Long had referenced.

This representation was independently corroborated by Supervisor Nolen during the December 3, 2024, Sick Leave Study Session, where Supervisor Nolen publicly stated that Counsel Long had previously brought a paper document into closed session and claimed the “Legal Paper” contained specific language that elected official's sick leave cash-outs issued without prior Board authorization violated California's constitutional prohibition against gifts of public funds. Supervisor Nolen confirmed the document was presented by Counsel Long and was referred to as a “new law” which mandated Board action.

On March 27, 2025, I submitted a California Public Records Act (PRA) requests to Counsel Long, (**Exhibit CC**) Clerk of the Board Sean Houghtby, (**Exhibits 30 & 30a**) requesting copies of Closed Session Meeting Documents, and to Counsel Long requesting copies of the “New Law” document referenced by Supervisors Moule and Nolen which was the focus of the closed session meetings. Counsel Long forwarded the request to Michelle Nasise, at Prentice Long, who denied both requests without legal cause and, essentially, instructed me to go find the documents myself.

Exhibit 32

It should be noted the Personnel Director confirmed closed session meetings occurred, Stating: **“In fact, I had multiple closed session meetings with the Board...”** Additionally, during the Board meeting held on December 3, 2024, the Personnel Director publicly stated that “there were two closed session meetings with the Board related to this matter.”

https://tehamacounty.granicus.com/player/clip/3409?view_id=1&redirect=true

Personnel Director's Remarks confirmed closed session meetings: (Exhibit 7) and

During December 3, 2024, Board of Supervisor Meeting 2 hr. 31 min. 06 sec. Mark

Taken together, these facts strongly support my contention that the Board's decision was based on misrepresented or materially inaccurate legal advice and that the County perpetuated a false legal narrative to justify the unlawful, retroactive termination of a binding employment benefit.

Moreover, the County's refusal to produce the statute or the document allegedly relied upon by County Counsel further suggests that:

- No such statute exists, or;
- The statutory language was materially altered or mischaracterized to deliberately mislead the Board.

Such conduct constitutes a fraud upon the Board, the public, and eight current and newly retired county elected officials. It raises serious concerns about the integrity of the County's internal legal process and exposes both County Counsel and the Personnel Director to accountability for knowingly advancing false or unfounded legal claims in a manner that directly harms current and now retired elected officials.

Under the California Public Records Act (Gov. Code §§ 6250–6276.48), **statutes, laws, and publicly available legal authorities are not exempt from disclosure**. A request for a copy of a statute, particularly when it is alleged to have been altered, is not protected under any PRA exemption. Such a statute is not:

- A draft or non-final document
- Privileged attorney-client communication (since it is public law)
- Work product (unless accompanied by legal analysis, which was not requested)
- Confidential personnel or litigation material as a PERB filing is not a Tort Claim, but rather an Administrative filing handled by PERB and not by a Civil Court.

Refusing to produce the statute—particularly one presented to the Board as binding law—suggests the document may not exist in the form described, or may have been deliberately altered, exposing County Counsel, Personnel Director and the Board to the following violations of law:

- **Violation of the Brown Act** – For misleading the Board during closed session deliberations.
- **Violation of the California Public Records Act** – For improper denial of a lawful request.

Requested Relief:

Accordingly, the following remedies are submitted for consideration:

- Issuance cease-and-desist orders
-
- Restore Past Practice Policy
-
- Rescind Payroll Recovery Letters
-
- Posting of remedial notices to all employees in the workplace
-
- Consideration of a public censure
-
- Consider referral to the Tehama County Grand Jury under California Penal Code §§ 925–933.6 for potential administrative failures, abuse of authority, misconduct, including determination of Adverse Inference.

I declare under the penalty of perjury that I am the preparer of the Final Response to Respondent's Position Statement, pages 1 through 7, including exhibits AA, BB, CC, 2, 2c, 7, 28, 29, 30, 30a 31, and 32 and Proof of Service, and that I have reviewed the contents contained within and that the statements and exhibits contained are, to the best of my knowledge and belief, to be true and accurate. This: Charging Party's Response to Respondent's Position Statement (Final Submission), was executed on June 12, 2025.



Kenneth L. Brown
Charging Party

Gabriel Hydrick
Chief Administrator

Coral Ferrin
Personnel Director



Tehama County
Personnel & Risk Mgmt
727 Oak Street, Suite 105
Red Bluff, California 96080

Phone: (530) 527-4183
Fax: (530) 527-9562

TEHAMA COUNTY

August 28, 2024

Kenneth Brown
1248 Jefferson Street
Red Bluff, CA 96080

Subject: Payroll Recovery

Dear Mr. Brown,

It was recently brought to our attention that upon your retirement from Tehama County employment as an elected official you received a sick leave payout of \$26,276.29. Upon transition from a regular employee to an elected official, sick leave accruals should have been abolished. Therefore, you have received this payout in error.

Because there is no cash value associated with sick leave, California state law does not require employers to cash out sick leave upon an employee's separation, unless there is a provision within the employer's policies which specifically allows it. Although there is a provision for a sick leave payout upon retirement within the memorandum of understanding between Tehama County and the Tehama County Management Employee's Association, this provision does not apply to elected officials. Therefore, there is no provision in Tehama County which allows elected officials to receive a sick leave payout, and to do so without a provision is a gift of the public's funds.

Tehama County has an obligation to recover this payment. With that being said, an overpayment recovery plan must be established. Options for repayment of the amount due are attached. Please contact Krista Peterson in the Auditor's Office at 530-527-3474 to establish a payment plan.

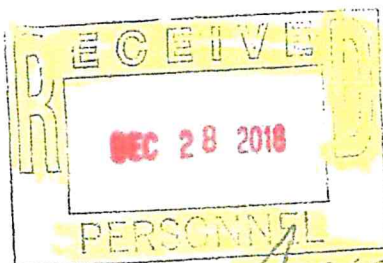
I apologize in advance for any inconvenience this may have caused.

Sincerely,

A handwritten signature in blue ink that reads "C. Ferrin".

