



**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, Vice-Chair, District 3

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Jim Beard, District 4

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Scott A. Schlefstein, Chair, District 5

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on June 19, 2018 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 Beard

ROLL CALL

Present: Lee Adams, Supervisor, District #1
Paul Roen, Supervisor, Vice-Chair, District #3
Jim Beard, Supervisor, District #4
Scott A. Schlefstein, Supervisor, Chair, District #5

Absent: Peter W. Huebner, Supervisor, District #2

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

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APPROVAL OF CONSENT AGENDA

The Board moved to approve the Consent Agenda.

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

13. CONSENT AGENDA

13.A. Resolution approving the surplus of computer monitors. (SOCIAL SERVICES)

ADOPTED, Resolution 2018-069

13.B. Resolution authorizing the Auditor to make certain changes to the 2017/2018 final budget for Social Services. (SOCIAL SERVICES)

ADOPTED, Resolution 2018-070

13.C. Resolution approving amendment 03 of the Women, Infants and Children (WIC) four year agreement and authorizing Vickie Clark, Director to sign the amendment. (PUBLIC HEALTH)

ADOPTED, Resolution 2018-071

APPROVED, Agreement 2018-058

13.D. Resolution approving plans, specifications and bidding documents and authorization to solicit bids for the Revegetation of the Loyaltan Landfill. (PUBLIC WORKS)

ADOPTED, Resolution 2018-072

13.E. Amendment to Agreement 2017-056 with Avalex, Inc. to amend the scope of work to include additional work tasks and increase compensation accordingly for the Solid Waste Consulting Services Fiscal Year 2018. (PUBLIC WORKS)

APPROVED, Agreement 2018-059

13.F. Professional Services Agreement with Avalex, Inc. for Solid Waste Consulting Services for Fiscal Year 2018/2019. (PUBLIC WORKS)

APPROVED, Agreement 2018-060

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- 13.G. Resolution approving proposed budget for the CalRecycle OPP8 (Oil Payment Program) for expenditures during Fiscal Year (FY) 2018/2019. (PUBLIC WORKS)

ADOPTED, Resolution 2018-073

- 13.H. Resolution approving proposed budget for the 2018/2019 CalRecycle Beverage Recycling Program. (PUBLIC WORKS)

ADOPTED, Resolution 2018-074

- 13.I. Resolution authorizing Auditor to implement changes to the Fiscal Year 2017-2018 final budget to adjust Public Works Budget to accurately reflect actual expenditures for current fiscal year. (PUBLIC WORKS)

ADOPTED, Resolution 2018-075

- 13.J. Renewal of contract for Public Defender Services with J. Lon Cooper. (CLERK OF THE BOARD)

APPROVED, Agreement 2018-061

- 13.K. Modification of Agreement No. 2010-086 with Northern California EMS, Inc. for Emergency Management Services (EMS) Services within Sierra County, extending services for Fiscal Year 2018/2019. (CLERK OF THE BOARD)

APPROVED, Agreement 2018-062

- 13.L. Certified statement of the results of the canvass for the June 5, 2018 Statewide Direct Primary Election. (ELECTIONS)

- 13.M. Minutes from the special meeting held on April 20, 2018. (CLERK OF THE BOARD)

APPROVAL OF REGULAR AGENDA

The Board moved to approve the Regular Agenda.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

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

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Adams reported RCRC will meet tomorrow and with respect to the Sierra County Gold Collection he has been in contact with the California Museum in Sacramento as a possible site to house the gold collection.

Supervisor Beard reported First Five will meet on Friday at 9:30 a.m. and another Ham Radio class will be held in Quincy on June 30th.

Chair Schlefstein reported on an interview with Channel 8 News out of Reno last Sunday regarding the Loyaltan Mobilehome Park.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Director of Planning provided an update on the bridge lighting project in Downieville; the Wellness building project; the Behavioral Health building project; the closure of the landfill; and the Sierra Brooks Water System project.

In response to Chair Schlefstein's inquiry, the Director clarified that the Assessment Engineering report for the Sierra Brooks Water project has been completed.

Supervisor Adams commented on the bridge lighting project in Downieville and thanked the Director of Planning and Supervisor Roen for their help.

5. FOREST SERVICE UPDATE

No report given.

7. PUBLIC WORKS/TRANSPORTATION - Tim Beals

7.A. Discussion and authorization to hire extra help Plant Maintenance Workers/Laborers (up to 4) for a temporary project to paint the Downieville Community Hall.

The Director of Public Works provided background on the Downieville Improvement Group wanting to donate the funds to paint the Downieville Community Hall and the issue with this being a public building which is subject to prevailing wages. The Director added that following discussions with the painting contractor, the Auditor and County Counsel, the option to avoid dealing with the prevailing wage schedule, which increases the cost of the project by 30-50%, is to hire two to three plant maintenance workers who will be the contractor and his staff and make them county employees. The Director further explained the request is to authorize him to move forward with advertising and hiring the positions and to start the project.

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Brief discussion ensued regarding setting up a budget within the Parks and Recreation fund in the amount of \$35,000 (\$25,000 in extra help and \$10,000 in service and supplies); a FEMA project to repair flood damage to the building which must be completed before painting can start; and needing to have the Board approve the donation from the Downieville Improvement Group to the County.

Following discussion, the Board made a motion of intent to move forward with the concept of authorizing the Director of Public Works to hire extra help Plant Maintenance Workers/Laborers (up to 4) for a temporary project to paint the Downieville Community Hall.

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

7.B. Authorization for Auditor to pay invoice for the Delleker Transfer Station Tipping Fee.

The Director of Public Works briefly reviewed the invoice for the Delleker Transfer Station tipping fee which is in lieu of the contract with Plumas County which will be coming forward.

Board discussion ensued.

The Board moved to authorize the Auditor to pay invoice for the Delleker Transfer Station Tipping Fee.

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

7.C. Amendment to Professional Services Agreement 97-068 with Bastian Engineering to increase compensation for Fiscal Year 2018.

The Director of Public Works reviewed the amendment to the agreement with Bastian Engineering which is a request to increase the budget and expected revenues for recovering the costs of the County Surveyor/County Engineer as a result of solid waste issues, drainage issues, and a road in Verdi.

The Board moved to approve the amendment to Professional Services Agreement 97-068 with Bastian Engineering to increase compensation for Fiscal Year 2018.

APPROVED, Agreement 2018-063. Motion: Adams/Roen/Unanimous Roll Call Vote: 4/0/1 (Supervisor Huebner ABSENT)

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- 7.D. Authorization for the Auditor to make changes to the Solid Waste Post Closure Fund/Solid Waste Post Closure Maintenance Fund Fiscal Year 2017-2018.

The Director of Public Works reviewed the changes to the Solid Waste Post Closure Fund/Solid Waste Post Closure Maintenance Fund and commented on the County having to get approval from the State to utilize these funds.

The Board moved to authorize the Auditor to make changes to the Solid Waste Post Closure Fund/Solid Waste Post Closure Maintenance Fund Fiscal Year 2017-2018.

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

- 7.E. Resolution approving proposed solid waste budget for Fiscal Year 2018-2019.

The Director of Public Works briefly reviewed the solid waste final budget for the 2018/2019 Fiscal Year and indicated there is no need for an increase in the solid waste fee this year.

Board discussion ensued.

The Board moved to adopt the resolution approving the proposed solid waste budget for Fiscal Year 2018-2019.

ADOPTED, Resolution 2018-076. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

8. ASSESSOR / SOLID WASTE FEE ADMINISTRATOR - Laura A. Marshall

- 8.A. Resolution pertaining to Solid Waste Fees for the 2018-2019 fiscal year.

The Solid Waste Fee Administrator reviewed the solid waste fees for the 2018-2019 fiscal year which calculates to \$23.38 per loose cubic yard and \$420.84 per residential unit.

Supervisor Beard commented on his opposition to the resolution based on previous increases to the fee.

ADOPTED, Resolution 2018-077. Motion: Adams/Roen/Majority Roll Call Vote: 3/1/1 (Supervisor Beard NO and Supervisor Huebner ABSENT)

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6. TAHOE NATIONAL FOREST SUPERVISOR - Eli Ilano

6.A. Update by Eli Ilano, Forest Supervisor, Tahoe National Forest, on activities of the Tahoe National Forest.

Tahoe National Forest Supervisor Eli Ilano introduced the Acting Tahoe National Forest Deputy Supervisor Michael Green.

Mr. Green briefly addressed the Board.

Mr. Ilano continued to provide an update on forest restoration and fuels; upcoming timber sales; the Yuba Project; the Packer Lake Lodge issue; grazing; staffing levels; campgrounds; the Sardine Lookout; the cooperative law enforcement agreements with the County; and the OSV draft plan.

Supervisor Adams commented on his frustration with the with the Sheriff's Office involvement in drug enforcement on national forest lands as he believes the costs for incarceration and prosecution should be wholly subsidized by the people of the United States and not a county with a population of 3000.

Mr. Ilano responded that there have been increases in the law enforcement agreements with the County, however the County only billed \$4,000 of the \$14,000 available from last year.

Brief discussion ensued.

