

**Sierra County  
Board of Supervisors'  
Agenda Transmittal &  
Record of Proceedings**

<b>MEETING DATE:</b> May 17, 2022	<b>TYPE OF AGENDA ITEM:</b> <input type="checkbox"/> Regular <input type="checkbox"/> Timed <input checked="" type="checkbox"/> Consent
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**DEPARTMENT:** Clerk-Recorder/Clerk of the Board  
**APPROVING PARTY:** Heather Foster, Clerk of the Board  
**PHONE NUMBER:** 530-289-3295

**AGENDA ITEM:** Minutes from the regular meeting held on April 5, 2022.

**SUPPORTIVE DOCUMENTS ATTACHED:**  Memo  Resolution  Agreement  Other  
Minutes

**BACKGROUND INFORMATION:**

**FUNDING SOURCE:**  
**GENERAL FUND IMPACT:** General Fund Impact  
**OTHER FUND:**  
**AMOUNT:** \$ N/A

**ARE ADDITIONAL PERSONNEL REQUIRED?**  
  
 Yes, -- --  
 No

**IS THIS ITEM ALLOCATED IN THE BUDGET?**  Yes  No  
  
**IS A BUDGET TRANSFER REQUIRED?**  Yes  No

**SPACE BELOW FOR CLERK'S USE**

<p><b>BOARD ACTION:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken</p>	<p><input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____</p>	<p>Resolution 2022- _____ Agreement 2022- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus</p>
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**COMMENTS:**  
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CLERK TO THE BOARD DATE



**STATE OF CALIFORNIA, COUNTY OF SIERRA  
BOARD OF SUPERVISORS  
MINUTES  
REGULAR MEETING**

**Lee Adams, District 1**

P.O. Box 1 - Downieville, CA 95936 - 530-289-3506 - [supervisor1@sierracounty.ca.gov](mailto:supervisor1@sierracounty.ca.gov)

**Peter W. Huebner, District 2**

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**Paul Roen, Chair, District 3**

P.O. Box 43 - Calpine, CA 96124 - 209-479-2770 - [supervisor3@sierracounty.ca.gov](mailto:supervisor3@sierracounty.ca.gov)

**Terry LeBlanc, District 4**

P.O. Box 387 - Loyalton, CA 96118 - 707-489-0314 - [tleblanc@sierracounty.ca.gov](mailto:tlebnanc@sierracounty.ca.gov)

**Sharon Dryden, Vice Chair, District 5**

P.O. Box 246 - Loyalton, CA 96118 - 530-913-9218 - [sdryden@sierracounty.ca.gov](mailto:sdryden@sierracounty.ca.gov)

The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on April 5, 2022 in the Board of Supervisors' Chambers, Courthouse, Downieville, CA. This meeting was recorded for posting on the Board of Supervisors' website at [www.sierracounty.ca.gov](http://www.sierracounty.ca.gov).

**PLEDGE OF ALLEGIANCE:** Led by Supervisor Adams  
**ROLL CALL**

**Present:** Lee Adams, Supervisor, District #1  
Peter W. Huebner, Supervisor, District #2  
Paul Roen, Supervisor, Chair, District #3  
Terry LeBlanc, Supervisor, District #4  
Sharon Dryden, Supervisor, Vice Chair, District #5

**Staff:** Heather Foster, County Clerk-Recorder  
David Prentice, County Counsel  
Van Maddox, Auditor/Treasurer Tax Collector  
Tim Beals, Director of Planning/Public Works/Transportation/OES  
Lea Salas, Director of Behavioral Health  
Vickie Clark, Director of Health and Social Services  
Chuck Henson, Chief Probation Officer  
Mike Fisher, Sheriff/Coroner

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## **APPROVAL OF THE CONSENT AGENDA**

At the request of Supervisor Dryden, Consent Item 11.C. was moved to the Regular Agenda as Item 8.C.

- 11.C. Employment Contract for Medical Officer between Celia Sutton-Pado, MD and the County of Sierra. (PUBLIC HEALTH)

The Board moved to approve the Consent Agenda as amended.