Coral Ferrin
Personnel Director

EXHIBIT 2



Jen

Jan 1/2/19

COUNTY OF TEHAMA
PERSONNEL ACTION FORMDATE 12/13/2018
EFFECTIVE DATE 1/7/2019BUDGET UNIT TITLE Assessor BUDGET CODE NUMBER 1023
EMPLOYEE NAME Kenneth L. Brown EMPLOYEE NO. [REDACTED]
ADDRESS [REDACTED] PHONE [REDACTED]

TYPE OF ACTION

APPOINTMENT _____
TEMP. APPOINTMENT _____
STEP ADVANCEMENT _____
RESIGNATION _____LEAVE OF ABSENCE _____
RETURN TO DUTY _____
DISCHARGE _____
OTHER (EXPLAIN) electd officer

Change in Status

| | FROM | TO (NEW EMPLOYEES THIS COLUMN ONLY) |
|-----------------------|------------------------------------|--|
| CLASSIFICATION TITLE | <u>Deputy Assessor - Admin</u> | <u>Assessor - Elected</u> |
| RANGE / STEP / SALARY | <u>MB3 E #7687</u> (MGUT) p0030 | <u>#114,496</u> (Elected) p0029 |

IF TEMPORARY APPOINTMENT - TERMINATION DATE _____ OR AS NEEDED _____

COMMENTS:

Assuming Elected Position as Assessor.
Department Head Stipend of \$100.00 mo. \$60.00 cell phone
Allowance. 2% salary deferred comp contribution.
• Vacation, comp. balances to be paid out.
• Sick leave frozen until retirement if applicable.
• Insurance continues.

(ATTACH APPLICATION FORM HERETO)

| DEPT. HEAD | | AUDITOR | | BOARD OF SUPERVISORS | |
|-------------|---------|--------------|--------------|----------------------|---------------------|
| [Signature] | | [Signature] | | APPROVED DATE | DISAPPROVED DATE |
| APPLICATION | MEDICAL | FINGER PRINT | LOYALTY OATH | RETIREMENT FORM | W-4 |
| | | | | | INSURANCE Yes No |

C F is County Personnel Director Coral Ferrin

WHITE - PERSONNEL
YELLOW - AUDITOR
PINK - DEPARTMENT

EXHIBIT 2c

SW

Coral Ferrin <cferrin@tehama.gov>
To: ken brown <kenbdlb@gmail.com>

Mon, Oct 21, 2024 at 9:23 AM

Hi Ken,

My understanding is the elected's asked Pati to bring this item forward on their behalf. I spoke with Krista and confirmed she will be putting this item on, however; I do not know when. I can let you know once I hear or ask her to tell you, so you can attend the meeting.

I was not present at the Board meeting to hear Pati's comments, and I did not go back and listen to the recording. I understand she made some comments which imply the Board has been kept in the dark on this matter, which is absolutely false. In fact, I had multiple closed session meetings with the Board to discuss how to move forward and I am happy to address that publicly during the study session. I do not have the authority to make these types of decisions, only the board does - which is why I strongly feel her comments are extremely frustrating and disingenuous and were just another attempt to try and publicly degrade and embarrass employees.

The concern with the letters written by the Auditor is the Auditor has no individual authority to declare which employees get benefits. If an employee is entitled to receive a benefit it would have to have been in an ordinance, MOU, resolution, or policy approved by the Board of Supervisors, of which we have found none to this point. A "past practice" cannot be deemed an established policy just by continually doing something improperly.

I would recommend that you contact PERB and talk to them about your complaint before making any public statements. The County does not have an obligation to meet and confer with non-represented employees. Obviously, you are free to say what you want, but I have been here ten years, and we have never received an unfair labor practice charge in this time. My staff and I have worked hard to demonstrate we are a professional Department with integrity. I think ten years is enough time to say those years are long in the past.

I will let Krista know you would like those documents presented to the Board.

I understand this is a very heated and frustrating topic and I am truly sorry it is impacting you negatively.

Coral Ferrin
Personnel Director

EXHIBIT 7

Retired Elected Officials receiving Payroll Recovery Letter dated August 28, 2024:

Dana Hollmer – Treasurer Tax Collector Assumed Office in July 1998

Leroy Anderson – Auditor Elected Term Began January 8, 2007

Dave Hencratt – Sheriff Elected Term Began January 3, 2011

Ken Brown – Assessor Elected Term Began January 7, 2019

Current Elected Officials who had Sick Leave accrual Frozen upon appointment that the County “Abolished” and removed from county payroll records on August 7, 2024.

District Attorney – Matt Rogers

Sheriff – Dave Kain

Auditor – Controller – Krista Peterson

Assessor – Burley Phillips

County Employees that Transitioned to Elected Status that received a sick leave cashout upon retirement.

Robert Risberg – Assessor

Robert Mieske -Auditor Controller

Mark Colombo - Assessor

Leroy Anderson Auditor Controller

Dale Stroud – Assessor

Dave Hencratt – Sheriff

Ken Brown – Assessor

Dana Hollmer – Treasurer Tax Collector

These are the officials I am aware of, who received a sick leave cashout when they retired from elected service, and I’m sure there are more. Unfortunately, the Personnel Department’s records are poorly maintained, so it’s likely others that have received the same benefit were not located. Dale Stroud is one example—I personally processed his retirement package, which included a sick leave cashout. Yet, it wasn’t found in response to an official Public Records Act (PRA) request, that was addressed to the Personnel Director?

When you combine the confirmed cases with current elected officials whose sick leave has been “abolished,” there are at least 12 instances where this past practice has been consistently applied. That clearly contradicts the claim by County Counsel and the Personnel Director that it was a “never happened” or at the minimum rare anomaly occurrence.

COUNTY OF TEHAMA

PERSONNEL ACTION FORM

DATE January 4, 1991

EFFECTIVE DATE December 28, 1990

BUDGET UNIT TITLE Assessor BUDGET CODE NUMBER 1023
 EMPLOYEE NAME Robert L. Risberg SOCIAL SECURITY NO. [REDACTED]
 ADDRESS [REDACTED] PHONE [REDACTED]

TYPE OF ACTION

APPOINTMENT _____ LEAVE OF ABSENCE _____
 TEMP. APPOINTMENT _____ RETURN TO DUTY _____
 STEP ADVANCEMENT _____ DISCHARGE _____
 RESIGNATION _____ OTHER (EXPLAIN) Retirement

| DESCRIPTION | | | FROM | TO (NEW EMPLOYEES THIS COLUMN ONLY) |
|---|------|--------|--|--|
| CLASSIFICATION TITLE | | | <u>Assessor-Tax Collector</u> | |
| RANGE | STEP | SALARY | <u>3587.50/mo</u> | |
| DIVISION | | | <u>+ 92.00 Redemption</u> | |
| IF TEMPORARY APPOINTMENT - TERMINATION DATE | | | <u>+ 45.00 Del Comp</u> <u>+ 100.00 Car Allow</u> | |

COMMENTS:

Mr. Risberg's employment with Tehama County was terminated as of December 28, 1990 due to his retirement.

