



**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

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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 March 6, 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.

PLEDGE OF ALLEGIANCE: Led by Supervisor Beard

ROLL CALL

Present: 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

Absent: Lee Adams, Supervisor, District #1

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

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APPROVAL OF CONSENT AGENDA

The Board moved to approve the Consent Agenda.

APPROVED. Motion: Huebner/Beard/Unanimous Roll Call Vote: 4/0/1 (Supervisor Adams ABSENT)

11. CONSENT AGENDA

11.A. Amendment to Earth Surgeon's Construction Company Agreement for Equipment Services 2012-035 to reduce base contract fee. (PUBLIC WORKS)

APPROVED, Agreement 2018-012

11.B. Rescission of Agreement 2018-003 and approval of professional services agreement between Charis Youth Center and Sierra County Behavioral Health Department for behavioral health services for youth. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2018-013

11.C. Resolution approving Plumas County Agreement No. PARTB1819SCPH, Ryan White Part B, and authorizing the Public Health Director to sign the agreement and invoices to secure funds. (PUBLIC HEALTH)

ADOPTED, Resolution 2018-021

APPROVED, Agreement 2018-014

11.D. Resolution amending Resolution 2017-012 to include the Director of Health and Social Service's pay. (AUDITOR)

ADOPTED, Resolution 2018-022

11.E. Treasurer's investment reports and statements of liquidity for the period October 1, 2017 through December 31, 2017. (AUDITOR)

11.F. Cash Audit Report for the period ended December 31, 2017. (AUDITOR)

11.G. Addendum #1 to Agreement No. 2016-012 between the County of Sierra and Democracy Live for the use of a remote accessible vote by mail ballot delivery system. (ELECTIONS)

APPROVED, Agreement 2018-015

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11.H. Minutes from the regular meeting held on February 6, 2018. (CLERK-RECORDER)

APPROVAL OF THE REGULAR AGENDA

The Board moved to approve the Regular Agenda.

APPROVED. Motion: Roen/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Adams ABSENT)

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:01 a.m. Chair Schlefstein opened and closed the public comment opportunity.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Roen reported on the cleanup at the Loyalton Mobile Home Park.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Assessor reported on the California Assessor's program which offers \$5 million over 3 years to help counties catch up on back log or improve IS technology, each county can receive no more than \$750,000 per year, and she plans on requesting authorization to make an application for funding to help pay for the county's new property tax system at a future Board of Supervisors meeting.

The Director of Planning reported on his intent to request a Board of Supervisors Personnel Standing Committee meeting; the Sierra Nevada Conservancy having approved funding for implementation of the Yuba Project; the state agreeing to a schedule of advances of use of the closure funds for Loyalton landfill; the general plan meeting held last week and Brandon Pangman, Assistant Director of Planning beginning to work two days a week in Sacramento with the consultant which will impact the Planning Department; a Sierra Brooks Water Committee meeting held last week to provide an update on the project; the Kentucky Mine apartment project completion; the repeater projects at the Loyalton landfill and at Babbitt Peak for additional coverage for the Loyalton Fire Department and from Babbitt Peak to Verdi; an upcoming meeting of the OAEC in order to make recommendations on the 2018 Homeland Security Grant funding; and information received from LA County who is administering the upcoming census.

Brief discussion ensued regarding the Sierra Brooks Water project and the repeater projects at the Loyalton landfill and Babbitt Peak.

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5. FOREST SERVICE UPDATE

Presentation/update by Tahoe National Forest Supervisor Eli Illano on US Forest Service activities in Sierra County.

Mr. Illano presented a PowerPoint to the Board on projects on the Tahoe National Forest that were completed in 2017 and upcoming projects for 2018.

Considerable discussion ensued between the Board, staff, members of the public and Forest Service personnel.

9. TIMED ITEMS

9.A. 10:00AM BOARD OF EQUALIZATION

Meeting of the Sierra County Board of Equalization

At 10:07 a.m., Chair Schlefstein recessed the Regular Board meeting and reconvened as the Sierra County Board of Equalization.

At 10:11 a.m., Chair Schlefstein recessed the Board of Equalization meeting and reconvened as the Sierra County Board of Supervisors with all members present.

6. PROBATION - Jeff Bosworth

6.A. Resolution adding two additional rules to probation's pretrial electronic monitoring per Penal Code section 1203.018 and post sentence electronic monitoring program per Penal Code section 1203.016.

Mr. Chuck Henson, Senior Deputy Probation Officer reviewed the two slight changes to the electronic monitoring contract which add a generic search clause and a provision to enter property to retrieve electronic monitoring devices or other county owned probation issued equipment.

The Board moved to adopt the resolution adding two additional rules to probation's pretrial electronic monitoring per Penal Code section 1203.018 and post sentence electronic monitoring program per Penal Code section 1203.016.

ADOPTED, Resolution 2018-023. Motion: Beard/Huebner/Unanimous 4/0/1 (Supervisor Adams ABSENT)

7. PUBLIC WORKS/TRANSPORTATION - Tim Beals

7.B. Professional Services Agreement with Bruce E. Boyd, Architects & Planners, for Phase I architectural services for the Downieville Community Hall Renovation.

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The Director of Public Works provided brief background on the agreement and distributed a revised schedule B to the contract changing the amount from \$3,000 to \$3,500 to provide flexibility for special circumstances that might arise.

The Board moved to approve the professional services agreement with Bruce E. Boyd, Architects & Planners, for Phase I architectural services for the Downieville Community Hall Renovation as amended.

APPROVED as amended, Agreement 2018-016. Motion: Roen/Huebner/Unanimous 4/0/1 (Supervisor Adams ABSENT)

- 7.A. Professional Services Agreement with Bruce E. Boyd, Architects & Planners, for preparation of construction and permit drawings for an addition to the Sierra County Health and Human Services Wellness Center at 207 Front Street, Loyalton.

The Director of Public Works provided background on the agreement which includes all services necessary to execute the remodel of the Health and Human Services Wellness building. The Director added that their goal is to have this under construction by this summer and completed by December 2018.

The Board moved to approve the professional services agreement with Bruce E. Boyd, Architects & Planners, for preparation of construction and permit drawings for an addition to the Sierra County Health and Human Services Wellness Center at 207 Front Street, Loyalton.

APPROVED, Agreement 2018-017. Motion: Roen/Beard/Unanimous 4/0/1 (Supervisor Adams ABSENT)

- 7.C. Report and direction to staff on notices of grant award for Henness Pass Road and for the Yuba Project.

The Director of Public Works briefly reviewed the Truckee River Fund which was made available to the county and is aimed at projects that enhance their ultimate goal of providing water to Truckee Meadows. The Director continued to explain that if the county is going to be responsible to administer the project he is hoping the county can share some of the administrative responsibility with another agency, possibly the Sierra Valley Resource Conservation District or the Sierra County Firesafe and Watershed Council.

Following discussion and by consensus, the Board directed staff to coordinate with the Sierra Valley Resource Conservation District and to bring back to the board the grant agreement with the Truckee River Fund and a memorandum of understanding between the county, the Forest Service and the Sierra Valley Resource Conservation District assigning tasks for administration of the grant.

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- 7.D. Discussion, direction and authorization for a letter of support to the Sierra County Firesafe & Watershed Council regarding funding opportunity for Fire Safe Councils for fuels reduction projects in the Sierra Nevada.

Supervisor Roen provided background on the request for a letter of support to the Sierra County Firesafe & Watershed Council regarding a funding opportunity through PG&E for Fire Safe Councils for fuels reduction projects in the Sierra Nevada. Supervisor Roen added that Mr. Roger Rumble, contractor for the Sierra County Firesafe Council, would like to make a few minor changes to the proposed letter.

Comments were received by the Director of Public Works regarding whether the county is qualified to be an applicant for this funding.

Comments were received by Patty Hall, Sierra County Firesafe & Watershed Council Director indicating the Firesafe Council is willing to take this on.

Following brief discussion, the board moved to authorize a letter of support to the Sierra County Firesafe & Watershed Council regarding funding opportunity for Fire Safe Councils for fuels reduction projects in the Sierra Nevada with Mr. Rumble's recommended amendments.

APPROVED. Motion: Roen/Huebner/Unanimous 4/0/1 (Supervisor Adams ABSENT)

8. BOARD OF SUPERVISORS

- 8.A. Discussion and approval of a letter in support of SB 1222 (Stone) related to dredging. (SUPERVISOR ROEN)

Following brief discussion, the Board moved to approve a letter in support of SB 1222 (Stone) related to dredging.

APPROVED. Motion: Beard/Roen/Unanimous 4/0/1 (Supervisor Adams ABSENT)

9.B. 10:45AM SOLID WASTE APPEAL - VADIM SOKYRKO

Appeal of Solid Waste Assessment Fees filed by Mr. Vadim Sokyрко for APN 017-050-003-0, located at 207 Willow Street, Loyalton, CA.

Mr. Vadim Sokyрко, Appellant made his presentation to the board in regards to his appeal of the solid waste assessment Fee.

The Solid Waste Fee Administrator made her presentation to the board on the appeal of the solid waste assessment fee on Mr. Sokyрко's property located at 207 Willow Street, Loyalton and entered into the record the following exhibits:

- Exhibit 1 – Portion of Sierra County Code, Chapter 8.04 – Solid Waste Services – 08.04.010 Definition of Solid Waste Services –

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highlighted definitions “Board”, “Place or Premises”, “Residential”, “Single family residential” and “Solid Waste Fee Administrator”- 4 pages

- Exhibit 2 – 3 photographs of subject property located at 207 Willow Street, Loyalton APN 017-050-003-0 – 1 page
- Exhibit 3 – Sierra County Resolution 2017-087 pertaining to solid waste fees for the 2017/2018 Fiscal Year – 4 pages
- Exhibit 4 – Portion of Sierra County Code, Chapter 8.05 – Solid Waste System Fees and Charges – 4 pages
- Exhibit 5 – Court of Appeal Case No. A12263 – David Paland vs. Brooktrails Township Community Service District Board of Directors - highlighted statement on page 12 “We conclude the “immediately available” requirement is logically focused on the agency's conduct, not the property owner's.” – 16 pages

The Solid Waste Fee Administrator continued to comment on how the solid waste fee is determined.

Discussion ensued between the Board, the Solid Waste Fee Administrator and Mr. Sokyko.

Deputy County Counsel requested clarification that Mr. Sokyko’s argument is that he currently doesn't reside in the house and is not using the service.

Mr. Sokyko indicated this is correct.

Following further discussion, the Board moved to deny the appeal of Solid Waste Assessment Fees filed by Mr. Vadim Sokyko for APN 017-050-003-0, located at 207 Willow Street, Loyalton, CA.

APPEAL DENIED. Motion: Roen/Huebner/Unanimous Roll Call Vote: 3/1/1 (Supervisor Beard NO and Supervisor Adams ABSENT)

9.C. 11:15AM PUBLIC HEARING - SIERRA COUNTY FEE SCHEDULES

- 1) Conduct a public hearing on revised fee schedules for all County offices.

At 11:27 a.m. Chair Schlefstein opened the public hearing.

Mr. Don Russell, Downieville expressed his opposition.

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At 11:28 a.m. Chair Schlefstein closed the public hearing with no further persons addressing the Board.

The Clerk provided a brief overview of the revised fee schedules.

The Director of Health and Social Services briefly reviewed the changes to the Health and Human Services fee schedules which had not been reviewed since 2005.

- 2) Introduction and first reading of an ordinance repealing Sections 5.50.10, 5.50.012, 5.50.013, 5.50.014 and 5.50.015 of Chapter 5.50 of the Sierra County Code and replacing Section 5.50.010 pertaining to Departmental Fees and Master Fee Schedules.

The Board moved to introduce and waive the first reading of an ordinance repealing Sections 5.50.10, 5.50.012, 5.50.013, 5.50.014 and 5.50.015 of Chapter 5.50 of the Sierra County Code and replacing Section 5.50.010 pertaining to Departmental Fees and Master Fee Schedules.

APPROVED. Motion: Roen/Huebner/Unanimous 4/0/1 (Supervisor Adams ABSENT)

- 3) Resolution adopting Sierra County Fee Schedules.

The Board moved to adopt the resolution adopting the Sierra County Fee Schedules.

ADOPTED, Resolution 2018-024. Motion: Roen/Huebner/Unanimous 4/0/1 (Supervisor Adams ABSENT)

10. **CLOSED SESSION**

- 10.A. Closed session pursuant to Government Code section 54956.9(a) - conference with legal counsel regarding the following litigation: Sierra County v. Loyalton Mobile Home Park, Sierra County Superior Court Case No. 7677.

The Board met in closed session from 11:36 a.m. to 11:49 a.m. Deputy County Counsel reported that information was given to the Board and direction was given.

CLERK NOTE: Supervisor Roen stepped down from the Board of Supervisors at 11:36 a.m. during the discussion under Item 10.A.

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12. CORRESPONDENCE LOG

12.A. Letter from Tony Tooke, US Forest Service Chief in response to a letter dated January 10, 2012 from the Sierra County Board of Supervisors regarding management of National Forests in Northern California.

No action taken.

12.B. Email from Shane Starr, District Representative for Congressman Doug LaMalfa regarding Opportunity Zones; a new community development program established by congress in the Tax Cuts and Jobs Act of 2017.

No action taken.

12.C. Press Release from the United States Department of Agriculture regarding resources to help rural communities address the opioid crisis.

No action taken.

ADJOURN

At 11:49 a.m., with no further business, Chair Schlefstein adjourned the meeting.

SCOTT A. SCHLEFSTEIN, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD