



**STATE OF CALIFORNIA, COUNTY OF SIERRA
BOARD OF SUPERVISORS
MINUTES
REGULAR 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, Chair, District 3

P.O. Box 43 - Calpine, CA 96124 - 530-565-6048 - supervisor3@sierracounty.ca.gov

Jim Beard, Vice-Chair, District 4

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

Sharon Dryden, District 5

P.O. Box 246 - Loyalton, CA 96118 - 530-913-9218 - sdryden@sierracounty.ca.gov

The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on May 7, 2019 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 Huebner

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: Dryden/Huebner/Unanimous Roll Call Vote: 5/0

17. CONSENT AGENDA

17.A. Resolution delegating the investment authority and renewing the investment policy. (TREASURER)

ADOPTED, Resolution 2019-064

17.B. Chandler Asset Management Investment Report for Sierra County period ending March 31, 2019. (TREASURER)

17.C. Treasurer reports and statements of liquidity for January through March, 2019. (AUDITOR)

17.D. Cash Audit Report for the quarter ending March 31, 2019. (AUDITOR)

17.E. Professional Services Agreement between Barbara Coffman, MFT, and Sierra County for behavioral health services. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2019-031

17.F. Resolution approving the submittal of an application for the Local Enforcement Agency Grant and authorizing Director or Designee to execute the necessary application for the securing of grant funds. (PUBLIC HEALTH)

ADOPTED, Resolution 2019-065

17.G. Resolution authorizing the Auditor to make certain transfers in the 2018/2019 County Budget for the Tobacco Program. (PUBLIC HEALTH)

ADOPTED, Resolution 2019-066

17.H. Resolution authorizing the Sierra County Auditor to make certain transfers in the 2018/2019 County Budget to cover the county share of the increased CalWorks grants. (SOCIAL SERVICES)

ADOPTED, Resolution 2019-067

17.I. Agreement between the County and Tahoe Forest Hospital in Truckee for drug and alcohol testing services. (PUBLIC WORKS)

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APPROVED, Agreement 2019-032

- 17.J. Resolution authorization the Auditor to make changes to the 2018/2019 County Budget Solid Waste Post Closure Fund/Solid Waste Post Closure Maintenance Fund. (PUBLIC WORKS)

ADOPTED, Resolution 2019-068

- 17.K. Resolution authorization the Auditor to make changes to the 2019 Final Budget to reflect revenues and expenditures related to storm damage projects. (PUBLIC WORKS)

ADOPTED, Resolution 2019-069

- 17.L. Authorization for the Sheriff's Office to accept donation of 15 Axon Body Worn Cameras and docking/charging stations from the Town of Truckee. (SHERIFF)

- 17.M. Approval of purchase of two (2) wireless conference sound systems from Pro Acoustics to replace current sound system for County Board of Supervisors meetings held in Downieville and Loyalton. (CLERK OF THE BOARD)

- 17.N. Appointment of Mary Ervin, President of the Sierra County Chamber of Commerce, as the official representative of Sierra County to be responsible for the County's State Fair exhibit and to make decisions, requests, and any protests on behalf of the County. (CLERK OF THE BOARD)

- 17.O. Minutes from the regular meeting held on April 2, 2019. (CLERK-RECORDER)

APPROVAL OF THE REGULAR AGENDA

The Board moved to approve the Regular Agenda.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:02 a.m. Chair Roen opened and closed the public comment opportunity with no persons addressing the Board.

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3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Adams reported on the CSAC and RCRC meetings he attended; the Finance Committee is set to be held this Friday at 10:00 a.m.; and he will be attending the Western Interstate Region RCRC meeting in Spokane, Washington next week.

Chair Roen reported on a meeting he and the Director of Planning attended with representatives of the Forest Service yesterday and the Sierra Nevada Conservancy meeting held last Friday.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Director of Behavioral Health provided an update on the Mental Health Services Act program audit on May 21st; the Substance Abuse Disorder desk audit on May 20th; the extra-help Substance Abuse Disorder Counselor; and working on an internship program due to several employees aging out in the next few years and looking to work with UNR.

The Director of Health and Social Services reported on the IHSS and child welfare state audit reviews; measles and the weekly situation report that is required by the State Department of Health; and the issue regarding the post office box charges to those who live at the Sierra Valley Senior Apartments.

The Chief Technology Officer provided an update on the computer backup project and the department's ability to handle a ransomware attack.

