



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

**Lee Adams, District 1**

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**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, Vice-Chair, District 3**

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**Jim Beard, District 4**

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**Scott A. Schlefstein, Chair, District 5**

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on January 2, 2018 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, Vice-Chair, District #3  
Jim Beard, Supervisor, District #4  
Scott A. Schlefstein, Supervisor, Chair, District #5

**Staff:** Heather Foster, County Clerk-Recorder  
David Prentice, County Counsel  
Van Maddox, Auditor/Treasurer Tax-Collector  
Tim Beals, Director of Planning and Transportation  
Lea Salas, Director of Behavioral Health  
Vickie Clark, Director of Health and Social Services

January 2, 2018

## **PASSING OF THE GAVEL**

Chair Huebner passed the gavel to the new Chair, Scott A. Schlefstein.

Supervisor Adams presented a plaque to Supervisor Huebner for serving as the Chairman of the Sierra County Board of Supervisors in 2002, 2007, 2012 and 2017.

## **SELECTION OF VICE-CHAIR**

The Board moved to nominate Supervisor Roen as the new Vice-Chair.

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

## **APPROVAL OF CONSENT AGENDA**

### **10. CONSENT AGENDA**

10.A. Resolution approving the annual renewal of probation's pretrial electronic monitoring per 1203.018 PC and post sentence electronic monitoring program per 1203.016 PC. (PROBATION)

**ADOPTED,** Resolution 2018-001

10.B. Resolution authorizing the Auditor to increase revenues and expenditures in the 2017/2018 Final Budget for Social Services to accommodate the purchase of a Cisco Firepower 2110 NGFW appliance for the Sierra County firewall. (SOCIAL SERVICES)

**ADOPTED,** Resolution 2018-002

10.C. Minutes from the regular meeting held on December 5, 2017. (CLERK-RECORDER)

The Board moved to approve the Consent Agenda.

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

## **APPROVAL OF THE REGULAR AGENDA**

The Board moved to approve the Regular Agenda.

**APPRVOED.** Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

January 2, 2018

## **REGULAR AGENDA**

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

At 9:03 a.m. Chair Schlefstein opened and closed the public comment opportunity with no persons addressing the Board.

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

Supervisor Adams reported that the Broadband Task Force has not met yet, however he attended a conference call with Michelle Gartner with Sierra Business Council and Congressman LaMalfa's representative Shane Star who are working to find other broadband providers, working with AT&T and forming a website for folks who are underserved or not served to provide comments with respect to what they would be willing to pay for services, etc.

Chair Schlefstein reported that the Behavioral Health Advisory Board will meet on Thursday at 9:30 a.m.

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

No reports were given.

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

Ms. Heather Newell, North Yuba Ranger District reported that the Forest Supervisor has appointed Eric Burke the current timber officer as the acting District Ranger.

### **6. BEHAVIORAL HEALTH - Lea Salas**

- 6.A. Resolution approving the Sierra County Mental Health Services Act (MHSA) Draft Three-Year Program and Expenditures Plan for Fiscal Years 2017-2020.

The Director of Behavioral Health briefly reviewed the changes made to the proposed three-year Mental Health Services Act Plan including a component to backfill the Capital Facilities and Technology Fund for the potential expansion of the building located at 207 Front Street and a new building at 704 Mill Street in Loyalton, continuing the crisis stabilization and respite care contracts with Nevada County, two staff trainings, and continuing collaboration with Plumas County for low to moderate individuals in Mental Health that should be referred to primary care.

**ADOPTED**, Resolution 2018-003. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

January 2, 2018

**7. PLANNING / BUILDING - Tim Beals**

- 7.A. Discussion and direction to staff on implementation of a \$4.00 fee in lieu of business licenses due to the requirements of AB 1379 (Thurmond) - Certified Access Specialist Program: Funding.

The Director of Planning provided background on AB 1379 which passes a \$4.00 fee onto counties that don't require business licenses and attaches it to building permits to make sure ADA access is provided by the County. The Director added that the \$4.00 fee should be included in the upcoming master fee schedule.

Supervisor Adams briefly commented on AB 1379.

**8. CLERK-RECORDER/ELECTIONS - Heather Foster**

- 8.A. County Clerk's certificate of the examination of a County Referendum Petition on the County's Ordinance No. 1081 in relation to imposing a ban on commercial marijuana cultivation, marijuana processing, and marijuana dispensaries within the County, and discussion/action to either repeal Sierra County Ordinance No. 1081 or submit the ordinance to the voters at the June 5, 2018 Statewide Direct Primary Election pursuant to California Elections Code Sections 9144 and 9145.

The County Clerk briefly explained that a referendum petition was received and deemed sufficient, so the Board must either repeal Ordinance No. 1081 or submit Ordinance No. 1081 to the voters at the next regular election to be held on June 5, 2018.

Supervisor Roen commented on Yuba County's resolution proclaiming a state of emergency regarding the proliferation of illegal cannabis cultivation and their request for adjoining counties to support their proclamation of emergency.

Supervisor Adams commented on his support of repealing the current ordinance and allowing some commercial cultivation on larger parcels, 50 acres or more, in order to keep this out of residential areas, or alternatively submitting this to the voters in June.

Supervisor Schlefstein commented on his support of submitting the ordinance to the ballot.

The Board moved to submit Ordinance No. 1081 to the June 5, 2018 Primary Election.

Comments were received by Sarah Grew, Pike in opposition to submitting Ordinance No. 1081 to the voters as it is prohibition and requested the Board discuss this further and come up with reasonable regulations for commercial cultivation.

January 2, 2018

Board discussion ensued regarding appointing an ad hoc committee to meet with some of the growers to work towards a replacement ordinance that allows some commercial growing, in parallel with the submitting Ordinance No. 1081 to the voters in June.

Chair Schlefstein appointed himself, Supervisor Adams and Deputy County Counsel Joe Larmour to an ad hoc committee to meet with the growers to address commercial marijuana cultivation in the Sierra County.

Discussion continued regarding submitting the current ordinance to the voters; the impacts of Proposition 64; and the county needing to address land use and zoning issues with respect to marijuana cultivation.

Following discussion, the Director of Planning was added to the ad hoc committee to address land use and zoning issues.

Board discussion ensued.

Comments were received by Ms. Pam Saporta, Pike in opposition to submitting Ordinance No. 1081 to the voters and requested the Board not support Yuba County's resolution proclaiming a state of emergency as she doesn't believe Sierra County has the same issues.

Considerable discussion ensued with the Board.

The Clerk clarified the motion to submit Ordinance No. 1081 to the voters at the June 5, 2018 election and the appointment of an ad hoc committee to meet with the growers to address commercial marijuana cultivation in Sierra County.

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

## **9. BOARD OF SUPERVISORS**

9.A. Resolution appointing Margaret Long, Sierra County Assistant County Counsel as the County's Personnel Director. (DEPARTMENT MANAGERS)

County Counsel briefly explained that Margaret Long has been a longtime labor and public employee attorney and has acted in this capacity in other counties. County Counsel also indicated that this service would be provided under their retainer, so there would be no additional cost to the county.

In response to Supervisor Beard's inquiry, County Counsel clarified that this does not present any conflicts with Ms. Long or his office.

The Board moved to adopt the resolution appointing Margaret Long, Sierra County Assistant County Counsel as the County's Personnel Director.

January 2, 2018

**ADOPTED**, Resolution 2018-004. Motion: Roen/Beard/Unanimous Roll Call Vote: 5/0

**11. CORRESPONDENCE LOG**

11.A. Letter from Jan Klement, Attorney at Law regarding termination of legal services representing the parties having interests in the property, commonly referred to as The Balls Ranch.

No action taken.

**ADJOURN**

At 9:48 a.m., with no further business, Chair Schlefstein adjourned the meeting.

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SCOTT A. SCHLEFSTEIN, CHAIR  
BOARD OF SUPERVISORS

ATTEST:

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HEATHER FOSTER  
CLERK OF THE BOARD