



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

Lee Adams, District 1

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on May 1, 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 Roen

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, 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 Service
Jeff Bosworth, Chief Probation Officer

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APPROVAL OF CONSENT AGENDA

The Board moved to approve the Consent Agenda.

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

11. CONSENT AGENDA

11.A. Resolution of appreciation for Randy Westmoreland, Soils Scientist and Wetlands Program Manager for the United States Forest Service, Tahoe National Forest, Truckee Ranger District, in recognition upon his retirement of 32 years of service. (PUBLIC WORKS)

11.B. Resolution affirming acquisition of 1997 Ford Pickup from Town of Truckee, and authorizing interdepartmental transfer to Sierra County Road Department from the Sheriff's Department in accordance with County Code 5.04.060. (PUBLIC WORKS)

ADOPTED, Resolution 2018-042

11.C. Resolution authorizing Auditor to implement changes to the Fiscal Year 2017-2018 final budget to account for increased revenues and expenditures due to the storm damage from 2017. (PUBLIC WORKS)

ADOPTED, Resolution 2018-043

11.D. Resolution approving Program Supplement Agreement N028 Rev. 1 to Administering Agency- State Agreement for Federal-Aid Projects No 03-5913R - Packer Lake Road Bridge over Salmon Creek. (PUBLIC WORKS)

ADOPTED, Resolution 2018-044

APPROVED, Agreement 2018-027

11.E. Resolution approving Program Supplement Agreement N027 Rev. 1 to Administering Agency- State Agreement for Federal-Aid Projects No 03-5913R - Salmon Lake Road Bridge over Church Creek. (PUBLIC WORKS)

ADOPTED, Resolution 2018-045

APPROVED, Agreement 2018-028

11.F. Minutes from the regular meeting held on April 3, 2018. (CLERK-RECORDER)

11.G. Minutes from the regular meeting held on April 17, 2018. (CLERK-RECORDER)

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APPROVAL OF THE REGULAR AGENDA

The Board moved to approve the Regular Agenda.

Supervisor Adams commented that Item 9.A. will be held in the courtroom.

The Clerk commented that the Forest Service update will be held at 10:45 a.m.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:03 a.m. Chair Schlefstein opened the public comment opportunity.

Comments were received by Carl Butz, Downieville regarding the AT&T presentation on the agenda.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Adams reported on the quarterly meeting with the Forest Service which included a discussion regarding the County's abandoned vehicle fund and the Board previously voting to create an abandoned vehicle fund however the City of Loyalton would have to sign on. Supervisor Adams further requested adding this issue to the next agenda for discussion.

Supervisor Huebner reported on meeting held in Verdi with officials in Washoe County regarding the water drainage issue.

Chair Schlefstein reported the Behavioral Health Advisory Board will meet on May 3, 2018.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Chief Probation Officer reported on the new law allowing probation officers to display blue lights on their vehicles and his department having completed the required training and installation of lights on their vehicles.

The Director of Behavioral Health reported on options available to the department with respect to billing MediCal and an update on the two school speakers who focused on environmental risks for the students.

The Director of Health and Social Services reported on adult protective services in the county and looking into a case management system for collecting data which will be paid for by the state for the first three years.

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CHP Lieutenant Stevenson provided an update on CHP operations in the county.

6. BOARD OF SUPERVISORS

- 6.A. Update by Dan Spiess, CEO and Dr. Eric Rudnick, Medical Director regarding services provided by Nor-Cal Emergency Medical Services (EMS). (SUPERVISOR ADAMS)

Supervisor Adams introduced Mr. Spiess and Mr. Rudnick and briefly explained that Nor-Cal EMS is Sierra County's EMS authority and is shared with Lassen, Modoc, Plumas and Trinity Counties and is a nine member Board which includes himself, Supervisor Huebner, Supervisor Roen as an alternate and LaTina Vanetti as the member at large.

Mr. Spiess provided an update on Nor-Cal and the services provided to County.

Following Mr. Spiess' presentation, he further provided background on Dr. Rudnick, Medical Director of Nor-Cal EMS.

Dr. Rudnick provided detailed information on his work with Nor-Cal EMS.

Board questioning ensued.

7. PUBLIC WORKS/TRANSPORTATION - Tim Beals

- 7.A. Discussion and direction to staff with regard to the release of the Draft Environmental Impact Statement (DEIS) for the Tahoe National Forest Over-Snow Vehicle (OSV) Use Designation Project.

The Director of Public Works provide background on the Draft Environmental Impact Statement (DEIS) for the Tahoe National Forest Over-Snow Vehicle (OSV) Use Designation Project; the Forest Service's commitment to hold an additional meeting in Sierra City on May 9, 2018 to explain the Draft EIS in greater detail; and staff will issue comments for a proposed letter for the May 15, 2018 Board of Supervisors meeting as this is the last opportunity for the Board to make formal comments and be part of the record.