For R. Risberg
 Sick leave to be paid
 in 2 equal payments
 beginning 1/25/91
 per Mr. Risberg.

(ATTACH APPLICATION FORM HERETO)

| DEPT. HEAD | AUDITOR | BOARD OF SUPERVISORS | |
|--------------------|--------------------|----------------------|------------------|
| <u>[Signature]</u> | <u>[Signature]</u> | APPROVED DATE | DISAPPROVED DATE |

AUDITOR USE ONLY

| APPLICATION | MEDICAL | FINGER PRINT | LOYALTY OATH | RETIREMENT FORM | W-4 | INSURANCE |
|-------------|---------|--------------|--------------|--------------------|--------------------|---|
| | | | | <u>[Signature]</u> | <u>[Signature]</u> | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |

WHITE - BOARD FILE
 LOW - AUDITOR
 X - DEPARTMENT

ROBERT J. MIESKE
Auditor-Controller



RONALD L. LARGENT
Assistant Auditor-Controller

TEHAMA COUNTY AUDITOR-CONTROLLER

Date: August 11, 1998

To: Dan Fulks, Personnel Director

From: Bob Mieske, Auditor-Controller

Re: Dana Hollmer-Sick Leave Hours

This is to alert you to the fact that with the appointment of Ms. Hollmer to fill the unexpired term of Ms. Forward for the office of Treasurer-Tax Collector, Ms Hollmer has balance of [REDACTED] sick leave hours accrued as of July 31, 1998.

Please place a copy of this document in Ms. Hollmer's personnel file as these hours will be removed from the Auditor's Human Resource System. If and when Ms. Hollmer files for PERS or Social Security Retirement she may cash out the hours based on the conditions of the management MOU at that time. If she returns to county employment under a bargaining unit without a break in service then these hours would be added to her bank at that time.

cc: Ms. Dana Hollmer
Payroll

Date: January 17, 2003

To: Dan Fulks, Personnel Director

From: Robert Mieske, Auditor-Controller

Re: Mark Colombo-Sick Leave Hours

This is to advise you to the fact that with the oath of office taken by Mr. Mark Colombo, for the Office of Tehama County Assessor, that he has a balance of [REDACTED] sick leave hours accrued as of January 1, 2003.

Please place a copy of this document in Mr. Colombo's personnel file as these hours will be removed from the Auditor's Human Resource System. If and when Mr. Colombo files for PERS or Social Security Retirement he may cash out the hours based on the conditions of the Tehama County's Employee's Association MOU at that time. If he returns to county employment under a bargaining unit without a break in service, then these hours will be added to his sick leave bank at that time.

cc: Mr. Mark Colombo
Payroll

COUNTY OF TEHAMA
PERSONNEL ACTION FORM

DATE Dec 11, 2006
EFFECTIVE DATE Jan 8, 2007

BUDGET UNIT TITLE AUDITOR BUDGET CODE NUMBER 1021

EMPLOYEE NAME LEROY ANDERSON SOCIAL SECURITY NO. [REDACTED]

ADDRESS [REDACTED] PHONE [REDACTED]

TYPE OF ACTION

APPOINTMENT _____ LEAVE OF ABSENCE _____

TEMP. APPOINTMENT _____ RETURN TO DUTY _____

STEP ADVANCEMENT _____ DISCHARGE _____

RESIGNATION _____ OTHER (EXPLAIN) ELECTED - Status Change

Ordinance #1867

| CLASSIFICATION TITLE | FROM <u>Joint Council</u> | TO (NEW EMPLOYEES THIS COLUMN ONLY) <u>Elected</u> |
|-----------------------|---------------------------------|---|
| | <u>Accounting Tech</u> | <u>Auditor-Controller</u> |
| RANGE / STEP / SALARY | <u>50/E/\$2536</u> \$1268 pp | <u>\$6,209.16 Monthly</u> \$3104.58 pp \$100 Dept Head \$45 D/Comp |

IF TEMPORARY APPOINTMENT - TERMINATION DATE _____ OR AS NEEDED _____

COMMENTS: Employee changing status from represented (Joint Council) to elected
Status effective 1/8/07.
Vacation to be paid out, any comp to be paid out. Sick leave to be frozen.

LeRoy Anderson takes office as the elected official at noon Jan 8, 2007.

Ordinance #1867 sets the Auditor's salary @ \$74,510 annual, \$6209.16 per mo, \$3104.58 pp
misc to mgmt insurance
Joint Council union due to cease payperiod following 1/8/07.

(ATTACH APPLICATION FORM HERETO)

| DEPT. HEAD | AUDITOR | BOARD OF SUPERVISORS | |
|--------------------|---|----------------------|------------------|
| <u>[Signature]</u> | ALLOCATION - CLASSIFICATION - RANGE - STEP - SALARY | APPROVED DATE | DISAPPROVED DATE |

| | | | | | | | PERSONNEL |
|-------------|---------|--------------|--------------|-----------------|-----|---------------------|--------------------|
| APPLICATION | MEDICAL | FINGER PRINT | LOYALTY OATH | RETIREMENT FORM | W-4 | INSURANCE YES No | <u>[Signature]</u> |

WHITE - PERSONNEL
YELLOW - AUDITOR
PINK - DEPARTMENT

COUNTY OF TEHAMA
PERSONNEL ACTION FORM

DATE Dec 11, 2006
EFFECTIVE DATE Jan 8, 2007

BUDGET UNIT TITLE AUDITOR BUDGET CODE NUMBER 1021

EMPLOYEE NAME ROBERT MIESKE SOCIAL SECURITY NO. 

ADDRESS  PHONE 

TYPE OF ACTION

APPOINTMENT _____ LEAVE OF ABSENCE _____
TEMP. APPOINTMENT _____ RETURN TO DUTY _____
STEP ADVANCEMENT _____ DISCHARGE _____
RESIGNATION _____ OTHER (EXPLAIN) Term of Office Expires by law

| CLASSIFICATION TITLE | FROM | TO (NEW EMPLOYEES THIS COLUMN ONLY) |
|-----------------------|---|--|
| | Auditor-Controller | Auditor-Controller |
| RANGE / STEP / SALARY | \$6,209.16 Month \$ 3,104.58 Per pay period \$100 Dept Head | Term of Office Expires |

IF TEMPORARY APPOINTMENT - TERMINATION DATE \$45 Di/Comp OR AS NEEDED _____

COMMENTS:

Robert Mieske's term of office expires at noon on January 8, 2007

(ATTACH APPLICATION FORM HERETO)

| DEPT. HEAD | AUDITOR | BOARD OF SUPERVISORS | |
|------------|---|----------------------|------------------|
| | ALLOCATION - CLASSIFICATION - RANGE - STEP - SALARY | APPROVED DATE | DISAPPROVED DATE |

| | | | | | | | PERSONNEL |
|-------------|---------|--------------|--------------|-----------------|-----|---------------------|-----------|
| APPLICATION | MEDICAL | FINGER PRINT | LOYALTY OATH | RETIREMENT FORM | W-4 | INSURANCE YES NO | |

WHITE - PERSONNEL
YELLOW - AUDITOR
PINK - DEPARTMENT

ROBERT MIESKE

Sick Leave Balance
50% Payoff.

Last Paycheck option 2

| | | | | |
|----|-----|----------|-------------|----------|
| 44 | Reg | \$ 35.82 | \$ 1,576.11 | Jan 25th |
|----|-----|----------|-------------|----------|

Sick Leave hours
Used with last check
Balance

Last Paycheck option 3

| | | | | |
|----|-------|----------|-------------|----------|
| 44 | Reg | \$ 35.82 | \$ 1,576.11 | |
| | SL PO | \$ 35.82 | | Jan 25th |

| | | |
|--------|----------|----------|
| SI Bal | \$ 35.82 | Feb 10th |
| | | Feb 25th |
| | | Mar 10th |
| | | Mar 25th |
| | | Apr 10th |
| | | Apr 25th |

| | | |
|-------|----------|----------|
| SL PO | \$ 35.82 | Feb 10th |
| | | Feb 25th |
| | | Mar 10th |
| | | Mar 25th |
| | | Apr 10th |
| | | Apr 25th |
| | | May 10th |

Jen

Sent 1/4/11



COUNTY OF TEHAMA
PERSONNEL ACTION FORM

12/28/2010

DATE

01/03/2011

EFFECTIVE DATE

Sheriff-Coroner

2027

BUDGET UNIT TITLE

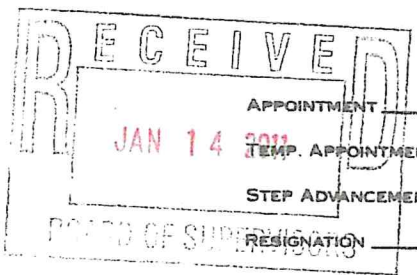
BUDGET CODE NUMBER

EMPLOYEE NAME David L. Hencratt

SOCIAL SECURITY NO [REDACTED]

ADDRESS [REDACTED]

PHONE [REDACTED]



TYPE OF ACTION

APPOINTMENT
TEMP. APPOINTMENT
STEP ADVANCEMENT
RESIGNATION

LEAVE OF ABSENCE
RETURN TO DUTY
DISCHARGE
OTHER (EXPLAIN)

Status change DSA to Elected official

| FROM | | TO |
|-----------------------------|--------------------|--|
| CLASSIFICATION TITLE | | (NEW EMPLOYEES THIS COLUMN ONLY) |
| Detective/Investigator + 5% | | Sheriff - Elected |
| RANGE / STEP / SALARY | 78 - 6 5,888.00 | \$ 110,203 + 100 + 45 Annual DH Def Comp \$ 9,184 per month |

IF TEMPORARY APPOINTMENT - TERMINATION DATE OR AS NEEDED

COMMENTS: Salary per ordinance # 1942 approved 5/25/10. sw
Vacation, sick, holiday, comp no longer accrue as Elected official. sw
On January 3, 2011 at 10:00 am, Dave Hencratt will be sworn in as Sheriff-Coroner elect. sw
Vacation, comp balances to be paid out pay period ending 1/15/11. sw
Sick leave frozen until retirement if applicable. sw
Insurance continues. [REDACTED] sw

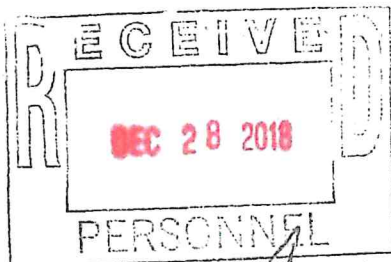
#45 deferred comp begins 1/3/11. #100 additional comp Dept Head allowance begins 1/3/11.
Uniform allowance continues

(ATTACH APPLICATION FORM HERETO)

| DEPT. HEAD | AUDITOR | BOARD OF SUPERVISORS | |
|---------------------------------------|---------|----------------------|------------------|
| William Goodwin - Chief Administrator | 1-14-11 | APPROVED DATE | DISAPPROVED DATE |

| APPLICATION | MEDICAL | FINGER PRINT | LOYALTY OATH | RETIREMENT FORM | W-4 | INSURANCE YES NO | PERSONNEL |
|-------------|---------|--------------|--------------|-----------------|-----|------------------|------------------------------|
| | | | | | | | sw 1/13/11 DH log updated |

WHITE - PERSONNEL
YELLOW - AUDITOR
PINK - DEPARTMENT



Jen

Jan 1/2/19

COUNTY OF TEHAMA

PERSONNEL ACTION FORM

DATE 12/13/2018

EFFECTIVE DATE 1/7/2019

BUDGET UNIT TITLE Assessor

BUDGET CODE NUMBER 1023

EMPLOYEE NAME Kenneth L. Brown

EMPLOYEE NO. [REDACTED]

ADDRESS [REDACTED]

PHONE [REDACTED]

TYPE OF ACTION

APPOINTMENT _____

LEAVE OF ABSENCE _____

TEMP. APPOINTMENT _____

RETURN TO DUTY _____

STEP ADVANCEMENT _____

DISCHARGE _____

RESIGNATION _____

OTHER (EXPLAIN) electd office

Change in Status

| | FROM | TO (NEW EMPLOYEES THIS COLUMN ONLY) |
|-----------------------|-------------------------------------|--|
| CLASSIFICATION TITLE | <u>94 Deputy Assessor - Admin</u> | <u>91 Assessor - elected</u> |
| RANGE / STEP / SALARY | <u>M83 E \$7687</u> (MGMT) p0030 | <u>\$114,496</u> (Elected) p0029 |

IF TEMPORARY APPOINTMENT - TERMINATION DATE _____

OR AS NEEDED _____

COMMENTS:

- Assuming Elected Position as Assessor.
Department Head stipend of \$100.00 mo. \$60.00 cell phone
allowance. 2% salary deferred comp contribution.
• Vacation, comp. balances to be paid out.
• Sick leave frozen until retirement if applicable.
• Insurance continues.

(ATTACH APPLICATION FORM HERETO)

| DEPT. HEAD | AUDITOR | BOARD OF SUPERVISORS | |
|--------------------|-----------------------------|----------------------|------------------|
| <u>[Signature]</u> | <u>Jennifer [Signature]</u> | APPROVED DATE | DISAPPROVED DATE |

| APPLICATION | MEDICAL | FINGER PRINT | LOYALTY OATH | RETIREMENT FORM | W-4 | INSURANCE Yes No | PERSONNEL |
|-------------|---------|--------------|--------------|-----------------|-----|---------------------|-----------|
| | | | | | | | <u>CF</u> |

WHITE - PERSONNEL
YELLOW - AUDITOR
PINK - DEPARTMENT

CF is the County Personnel Director
CORAL FERRIN

SW



California Public Employees' Retirement System
Office of Stakeholder Relations
400 Q Street, Sacramento, CA 95811 | Phone: (916) 795-3991 | Fax: (916) 795-3507
888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442 | www.calpers.ca.gov

Kenneth Brown
1248 Jefferson St.
Red Bluff, CA 96080
kenbdlb@outlook.com

June 4, 2025

Subject: PUBLIC RECORDS REQUEST – TEHAMA COUNTY CONTRACT, TRACKING #8948

Dear Mr. Brown,

This letter is in response to your Public Records Act (PRA) request received by the Office of Stakeholder Relations on April 22, 2025. In your correspondence, you requested:

All Tehama County Elected Officials, DA, Sheriff, Assessor, Tax Collector & Recorder retain their PERS Membership when transitioning from a regular employee to an elected official.

I am looking for the source documents or contract that establishes the employer / employee relationship between the County of Tehama and CalPERS for the above listed elected officials. Specifically, whether the designated elected positions are considered employees of the County rather than annuitants with special PERS benefits which are equal to regular employees of the County.

Our staff located the information responsive to your request and disclosable under the PRA. Under CA Government Code Section 20322, County Elected Officers have an option to apply for membership with the CalPERS system as an optional member. Once CalPERS approves the election for membership for these elected officers, they are considered the employee of the county under the county pension plan with CalPERS. For more information regarding the rules for retired annuitants and optional members, please contact CalPERS Employer Account Management Division at Working_After_Retirement@calpers.ca.gov.

By providing you this information we consider your PRA request fulfilled and closed. If you have any further questions regarding this request, please contact the Office of Stakeholder Relations at the above address or telephone number (916) 795-3055.

EXHIBIT (29)



A LAW FIRM FOUNDED ON THE
PRINCIPLE OF SERVICE

Michelle Nasise
mnasise@prenticelongpc.com

June 6, 2025
Via Email: kenbdlb@outlook.com

Ken Brown
kenbdlb@outlook.com

Re: PRA Request dated May 27, 2025 – "Closed Session Meetings June 1, 2024-August 31, 2024"

Dear Mr. Brown,

Our office represents the County of Tehama in the capacity of County Counsel. Please accept this as the County's supplemental response to the above-referenced Public Records Act request. Below is a summary of your outstanding requests and the County's specific responses thereto.

Request #1: "A copy of the meeting agenda(s) showing that a Closed Session item was scheduled, including the date and time of the referenced Closed Session meeting(s), along with a description of the general nature of the items to be discussed."

Request #2: "Copies of the Board Minutes reflecting the "Report Out" of action taken during those specific closed session(s)."

Responses #1-2: All available meeting minutes, agenda packet, and other relevant records are posted on the County's website: [Tehama County - Calendar](#); [Meeting Portal - Tehama County, California](#). Please note the County does not prepare minutes of closed session; however, "reports out" for closed session items are indicated in the regular meeting minutes. See Government Code §§ 54957, 54957.7.

The County of Tehama considers your request complete. If you have any questions or wish to discuss this matter further, please do not hesitate to contact our office.

Regards,
PRENTICE LONG, PC

Michelle Nasise

May 27, 2025

Tehama County Clerk of the Board
633 Washington Street
Red Bluff, CA 96080

Attn: Sean Houghtby

Subject: California Public Records Act Request

Dear Sean:

Upon receipt of a Public Records Act Reply, I was provided with the following information from Prentice Long Staff Attorney, Michelle Nasise: "Please note the County does not prepare minutes of closed session, however, "reports out" for closed session items are indicated in the regular meeting minutes. All available meeting minutes, agenda packet, and other relevant records are posted on the County's website.

In California, the Brown Act (California Government Code §§ 54950–54963) governs the conduct of local legislative bodies, such as county boards of supervisors, ensuring transparency and public access to meetings. While the Brown Act mandates meetings be open to the public, it does allow for closed sessions under specific, narrowly defined circumstances. I reviewed the Tehama County Board of Supervisors meeting website but was unable to locate any of the required public disclosures related to these closed meeting sessions. Based on public statements made by the County Personnel Director, there were at least two (s) Closed Session Meetings regarding sick leave payout to Tehama County Elected Officials. To the best of my knowledge, the Closed Session meetings took place between June 1, 2024, and August 31, 2024.

Before convening a closed session, the legislative body must:

- **Agenda Disclosure:** Provide a brief description of the items to be discussed in the closed session on the meeting agenda. This description must be sufficient to inform the public of the general nature of the business to be transacted.
- **Open Meeting Disclosure:** Announce in an open session the general nature of the items to be discussed in the closed session. This announcement must occur before the closed session begins.
- **After the closed session:** the legislative body must reconvene in the open session and report any actions taken during the closed session that are required to be publicly disclosed.

EXHIBIT (30a)

Pursuant to the California Public Records Act (Gov. Code § 6250 et seq.), I am requesting copies of the following public records:

1. A copy of the meeting agenda(s) showing that a Closed Session item was scheduled, including the date and time of the referenced Closed Session meeting(s), along with a description of the general nature of the items to be discussed.
2. Copies of the Board Minutes reflecting the "Report Out" of action taken during those specific closed session(s).

If any portions of the records are exempt from disclosure, please provide the non-exempt portions and justify any redactions by citing the specific exemptions under the PRA.

I prefer to receive these records electronically, if available. Please let me know if any fees will apply before you begin processing this request.

Thank you for your assistance. I look forward to your response within the timeframe required by law.

Sincerely,

Ken Brown

kenbdlb@outlook.com
530-526-8636
1248 Jefferson Street
Red Bluff, CA 96080



A LAW FIRM FOUNDED ON THE
PRINCIPLE OF SERVICE

Michelle Nasise
mnasise@prenticelongpc.com

June 6, 2025
**Via Email: kenbdlb@outlook.com **

Ken Brown
kenbdlb@outlook.com

Re: PRA dated May 27, 2025 – New Law

Dear Mr. Brown:

Our office represents the County of Tehama in the capacity of County Counsel. Please accept this as the County's response to the above-referenced Public Records Act request. Below is a summary of your requests and the County's specific responses thereto.

Request #1: Upon receipt of the August 28, 2024, Payroll Recovery Letter, I met with Supervisor Moule to inquire the reason for the Board's decision to terminate the County's long standing past practice of paying sick leave accruals to represented employees that transitioned to elected status, with payment being made in accordance with the respective MOU sick leave provisions the employee transitioned from. Supervisor Moule informed me that during the Closed Session Meeting(s), you presented a document to the Board and advised them that a new law had been enacted, which included the provision: "...unless there is a provision within the employer's policies that specifically allows it." Supervisor Moule further indicated that a thorough search was conducted, and no such policy could be found. As a result, the Board relied upon the documentation you provided which led to the termination of the county's previous past practice.

Additionally, during the December 3, 2024, Board of Supervisors Sick Leave Study Session, Supervisor Nolen described a similar scenario—stating that you had presented a document during Closed Session Meeting(s) referencing a newly enacted law. According to Supervisor Nolen, you explained there was a new law that required a specific provision within the employer's policies explicitly authorizing sick leave cashouts. In the absence of such a policy, past sick leave payments were deemed a gift of public funds. Supervisor Nolen mentioned she might have a copy of the document you presented. However, rather than requesting it from her, I believe it is more appropriate to respectfully ask that you provide a copy directly to ensure the accuracy and completeness of the information. Pursuant to the California Public Records Act (Gov. Code § 6250 et seq.), I am requesting copies of the following public records:

- 1.1. **Copy of the above-mentioned document(s) you presented to the Board during closed session meeting(s), during the summer months, June through August 2024, indicating a new law change, which requires the employer to have adopted a policy that specifically allows it, a sick leave payout.**

Response #1: The County of Tehama is unable to comply with your request as it seeks records exempt or prohibited from disclosure pursuant to one or more of the following exemptions (Gov. Code § 7920.000 *et seq.*):

- Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy (Gov. Code §§ 7927.700, 7927.705);
- Official information “acquired in confidence by a public employee in the course of his or her duty and not open or officially disclosed to the public prior to the time the claim of privilege is made” (Evid. Code §§ 1040, 1041). This includes information that is protected by a state or federal statutory privilege or information, the disclosure of which is against the public interest because there is a necessity for preserving the confidentiality of the information that outweighs the necessity for the disclosure in the interest of justice” (*White v. Superior Court* (2002) 102 Cal.App.4th Supp. 1, 6; Evid. Code §§ 1040(a), 1041; see *People v. Navarro* (2006) 138 Cal.App.4th 146, 164).
- Preliminary drafts, notes, or interagency or intra-agency memoranda not retained in the ordinary course of business, disclosure of which would expose a local agency’s decision-making process in such a way as to discourage candid discussion and thereby undermine its ability to perform its functions (Gov. Code § 7927.500); and/or
- Records exempt from disclosure pursuant to federal or state law, including, but not limited to, the provisions of the Evidence Code relating to privilege (Gov. Code § 7927.705). This includes attorney-client privileged communications and attorney work-product, as well as, more broadly, other work product prepared for use in pending litigation or claims (Civ. Proc. § 2018.030(a)-(b); *Fairley v. Superior Court* (1998) 66 Cal. App.4th 1414, 1420-1422)). The attorney-client privilege protects from disclosure the entirety of confidential communications between attorney and client, as well as among the attorneys within a firm or in-house legal department representing such client, including factual and other information not in itself privileged outside of attorney-client communications (*Costco Wholesale Corp. v. Superior Court* (2009) 47 Cal.4th 725, 733; *Fireman’s Fund Insurance Company v. Superior Court* (2011) 196 Cal.App.4th 1263, 1272-1275; *Clark v. Superior Court* (2011) 196 Cal.App.4th 37, 49-54; see also Evid. Code § 954, *OXY Resources LLC v. Superior Court* (2004) 115 Cal.App. 4th 874, 889)). Where the disclosure is prohibited by state or federal statute, the privilege is absolute (Evid. Code § 1040(b); see C.C.R., Title 11, Division 1, Chapter 7, Article 1, § 703(b)).

Please note the County does not prepare minutes of closed session, however, “reports out” for closed session items are indicated in the regular meeting minutes. All available meeting minutes, agenda packet, and other relevant records are posted on the County’s website: [Tehama County - Calendar](#); [Meeting Portal - Tehama County, California](#). See Government Code §§ 54957, 54957.7.

The County of Tehama considers your request complete. If you have any questions or wish to discuss this matter further, please do not hesitate to contact our office.

Regards,
PRENTICE LONG, PC

Michelle Nasise

cc: Coral Ferrin, Personnel Director, County of Tehama
Sean Houghtby, Clerk of the Board, County of Tehama



A LAW FIRM FOUNDED ON THE
PRINCIPLE OF SERVICE

Michelle Nasise
mnasise@prenticelongpc.com

June 6, 2025

**Via Email: kenbdlb@outlook.com **

Ken Brown
kenbdlb@outlook.com

Re: PRA dated May 27, 2025 – New Law

Dear Mr. Brown:

Our office represents the County of Tehama in the capacity of County Counsel. Please accept this as the County's response to the above-referenced Public Records Act request. Below is a summary of your requests and the County's specific responses thereto.

Request #1: Upon receipt of the August 28, 2024, Payroll Recovery Letter, I met with Supervisor Moule to inquire the reason for the Board's decision to terminate the County's long standing past practice of paying sick leave accruals to represented employees that transitioned to elected status, with payment being made in accordance with the respective MOU sick leave provisions the employee transitioned from. Supervisor Moule informed me that during the Closed Session Meeting(s), you presented a document to the Board and advised them that a new law had been enacted, which included the provision: "...unless there is a provision within the employer's policies that specifically allows it." Supervisor Moule further indicated that a thorough search was conducted, and no such policy could be found. As a result, the Board relied upon the documentation you provided which led to the termination of the county's previous past practice.

Additionally, during the December 3, 2024, Board of Supervisors Sick Leave Study Session, Supervisor Nolen described a similar scenario—stating that you had presented a document during Closed Session Meeting(s) referencing a newly enacted law. According to Supervisor Nolen, you explained there was a new law that required a specific provision within the employer's policies explicitly authorizing sick leave cashouts. In the absence of such a policy, past sick leave payments were deemed a gift of public funds. Supervisor Nolen mentioned she might have a copy of the document you presented. However, rather than requesting it from her, I believe it is more appropriate to respectfully ask that you provide a copy directly to ensure the accuracy and completeness of the information. Pursuant to the California Public Records Act (Gov. Code § 6250 et seq.), I am requesting copies of the following public records:

2240 Court St. Redding, CA 96001 t: (530) 691-0800 | 481 4th Street, 2nd Floor, Hollister, CA 95023 t: (831) 636-4040

PRENTICELONGPC.COM

EXHIBIT (32)

- 1.1. Copy of the above-mentioned document(s) you presented to the Board during closed session meeting(s), during the summer months, June through August 2024, indicating a new law change, which requires the employer to have adopted a policy that specifically allows it, a sick leave payout.

Response #1: The County of Tehama is unable to comply with your request as it seeks records exempt or prohibited from disclosure pursuant to one or more of the following exemptions (Gov. Code § 7920.000 *et seq.*):

- Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy (Gov. Code §§ 7927.700, 7927.705);
- Official information "acquired in confidence by a public employee in the course of his or her duty and not open or officially disclosed to the public prior to the time the claim of privilege is made" (Evid. Code §§ 1040, 1041). This includes information that is protected by a state or federal statutory privilege or information, the disclosure of which is against the public interest because there is a necessity for preserving the confidentiality of the information that outweighs the necessity for the disclosure in the interest of justice" (*White v. Superior Court* (2002) 102 Cal.App.4th Supp. 1, 6; Evid. Code §§ 1040(a), 1041; see *People v. Navarro* (2006) 138 Cal.App.4th 146, 164).
- Preliminary drafts, notes, or interagency or intra-agency memoranda not retained in the ordinary course of business, disclosure of which would expose a local agency's decision-making process in such a way as to discourage candid discussion and thereby undermine its ability to perform its functions (Gov. Code § 7927.500); and/or
- Records exempt from disclosure pursuant to federal or state law, including, but not limited to, the provisions of the Evidence Code relating to privilege (Gov. Code § 7927.705). This includes attorney-client privileged communications and attorney work-product, as well as, more broadly, other work product prepared for use in pending litigation or claims (Civ. Proc. § 2018.030(a)-(b); *Fairley v. Superior Court* (1998) 66 Cal. App.4th 1414, 1420-1422)). The attorney-client privilege protects from disclosure the entirety of confidential communications between attorney and client, as well as among the attorneys within a firm or in-house legal department representing such client, including factual and other information not in itself privileged outside of attorney-client communications (*Costco Wholesale Corp. v. Superior Court* (2009) 47 Cal.4th 725, 733; *Fireman's Fund Insurance Company v. Superior Court* (2011) 196 Cal.App.4th 1263, 1272-1275; *Clark v. Superior Court* (2011) 196 Cal.App.4th 37, 49-54; see also Evid. Code § 954, *OXY Resources LLC v. Superior Court* (2004) 115 Cal.App. 4th 874, 889)). Where the disclosure is prohibited by state or federal statute, the privilege is absolute (Evid. Code § 1040(b); see C.C.R., Title 11, Division 1, Chapter 7, Article 1, § 703(b)).

Please note the County does not prepare minutes of closed session, however, "reports out" for closed session items are indicated in the regular meeting minutes. All available meeting minutes, agenda packet, and other relevant records are posted on the County's website: [Tehama County - Calendar](#); [Meeting Portal - Tehama County, California](#). See Government Code §§ 54957, 54957.7.

The County of Tehama considers your request complete. If you have any questions or wish to discuss this matter further, please do not hesitate to contact our office.

Regards,
PRENTICE LONG, PC

Michelle Nasise

cc: Coral Ferrin, Personnel Director, County of Tehama
Sean Houghtby, Clerk of the Board, County of Tehama



A LAW FIRM FOUNDED ON THE
PRINCIPLE OF SERVICE

Michelle Nasise
mnasise@prenticelongpc.com

April 3, 2025

Via Email: kenbdlb@gmail.com

Ken Brown
kenbdlb@gmail.com

Re: PRA Request dated February 24, 2025

Dear Mr. Brown:

Our office represents the County of Tehama in the capacity of County Counsel. Please accept this as the County's response to the above-referenced Public Records Act request. Below is a summary of your requests and the County's specific responses thereto.

Request #1: "Copy of the 'No Longer Interested' form used to notify the Department of Justice of my employment separation."

Request #2: "Copy of CalPERS form reflecting, 'change in status,' my transition from regular employee to elected status."

Request #3: "Copy of the CalPERS form used as notification of my Retirement from Tehama County employment (12/2023)."

Request #4: "Copies of both my, 2018, Assuming Elected Office and my, 2023, Leaving Office 'Checklist.'"