**APPROVED as amended.** Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

## **11. CONSENT AGENDA**

- 11.A. Amendment to Professional Services Agreement 2021-094 between Granite Wellness Centers and Sierra County for substance use disorder services. (BEHAVIORAL HEALTH)

**APPROVED,** Agreement 2022-030

- 11.B. Approval of letter to oppose the proposed DHCS/Kaiser Permanente Statewide Agreement titled Alternative Health Care Service Plan Proposal. (SOCIAL SERVICES)
- 11.D. Governing Body Resolution authorizing actions necessary for the purpose of obtaining federal financial assistance provided by the Federal Department of Emergency Management Performance Grant (EMPG), and the American Recovery Plan Act (ARPA) for Fiscal Year 21, 22 and 23, subgranted through the State of California. (OFFICE OF EMERGENCY SERVICES)

**ADOPTED,** Resolution 2022-035

- 11.E. Authorize expenditure in the amount of \$8,420.00 to Graham Concrete to construct a concrete pad for the mattress recycling component of solid waste services at the Loyalton Transfer Station. (PUBLIC WORKS)
- 11.F. Resolution certifying County roads contained in maintained mileage system for submittal to the State of California. (PUBLIC WORKS)

**ADOPTED,** Resolution 2022-036

- 11.G. Resolution authorizing implementation of promotion for Road Maintenance Worker. (PUBLIC WORKS)

**ADOPTED,** Resolution 2022-037

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- 11.H. Interdepartmental transfer to Sierra County Road Department of 2003 Jeep Liberty. (PUBLIC WORKS)
- 11.I. Approval of expenditure in the amount of \$15,386.51 for repairs to Road Department vehicle #312, a 2003 International dump truck with plow. (PUBLIC WORKS)
- 11.J. Resolution approving Boating Safety and Waterways Financial Aid Program Agreement for Fiscal Year 2022-2023 between Sierra County and California State Parks Boating and Waterways. (SHERIFF)

**ADOPTED**, Resolution 2022-038 and **APPROVED**, Agreement 2022-031

- 11.K. Resolution approving an amendment to Agreement No. 18G30146, Sierra County Agreement No. 2019-009, between the California Secretary of State and the County of Sierra for voting systems replacement funds. (ELECTIONS)

**ADOPTED**, Resolution 2022-039 and **APPROVED**, Agreement 2022-032

- 11.L. Minutes from the regular meeting held on February 15, 2022. (CLERK OF THE BOARD)
- 11.M. Minutes from the regular meeting held on March 1, 2022. (CLERK OF THE BOARD)

## **APPROVAL OF THE REGULAR AGENDA**

The Board moved to approve the Regular Agenda as amended.

**APPROVED as amended.** Motion Huebner/Adams/Unanimous Roll Call Vote: 5/0

## **REGULAR AGENDA**

### **2. PUBLIC COMMENT OPPORTUNITY**

At 9:04 a.m. Chair Roen opened and closed the public comment opportunity with no persons addressing the Board.

### **3. COMMITTEE REPORTS & ANNOUNCEMENTS**

Supervisor Dryden reported on receiving comments from a member of the public pertaining to burn bans and requested adding this issue to the next agenda for discussion.

Supervisor Adams reported that the Finance Committee is scheduled to meet on April 26, 2022.

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#### **4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS**

The Director of Planning reported on snow removal on county roads; the opening of Gold Lake Road to Salmon Lake; working with the Caltrans working group to determine if the Kentucky Mine Trestle project could be funded under the Federal Job and Investment Act – stimulus program; the rescheduling of the short-term rental ordinance to April 20, 2022; the Sierra Brooks Water System ordinance to come before the Board on April 19, 2022; and his appreciation to the Chief Technology Officer for getting internet access to the Sierraville School.

The Director of Health and Social Services reported on vacancies in the department including two social worker positions and her plan to make a request at the next Board meeting for a part-time case worker aide to fill in the gaps.

The Director continued to report on the status of the Downieville and Sierra City gas station sites; the status of the Community Outreach Coordinator position; CDPH indicating that the Governor's executive order for the state of emergency is still in place and the intent to keep it in place to follow suit with the federal order which doesn't have an end date; second booster recommendations; COVID case rates in the county; and the BA.2 Omicron subvariant.

#### **5. FOREST SERVICE UPDATE**

Acting Sierraville District Ranger Rachel Hutchison reported on working with NID on an agreement and funding plan for the Forest Service to operate the Jackson Meadows campgrounds this summer.

Supervisor Huebner commented on the number of dead trees along Highway 49 and questioned if the Forest Service plans to remove them.

Ranger Hutchison responded that this is on their radar and are working on a plan to address this.

Ranger Hutchison continued to report on the opening of the gun range in Sierraville; the opening of the Calpine Lookout; and staffing within the district.

Supervisor LeBlanc invited the district to have a booth at Timberfest.

Beckworth District Ranger Mike Rhea provided an update on staffing and various projects going on in the district.