Brief discussion ensued.

- 7.B. Discussion and direction on request from Sierra County Fire Protection District 1 for fee exemption or reduction for Encroachment Permit related to the Tour de Manure.

The Director of Public Works briefly reviewed the request for exemption or reduction for an encroachment permit and expressed concerns of waiving fees for special districts. The Director further suggested the Board create a policy on waiving fees for special districts if this is the direction they decide to go.

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Comments were received by the Auditor, Supervisor Roen and Supervisor Adams regarding the need for a policy; the recent increase of the encroachment permit fee from \$50 to \$250; and what the loss to the county would be if the fee is waived or reduced.

Following discussion and by consensus, the Board referred the creation of a policy and review of the Encroachment Permit fee to the Finance Committee and directed staff to suspend collecting the fee until the policy and fee are determined and to continue to collect the security deposit for an event.

- 7.C. Amendment to Sierra County Agreement 2009-044 with Sauers Engineering Services for continued services, including additional tasks related to completion of design and services through construction of the Sierra Brooks Water System Improvements Phase 2.

Following a brief review by the Director of Public Works, the Board moved to approve the amendment to Sierra County Agreement 2009-044 with Sauers Engineering Services for continued services, including additional tasks related to completion of design and services through construction of the Sierra Brooks Water System Improvements Phase 2.

APPROVED, Agreement 2018-029. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

8. PLANNING / BUILDING - Tim Beals

- 8.A. Discussion regarding Sierra Valley Hospital District Local Agency Formation Commission (LAFCO) proceedings and report on meeting held at Eastern Plumas Hospital on April 29, 2018.

The Director of Planning provided background on the anticipated process of the dissolution of the Sierra Valley Hospital District (SVHD) and the annexation of the majority of the SVHD by the Eastern Plumas Health Care District (EPHC) as well as a detachment of property west of the Yuba Pass from the inclusion in the EPHC annexation; Plumas County LAFCo's willingness to take the lead on the entire reorganization; and having Sierra County LAFCo formally request Plumas County LAFCo to take over the entire proceedings pursuant to Government Code 56388.

The Director also clarified that Sierra County would still be in charge of the tax negotiations and the collection of the Sierra Valley Hospital District's bonded indebtedness will fall to Sierra County for the remaining term of the bond.

The Auditor commented on the collection of the bonded indebtedness and who sets the rate if it has to change.

10. CLOSED SESSION

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- 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 10:32 a.m. to 10:35 p.m. County Counsel reported that information was given.

5. FOREST SERVICE UPDATE

Tahoe National Forest Supervisor Eli Ilano introduced the new Yuba District Ranger Lon Henderson.

District Ranger Lon Henderson briefly addressed the Board.

9. TIMED ITEMS

9.A. 11:00AM AT&T BROADBAND SERVICES

Presentation by Alice Perez, External Affairs Manager, Sacramento Region, AT&T regarding AT&T broadband and telephone service in western Sierra County. (SUPERVISOR ADAMS)

Supervisor Adams introduced the item explaining that they have been working with the California Emergency and Technology Fund who has a mandate to try and provide broadband services to 98 percent of the state. Sierra County is nowhere near this 98 percent coverage. On the western side of the County AT&T is the provider and we are here is to try and determine what we have to look forward to in the future with respect to broadband service as there are a number of areas in the county that are underserved and unserved.

Ms. Alice Perez addressed the Board expressing the importance of the community and the Board of Supervisors to partner with other elected officials and broadband consortiums to continue to make known the need for broadband services throughout the county. Ms. Perez further provided an update on the status of previous work they have done in the county including looking at where fiber is in the county and any backbone they have that other agencies can utilize. Ms. Perez also indicated that AT&T is committed to leveraging available federal, state, local and AT&T funding pools to bring broadband services to rural communities.

Ms. Perez continued to provide an overview of the Connect America Funding (CAFII, AB 1665), and Sierra County not being eligible as the county is designated as extremely high cost to build. However, Sierra County should be available for this funding after July of 2020 as they will be looking at extremely high cost to build areas. Also, census blocks that don't have access to 61 broadband should be eligible for broadband infrastructure funds from the California Advanced Services Funds (CASF).

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Ms. Perez further explained that business customers can submit an inquiry to their business office for a quote for services and they will receive an answer as to whether or not they can access broadband services. With respect to access to services for residential customers, it is not available and AT&T does not have a solution at this time because it is not in their current build. However, AT&T is hoping this will open up in the future. With respect to areas where service is currently offered, service may be available depending on whether the capacity of the central office has been reached. The more AT&T is aware that more people are attempting to get access to service in an area that has a central office, AT&T will commit to reevaluating that central office.

Supervisor Huebner expressed concerns of having to wait until 2020 for funding.

Ms. Perez continued to provide an update on the copper rehabilitation projects to ensure the quality of service and reduce the number of service tickets. Ms. Perez also reviewed the number of infrastructure repair projects completed in Sierra County and AT&T's proposal pending approval at the CPUC to commit to extra investments across the state for copper infrastructure.

Ms. Perez further reviewed a map of areas AT&T is focusing on for copper rehabilitation including North San Juan, Camptonville, Downieville, and Alleghany. With respect to fiber, AT&T is working on a job that places inter-office facility fiber between Sierra City and Sierraville, they are just waiting for permits from the Forest Service and Caltrans and hope to have it completed by 2020. In regards to the CAFII funding, AT&T received \$427 million to buildout infrastructure for broadband services in rural communities in California and have committed to providing access to 141,500 homes and small business in the FCC's specified blocks. Ms. Perez further explained that the FCC determines and identifies the census blocks/areas with respect to providing access to broadband services.

Ms. Perez further provided background on the CAS funding which provides 30 million in broadband infrastructure funding through 2020 and census blocks in the county that don't have access to 61 broadband should be eligible for this funding. AT&T would like to utilize this funding; however, they don't feel they can meet the first round of funding requirements by the CPUC. AT&T has submitted some amendments to these requirements and is hopeful the CPUC will consider these amendments so AT&T can accept the funding.

Ms. Perez continued to provide background on FirstNet and each county needing to opt into FirstNet either with an independent provider or AT&T. There is a plan for a FirstNet build in Downieville which will include bringing in a cell tower to provide coverage. Ms. Perez further explained that when the public safety group isn't utilizing the FirstNet network the community can utilize it.

Ms. Perez further recommended the Board of Supervisors communicate with the CPUC regarding the CAS Funding; identify areas where broadband services will increase economic development in underserved areas; communicate with CalOES

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regarding coverage needs for FirstNet; and include her in all communications with these agencies.

Board questioning ensued.

The Director of Planning questioned what the capacity is of the current central offices located in Downieville, Sierra City, Camptonville and Alleghany; what is the process and cost of updating the central office capacity; and how did the FCC come up with the census block designations as an area that can now receive an investment?

The Director continued to express concerns with the impacts of this issue to the quality of life in the county and its communities; stymieing business growth; impacts on economic development potential and property values; and prohibiting individuals from relocating and conducting home base businesses within the county as there are no broadband services.

The Director further provided history on the development of broadband services in the county through the County's Economic Committee and the only two vendors accessible to the county at the time were Digital Path and AT&T. The Committee was very proactive in getting Digital Path to develop infrastructure to serve the needs of the county, however AT&T suddenly became interested in providing these services. The Committee then put together a prospectus and he and the prior Treasurer/Tax Collector met with AT&T representatives in Sacramento and came away from the meeting with a very positive response. However, AT&T's interest essentially buried Digital Path. The Director continued to explain that the promises and assurances presented by AT&T at this meeting are not consistent with what we are seeing today. They were told that the central offices would be upgraded once they reached capacity and now we are being told otherwise.

The Director reiterated his questions with respect to what the potential is of increasing the central office capacity in Sierra City and Downieville; what is the ability to reach communities close to these central offices; and what level of input did anyone provide or ask for with respect to the determining the census blocks.

Ms. Perez responded to the Directors comments and requested he submit his questions in an email to her in order to set up a dialog with the right people. Ms. Perez also commented on Digital Path's decision to no longer provide service in the area and suggested talking to them again as there is no reason they can't coexist within the county. With respect to the census blocks, this is determined by the FCC and suggested communicating to them that the information is incorrect.

The Board commented on AT&T's inability to connect new property owners in Sierra City; the FCC census block designations; and available funding avenues.

Public comment was received by Chelsea Walterscheid and Kristin York with the Sierra Business Council; Corby Erwin, Plumas Rural Sierra Electric Company; Will Clark, Downieville; Sierra County Superior Court Judge Yvette Durant; Michael

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Nicholas, Vice President, Haskell Creek Tract Association; Lee Brown, Sierra County OES; Carl Butz, Downieville; Darby Hayes, Sierra City; Bryan Davey, Deputy Director of Public Works; Cindy Ellsmore, Sierra City; Tim Jordan, Sierra County Information Systems; Richard Esposto, Sierra City; Clinton Hayes, Goodyears Bar; Terrence Rodgers, RCRC; and Shane Star, Field Representative for Congressman Doug LaMalfa.

12. CORRESPONDENCE LOG

12.A. Letter from Eldon Luce, Agency on Aging Area 4 (AAA4) regarding Sierra County's matching contribution for Fiscal Year 2018-2019.

No action taken.

ADJOURN

At 12:51 p.m., with no further business, Chair Schlefstein adjourned the meeting.

SCOTT A. SCHLEFSTEIN, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD