

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

MEETING DATE: May 7, 2019	TYPE OF AGENDA ITEM: <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed <input type="checkbox"/> Consent
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DEPARTMENT: Department of Public Works and Transportation APPROVING PARTY: Tim H. Beals, Director PHONE NUMBER: 530-289-3201

AGENDA ITEM: Adopt resolution accepting certain offers of dedication for Hill Lane at Verdi between the State of Nevada and Dog Valley Road.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other

BACKGROUND INFORMATION: See attached background statement.

FUNDING SOURCE:
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: \$ N/A

ARE ADDITIONAL PERSONNEL REQUIRED? <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No	IS THIS ITEM ALLOCATED IN THE BUDGET? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IS A BUDGET TRANSFER REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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SPACE BELOW FOR CLERK'S USE

BOARD ACTION: <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	<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: _____	Resolution 2019- _____ Agreement 2019- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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COMMENTS:

CLERK TO THE BOARD _____	DATE _____
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Agenda Item: Adopt resolution directed by the Board on April 16, 2019 to accept certain offers of dedication for Hill Lane at Verdi between the State of Nevada and Dog Valley Road.

Background:

After completion of an agenda item on April 16 and after close of public comments on the matter, the Board directed that the County should accept the offers of dedication for road and utility purposes that encompasses Hill Lane between the Nevada-California border and Dog Valley Road (Hennes Pass Road). The Board directed the preparation of a resolution formally accepting the offers of dedication.

Upon further review, the segment of the road where offers of dedication exist between the east branch of Sunrise Creek and Dog Valley road, are somewhat constrained by the fact that a violation order exists and has for two years for that portion of the road crossing the Carruth property. This violation is still in effect and due to unpermitted grading and thus, road and site conditions warranted a formal notice of violation. Concerns were expressed during the April 16 discussion over liability and after considerable thought, it may be appropriate to only accept the offers of dedication that are not crossing the Carruth property until such time as Carruth has abated the violation and properly constructed the road and drainage improvements. I have attached two emails that characterize this issue best and feel that it would be an appropriate decision to scale back the acceptance to only those roads where violations do not exist.

Recommendation:

It is recommended that the Board adopt the attached resolution accepting the identified offers of dedication for Hill Lane that encompasses the general alignment of the road from the Nevada state line westerly to a point approximately 200 feet west of the crossing of the east branch of Sunrise Creek as depicted on the title page of the subdivision map also attached containing the irrevocable offer.

Tim Beals

From: Tim Beals
Sent: Monday, April 29, 2019 9:23 AM
To: 'Candy Hunter'
Cc: 'peter w huebner'; Bryan Davey; Brandon Pangman
Subject: RE: Status of road?

The Board authorized a resolution accepting this offer of dedication and it is set for the May 7 meeting for adoption. It is not clear at this point if we are taking the entire road or just the section from Nevada to the Carruth property (just on the Dog Valley Road side of the east branch of Sunrise Creek...where the culvert is located on Hill Lane). Carruth created the mess from Dog Valley Road down to the culvert as the work he did required permits which he did not have. It is classified as a violation and the common thought is if the County were to accept the segment of road containing the violation, it may place the liability square on the County. This is being reviewed by County Counsel and we likely will not know until later this week on his opinions. Independent of this we are working with Carruth (I will be calling him soon) to see if he will work with us or continue to avoid the responsibility for the illegal grading. I will keep you posted.

Tim

From: Candy Hunter [mailto:candyhunter@sbcglobal.net]
Sent: Monday, April 29, 2019 7:25 AM
To: Tim Beals <tbeals@sierracounty.ca.gov>
Subject: Status of road?

Hi Tim,

I tried to find the minutes of the meeting about the Hill Lane extension but they're not up yet. Can you tell me if the supervisors supported your plan? And if so, is there a time frame for work to begin?

I'm just reading in the paper about fire evac plans and it reminded me of the issue!

Thank you,

Candy Hunter

Tim Beals

From: Tim Beals
Sent: Thursday, April 11, 2019 10:56 AM
To: Scott Carruth; brad haglund; terryscott1@me.com; Blumenfeld, Joan
Cc: peter w huebner; Bryan Davey; Miriam Dines
Subject: FW: Attached Image
Attachments: 3155_001.pdf

Hello to all of you. I am sending this to you in advance of the Board of Supervisors meeting being conducted Tuesday in Loyalton where I will be discussing the status and future direction for Hill Lane (see map attached) between Dog Valley Road and the Nevada state line. It has long been the goal of the County to eventually accept standing and irrevocable offers of dedication that have been given to the County in the past (see attachment) for the entire length of Hill Lane from Dog Valley Road to Nevada state line and a number of things have now brought this to the forefront. The deteriorating condition of the road, the safety issues associated with these conditions, the environmental issues at the creek crossing, and the need for a safe and alternative method of emergency ingress/egress are all critical factors in this matter. I will be making a presentation to the Board of Supervisors next Tuesday and based on the direction of the Board following my presentation (and any public comments), the matter will either be determined at the meeting or the final determination will be held over until the next meeting of the Board set for May 7 in Downieville. I know all of you have access to and use this road and based on my last field review (last evening at approximately 5:00pm) I see this proposal and its approval as critical. I trust that the proposal to accept these offers of dedication will be supported by all of you. Please let me know if you have questions, concerns, or other related issues and you can call me at anytime or email me. My phone is 530-289-3201 and email is tbeals@sierracounty.ca.gov

The effect of the acceptance of these offers gives the Board of Supervisors the latitude and legal authority to expend public funds on the improvement and maintenance of the road. The road crew will be moving into Verdi over the next few weeks and it would be very timely to incorporate some initial improvements to the road surface for the benefit of the community and directly to the properties that you currently own. That is an additional motivation for this being on the meeting agenda next Tuesday.

If you need directions to the Board meeting let me know. Thanks.

Tim Beals
Director of Public Works

BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA

**IN THE MATTER OF ACCEPTANCE OF
IRREVOCABLE OFFER OF DEDICATION FOR
A PORTION OF HILL LANE IN VERDI**

RESOLUTION 2019-_____

WHEREAS, the Parcel Map for Frank C. Trosi, Ward T. Ryan, Mark J. Ryan and Lisa Camille Ryan was recorded on July 17, 1992 in the Office of the County Recorder and is shown on the official maps at Book 9, Page 73, 74, and 75 of Maps and Surveys; and

WHEREAS, Frank C. Trosi, Ward T. Ryan, Mark J. Ryan and Lisa Camille Ryan, as owners of the land irrevocably offered Hill Lane as shown on the subdivision map recorded at Book 9, Pages 73, 74, and 75 of Maps and Surveys, a dedication to the County of Sierra for public roadway, drainage and public utility purposes.

NOW THEREFORE BE IT RESOLVED that the Sierra County Board of Supervisors accepts the offer of dedication for Hill Lane as represented on the Parcel Map for Frank C. Trosi, Ward T. Ryan, Mark J. Ryan and Lisa Camille Ryan recorded at Book 9, Page 73, 74, and 75 of Maps and Surveys, County of Sierra.

BE IT FURTHER RESOLVED, that the Clerk of the Board is directed to cause a copy of this resolution to be recorded in the Office of the County Recorder.

ADOPTED by the Board of Supervisors of the County of Sierra on the 7th day of May, 2019 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

COUNTY OF SIERRA

PAUL ROEN
CHAIRMAN, BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

HEATHER FOSTER
CLERK OF THE BOARD

DAVID PRENTICE
COUNTY COUNSEL

COUNTY CLERK'S CERTIFICATE

I, Naomi Adams, Clerk of the County of Sierra, State of California, and Clerk of the Board of Supervisors of the County of Sierra, hereby certify that the Sierra County Board of Supervisors convened in a regular meeting upon the 17th day of July, 1992, and accepted the offer of dedication of the parcel shown hereon for public use, and that the offer of dedication of the parcel shown hereon was accepted by the Board of Supervisors on the 17th day of July, 1992. The offer of dedication of the parcel shown hereon was accepted by the Board of Supervisors on the 17th day of July, 1992. The offer of dedication of the parcel shown hereon was accepted by the Board of Supervisors on the 17th day of July, 1992. The offer of dedication of the parcel shown hereon was accepted by the Board of Supervisors on the 17th day of July, 1992.

COUNTY TAX COLLECTOR CERTIFICATE

I, Cynthia Ellsmore, Tax Collector of the County of Sierra, State of California, do hereby certify that there are no liens against the parcels as shown hereon for unpaid State, County, Municipal or Local taxes, or special assessments collected or taxes, except where a lien has not yet payable, are estimated to be in the amount of \$3,757.20.

Cynthia A. Ellsmore
 CYNTHIA ELLSMORE
 SIERRA COUNTY TAX COLLECTOR
 DATE 7-13-92

SURVEYOR'S STATEMENT

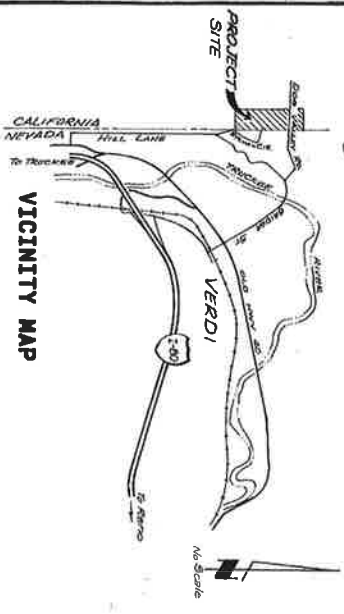
This map was prepared by me or under my direction and is based on a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance, at the request of FRANK C. TROSI on May 11, 1992. I am a duly Licensed Professional Surveyor, License No. 11517, and the approved or conditionally approved tentative map, if any, of which I hereby certify that the monuments indicated hereon are of the character and occupy the positions indicated, and that the monuments are sufficient to enable the survey to be retraced.



COUNTY SURVEYOR'S STATEMENT

I hereby state that I have examined this map; that the subdivision as shown hereon is substantially the same as it appeared on the tentative map. Subdivision and any proposed conditions thereon are the same as shown on the tentative map, and any proposed conditions thereon are the same as shown on the tentative map. The tentative map has been compiled with, and that I am satisfied that this map is technically correct.

Raymond R. Hebert
 COUNTY SURVEYOR
 DATE 7/6/92



VICINITY MAP

PARCEL MAP FOR
FRANK C. TROSI, MARD T. RYAN, MARK J. RYAN and LISA CAMILLE RYAN
 POR. LOT 1, SEC. 7, T19N, R18E, MDM
 SIERRA COUNTY CALIFORNIA

OWNER'S STATEMENT

We certify that we are the owners of land shown on this parcel map or have some right, title or interest therein, and consent to the preparation and recording of this map, and that we are the only persons whose consent is required to pass title to said lands.

The easements shown on this Parcel Map, to be created by Dedication thereof are created with our consent. Hill Lane, Deepwater Drive and Dog Valley Road as shown on this Parcel Map are hereby irrevocably offered for dedication to the County of Sierra for public roadway, drainage and public utility purposes. The easements shown on this Parcel Map are hereby irrevocably offered for dedication to the County of Sierra for the public purposes noted hereon.

Frank C. Trosi DATE 6/25/92
Mard T. Ryan DATE 6/25/92
Mark J. Ryan DATE 6/25/92
Lisa Camille Ryan DATE 6/25/92

NOTARY'S CERTIFICATES

STATE OF NEVADA
 COUNTY OF WASHOE
 On June 15, 1992, before me, personally appeared FRANK C. TROSI known to me or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. The person acting, executed the instrument.



STATE OF CALIFORNIA
 COUNTY OF SIERRA
 On June 22, 1992, before me, personally appeared MARD T. RYAN, MARK J. RYAN and LISA CAMILLE RYAN, known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in the presence of me and the other persons named in the foregoing instrument, and that the contents of the instrument are the contents of the instrument, and that the contents of the instrument are the contents of the instrument, and that the contents of the instrument are the contents of the instrument.

NOTARY PUBLIC

COUNTY RECORDER'S STATEMENT

FILED THIS 17th DAY OF July, 1992 AT 1:51 P. M. IN
 FRANK C. TROSI, MARD T. RYAN, MARK J. RYAN AND LISA CAMILLE RYAN AT THE REQUEST OF
 FEE: 10.00 DOC. NO. 111428
 BY: *Naomi Adams*
 COUNTY RECORDER

