



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

**Lee Adams, Vice-Chair, District 1**

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**Sharon Dryden, District 5**

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on February 4, 2020 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, Vice-Chair, District #1  
Peter W. Huebner, Supervisor, District #2  
Paul Roen, Supervisor, District #3  
Jim Beard, Supervisor, Chair, District #4  
Sharon Dryden, Supervisor, District #5

**Staff:** Heather Foster, County Clerk-Recorder  
Amanda Uhrhammer, Deputy 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  
Jeff Bosworth, Chief Probation Officer

## **APPROVAL OF CONSENT AGENDA**

The Board moved to approve the Consent Agenda.

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

## **13. CONSENT AGENDA**

- 13.A. Resolution affirming surplus status of 2 vehicles and authorizing Downieville Fire Department to conduct an extrication training with them prior to recycling. (PUBLIC WORKS)

**ADOPTED,** Resolution 2020-009

- 13.B. Resolution approving grant application and identifying the County as a cooperative partner and collaborator for a project and grant being pursued by the Sierra Business Council regarding biomass utilization and development in Sierra County. (PUBLIC WORKS)

**ADOPTED,** Resolution 2020-010

## **APPROVAL OF REGULAR AGENDA**

At the request of Supervisor Roen Correspondence Items 14.A. through 14.C. were moved to the Regular Agenda as Items 11.C. through 11.E.

- 14.A. Letter from the Wildlife Conservation Board (WCB) regarding the Sierra Valley Conservation Area, Expansion 5 (Genasci) project.
- 14.B. Letter from the Wildlife Conservation Board (WCB) regarding the Sardine Meadow Restoration project.
- 14.C. Letter from the Wildlife Conservation Board (WCB) regarding the Haskell Peak Meadows Restoration Project.

At the request of Supervisor Adams, Correspondence Item 14.D. was moved to the Regular Agenda as Item 9.C.

- 14.D. Letter from Janis and Stan Hardeman requesting clarification of the Sierra County General Plan as it relates to their ten-acre parcel of property located east of Loyaltan on Highway 49.

The Board moved to approve the Regular Agenda as amended.

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

## **REGULAR AGENDA**

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

At 9:07 a.m. Chair Beard opened and closed the public comment opportunity with no persons addressing the Board.

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

Supervisor Dryden reported on the Senior Center in Loyalton which had been on probation status with Agency on Aging Area 4 and is now back in good standing.

Supervisor Adams reported on a meeting with Supervisor Roen, the Director of Planning and CalFire to be held tomorrow in Sacramento regarding single tree timber harvesting in Sierra County.

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

The Chief Probation Officer reported on the State Supervisory Release Program which may become mandatory for Sierra County to participate in, however he doesn't believe it will take much to implement.

The Director of Planning reported on the need to amend the county building code as a result of changes to the state building codes and structural issues with the Downieville Community Hall and Calpine Improvement Center.

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

No reports given.

### **6. SUPERIOR COURT - Ann Mendez**

- 6.A. Discussion regarding the creation of a Juvenile Justice Commission in order to comply with state law with regards to the nomination and appointment of a new Chief Probation Officer and authorization to retain CPS HR for executive recruitment services in an amount not to exceed \$17,000.

The Honorable Judge Durant provided background on state law requiring a Juvenile Justice Commission (JJC) in order to appoint a new Chief Probation Officer and their efforts to create the Commission.

Discussion ensued regarding the composition of the prior Juvenile Justice Commission and how to proceed going forward.

Judge Durant continued to review the Court's recommendation to hire a headhunter for the Chief Probation Officer position as the State Judicial Council has

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indicated the potential for litigation if the position is not marketed or recruited in a neutral fashion. Judge Durant further suggested that the cost of the headhunter is reasonable in relation to the salary of the position, however this is ultimately the County's decision.

In response to Board inquiry, Judge Durant clarified that the headhunter would help the Juvenile Justice Commission with the nomination of a candidate for appointment by the Presiding Judge. Judge Durant added that she believes since this is a function of the JJC, Community Corrections Partnership (CCP) funds could be used to pay for the service.

In response to Supervisor Dryden's inquiry, the Chief Probation Officer clarified that his last day is April 30, 2020 and also expressed concerns with the timing of appointing a JJC and the hiring of the Chief Probation Officer position.

Supervisor Dryden suggested the county advertise the position first and if no qualified candidates apply, then hire a headhunter.

In response to Supervisor Adams' inquiry as to whether there is a ban on an internal recruitment, Judge Durant explained she was informed by the State Judicial Council that this could potentially subject the county to liability.

Considerable discussion ensued regarding advertising through the CPO associations, CSAC, RCRC, etc. and whether CCP realignment funds can be used to pay for the headhunter services rather than county general funds.

Public Comment was received by Frank Lang, Downieville.

Following discussion and by consensus, the Board directed the Personnel Department to create the Chief Probation Officer job description for review and approval at the next Board meeting and requested the CCP to consider the use of realignment funds to retain CPS HR for the recruitment of the Chief Probation Officer position.

## **12. TIMED ITEMS**

### **12.A. 10:00 A.M. EMERGENCY MEDICAL SERVICES TAX MEASURE**

Continued discussion/direction to staff regarding special election for emergency medical services (EMS) fee/tax for the Downieville Fire Protection District emergency medical services. (SUPERVISOR ADAMS)

Supervisor Adams briefly introduced the item.

Frank Lang, Downieville commented on prior discussions with the Board and the determination that a TOT could not be done within the special districts, rather it had to be done countywide. Mr. Lang indicated they are proposing an increase of 3.5% to the current TOT which would be allocated only to the fire districts throughout the county of which \$74,000 would be allocated to the west side of the county split between the Downieville Fire Protection District and Sierra City Fire District. He has put this out to

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the other fire chiefs who are putting together meetings to discuss this opportunity further.

Supervisor Adams clarified that the Board would not be raising the TOT only asking the voters the question and the fire districts would decide what they are going to do with the funds.

In response to Supervisor Roen's inquiry, Supervisor Adams clarified that the 3.5% could only be used for fire, medical or EMS services and the districts would have the authority to decide how it's spent.

Chair Beard expressed his support to allow the voters to make the decision.

Following discussion, Mr. Lang commented that he would return to the Board after they have held community meetings.

## **7. INFORMATION SYSTEMS - Jeremy Miller**

7.A. Resolution updating the Sierra County Information Technology (IT) Policy.

The Board moved to adopt the resolution updating the Sierra County Information Technology (IT) Policy.

**ADOPTED**, Resolution 2020-011. Motion: Roen/Adams/Unanimous Roll Call Vote: 5/0

## **8. AUDITOR / TREASURER-TAX COLLECTOR - Van Maddox**

8.A. Resolution approving sale of tax defaulted property subject to the Tax Collector's Power to Sell.

The Tax Collector provided background on the property subject to sale.

The Board moved to adopt the resolution approving sale of tax defaulted property subject to the Tax Collector's Power to Sell.

**ADOPTED**, Resolution 2020-012. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

## **9. PLANNING / BUILDING - Tim Beals**

9.A. Discussion and direction with regard to California's AB 1236 (Chapter 598, Statutes of 2015), Electric Vehicle Charging Station Law.

The Director of Planning provided background on AB 1236 and the County's status with respect to compliance with the law to provide electronic vehicle charging

stations in the county. The Director further suggested bringing this issue back to the Board or direct it to the Planning Commission.

Supervisor Adams commented that only seven RCRC counties are in compliance with the law and RCRC's recommendation is to adopt an ordinance now as the next set of compliance is going to be more draconian. Supervisor Adams further suggested obtaining a model policy form from another county and submit this through the Planning Commission.

Following discussion and by consensus, the Board directed the Director to reach out to the seven counties currently in compliance and to refer this to the Planning Commission.

9.B. Status of SB 2 Grant Application for County Housing Element.

The Director of Planning provided background on the SB 2 grant application and letter received from HCD regarding the county being out of compliance with completing the 6<sup>th</sup> cycle of the housing element. The Director clarified that the SB 2 grant application includes the housing element and all signs of receiving the grant are positive.

9.C. Letter from Janis and Stan Hardeman requesting clarification of the Sierra County General Plan as it relates to their ten-acre parcel of property located east of Loyalton on Highway 49. **(Correspondence Item 14.D.)**

The Director of Planning provided background on the general plan designations for the subject property outside of the City and the Hardeman's request to divide the property into two parcels. The Director further recommended the Board either take no action or refer this issue to the Planning Commission.

Discussion ensued with the Board.

Following discussion and by consensus, the Board directed referring this matter to the Planning Commission.

## **10. PUBLIC WORKS/TRANSPORTATION - Tim Beals**

10.A. Presentation of bids and adoption of resolution for award of Public Works Contract to Escheman Construction for the Ridge Road Storm Damage Repair, Federal Aid Project Nos. 32LO(483) & 32LO(492).

The Director of Public Works provided background on both the Ridge Road and Mountain House Road Storm Damage Repair projects which were a result of storm damage three years ago.

The Deputy Director of Transportation Bryan Davey reviewed the bid summary and funding status in order to make the county whole.

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The Board moved to adopt the resolution for award of Public Works Contract to Escheman Construction for the Ridge Road Storm Damage Repair, Federal Aid Project Nos. 32LO (483) & 32LO (492).

**ADOPTED**, Resolution 2020-013 and **APPROVED**, Agreement 2020-004. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

- 10.B. Presentation of bids and adoption of resolution for award of Public Works Contract to Judd Buick Construction, Inc. for the Mountain House Road Storm Damage Repair, Federal Aid Project Nos. 32LO(484), 32LO(485), 32LO(486), & 32LO(487).

The Deputy Director of Transportation Bryan Davey reviewed the bid summary which was for four individual projects grouped into one bid proposal.

Brief discussion ensued with the Board.

The Board moved to adopt the resolution for award of Public Works Contract to Judd Buick Construction, Inc. for the Mountain House Road Storm Damage Repair, Federal Aid Project Nos. 32LO(484), 32LO(485), 32LO(486), & 32LO(487).

**ADOPTED**, Resolution 2020-014 and **APPROVED**, Agreement 2020-005. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

- 10.C. Amendment to Sierra County Agreement 2018-016 with Bruce Boyd, Architecture & Planning to extend termination date and update rate sheet for Downieville Community Hall.

The Director of Public Works provided background on the amendment to the agreement with Bruce Boyd, Architecture & Planning which amendment is to extend the term and charge out rate for Mr. Boyd's services for the Downieville Community Hall project.

The Board moved to approve the amendment to Sierra County Agreement 2018-016 with Bruce Boyd, Architecture & Planning to extend termination date and update rate sheet for Downieville Community Hall.

**APPROVED**, Agreement 2020-006. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

- 10.D. Discussion and status report on progress on Department of Conservation Sustainable Agricultural Lands and Conservation Easement Guidelines and on the progress over budget concerns with regard to the State Watermaster Service Area administration for Sierra Valley.

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- 11.B. Letter from the Wildlife Conservation Board (WCB) regarding the Sierra Valley Conservation Area, Expansion 5 (Genasci) project.  
**(Correspondence Item 14.A.)**

The Board addressed Items 10.D. and 11.B.

The Director of Public Works provided background on issues the conservation easement program has with existing Williamson Act contracts and the County's general plan.

Supervisor Roen commented on Lassen County removing Williamson Act contracts from any property that has entered into a conservation easement. Supervisor Roen further requested authorization to attend an upcoming meeting on February 20, 2020 with Plumas County, the Feather River Land Trust, and the Department of Conservation.

Discussion ensued with the Board.

By consensus, the Board authorized the Director and Supervisors Adams and Roen to attend a meeting with Senator Dahle regarding this issue and to attend the meeting in Quincy on February 20, 2020.

The Director further reviewed the meeting held with five deputy directors with the Department of Water Resources (DWR) and working to put together a summary document that would return the cost of the watermaster program back to a 50/50 split between DWR and the property owners.

Supervisor Roen commented that Senator Dahle is committed to having a meeting with the Director of DWR regarding this issue.

- 10.E. Status report on the Sierra Brooks Water System Project.

The Director of Public Works and Deputy Director of Transportation Bryan Davey provided an update on the Sierra Brooks Water System Project.

Discussion ensued with the Board.

- 10.F. Second reading and adoption of an ordinance amending the Sierra Brooks Water System regulations in order to conform County regulations to the requirements of the new Sierra Brooks Water System Project.

The Director of Public Works reviewed the proposed ordinance and commented that the enforcement language will come later.

Supervisor Dryden requested keeping this matter on the agenda until the enforcement language comes forward.

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The Board moved to waive the second reading and adopt the ordinance amending the Sierra Brooks Water System regulations in order to conform County regulations to the requirements of the new Sierra Brooks Water System Project.

**ADOPTED**, Ordinance 1090. Motion: Dryden/Roen/Unanimous Roll Call Vote: 5/0

10.G. Resolution of Appreciation honoring Mr. Dennis Marsh, County Road Superintendent, and recognizing his retirement from County Service effective December 5, 2019.

At the request of the Director of Transportation, this item was continued to the February 18, 2020 Board meeting.

## **11. BOARD OF SUPERVISORS**

11.A. Update by the Sierra County Fire Safe and Watershed Council and approval of addendum to Master Agreement for Funding Firewise Community Projects to be undertaken by the Sierra County Firesafe and Watershed Council, Agreement No. 2012-111, for a pilot project to provide a bin at the Sierra City Transfer Station for green waste. (SUPERVISOR ROEN)

Supervisor Roen provided background on the pilot project to provide a bin at the Sierra City Transfer Station for green waste and ARP paying to transport the green waste to their plant. Supervisor Roen added that they want to see if this project works before installing bins at other locations.

In response to Supervisor Dryden's inquiry, Supervisor Roen clarified that ARP is committed to paying for the hauling of the waste.

Brief discussion ensued.

The Board moved to approve the addendum to Master Agreement for Funding Firewise Community Projects to be undertaken by the Sierra County Firesafe and Watershed Council, Agreement No. 2012-111, for a pilot project to provide a bin at the Sierra City Transfer Station for green waste.

**APPROVED**, Agreement 2020-007. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

11.C. Letter from the Wildlife Conservation Board (WCB) regarding the Sardine Meadow Restoration project. (**Correspondence Item 14.B.**)

Supervisor Roen recommend forwarding this letter to the Sierra County Resource Conservation District (RCD) per the County's Resolution 2013-041 which authorizes the RCD to review projects within their boundaries.

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Following brief discussion and by consensus, the Board referred the letter from the Wildlife Conservation Board (WCB) regarding the Sardine Meadow Restoration project to the Sierra County Resource Conservation District.

11.D. Letter from the Wildlife Conservation Board (WCB) regarding the Haskell Peak Meadows Restoration Project. **(Correspondence Item 14.C)**

Supervisor Roen commented that the Haskell Peak Meadows Restoration Project falls to the county and recommended having a conversation with Senator Dahle regarding the project.

The Director of Planning and Supervisor Adams expressed concerns with nonprofits not engaging with the county prior to submitting project applications.

Discussion ensued with the Board.

Following discussion and by consensus, the Board directed meeting with Senator Dahle regarding this project and also directed the Director to draft a letter expressing the County's concerns to every party in the North Yuba Partnership MOU for review and approval at the next meeting.

## **ADJOURN**

At 12:22 p.m., with no further business, Chair Beard adjourned the meeting.

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JIM BEARD, CHAIR  
BOARD OF SUPERVISORS

ATTEST:

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HEATHER FOSTER  
CLERK OF THE BOARD