#### **6. PUBLIC WORKS/TRANSPORTATION - TIM BEALS**

6.A. Continued discussion/direction to staff with regard to potential grant opportunities including but not limited to Recreational Trails Program through the Department of Parks & Recreation, PG&E grants, and other opportunities.

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At the request of the Director of Public Works, this item was pulled from the agenda as there was no new information to provide.

## **7. PLANNING / BUILDING - TIM BEALS**

- 7.A. Discussion/direction to schedule a public hearing on May 17, 2022 in Loyalton on the application of Russell Turner to enter into a Land Conservation Contract.

The Director of Planning provided background on the meeting tomorrow with the advisory members of the Open Space Screening Committee consisting of the Farm Advisor, Assessor, Planning Director, the UC Cooperative Extension Advisor, and Russel Turner (applicant), to formulate a report to the Board on the Land Conservation Contract application.

Chair Roen commented that the UC Cooperative Extension Advisor has been active in addressing this with the community and will be able to provide information to the committee.

The Director continued to review the hearing noticing provisions of the Land Conservation Act and proposed setting the hearing for May 17, 2022.

By consensus, the Board scheduled the public hearing on the application of Russell Turner to enter into a Land Conservation Contract for May 17, 2022 at 10:00 a.m. in Loyalton.

- 7.B. Discussion/action with respect to findings and nuisance abatement process against Painter Eden Kyler Baarsma as the property owner for property located at 100 Main Street, Sierraville, CA, Assessor Parcel No. 015-052-001-000.

The Director of Planning indicated that the subject property is listed for sale with active interest. The Director continued to address concerns with whether there is adequate disclosure to a perspective buyer with respect to the conditions of the building and the realtor having assured him there is a link to the County's letter in the MLS and he has made it clear that there are violations that need to be resolved.

The Director continued to comment on what will need to be addressed by any new owner and questioned if the Board wants to continue this proceeding to allow the sale to proceed and if staff should move forward with the recording of a notice of violation.

Supervisor Adams suggested recording the notice of violation, so the Board is viewed as transparent on the issue.

Discussion ensued with the Board.

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Following discussion and by consensus, the Board directed staff to review the impacts of recording a notice of violation and bring a recommendation back to the Board.

- 7.C. Discussion and direction to staff on comments to FEMA Preliminary Flood Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) including status of city-county meetings coordinating proposed response.

The Director of Planning provided an update on the March 22, 2022 conference call between Far West Engineering (obtained by the City of Loyalton), the County Engineer, Deputy Director of Planning, Supervisor Dryden, and himself wherein they outlined some clear problems with the models FEMA has used in the mapping, specifically in Sierra Brooks, Sierraville and Loyalton. The Director continued to indicate there is a tentative meeting set for April 15th to address the critical issues with the mapping and following this meeting they should have a good idea of the points that need to be stressed if the county ends up in a formal appeal with FEMA.

Supervisor Dryden indicated that FEMA is pretty committed to their timeline so the Board needs to be proactive as she is not confident that FEMA will hold off on their timeline for an appeal.

Discussion ensued with the Board

The Director added that he feels the county is in a strong position to challenge the model and the discrepancies in the descriptions.

No action taken.

## **8. BOARD OF SUPERVISORS**

- 8.A. Discussion/action on letters of support for Golden State Natural Resources, Inc. (GSNR) and its purpose to help in the restoration of California's forested lands. (SUPERVISOR ADAMS)

Supervisor Adams provided background on Golden State Natural Resources, Inc., and their plan to replace a couple of pellet plants in a few RCRC counties and expand efforts to clean up the forest.

The Board moved to approve the letters of support for Golden State Natural Resources, Inc. (GSNR) and its purpose to help in the restoration of California's forested lands.

**APPROVED.** Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

- 8.B. Discussion/action regarding conducting meetings of the Sierra County Board of Supervisors in accordance with AB 361 and Sierra County Resolution 2021-140. (CLERK OF THE BOARD)

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Following brief discussion and by consensus, the Board directed continuing to hold hybrid meetings in accordance with AB 361 and Sierra County Resolution 2021-140.

- 8.C. Employment Contract for Medical Officer between Celia Sutton-Pado, MD and the County of Sierra. (PUBLIC HEALTH) (**Consent Item 11.C.**)

Supervisor Dryden questioned the contract amount and the request to the Finance Committee for additional funding for the position.

The Director of Health clarified that she wanted to give the Board a heads up that she has a budget request for an increase of pay for the County Health Officer position as the current rate of \$95/hour is very low in comparison to other County Health Officers.

Discussion ensued pertaining to the pay for the half-time position and the increases in the contract during COVID.

Following discussion, the Board moved to approve the Employment Contract for Medical Officer between Celia Sutton-Pado, MD, and the County of Sierra.

**APPROVED**, Agreement 2022-033. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

## **9. CLOSED SESSION**

- 9.A. Closed session pursuant to Government Code section 54956.9 (a) to discuss the following litigation: Feather River Action! and Project Coyote v. County of Plumas and Plumas-Sierra Counties Department of Agriculture; County of Sierra, Real Party of Interest, Plumas County Superior Court Case No. CV22-0037.
- 9.B. Conference with labor negotiators pursuant to Government Code section 54957.6, Margaret Long Negotiator, Deputy Sheriff's Association (DSA).
- 9.C. Closed session pursuant to Government Code Section 54957 - performance review regarding County Counsel.

## **CLOSED SESSION STATEMENT**

The Board met in closed session from 10:22 a.m. to 11:58 a.m. County Counsel reported that direction was given to staff on Items 9.A. and 9.B., and the performance review was held with respect to Item 9.C.



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**10. COUNTY COUNSEL/PERSONNEL - DAVID PRENTICE**

10.A. Legal Services Agreement between the County of Sierra and Cole Huber LLP for representation in the matter of Feather River Action! and Project Coyote, Petitioners v. County of Plumas and Plumas-Sierra Counties Department of Agriculture; County of Sierra, Real Party of Interest, Respondents.

Derek Cole, Managing Partner, Cole Huber LLC, provided brief background on the legal services agreement.

Supervisor Adams commented on the impact of this agreement to the County's budget and suggested an amount of \$30,000 in an effort to be transparent as this is not going to be free.

Discussion ensued with the Board regarding negotiating with Plumas County on the percentage of cost to each county.

Mr. Cole recommended approving the legal services agreement subject to a cost sharing agreement with Plumas County.

The Board moved to approve Legal Services Agreement between the County of Sierra and Cole Huber LLP for representation in the matter of Feather River Action! and Project Coyote, Petitioners v. County of Plumas and Plumas-Sierra Counties Department of Agriculture; County of Sierra, Real Party of Interest, Respondents, subject to negotiating the share of cost with Plumas County and not to exceed \$30,000; direction to County Counsel to contact Plumas County regarding cost sharing; and approval of Waiver of Potential Conflict of Interest.

**APPROVED**, Agreement 2022-034. Motion: Adams/Dryden/Unanimous Roll Call Vote: 5/0

10.B. Memorandum of Understanding between the County of Sierra and the Deputy Sheriff's Association (DSA) for wage increases and other changes to employment provisions.

This item was pulled from the agenda.

10.C. Introduction and waive first reading of an ordinance adding Chapter 2.48.070 to the Sierra County Code approving the military equipment use policy by local law enforcement and direction to set a public hearing.

County Counsel and the Sheriff introduced the proposed ordinance.

The Sheriff clarified that his office has a few items that fall within the military equipment use policy and he is required by law to post on the county website any

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equipment currently in the department's possession and any equipment the department is trying to obtain.

The Sheriff continued to review the items currently in the department's possession; having no intentions of requesting any additional equipment; and the requirement to have an approved policy, annual report and hold a public hearing.

The Sheriff further requested pulling this item from the agenda today as he wants to look at rewriting the policy with respect to including the community engagement and annual report under one Board of Supervisors meeting.

In response to Supervisor Dryden's inquiry, the Sheriff clarified that this is a transparency law to make sure the public is aware of what military equipment the depart has or is looking to acquire. There is also a requirement to enter into an agreement with surrounding counties for those counties to bring their military equipment into Sierra County.

Supervisor Adams expressed his support of making the public hearing part of the Board meeting and having memorandum of understandings with adjoining counties.

Supervisor Adams further commented on the proposed policy and suggested the Board of Supervisors have some authority within the policy with respect to purchases of equipment by the Sheriff.

The Sheriff expressed his support of Supervisor Adams suggestion and indicated that he would add this language to the proposed ordinance.

Following discussion, this item was continued to a future meeting.

## **ADJOURN**

At 12:16 p.m., with no further business, Chair Roen adjourned the meeting.

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PAUL ROEN, CHAIR  
BOARD OF SUPERVISORS

ATTEST:

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HEATHER FOSTER  
CLERK OF THE BOARD