



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

Lee Adams, District 1

P.O. Box 1 - Downieville, CA 95936 - 530-289-3506 - supervisor1@sierracounty.ca.gov

Peter W. Huebner, District 2

P.O. Box 349 - Sierra City, CA 96125 - 530-565-6055 - phuebner@sierracounty.ca.gov

Paul Roen, Vice-Chair, District 3

P.O. Box 43 - Calpine, CA - 530-565-6048 - supervisor3@sierracounty.ca.gov

Jim Beard, District 4

P.O. Box 1140 - Loyalton, CA 96118 - 530-565-6092 - jbeard@sierracounty.ca.gov

Scott A. Schlefstein, Chair, District 5

P.O. Box 192 - Loyalton, CA 96118 - 530-913-9218 - supervisor5@sierracounty.ca.gov

The Sierra County Board of Supervisors met in special session commencing at **10:00 a.m. on Friday, April 20, 2018 in the Loyalton Social Hall, in the 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 Beard

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, Clerk-Recorder
David Prentice, County Counsel via teleconference
Margaret Long, Assistant County Counsel via teleconference
Joe Larmour, Deputy County Counsel
Van Maddox, Auditor/Treasurer Tax-Collector
Tim Beals, Director of Planning and Transportation

April 20, 2018

APPROVAL OF REGULAR AGENDA

The Board moved to approve the Regular Agenda.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 10:03 a.m. Chair Schlefstein opened the public comment opportunity.

Mr. Dave Goicoechea, Loyalton expressed concerns regarding Chair Schlefstein's ethics with respect to his attendance at meetings for re-election and an attempt of audio excerpts of a prior Board of Supervisors meeting in order to despair his colleagues.

3. COUNTY COUNSEL - David Prentice

3.A. Discussion/possible action regarding changes to the legal structure and/or organization of the City of Loyalton.

County Counsel briefly provided background on the resignation of a Loyalton City Councilwoman and his office along with the City Attorney, Steve Gross having come up with information for the Board and citizens of Loyalton to consider.

Deputy County Counsel provided background on the resent resignation on the Loyalton City Council leaving the City Council without a quorum and the number of inquiries their office received with respect to what options were available to the City. Deputy County Counsel further referred to the memorandum previously transmitted to the Board which outlines County Counsel's conclusions with respect to case law that authorizes the two remaining members of the City Council to appoint a third member to establish a quorum. Deputy County Counsel also clarified that with respect to the requirement that an appointment not create a majority of the quorum as appointed, for the necessity of the continuation of the City's governance the two remaining members of the City Council can still appoint within 30 days or call for a special election.

Deputy County Counsel further clarified that the only available option for the County Board of Supervisors and the State, is to initiate the disincorporation of the City through LAFCo; however, at this time the City has option to continue to govern and either appoint or call for an election and the City residents have the option to petition for disincorporation.

In response to Supervisor Roen's inquiry, Deputy County Counsel clarified that these options were not known until yesterday afternoon and today's meeting was called before a determination was made; there is an opportunity for the City to move forward without the County's involvement.

April 20, 2018

Supervisor Adams referred to page 2 of County Counsel's memorandum with respect to the statement that the County can and likely should wait to determine how the City wants to proceed. Supervisor Adams further indicated that the community should make this determination.

Public comments were received by Janet McHenry, Loyalton; Jackie Mitchell, Loyalton; Mike Welbourn, Loyalton; Gary Shelton, Loyalton; Joyce Cameron, Loyalton; Brooks Mitchell, Loyalton; and Phyllis DeMartini, Loyalton.

Comments were received by Deputy County Counsel and the Director of Planning regarding the anticipated annexation by the Sierra County Fire Protection District No. 1 and the potential impacts to the annexation should the City of Loyalton disincorporate.

Board discussion ensued regarding the disincorporation process through LAFCo.

The Auditor commented on what happens to the City's funds should there be a disincorporation.

Board discussion ensued regarding the City's options to either appoint a third member or call for a special election.

Chair Schlefstein read a letter into the record on behalf of EJ Peeler, Loyalton.

Additional public comment was received by John Cussins, Loyalton; Mark Marin, Loyalton City Councilmember; Joy Markum, Loyalton City Councilmember; Colby Russell, Captain, Loyalton Fire Department; Tom Dotta, Loyalton and Jackie Mertton, Loyalton.

No action taken.

ADJOURN

At 11:14 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