The Sheriff reported on expanding the correction/dispatch duties to do jail transporting in order to free up deputies and is a cost savings to the county; working to get search and rescue up and running; the patrol vehicle which had engine issues is back up and running; and the need for new vehicles in the future due to aging vehicles in the department.

The Director of Planning reported on Stampeded Dam Road project; the Local Transportation Commission's approved travel policy; Brian Estes, Cal Fire Unit Ranger will attend the June 18th Board meeting; the installation of speed feedback signs by the Loyalton Elementary school; all roads are now open with the exception of Gold Lake Road; looking to set up a time to present a resolution of appreciation to Ranger Roubique; considering surplus three pieces of equipment which are causing issues with the CARB requirements which will extend the requirements to 2030; the Solid Waste budget; Tim Gibson, Plumas and Sierra County Ag Commissioner asking questions about the county's position on cannabis and industrial hemp; and a meeting to be held on June 29th in Sierraville on the Sierra Hot Springs project.

The Sheriff also reported on CHP providing his staff three days of free training for radar certification.

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Sr. Deputy Probation Officer Chuck Henson reported on instituting an interactive journaling booklet.

5. FOREST SERVICE UPDATE

Yuba River District Ranger Lon Henderson provided an update on the first wildfire of the season in Yuba County; staffing; and the North Yuba Project.

6. PROBATION - Jeff Bosworth

- 6.A. Resolution approving the proposed 2019-2020 Budget for the Community Corrections Partnership (CCP).

Sr. Deputy Probation Officer Chuck Henson provided background on the proposed resolution.

The Board moved to adopt the resolution approving the proposed 2019-2020 Budget for the Community Corrections Partnership (CCP).

ADOPTED, Resolution 2019-070. Motion: Adams/Beard/Unanimous Roll Call Vote: 5/0

7. BEHAVIORAL HEALTH - Lea Salas

- 7.A. Discussion/direction regarding placing a modular home or commercial building next to the Behavioral Health building in lieu of the Wellness Center expansion project and to work with Planning/Public Works to develop project.

The Director of Behavioral Health provided background on the prior bidding for the project which well exceeded the value of the property and having determined to install a modular unit as it is a more viable option. The Director added that she is requesting direction to work with Public Works on the bids for the foundation and modular building.

Following brief discussion and by consensus, the Board directed staff to move forward placing a modular home or commercial building next to the Behavioral Health building in lieu of the Wellness Center expansion project and to work with Planning/Public Works to develop project

- 7.B. Authorization to pay 2017/2018 invoices to Charis Youth Center in the amount of \$39,880.70 for Therapeutic Behavioral Services.

The Director of Behavioral Health provided background on the 2017/2018 invoices to Charis Youth Center in the amount of \$39,880.70 for Therapeutic Behavioral Services which weren't received until March 2019 but are required services that were budgeted through the contract.

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In response to Supervisor Adams' inquiries, the Director clarified that the county still has an agreement with Charis Youth Center and they also have the State's approval in writing to claim these services this year and that it will be paid.

The Board moved to authorize payment of the pay 2017/2018 invoices to Charis Youth Center in the amount of \$39,880.70 for Therapeutic Behavioral Services.

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

16. TIMED ITEMS

16.A. 10:00AM - PUBLIC HEARING - OREGON CREEK ROAD

Conduct public hearing and consider adoption of resolution terminating maintenance of a portion of an existing county highway identified as Oregon Creek Road, County Road 295, specifically for the portion between the Zumalt Property and the Kate Hardy Mine.

The Director of Transportation provided background on the prior direction from the Board to draft the proposed resolution authorizing the county to terminate maintenance on a portion of Oregon Creek Road.

Supervisor Adams commented on the letter received from Joan Zumalt McGarity and clarified that there are no fees associated with this action.

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

The Director requested the previous record be entered into the record as staff Exhibit 1.

Jonathan Zumalt commented that the section between the Zumalt property and the second creek crossing above it was never a county road and that the road was legally abandoned in 1986 but the county conveniently misplaced the documents. Mr. Zumalt further indicated that what the Board is doing now is pushing public access through private property a backwards way.

Supervisors Adams clarified that Mr. Zumalt is entitled to his opinion, however the facts are that the Board did take action to abandon the road however it simply was not recorded.

The Director responded to Mr. Zumalt's comments and clarified that there was no dishonesty or intent to misdirect this in anyway.

At 10:15 a.m. Chair Roen closed the public hearing with no further persons addressing the Board.

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The Board moved to adopt the resolution terminating maintenance of a portion of an existing county highway identified as Oregon Creek Road, County Road 295, specifically for the portion between the Zumalt Property and the Kate Hardy Mine.

ADOPTED, Resolution 2019-071. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

- 11.B. Request of Sierra County Land Trust for technical assistance from the County in administering the CEQA process for grant funding that the Land Trust is seeking for projects.

Laurie Oberholtzer, Sierra County Land Trust, provided background on the Sierra Nevada Conservancy grant funding they received for fuels reduction work on Packer Saddle and the Hayes-O’Gara Sierra Buttes Open Space Preserve acquisition grant application. Ms. Oberholtzer further requested a letter of support at the time they submit the full application and for the county to be the lead agency for a categorical exemption on the land acquisition project.

Supervisor Adams expressed concerns with the loss of developable property in the county and the impacts to the local economy.

Ms. Oberholtzer explained her focus area is on the Lakes Basin and the special treatment area which has special protections and policies in the general plan.

Following brief discussion, the Board moved to accept the lead agency status in administering the CEQA process for grant funding that the Land Trust is seeking for the Hayes-O’Gara Sierra Buttes Open Space Preserve acquisition grant application.

APPROVED. Motion: Adams/Huebner/Majority Roll Call Vote: 4/0/1 (Supervisor Beard NO)

8. AUDITOR / TREASURER-TAX COLLECTOR - Van Maddox

- 8.A. Resolution/Findings authorizing appointment of retired annuitant to a temporary position.

The Auditor provided brief background on the resolution authorizing the appointment of a retired annuitant to a temporary position.

The Board moved to adopt the resolution/findings authorizing appointment of retired annuitant to a temporary position.

ADOPTED, Resolution 2019-072. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

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14. BOARD OF SUPERVISORS

- 14.A. Request to have contract review of existing agreement with the Downieville Fire Protection District regarding ambulance and emergency medical services in western Sierra County assigned to the board's finance committee. (SUPERVISOR ADAMS)

Following a brief overview by Supervisor Adams and by consensus, the Board referred the review of the existing agreement with the Downieville Fire Protection District regarding ambulance and emergency medical services in western Sierra County to the Finance Committee.

16.B. 10:30AM - WILDFIRE PREVENTION AND PREPAREDNESS

Discussion/direction regarding wildfire prevention and preparedness for Sierra County.

The Director of Planning provided background on the prior resolutions adopted by the Board proclaiming a local emergency to highlight wildfire severity issues in the county and a number meetings held over the past few weeks which have provided an opportunity for the county to become more proactive on a project by project basis.

Chair Roen commented on a meeting he attended with representatives from the Forest Service regarding the county's options including the good neighbor authority agreement or master stewardship agreement. Chair Roen further requested the consensus of the Board to move forward with one of these options.

Discussion ensued with the Board.

Jim Turner, American Renewable Energy commented on the Truckee Town Hall meeting he attended and suggested a public meeting emphasizing awareness and the need to have a plan.

Discussion ensued with the Board.

Comments were received by Cynthia Lopez, Sierra City regarding the upcoming community wildfire meeting and those who plan to be in attendance.

The Sheriff commented on the importance of preparedness.

Following discussion and by consensus, the Board authorized the Chair to proceed with pursuing a good neighbor agreement and/or master stewardship agreement.

9. RISK MANAGER - Van Maddox

- 9.A. Approval of Memorandum of Understanding with CSAC EIA Dental Program.

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The Board moved to approve the Memorandum of Understanding with CSAC EIA Dental Program.

APPROVED, Agreement 2019-033. Adams/Huebner/Unanimous Roll Call Vote: 5/0

12. PUBLIC WORKS/TRANSPORTATION - Tim Beals

12.A. Authorization to purchase two truckloads of crackseal and pavement repair product from Maxwell Products in an amount not to exceed \$40,000.

The Board moved to authorize the purchase two truckloads of crackseal and pavement repair product from Maxwell Products in an amount not to exceed \$40,000.

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

12.D. Resolution confirming existence of a project that will utilize Rule 20A funds for the renovation of Main Street (State Route 49) in Sierra City known as "The Sierra City Main Street Project" which will include road and drainage, pedestrian, and overhead utility conversion improvements.

The Board moved to adopt the resolution confirming existence of a project that will utilize Rule 20A funds for the renovation of Main Street (State Route 49) in Sierra City known as "The Sierra City Main Street Project" which will include road and drainage, pedestrian, and overhead utility conversion improvements.

ADOPTED, Resolution 2019-073. Motion: Huebner/Adams/Unanimous Roll Call Vote: 5/0

12.B. Report of May 3, 2019 meeting at the Sierra Nevada Conservancy Offices in Auburn on a collaborative funding and forest health project planned for the Yuba River Drainage in western Sierra County.

The Director of Public Works reported on the May 3, 2019 meeting with a number of agencies and non-governmental organizations interested in pursuing funding and project related activities that are related to forest health and four more meetings planned for months of June, July, August and September.

Discussion ensued with the Board.

Yuba River District Ranger Lon Henderson commented that this project won't succeed unless the county is on board with it.

Discussion ensued regarding making sure the county is engaged in the discussion on this project.

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10. OFFICE OF EMERGENCY SERVICES (OES) -Tim Beals

- 10.A. Discussion/direction on authorizing issuance of a Request for Proposals (RFP) for a complete update of the County Emergency Operations Plan funded through Homeland Security funding.

The Director of OES provided background on the opportunity through Homeland Security funding to overhaul the county emergency operations plan without it becoming a general fund issue and the goal to integrate all of the county's emergency functions into one plan.

Discussion ensued with the Board.

Following discussion and by consensus, the Board authorized the issuance of a Request for Proposals (RFP) for a complete update of the County Emergency Operations Plan funded through Homeland Security funding.

At 11:58 a.m. Supervisor Adams stepped down from the Board.

11. PLANNING / BUILDING - Tim Beals

- 11.A. Authorization to negotiate and complete the purchase of two used vehicles as approved in the final budget for the Department of Building and Planning.

The Board moved to authorize negotiating and completing the purchase of two used vehicles as approved in the final budget for the Department of Building and Planning.

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

- 12.C. Resolution accepting certain offers of dedication for Hill Lane at Verdi between the State of Nevada and Dog Valley Road.

Following a brief overview by the Director of Planning, the Board moved to adopt the resolution accepting certain offers of dedication for Hill Lane at Verdi between the State of Nevada and Dog Valley Road.

ADOPTED, Resolution 2019-074. Motion: Huebner/Dryden/Unanimous Roll Call Vote: 4/0/1 (Supervisor Adams ABSENT)

- 12.E. Discussion and direction on two issues pertaining to fire protection services involving Sierra County Fire Protection District #1: a. Mitigation fee ordinance amendment to incorporate the area of Sierra County recently annexed into the existing fire protection district; and b. Services agreement for fire and EMS services for Verdi and Long Valley with Truckee Meadows Fire Protection District of Washoe County, Nevada.

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The Director of Public Works reviewed the current mitigation fee ordinance which is confined to the prior boundary of the Sierra County Fire Protection District No. 1 and the fees automatically transferring to the newly annexed area of the district. The Director further indicated there are two questions that need to be answered: 1) whether the mitigation fee ordinance needs to be amended to incorporate the new annexed area into the existing fire district; and 2) how the nexus study/capital improvement plan that was done for the existing district boundaries translates to the new district boundaries and whether there is an obligation for the district to update its capital improvement plan to now include the annexed area.

The Director further reviewed the services agreement with the Truckee Meadows Fire Protection District and the draft agreement being significantly different that was originally discussed and needing to determine who the signing parties to the agreement will be.

It was clarified that the county would be signing the agreement but only with respect to administering the new assessment.

The Director further commented on needing to find an engineer for the assessment.

- 12.F. Introduction and first reading of ordinance amending Sierra Brooks Water System policies to conform to the proposed water system grant and loan project funded by USDA Rural Development.

At the request of the Director of Public Works, this item was continued to the next meeting.

13. COUNTY SERVICE AREA BOARD OF DIRECTORS

Meeting of the County Service Area (CSA) Board of Directors.

At 12:15 p.m. Chair Roen recessed the Regular Board meeting and reconvened as the County Service Area Board of Directors.

At 12:21 p.m. Chair Roen adjourned as the County Service Area Board of Directors and reconvened as the Board of Supervisors.

15. CLOSED SESSION

- 15.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.

At 12:22 p.m. Chair Roen stepped down from the Board.

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CLOSED SESSION STATEMENT

The Board met in closed session from 12:22 p.m. to 12:45 p.m.

At 12:45 p.m. Chair Roen returned to the Board.

County Counsel reported that with respect to Item 15.A., information and direction was given.

18. CORRESPONDENCE LOG

18.A. Letter from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding new or revised Flood Insurance Rate Map (FIRM) panels within Sierra County.

No action taken.

ADJOURN

At 12:45 p.m., with no further business, Chair Roen adjourned the meeting.

PAUL ROEN, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD