



**STATE OF CALIFORNIA, COUNTY OF SIERRA  
BOARD OF SUPERVISORS  
AGENDA  
REGULAR TELECONFERENCE MEETING**

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

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**Peter W. Huebner, District 2**

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**Paul Roen, District 3**

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**Jim Beard, 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 April 7, 2020 via teleconference. This meeting will be recorded for posting on the Board of Supervisors' website at [www.sierracounty.ca.gov](http://www.sierracounty.ca.gov).

**PLEDGE OF ALLEGIANCE:** Led by Chair Beard

**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  
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  
Mike Fisher, Sheriff/Coroner

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**APPROVAL OF THE CONSENT AGENDA**

The Board moved to approve the Consent Agenda.

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

**15. CONSENT AGENDA**

15.A. Amendment to Agreement 2019-057 and amendments 2019-089 and 2019-133 between Clean & Sober Recovery Services, Inc. and the County of Sierra to increase contract amount. (BEHAVIORAL HEALTH)

**APPROVED,** Agreement 2020-020

15.B. Memorandum of Understanding and Data Sharing Agreement between Plumas County and Sierra County regarding the Housing Tools Contract and the No Place Like Home (NPLH) Technical Assistance (TA) Grant. (BEHAVIORAL HEALTH)

**APPROVED,** Agreement 2020-021

15.C. Resolution authorizing the Sierra County Auditor to make certain changes to the 2019-2020 Final Budget - Coronavirus Preparedness and Response Supplemental Appropriations Act funding. (PUBLIC HEALTH)

**ADOPTED,** Resolution 2020-036

15.D. Resolution approving the Memorandum of Understanding between the Sacramento County Department of Human Assistance and the Sierra County Department of Human Services in regards to the Cash Assistance Program for Immigrants (CAPI) and authorizing the Director of Social Services to sign the Memorandum of Understanding. (SOCIAL SERVICES)

**ADOPTED,** Resolution 2020-037

**APPROVED,** Agreement 2020-022

15.E. Agreement between the California Department of Social Services and the County of Sierra to provide services or activities related to the Resource Family Approval (RFA) program. (SOCIAL SERVICES)

**APPROVED,** Agreement 2020-023

15.F. Approval of Interim Amendment to the Social Services General Relief Plan. (SOCIAL SERVICES)

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- 15.G. Resolution approving Tolling Agreement with AT&T which allows for an extension of processing time for a Conditional Use Permit Application, Sierra County Planning Department File No. 1669. (PLANNING)

**ADOPTED**, Resolution 2020-038  
**APPROVED**, Agreement 2020-024

- 15.H. Resolution approving Lease Option Renewal, Fifth Amendment with Pacific Bell for use of property at Sierra City Community Park. (PUBLIC WORKS)

**ADOPTED**, Resolution 2020-039  
**APPROVED**, Agreement 2020-025

- 15.I. Cash Audit report for the quarter ending June 20, 2019. (AUDITOR)
- 15.J. Treasurer's investment report and statement of liquidity for the period April 2019 through June 2019. (TREASURER)
- 15.K. Resolution adopting the Sierra County Lactation Accommodation Policy. (PERSONNEL)

**ADOPTED**, Resolution 2020-040

- 15.L. Resolution establishing policy for the award of county property to retiring employees. (CLERK OF THE BOARD)

**ADOPTED**, Resolution 2020-041

- 15.M. Certified statement of the results of the canvass for the March 3, 2020 Presidential Primary Election. (ELECTIONS)
- 15.N. Resolution approving appointments in lieu of election to the Sierra County Democratic Central Committee. (ELECTIONS)

**ADOPTED**, Resolution 2020-042

- 15.O. Minutes from the regular meeting held on February 18, 2020. (CLERK-RECORDER)
- 15.P. Minutes from the regular meeting held on March 17, 2020. (CLERK-RECORDER)
- 15.Q. Governing Body Resolution naming Authorizing Agents for the Designation of Applicants Agents for the purpose of obtaining Federal Financial Assistance due to the COVID-19 Emergency. (PUBLIC WORKS)

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**ADOPTED**, Resolution 2020-043

**APPROVAL OF THE REGULAR AGENDA**

At the request of Supervisor Adams, Correspondence Item 16.A. was moved to the Regular Agenda as Item 11.C.

The Board moved to approve the Regular Agenda as amended.

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

**2. PUBLIC COMMENT OPPORTUNITY**

At 9:10 a.m. Chair Beard opened and closed the public comment opportunity with no persons addressing the Board.

**3. COMMITTEE REPORTS & ANNOUNCEMENTS**

Supervisor Huebner reported on the EOC meetings.

Supervisor Dryden thanked the Senior Center in Loyalton for doing a tremendous job in delivering meals to seniors.

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

Personnel Analyst Judi Behlke provide an update on the recruitment for the Chief Probation Officer position.

The Assessor reported on a recent resignation in her office and anticipates advertising for the vacancy in the near future.

The Auditor reported on property tax fee waivers and clarified that the Governor indicated that these fees can be waived, however this is not what is in state law. The Auditor further reported on the current property tax sale and his intent to move forward with the sale as it is a vacant lot in Sierra Brooks.

The Assessor continued to report that the Assessor's Association is seeking an executive order to allow property tax statements to be filed through May 31, 2020.

The Director of Behavioral Health reported on a COVID-19 homeless grant opportunity they are evaluating.

The Director of Health and Social Services reported on gearing up for an increased number of public assistance applications due to unemployment; the resignation of the public health assistant; concerns with the being down one social worker supervisor; and concerns with being able to find a foster/resource family during this time.

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

- 6.A. Resolution authorizing the acceptance of COVID-19 Crisis Response Funding.

The Director of Health and Social Services provided background on the COVID-19 Crisis Response funding.

The Board moved to adopt the resolution authorizing the acceptance of COVID-19 Crisis Response Funding.

**ADOPTED**, Resolution 2020-044. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

- 6.B. Second reading and adoption of proposed ordinance adding Subsection C to Section 36.05.050 and amending Section 36.05.060, Subsection B and Section 36.05.070 of the Sierra County Code Pertaining to Storage of Hazardous Substances In Underground Tanks.

The Board moved to waive the second reading and adopt the ordinance adding Subsection C to Section 36.05.050 and amending Section 36.05.060, Subsection B and Section 36.05.070 of the Sierra County Code Pertaining to Storage of Hazardous Substances in Underground Tanks.

**ADOPTED**, Ordinance 1091. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

**7. BEHAVIORAL HEALTH - LEA SALAS**

- 7.A. Discussion/direction regarding the approved 60% FTE Behavioral Health Associate position.

The Director of Behavioral Health provided background on the request to hire the Behavioral Health Associate position as extra-help rather than a benefited position.

The Auditor expressed concerns with hiring anyone before the department addresses their position in finance.

The Director responded that they had recently hired someone for the finance position at the 35 level and felt they had hired a qualified candidate. The Director continued to explain that she understands the Auditor's argument, but this would mean bringing a request back to the Board to hire at a mid-management level.

Supervisor Adams expressed concerns with the potential impact to the general fund if the financial position is not filled properly.

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Discussion ensued with the Board.

In response to Board inquiry, the Director clarified the need for the Behavioral Health Associate position.

Supervisor Adams recommended the department hire an appropriate fiscal position per the Auditor's request.

The Board moved to authorize hiring the Behavioral Health Associate position as extra-help.

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

## **5. FOREST SERVICE UPDATE**

Yuba District Ranger Lon Henderson provided an update on Forest Service operations with respect to limiting face to face contact; fire and emergency response; the closure of all restrooms; trail facilities remaining open; campgrounds are closed but only due to the season; the PCTA (Pacific Crest Trail Association) requesting hikers not continue their journey on the trail; and the Greene Acres planning grant.

Supervisor Adams expressed concerns over snowmobiling and the potential of having to utilize county resources to rescue these individuals. Supervisor Adams further suggested not engaging in activities that could cause an emergency response.

In response to Supervisor Roen's inquiry regarding the operations of campgrounds going forward, Ranger Henderson clarified that they do not have a plan yet but are actively discussing the issue.

Supervisor Adams commented that there is a State Fish and Wildlife Commission meeting on Thursday to address the regular fishing season.

The Director of Planning commented on the need to hold a meeting with respect to the Yuba project.

The Director also commented on the Greene Acre project and the PCT (Pacific Crest Trail) and requested coordination between the PCTA (Pacific Crest Trail Association), Public Health Officer, etc. to make sure the information pertaining to the closure of the PCT is consistent.

Discussion ensued with the Board.

- 11.A. Discussion/action with respect to a waiver of permit fees for the Pliocene Ridge Community Services District with respect to a USDA funded improvement project at the Alleghany fire station. (SUPERVISOR ADAMS)

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Supervisor Adams provided background on the Pliocene Ridge Community Services District's request for a waiver of permit fees for the USDA funded improvement project at the Alleghany fire station.

In response to Supervisor Dryden's inquiry, the Director of Planning clarified that the request is for building permit fees in an amount of \$700 to \$800. The Director further clarified that the solid waste fee, SMIT fee and the CASP fee which are included in the building permit fees cannot be waived.

The Board moved to waive the permit fees for the Pliocene Ridge Community Services District with respect to a USDA funded improvement project at the Alleghany fire station with the exception of the solid waste, SMIT and CASP fees.

Comments were received by Rae Bell Arbogast representing the Pliocene Ridge Community Service District.

Board discussion ensued.

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

#### **14. TIMED ITEMS**

##### **14.A. 10:00AM TRANSIENT OCCUPANCY TAX MEASURE**

Continued discussion/direction to staff regarding special election for countywide increase in the transient occupancy tax (TOT) to support fire/rescue/EMS services within local fire districts.

Supervisor Adams provided background on the request and the interest amongst the local fire districts to increase the TOT (Transient Occupancy Tax) to support fire, medical, rescue, etc.

Frank Lang, Downieville commented on meetings held with the fire chiefs and commissioners of the Sierra City Fire District, Sierra County Fire Protection District No. 1, Downieville Fire Protection District, and Pliocene Ridge who have all expressed their support of the increase in TOT. Mr. Lang further commented on the proposed 2.5% increase which would provide \$26,000 to the Sierra County Fire Protection District No. 1, \$33,500 to the Sierra City Fire District and \$19,500 to the Downieville Fire District.

In response to Deputy County Counsel's inquiry with respect to whether this will be a general tax or a special tax, Mr. Lang clarified that they are anticipating a special tax which requires a 2/3rd vote and the districts would have to agree to pass the funds through to the Downieville Fire Protection District.

In response to Supervisor Dryden's inquiry, Mr. Lang clarified that the amounts raised would stay within the district the funds are generated from.

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Chair Beard expressed his opposition to any new taxes or fees, but he believes in the right of the people to make this decision.

The Board moved to direct staff to draft the ballot measure increasing the County Transient Occupancy Tax by 2.5% for consolidation with the November 3, 2020 General Election.

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

**8. PERSONNEL DIRECTOR - MARGARET LONG**

8.A. Discussion/adoption of revised resolution establishing interim personnel policies.

Deputy County Counsel provided brief background on the revised resolution establishing interim personnel policies.

The Board moved to adopt the resolution establishing interim personnel policies.

**ADOPTED,** Resolution 2020-045. Motion: Roen/Dryden/Unanimous Roll Call Vote: 5/0

**9. COUNTY COUNSEL - DAVID PRENTICE**

9.A. Resolution appointing a member of the Board of Supervisors as a liaison to the Human Resources Department.

Deputy County Counsel provided background on the proposed resolution and how most counties have a CAO or CEO who usually serves as the liaison when there are questions from a human resources director with respect to a personnel action that cannot be resolved through the normal channels. Since the County does not have a CAO/CEO this resolution is proposing a member of the Board to act as the liaison rather than having to bring these issues to the full Board.

Deputy County Counsel also referred to the concerns received by the Union and indicated that Counsel does not feel this affects wage or working conditions.

Supervisor Huebner requested pulling this item from the agenda due to the Union's concerns.

The Auditor clarified that this is not a unionized decision rather this is a management issue.

Supervisor Roen expressed frustration as this was an item the Board directed County Counsel to bring back in order mitigate some issues they've seen.

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Chair Beard expressed concerns with respect to potentially removing a Board member's vote from a personnel matter during an appeal.

Supervisor Roen reiterated that this item came from direction to County Counsel from the Board due to the time it would take to make the necessary personnel policy changes.

The Board moved to pull the resolution appointing a member of the Board of Supervisors as a liaison to the Human Resources Department from the agenda.

Supervisor Dryden expressed concerns with this affecting how the Board works together and having cohesiveness, rather the Board needs work towards establishing and supporting the Human Resources Department.

Supervisor Adams recommended removing the item from the agenda by consensus and bring it back when appropriate.

The Director of Planning expressed concerns regarding the governance and management perspective of the proposed resolution and suggested working with County Counsel on this issue before it becomes policy.

Considerable discussion ensued.

**FAILED.** Motion: Huebner/Beard/Failed Roll Call Vote: 2/3 (Supervisors Adams, Roen and Dryden NO)

Following discussion and by consensus, the Board continued this item to a future meeting for further discussion.

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

10.A. Presentation of bids and adoption of resolution awarding Public Works Contract for the Sierra County Wellness Center Foundation Construction.

Deputy Director of Transportation Bryan Davey reviewed the bids received for the Sierra County Wellness Center Foundation Construction and recommended awarding the contract to Nor-Cal Construction as the low responsible bidder.

The Board moved to adopt the resolution awarding Public Works Contract to Nor-Cal Construction for the Sierra County Wellness Center Foundation Construction.

**ADOPTED,** Resolution 2020-046 and **APPROVED,** Agreement 2020-026. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

10.B. Approval of Lease Agreement with Alliance for Workforce Development for the modular office at the Sierraville School Complex.

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The Board moved to approve the lease agreement with Alliance for Workforce Development for the modular office at the Sierraville School Complex.

**APPROVED**, Agreement 2020-027. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

10.C. Approval of letter in support of Senate Bill 1191, related to organic waste management.

The Director of Public Works provided background on Senate Bill 1191 sponsored by Senator Dahle regarding solid waste disposal and the proposed letter which would support Senator Dahle's effort to represent the rural counties.

The Board moved to approve the letter in support of Senate Bill 1191, related to organic waste management.

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

10.D. Resolution adopting a list of road maintenance projects to be funded by SB 1 funds for Fiscal Year 2020-2021.

The Director of Transportation provided background on the resolution which is reaffirming the list of road maintenance projects that was adopted by the Board last year. The Director also commented on the expected reduction in SB 1 revenues to the County due to the current stay at home order.

Deputy Director of Transportation Bryan Davey commented on the proposed resolution which allocates the funding to a single project that includes all County roads.

The Board moved to adopt the resolution adopting the list of road maintenance projects to be funded by SB 1 funds for Fiscal Year 2020-2021.

**ADOPTED**, Resolution 2020-047. Motion: Huebner/Dryden/Unanimous Roll Call Vote: 5/0

## **11. BOARD OF SUPERVISORS**

11.B. CONTINUED COVID-19 PUBLIC HEALTH EMERGENCY UPDATE:  
Report from Sierra County Public Health, County Office of Emergency Services, County Department Managers, Forest Service Representatives, and other local agencies on recent developments relating to the COVID-19 Public Health Emergency and possible direction to staff. (CLERK OF THE BOARD)

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The Director of Public Works provided update on recent developments since last meeting including the EOC; what the stimulus bill provides to the County and County residents; discussions surrounding the PCTA and campgrounds; the closure of all County parks and restrooms and the installation of portable toilets; limited access to the courthouse; evaluating individual requests for road closures including the Nature Conservancy and Fred Mitchell in order to keep individuals out of the Independence Lake Preserve and Mr. Mitchell's property; suggestions to issue an advisory to anyone who has been issued an encroachment permit indicating that their special events will likely be canceled; the Superintendent of School having requested additional PPE resources; and the availability of hand sanitizer and face masks to County employees.

The Director of Health and Social Services reported on COVID-19 testing; the proposed press release informing the public that Sierra County is not a safe haven from COVID-19; the department's operations with respect to continuing to assess resource needs; and reaching out to County staff through a Doodle Poll survey.

By consensus, the Board authorized the Director of Health and Social Services to send out the Doodle Poll survey to County staff.

Supervisor Adams commented on the action of the State Fish and Wildlife Commission might take this week to possibly postpone the regular fishing season and requested the Board submit a letter to postpone the regular fishing season in Sierra County.

Following brief discussion, the Board moved to authorize drafting and submitting a letter to the State Fish and Wildlife Commission requesting postponement of the regular fishing season in Sierra County.

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

In response to Supervisor Roen's inquiry, the Sheriff clarified that the County has one inmate scheduled to be released from CDRC (California Department of Corrections and Rehabilitation) and two inmates at Wayne Brown which are not subject to be released when the new bail provisions are scheduled to take effect later this month.

Following brief discussion and by consensus, the Board authorized Supervisor Adams to attend the State Fish and Wildlife Commission's meeting on Thursday.

The Director of Public Works continued to comment on issues that need to be addressed including getting clear communication from NID (Nevada Irrigation District) on their determination with respect to the Jackson Meadow campgrounds; the upcoming visitor season; the requested road closures; campgrounds, special events and wedding venues; and snowmobile trailheads.

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Discussion ensued with the Board regarding signage and noticing on the County website discouraging people from traveling into the County and not to do anything that encourages more use of County roads.

Following discussion, the Board continued this item for all future Board meetings during the duration of the current state of emergency.

- 11.C. Letter from Mr. Gerald R. Bushore inquiring about purchasing Sierra County owned vacant land in the town of Downieville, APN 003-031-007.  
**(Correspondence Item 16.A.)**

Supervisor Adams commented on the County owned vacant parcel which he believes is adjacent to the Downieville Cemetery and expressed concerns with the potential of paupers graves on the site and the lot size with respect to building, etc. Supervisor Adams further recommended drafting a letter from the Board responding to Mr. Bushore that the County is not willing to sell the property.

The Director of Planning also expressed concerns with this property size, the potential of graves on the site and the number of accommodations that would need to be requested to build on the site.

The Board moved to authorize drafting and submitting a letter notifying Mr. Bushore that the County is not interested in selling the vacant land in Downieville, APN 003-031-007.

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

## **12. COUNTY SERVICE AREA BOARD OF DIRECTORS**

At 12:05 p.m. Chair Beard recessed the Regular Board meeting and reconvened as the County Service Area Board of Directors.

At 12:24 p.m. Chair Beard adjourned as the County Service Area Board of Directors and reconvened as the Board of Supervisors.

## **13. CLOSED SESSION**

- 13.A. Closed session pursuant to Government Code Section 54956.9(a) - conference with legal counsel regarding the following litigation: ARP - Loylton Cogen LLC Chapter 11 Bankruptcy - United States Bankruptcy Court Central District Case No. 8:20-bk-10535-ES.

Closed session was held from 12:35 p.m. to 12:49 p.m.

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**16. CORRESPONDENCE LOG**

16.B. Notice of Intent to Harvest Timber submitted by Sierra Pacific Industries and located in Sierra County in portions of Sections 7, 9, and 31, T19N, R10E, MDBM.

**ADJOURN**

At 12:50 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