



**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, Chair, District 3

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Jim Beard, Vice-Chair, District 4

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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 March 19, 2019 in the Loyalton Social Hall, Loyalton City Park, Loyalton, CA. This meeting was recorded for posting on the Board of Supervisors' website at 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
Joe Larmour, 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
Mike Fisher, Sheriff/Coroner

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APPROVAL OF CONSENT AGENDA

The Board moved to approve the Consent Agenda.

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

11. CONSENT AGENDA

- 11.A. Letter in support of Plumas-Sierra Telecommunication's application for California Advanced Services Funds (CASF) funding to provide last-mile broadband services. (CHAIR ROEN)
- 11.B. Annual Dues Upper Feather River Integrated Regional Water Management Group. (AUDITOR)
- 11.C. Approval of Board of Supervisors travel reimbursement for Lee Adams, CSAC Board meeting held on February 4, 2019. (AUDITOR)
- 11.D. Approval of Board of Supervisors travel reimbursement for Sharon Dryden, CSAC New Supervisor Institute Training II held on February 20-22, 2019. (AUDITOR)
- 11.E. Resolution affirming surplus status of 3 vehicles and authorizing Downieville Fire Department to conduct an extrication training with them prior to recycling. (PUBLIC WORKS)

ADOPTED, Resolution 2019-036

- 11.F. Resolution approving job description for Road Superintendent and authorizing inclusion of the job description in the official job classification files maintained by the County Clerk-Recorder. (PUBLIC WORKS)

ADOPTED, Resolution 2019-037

- 11.G. Approval of letter authorizing Rural Counties ESJPA (Environmental Services Joint Powers Authority) to make application for and administer on behalf of Sierra County the 2019-2020 cycle for Local Government Waste Tire Cleanup and Amnesty Funding. (PUBLIC WORKS)

APPROVAL OF REGULAR AGENDA

At the request of Supervisor Adams, the Board moved add item 8.E. to the Regular Agenda as the matter came up after the close of the agenda and requires a response prior to the next meeting.

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- 8.E. Discussion/action regarding response to the CPUC Public Safety Power Shutoff Regulation Proceedings.

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

The Board moved to approve the Regular Agenda as amended.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:06 a.m. Chair Roen opened the public comment opportunity.

School Superintendent Merrill Grant provided an update on the recruitment efforts for the five upcoming teacher retirements; ALICE training; and the Adult Education program.

At 9:09 a.m. Chair Roen closed the public comment opportunity with no further persons addressing the Board.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Adams reported on federal legislation to extend SRS (Secured Rural Schools) for an additional two years which has bi-partisan support and similarly there is bi-partisan legislation to create a trust fund for SRS.

Supervisor Beard reported on the Loyalton City Council presenting the annual Richard Meder Volunteer of the Year award tonight.

Chair Roen reported on the SNC (Sierra Nevada Conservancy) having awarded \$26 million in grants throughout the state for fuels work and Plumas Sierra Telecommunication planning on bringing fiber to Calpine and Sierraville this summer.

Supervisor Huebner thanked Chair Roen for putting on the Integrated Regional Water Management meeting held in Sierraville and also reported on concerns regarding homeowner's insurance either being canceled or increasing.

Chair Roen also reported on having scheduled a meeting with the Forest Supervisor on April 3, 2019 to discuss how to get on the ground fuels work started.

Supervisor Adams also reported that he attended the Nor-Cal EMS and RCRC Board meetings.

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Supervisor Dryden reported on the JJP (Juvenile Justice Protection), Lassen Plumas Sierra Community Action Agency and AAA4 (Agency on Aging Area 4) meetings she attended.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Director of Behavioral Health reported on the MHSA (Mental Health Services Act) audit which has been rescheduled to May 14-16, 2019 and also provided an update on actively recruiting for a psychologist.

The Director of Health and Social Services reported on a letter from the State Auditor regarding negative comments about the lack of oversight by the Department of Health Care Services around the utilization of prevention services for MediCal eligible children throughout the state; Evelyn de Mello with Environmental Health having taken the REH test last Friday; and the hiring of the Quality Assurance position.

The Sheriff reported on promotions within the department; the hiring of a new Sheriff's Deputy; and having made an offer on the Executive Assistant to the Sheriff position. The Sheriff also reported on a number of search and rescues this year; the purchase of eight new computer towers through the CCP; collaboration between the Sheriff's office and the Schools; and various trainings for the Sheriff's personnel.

The Director of Planning reported on the Sierra Brooks Water project and the extension of the April 27th deadline to be under contract; a meeting in Verdi with residents from Long Valley and Verdi regarding the conclusion of the annexation proceeding, the establishment of a CSA zone for imposing an assessment fee and the agreement with Truckee Meadows Fire Protection District; a meeting to be held on March 27, 2019 to discuss the agreement between the Sierra County Fire Protection District No. 1 and the City of Loyalton and the fire mitigation fee; the compactor is now up and running at the former Landfill; the County Agriculture Commissioner would like to make a presentation at the next meeting on industrial hemp; a meeting held yesterday regarding the Yuba Project; and the Washington Ridge crew helping the county crew on the Ridge Road defensible space project.

The Director also indicated that he will be presenting a resolution of appreciation to Truckee District Ranger Joanne Roubique who recently retired.

The Auditor recommended the Finance Committee meeting the last week in April. Following discussion, a Finance Committee meeting was scheduled for May 10, 2019.

The Auditor continued to report on numerous check fraud attempts.

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5. FOREST SERVICE UPDATE

Sierraville District Ranger Quentin Youngblood provided an update on various projects going on in the county.

10. TIMED ITEMS

10.A. 10:00AM PUBLIC HEARING - COUNTY INITIATED ZONE AMENDMENT

Conduct public hearing on a County initiated zone amendment to re-zone nine (9) parcels identified by the Board of Supervisors as current priority to bring each parcels zoning into conformance with the General Plan.

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

Assistant Planning Director Brandon Pangman provided background on the county initiated zone amendment to rezone 9 parcels and the public hearing having been properly noticed and no comments received.

At 10:17 a.m. Chair Roen closed the public hearing with no persons addressing the Board.

1. Resolution approving the zone amendments on nine parcels identified as APN's 015-110-005; 015-033-003; 015-080-014; 015-090-001; 015-080-006; 008-200-008; 003-122-012; 004-270-006; and 002-160-072.

The Board moved to adopt the resolution approving the zone amendments on nine parcels identified as APN's 015-110-005; 015-033-003; 015-080-014; 015-090-001; 015-080-006; 008-200-008; 003-122-012; 004-270-006; and 002-160-072.

ADOPTED, Resolution 2019-038. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

2. Introduction and adoption of an ordinance amending Sierra County Code Title 15, Chapter 13 to re-zone nine parcels in unincorporated Sierra County to bring the zoning into conformance with the General Plan.

The Board moved to waive the first reading and adopt the ordinance amending Sierra County Code Title 15, Chapter 13 to re-zone nine parcels in unincorporated Sierra County to bring the zoning into conformance with the General Plan.

ADOPTED, Ordinance No. 1087. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

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6. BEHAVIORAL HEALTH - Lea Salas

- 6.A. Resolution opting out of the Mental Health Services Act requirement stating at least 51% of the Prevention and Early Intervention (PEI) fund shall be used to serve individuals who are 25 years old or younger.

The Director of Behavioral Health provided background on opting out of the MHSA requirements as they would be difficult to meet based on the population and statistics within the county.

The Board moved to adopt the resolution opting out of the Mental Health Services Act requirement stating at least 51% of the Prevention and Early Intervention (PEI) fund shall be used to serve individuals who are 25 years old or younger.

ADOPTED, Resolution 2019-039. Motion: Adams/Beard/Unanimous Roll Call Vote: 5/0

7. PUBLIC WORKS/TRANSPORTATION - Tim Beals

- 7.A. Resolution adopting a list of road maintenance projects to be funded by SB 1 funds for Fiscal Year 2019-2020.

The Director provided brief background on the list which includes all county roads.

Following brief discussion, the Board moved to adopt the resolution adopting a list of road maintenance projects to be funded by SB 1 funds for Fiscal Year 2019-2020.

ADOPTED, Resolution 2019-040. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

8. BOARD OF SUPERVISORS

- 8.A. Resolution approving contract between the County of Sierra and Danielle E. Bradford dba North Valley Resource Management (RFP#2808) for services related to the Upper North Yuba Forest Health and Resilience Project. (CHAIR ROEN)

This item was continued to a future meeting.

- 8.B. Discussion/action on giving authority to determine public convenience or necessity for liquor license applications within an area of undue-concentration or high crime for Sierra County. (CLERK OF THE BOARD)

The Clerk briefly introduced the item.

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The Director of Planning reviewed his authority to approve one day licenses for special events.

Discussion ensued with the Board.

The Board moved to select the Sierra County Board of Supervisors as the local agency who has authority to make a determination of public convenience or necessity for liquor license applications within an area of undue-concentration or high crime for Sierra County.

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

8.C. Appointment to the Cemetery District No. 2. (CLERK OF THE BOARD)

The Board moved to appoint Madeleine Hamb to the Cemetery District No. 2.

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

8.D. Appointments to the Downieville Fire Protection District. (CLERK OF THE BOARD)

The Board moved to appoint Liz Fisher, Frank Lang and Diane Wharff to the Downieville Fire Protection District.

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

8.E. Discussion/action regarding response to the CPUC Public Safety Power Shutoff Regulation Proceedings.

Supervisor Adams provided background on the CPUC Public Safety Power Shutoff Regulation Proceedings.

The Director of Planning suggested drafting a letter with Supervisor Adams commenting on the proposed regulations.

Following discussion, the Board moved to authorized a letter commenting on the CPUC Public Safety Power Shutoff Regulation Proceedings to be signed by the Chair.

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

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10.B. 10:30 AM CONTINUED PUBLIC HEARING - VACATION PUBLIC ACCESS EASEMENT

Conduct continued public hearing and adoption of resolution vacating an existing public access easement as shown on Sierra County Assessor's Parcel Map Book 15, Page 5 in the town of Sierraville situated between Sierra County Assessor Parcels 015-052-002-0 and 015-052-013-0.

At 10:41 a.m. Chair Roen opened the public hearing.

The Director of Transportation requested entering the background documents into the record. The Director further provided brief background on the vacation of the existing public access easement which extinguishes the county's interest and is consistent with what has been done in past vacations in the area.

In response to Supervisor Adams' inquiry as to whether the adjacent property owners have been notified of the proposed vacation, the Director responded that they have.

At 10:46 a.m. Chair Roen closed the public hearing.

The Board moved to adopt the resolution vacating an existing public access easement as shown on Sierra County Assessor's Parcel Map Book 15, Page 5 in the town of Sierraville situated between Sierra County Assessor Parcels 015-052-002-0 and 015-052-013-0.

ADOPTED, Resolution 2019-041. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

10.C. 11:00 AM ALLIANCE FOR WORKFORCE DEVELOPMENT, INC.

Presentation by Valerie Bourque, Business Service Representative with Alliance for Workforce Development, Inc. regarding business and job seeker services provided to Sierra County.

Valerie Bourque, AFWD Business Service Representative made the presentation to the Board regarding business and job seeker services provided to Sierra County.

10.D. 11:15 AM CONTINUED PUBLIC HEARING - VACATION OF OFFER OF DEDICATION

Conduct continued public hearing and adoption of resolution vacating a portion of an offer of dedication that was offered in perpetuity to the County as part of the approval of the Sierra Valley Senior Community located on Hill Street adjacent to the City of Loyalton.

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At 11:16 a.m. Chair Roen opened the public hearing.

The Director of Transportation requested the following documents to be entered into the record: 1) map of the relocation of the driveway/entrance for the Sierra Valley Seniors Apartments; 2) map of the existing alignment and status of utility lines for Liberty Utilities; and 3) map of the site plan showing the relationship of Senior Center to the strip of land.

The Director continued to provide background on the matter explaining he has not been able to get ahold of Thomas Van Horne. The Director further explained Liberty Utility is concerned regarding where the underground line is located and without better survey information they cannot represent whether or not this has an impact.

The Director further indicated that he is unaware of any separate easement in favor of the utilities identified in the title reports and he is concerned that the utility company is relying on the 60' offer of dedication to put their utility lines above or underground and we don't know the relationship between those lines and the area being requested to be abandoned.

Deputy County Counsel commented on the original easement which was for road and utility purposes and the second easement which is an easement with Frank Aiello and references the utility easement, however there isn't a separate easement for the utility.

Deputy County Counsel further recommended having the utility company on board prior to approval in order to avoid potential legal issues.

Discussion ensued with the Board.

Brian Bisnett, Bisnett Design Associates expressed frustration and commented that he believes he has done all he can to bring all interested parties to the table to address the issues. Mr. Bisnett questioned if the county could abandon the offer of dedication as requested and make it conditional upon them creating an easement with Liberty Utility to cover the existing utilities.

Discussion ensued with the Board regarding either removing the two units altogether, abandoning only the land that the two units encroach upon, or having the property owner grant a separate utility easement.

Mr. Bisnett suggested the option of abandoning only the area where the two units are encroaching.

Deputy County Counsel indicated this can be done since it is reducing the area, however the resolution would need to be redrafted to reflect the changes.

Discussion ensued with the Board.

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At 11:40 a.m. Chair Roen closed the public hearing with no further persons addressing the Board.

This item was continued to later in the meeting.

10.E. 11:30 AM CHILD ABUSE PREVENTION

Presentation by Tammy Muldoon, Family Resource Center Director regarding National Child Abuse Prevention and adoption of resolution declaring April 2019 as "Child Abuse Prevention Awareness Month" in Sierra County.

Comments were received by Tammy Muldoon, Family Resource Center Director; Allison Smith, First Five Director; and the Director of Health and Social Service.

Supervisor Beard read the resolution declaring April 2019 as "Child Abuse Prevention Awareness Month" in Sierra County.

The Board moved to adopt the resolution declaring April 2019 as "Child Abuse Prevention Awareness Month" in Sierra County.

ADOPTED, Resolution 2019-042. Motion: Beard/Huebner/Unanimous Roll Call Vote: 5/0

Item 10.D. continued from earlier in the meeting.

Following discussion, the Board moved to direct staff to draft a resolution abandoning the offer of dedication where the two units are encroaching upon the dedicated area and called for a special teleconference meeting to be held on March 21, 2019 at 12:00 p.m. to review and approve said resolution.

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

9. CLOSED SESSION

9.A. Closed session pursuant to Government Code Section 54956.9 (d)(2) - conference with legal counsel - anticipated litigation - 1 case.

CLOSED SESSION STATEMENT

The Board met in closed session from 12:22 p.m. to 12:30 p.m. Deputy County Counsel reported that direction was given to staff.

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12. CORRESPONDENCE LOG

12.A. Letter from Agency on Aging Area 4 (AAA4) regarding Sierra County's matching contribution for Fiscal Year 2019-2020.

No action taken.

ADJOURN

At 12:31 p.m., with no further business, Chair Roen adjourned the meeting.

PAUL ROEN, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD