

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

<b>MEETING DATE:</b> September 17, 2019	<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 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 August 6, 2019.

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

**BACKGROUND INFORMATION:**

**FUNDING SOURCE:**  
**GENERAL FUND IMPACT:** No 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 2019- _____ Agreement 2019- _____ 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  
AGENDA  
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**

P.O. Box 349 - Sierra City, CA 96125 - 530-565-6055 - [phuebner@sierracounty.ca.gov](mailto:phuebner@sierracounty.ca.gov)

**Paul Roen, Chair, District 3**

P.O. Box 43 - Calpine, CA 96124 - 530-565-6048 - [supervisor3@sierracounty.ca.gov](mailto:supervisor3@sierracounty.ca.gov)

**Jim Beard, Vice-Chair, District 4**

P.O. Box 1140 - Loyalton, CA 96118 - 530-565-6092 - [jbeard@sierracounty.ca.gov](mailto:jbeard@sierracounty.ca.gov)

**Sharon Dryden, District 5**

P.O. Box 246 - Loyalton, CA 96118 - 530-993-4048 - [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 August 6, 2019 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 Dryden  
**ROLL CALL**

**Present:** Lee Adams, Supervisor, District #1  
Peter W. Huebner, Supervisor, District #2  
Paul Roen, Supervisor, Chair, District #3  
Jim Beard, Supervisor, Vice-Chair, District #4  
Sharon Dryden, Supervisor, 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 and Transportation  
Lea Salas, Director of Behavioral Health  
Vickie Clark, Director of Health and Social Services

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## **APPROVAL OF THE CONSENT AGENDA**

At the request of Supervisor Huebner, Item 11.E. was pulled from the Consent Agenda.

11.E. Authorization to purchase HP 950XL ink cartridges for Supervisor Huebner pursuant to Ordinance 1085. (SUPERVISOR HUEBNER)

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. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Larry Hahn, applicant and landowner. Consideration of a parcel merger of two contiguous, commonly owned parcels identified as APN's 016-200-050 and 016-210-016, located at 967 & 969 W. Sierra Brooks Drive, Loyalton, CA. (PLANNING)

**APPROVED,** Agreement 2019-091

11.B. Rescind Agreement # 2019-052, and approve new agreement for Indemnification and Reimbursement for Extraordinary Costs for New Cingular Wireless, PCS, LLC dba AT&T Mobility, applicant and Peter Bryan, landowner. Consideration of a conditional use permit and site plan review to allow the installation of a new unmanned telecommunication facility consisting of a 150' tower with appurtenant equipment. The project site, identified as APN 002-150-010, is located at 160 Galloway Street, Downieville. (PLANNING)

**APPROVED,** Agreement 2019-092

11.C. Authorize payment under Public Works Purchase Order PW42 in an amount not to exceed \$12,000.00 to Precision Concrete Cutting for concrete sidewalk repairs/improvements in Downieville. (PUBLIC WORKS)

11.D. Authorize expenditure not to exceed \$10,000 for cost of tub grinder and excavator for use at Ramshorn, Sierra City, and Sattley transfer stations to remove brush piles accumulating over this summer. (PUBLIC WORKS)

11.F. Minutes from the regular meeting held on June 18, 2019. (CLERK-RECORDER)

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## **APPROVAL OF REGULAR AGENDA**

At the request of Supervisor Adams, Correspondence Item 12.A. was moved to the Regular Agenda as Item 8.G.

- 12.A. Letter from Eric Van Wambeke, Program & Project Supervisor, California Department of Public Utilities regarding the implementation of Senate Bill 1212 and disaster 2-1-1 services.

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

## **REGULAR AGENDA**

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

At 9:02 a.m., Chair Roen opened and closed the public comment opportunity with no persons addressing the Board.

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

Supervisor Adams reported on the decision from the Plumas National Forest regarding the Hayes cabin and it's potential of removal from national forest land and the debate as to whether it belongs on the National Historical Register. Supervisor Adams added that following his letter to the Advisory Council on Historical Preservation it appears the Advisory Council has notified the Plumas National Forest that they did not follow the 106 requirements and that they should review their process.

Supervisor Dryden reported on attending the third CSAC new supervisor training.

Chair Roen reported on the Director of Planning recently filing two applications with the Sierra Nevada Conservancy for projects located at Sierra Brooks and Greene Acres.

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

No reports were given.

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

Yuba River District Ranger Lon Henderson provide an update on various matters going on in the district.

### **6. HEALTH & SOCIAL SERVICES - VICKIE CLARK**

- 6.A. Resolution approving Sierra County's continued participation in Golden State Finance Authority (GSFA) housing programs through the use of

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Mortgage Credit Certificates (MCC) and authorizing the Public Health and Social Services Director, or designee, to sign the letter for this year's allocation as well as a Housing Elements Form to assign funds. (SOCIAL SERVICES)

Following a brief introduction by Supervisor Adams, the Board moved to adopt the resolution approving Sierra County's continued participation in the Golden State (GSFA) housing programs through the use of Mortgage Credit Certificates (MCC) and authorizing the Public Health and Social Services Director, or designee, to sign the letter for this year's allocation as well as a Housing Elements Form to assign funds.

**ADOPTED**, Resolution 2019-113. Motion: Adams/Beard/Unanimous Roll Call Vote: 5/0

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

- 7.A. Resolution determining and approving appropriation in the total amount of \$30,000.00 for Sierra County Boardwalk Improvement Project in Downieville and approval of Purchase Order to Ceselini Construction Inc. for the construction.

The Director of Public Works provided background on Sierra County Boardwalk Improvement Project.

Following brief discussion, the Board moved to adopt the resolution determining and approving appropriation in the total amount of \$30,000.00 for Sierra County Boardwalk Improvement Project in Downieville and approval of Purchase Order to Ceselini Construction Inc. for the construction.

**ADOPTED**, Resolution 2019-114. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

## **8. BOARD OF SUPERVISORS**

- 8.A. Discussion/action regarding Master Stewardship Agreement between the USDA Forest Service, Tahoe National Forest and the County of Sierra. (CHAIR ROEN)

In response to Chair Roen's inquiry, Yuba River District Ranger Lon Henderson clarified that the MOU does have to go through grants and agreements before it is official.

The Director of Planning expressed concerns with the proposed Master Stewardship Agreement (MSA) including 1) not limiting the county to science as other factors should be considered when discharging a project; 2) the CEQA process; and 3) the reduction in the 25% forest receipts due to the MSA's primary goal to reinvest

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revenue generated from projects back into projects and the impact to the county if the county was no longer receiving funding under the Secured Rural Schools Act.

Discussion ensued regarding the requirement for CEQA on projects that are state funded and the issue with respect to the 25% forest receipts.

Following discussion and by consensus, the Board directed the Chair, County Counsel and Director of Planning to work on amended language to the MSA and to bring the MSA back to the Board for final approval.

8.B. Approval of Board of Supervisors response to the 2018-2019 Sierra County Grand Jury. (SUPERVISOR ADAMS)

Supervisor Huebner commented that he doesn't agree with the Board's response to finding 1.3.4 as he agrees with the Grand Jury's finding.

Supervisor Adams commented that he believes the Auditor followed the law and that compassion is an opinion and not a finding.

County Counsel explained that the Grand Jury made a statement of law of which they are not qualified to make.

Discussion ensued with the Board.

Following discussion, the Board moved to approve the Board of Supervisors response to the 2018-2019 Sierra County Grand Jury report.

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

8.C. Resolution denying the appeal of Solid Waste Assessment Fees for 2018-2019 filed by Mr. James Howatt for APN 008-090-020-0. (CLERK OF THE BOARD)

The Board moved to adopt the resolution denying the appeal of Solid Waste Assessment Fees for 2018-2019 filed by Mr. James Howatt for APN 008-090-020-0.

**ADOPTED,** Resolution 2019-115. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

8.D. Resolution denying the appeal of Solid Waste Assessment Fees for 2017-2018 filed by Mr. Wayne DeLisle for APN 006-130-024-0 and 006-130-025-0. (CLERK OF THE BOARD)

The Board moved to adopt the resolution denying the appeal of Solid Waste Assessment Fees for 2017-2018 filed by Mr. Wayne DeLisle for APN 006-130-024-0 and 006-130-025-0.

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Supervisor Adams and the Clerk indicated that Mr. DeLisle's comments were received by the Board and will be part of the record.

**ADOPTED**, Resolution 2019-116. Motion: Huebner/Adams/Unanimous Roll Call Vote: 5/0

- 8.E. Resolution denying the appeal of Solid Waste Assessment Fees for 2018-2019 filed by Mr. Wayne DeLisle for APN 006-130-024-0 and 006-130-025-0. (CLERK OF THE BOARD)

The Board moved to adopt the resolution denying the appeal of Solid Waste Assessment Fees for 2018-2019 filed by Mr. Wayne DeLisle for APN 006-130-024-0 and 006-130-0250.

**ADOPTED**, Resolution 2019-117. Motion: Huebner/Beard/Unanimous Roll Call Vote: 5/0

- 8.F. Appointment to the Lassen Plumas Sierra Community Action Agency. (CLERK OF THE BOARD)

The Board moved to appoint Mary Wright to the Lassen Plumas Sierra Community Action Agency.

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

- 8.G. Letter from Eric Van Wambeke, Program & Project Supervisor, California Department of Public Utilities regarding the implementation of Senate Bill 1212 and disaster 2-1-1 services. **(Correspondence Item 12.A.)**

Supervisor Adams provided background on the letter from the CPUC asking the County to consider being part of 2-1-1 services.

Bryan Davey, Deputy Director of Transportation briefly explained that this service is an alternative avenue versus calling 9-1-1 and he doesn't believe this service will make a huge difference for Sierra County.

The Director of Public Works suggested referring this request to the next OAEC meeting for discussion.

Following discussion and by consensus the Board referred this matter to the OAEC.

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**10. TIMED ITEMS**

**10.A. 10:00AM SIERRA COUNTY BROADBAND UPDATE**

Presentation by Peter Brown, Civic Spark Opportunity Access Fellow representing Sierra Business Council's Gold Country Broadband Consortium regarding Sierra County Broadband update. (SUPERVISOR ADAMS)

Supervisor Adams provided background on the Sierra Business Council having taken over the broadband consortium which is one of 14 statewide consortiums working to improve broadband statewide.

Peter Brown, Civic Spark Opportunity Access Fellow made a PowerPoint presentation to the Board in regards to broadband issues in Sierra County.

Board discussion ensued.

**10.B. 10:15 A.M. STATE FAIR - COUNTY EXHIBIT AWARDS**

Presentation by Mary Ervin of awards presented to Sierra County for the 2019 State Fair county exhibit.

Mrs. Mary Ervin presented the awards from the 2019 State Fair county exhibit and acknowledged the volunteers who helped build the exhibit.

**10.C. 10:30 A.M. CONTINUED PUBLIC HEARING - UNDERGROUND UTILITY DISTRICT**

Conduct continued public hearing regarding the formation of an underground utility district as part of the proposed Sierra City Main Street Improvement Project, and either reaffirm or rescind Resolution 2019-112 forming the Sierra City Main Street Underground Utility District.

The Director of Public Works provided considerable background on the proposed Sierra City Main Street Improvement Project and the Rural 20A funds available to support the project for the conversion of overhead utilities to underground.

At 10:53 a.m. Chair Roen opened the public hearing.

Supervisor Dryden indicated that would like to hear from the community with respect to whether they are in support or against the project

Supervisor Huebner commented that spoke to the businesses in Sierra City and has not heard from anyone that they are against the project.

Discussion ensued with the Board.

Public comment was received by Trish Lucich and Eric Jackson.



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At 11:01 a.m. Chair Roen closed the public hearing with no further persons addressing the Board.

**9. COUNTY SERVICE AREA BOARD OF DIRECTORS**

Board of Supervisors to convene as Board of Directors for County Service Area (CSA) 1, 2, 3, 4, 5, and 4A5A (Sierra Brooks Water) and to hold joint meetings as both the County Board of Supervisors and the CSA Board of Directors.

At 11:01 a.m. Chair Roen convened as the County Board of Supervisors and County Service Area joint meeting.

9.A. Resolution authorizing and approving USDA Rural Development Utilities Program Application for Federal Assistance and discussion regarding status of contract for the Sierra Brooks Water System Project.

The Director provided background on the bids received for the Sierra Brooks Water System Project which were significantly higher than the available funding and the USDA proposing to fund the grant up to 45% of the project.

Comments were received by Supervisor Dryden regarding the increased costs in public works projects.

Bryan Davey, Deputy Director of Transportation reviewed the project budget and proposed scenarios to address the shortfall in the budget.

Board discussion ensued.

Mr. Davey continued to comment that there would still be a \$10,000 shortfall in the project and the USDA is requesting the county commit a \$10,000 loan to the CSA, if needed, in order to have a balanced budget.

The Board moved to adopt the resolution authorizing and approving USDA Rural Development Utilities Program Application for Federal Assistance.

**APPROVED**, CSA Resolution 2019-011. Motion: Dryden/Adams/Unanimous Roll Call Vote: 5/0

At 11:33 a.m. Chair Roen adjourned the joint meeting of the Board of Supervisors and County Service Area Board of Directors and reconvened as the Board of Supervisors.

By consensus, the Board directed staff to bring back a resolution authorizing a \$10,000 loan to County Service Area 5A.

**ADJOURN**

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At 11:33 a.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