Responses #1-4: The County of Tehama is unable to comply with your requests as they seek records exempt or prohibited from disclosure pursuant to one or more of the following exemptions (Gov. Code § 7920.000 *et seq.*):

- Personal identifying data and/or contact information that might be used to uniquely identify, contact, or locate a single individual (Gov. Code § 7922.000);
- Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy (Gov. Code §§ 7927.700, 7927.705). This includes personal information provided to a retirement system by a member or on a member's behalf, such as a member's personal email address, home address, telephone number, social security number, birthday, age at retirement, benefits

election, and health reports concerning the member (*see Sonoma County Employee's Retirement Ass'n v. Superior Court* (2011) 198 Cal.App.4th 986, 1004);

- Preliminary drafts, notes, or interagency or intra-agency memoranda not retained in the ordinary course of business, disclosure of which would expose a local agency's decision-making process in such a way as to discourage candid discussion and thereby undermine its ability to perform its functions (Gov. Code § 7927.500); and/or
- Official information "acquired in confidence by a public employee in the course of his or her duty and not open or officially disclosed to the public prior to the time the claim of privilege is made" (Evid. Code §§ 1040, 1041). This includes information that is protected by a state or federal statutory privilege or information, the disclosure of which is against the public interest because there is a necessity for preserving the confidentiality of the information that outweighs the necessity for the disclosure in the interest of justice" (*White v. Superior Court* (2002) 102 Cal.App.4th Supp. 1, 6; Evid. Code §§ 1040(a), 1041; *see People v. Navarro* (2006) 138 Cal.App.4th 146, 164).

The County of Tehama considers your request complete. If you have any questions or wish to discuss this matter further, please do not hesitate to contact our office.

Regards,
PRENTICE LONG, PC

Michelle Nasise
Michelle Nasise

cc: Coral Ferrin, Personnel Director, County of Tehama

KENNETH L. BROWN
ASSESSOR

Office of County Assessor

COUNTY OF TEHAMA
P.O. BOX 428, RED BLUFF, CALIFORNIA 96080
TELEPHONE (530) 527-5931
FAX (530) 529-4019

August 23, 2023

Tehama County Board of Supervisors
Bill Moule, Chairman
727 Oak Street
Red Bluff, Ca 96080

Chairman Moule,

Please let this letter serve to inform the Board of Supervisors of my retirement, from the elected office of Tehama County Assessor, effective December 30, 2023.

It has been an honor and privilege to serve the people of Tehama County.

Sincerely,



Kenneth L. Brown
Assessor

Cc: Gabriel Hydrick
Coral Ferrin

EXHIBIT (BB)

May 27, 2025

Tehama County Administration
727 Oak Street
Red Bluff, CA 96080

Attn: Contract Counsel, Margaret Long

Subject: California Public Records Act Request

Dear Margaret:

Upon receipt of the August 28, 2024, Payroll Recovery Letter, I met with Supervisor Moule to inquire the reason for the Board's decision to terminate the County's long standing past practice of paying sick leave accruals to represented employees that transitioned to elected status, with payment being made in accordance with the respective MOU sick leave provisions the employee transitioned from. Supervisor Moule informed me that during the Closed Session Meeting(s), you presented a document to the Board and advised them that a new law had been enacted, which included the provision: "...unless there is a provision within the employer's policies that specifically allows it." Supervisor Moule further indicated that a thorough search was conducted, and no such policy could be found. As a result, the Board relied upon the documentation you provided which led to the termination of the county's previous past practice.

Additionally, during the December 3, 2024, Board of Supervisors Sick Leave Study Session, Supervisor Nolen described a similar scenario—stating that you had presented a document during Closed Session Meeting(s) referencing a newly enacted law. According to Supervisor Nolen, you explained there was a new law that required a specific provision within the employer's policies explicitly authorizing sick leave cashouts. In the absence of such a policy, past sick leave payments were deemed a gift of public funds. Supervisor Nolen mentioned she might have a copy of the document you presented. However, rather than requesting it from her, I believe it is more appropriate to respectfully ask that you provide a copy directly to ensure the accuracy and completeness of the information.

Pursuant to the California Public Records Act (Gov. Code § 6250 et seq.), I am requesting copies of the following public records:

EXHIBIT (CC)

1. Copy of the above-mentioned document(s) you presented to the Board during close session meeting(s), during the summer months, June through August 2024, indicating a new law change, which requires the employer to have adopted a policy that specifically allows it, a sick leave payout.

If any portions of the records are exempt from disclosure, please provide the non-exempt portions and justify any redactions by citing the specific exemptions under the PRA.

I prefer to receive these records electronically, if available. Please let me know if any fees will apply before you begin processing this request.

Thank you for your assistance. I look forward to your response within the timeframe required by law.

Sincerely,

Ken Brown

kenbdlb@outlook.com

530-526-8636

1248 Jefferson Street

Red Bluff, CA 96080

PROOF OF SERVICE

I declare that I am a resident of or employed in the County of Tehama,
State of California. I am over the age of 18 years. The name and address of my
Residence or business is 1248 Jefferson Street, Red Bluff CA 96080
1248 Jefferson Street, Red Bluff CA 96080

On 06/13/2025, I served the Response to Position Statement (Final)
(Date) (Description of document(s))

Exhibits: 2, 2c, 7, 28-30, 30a, 31, 32, AA, in Case No. SA-CE-1280-M
(Description of document(s) continued) PERB Case No., if known)

on the parties listed below by (check the applicable method(s)):

- ☐ placing a true copy thereof enclosed in a sealed envelope for collection and delivery by the United States Postal Service or private delivery service following ordinary business practices with postage or other costs prepaid;
- ☒ personal delivery;
- ☐ electronic service - I served a copy of the above-listed document(s) by transmitting via electronic mail (e-mail) or via e-PERB to the electronic service address(es) listed below on the date indicated. (May be used only if the party being served has filed and served a notice consenting to electronic service or has electronically filed a document with the Board. See PERB Regulation 32140(b).)

(Include here the name, address and/or e-mail address of the Respondent and/or any other parties served.)

Clerk of the Board, Sean Houghtby
633 Washington Street, Rm. 12
Red Bluff, CA 96080


shoughtby@tehama.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on 06/25/2025,
at Red Bluff California (Date)

(City) (State)

Kenneth L. Brown

(Type or print name)


(Signature)