12. TIMED ITEMS

12.A. 10:00AM SANCTUARY JURISDICTION

Discussion/possible adoption of Resolution declaring that Sierra County complies with federal immigration laws, and does not constitute a "sanctuary" jurisdiction. (SUPERVISOR BEARD)

Supervisor Beard read a press release by Orange County Supervisor Michelle Steel and commented that the purpose of the resolution is not to attack any individual group of people, rather to protect citizens from criminal immigrants.

The following members of the public addressed the Board in support of the proposed resolution: Derek Beverly, Sierra City; Tom Dotta, Loyalton; and Becky Kinkead, Loyalton.

The following members of the public addressed the Board in opposition to the proposed resolution: Linda Guffin, Downieville; Mike Moore, Loyalton; and Cindy Ellsmore, Sierra City.

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Supervisors Beard and Chair Schlefstein commented on their support of the proposed resolution.

Supervisor Adams commented on his opposition to the proposed resolution as written and his willingness to support a resolution in support of law enforcement.

Following discussion, the Board moved to adopt the resolution declaring that Sierra County complies with federal immigration laws, and does not constitute a "sanctuary" jurisdiction.

FAILED. Motion: Beard/Schlefstein/Failed Roll Call Vote: 2/2/1 (Supervisors Adams and Roen NO and Supervisor Huebner ABSENT)

9. COUNTY BOARD OF SUPERVISORS AND COUNTY SERVICE AREAS JOINT MEETING

Board of Supervisors to convene as Board of Directors for County Service Area (CSA) 1, 2, 3, 4, 5, and 4A5A (Sierra Brooks Water) and to hold joint meetings as both the County Board of Supervisors and the CSA Board of Directors.

At 10:56 a.m. Chair Schlefstein recessed as the County Board of Supervisors and convened the joint meeting of the County Board of Supervisors and the CSA Board of Directors.

9.A. Discussion/direction/adoption of resolution setting the County Service Area Preliminary Budget for Fiscal Year 2018-2019.

The Auditor briefly reviewed the County Service Area budgets.

The Director of Public Works commented on the need for an amendment between now and the final budget with respect to the Sierra Brooks Water System project.

ADOPTED, CSA Resolution 2018-003. Motion: Adams/Roen/Unanimous Roll Call Vote: 4/0/1 (Supervisor Huebner ABSENT)

9.B. Discussion/direction/adoption of resolution setting the County and Special Revenue Funds Preliminary Budget for Fiscal Year 2018-2019.

The Auditor briefly reviewed the department requests recommended by the Finance Committee and changes to staffing with respect to the IS Department. The Auditor also expressed concerns with the potential repeal of the gas tax funding.

Supervisor Adams commented on the \$233,000 in department requests and only having \$20,000 available to spend along with a \$100,000 contingency.

The Board moved to adopt the resolution setting the County and Special Revenue Funds Preliminary Budget for Fiscal Year 2018-2019.

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ADOPTED, Resolution 2018-079. Roen/Beard/Unanimous Roll Call Vote: 4/0/1 (Supervisor Huebner ABSENT)

9.C. Minutes from the County Service Area (CSA) Board of Directors meeting held on June 5, 2018. (CLERK OF THE BOARD)

The Board moved to approve the minutes from the County Service Area (CSA) Board of Directors meeting held on June 5, 2018.

APPROVED. Motion: Beard/Roen/Majority Roll Call Vote: 3/1/1 (Supervisor Adams ABSTAINED and Supervisor Huebner ABSENT)

9.D. Amendment to Agreement No. 2003-192 between the County of Sierra and the Alleghany County Water District for funding for library rental space. (CLERK OF THE BOARD)

The Board moved to approve the amendment to Agreement No. 2003-192 between the County of Sierra and the Alleghany County Water District for funding for library rental space.

APPROVED, CSA Agreement 2018-002. Motion: Adams/Roen/Unanimous Roll Call Vote: 4/0/1 (Supervisor Huebner ABSENT)

At 11:07 a.m. Chair Schlefstein adjourned the joint meeting as the County Board of Supervisors and the CSA Board of Directors and reconvened as the County Board of Supervisors.

10. BOARD OF SUPERVISORS

10.A. Resolution in support of an application considering the Hays Cabin of Howland Flat for inclusion on the National Register of Historic Places. (SUPERVISOR ADAMS)

Supervisor Adams provided background on the resolution in support of an application considering the Hays Cabin of Howland Flat for inclusion on the National Register of Historic Places.

The Board moved to adopt the resolution in support of an application considering the Hays Cabin of Howland Flat for inclusion on the National Register of Historic Places.

ADOPTED, Resolution 2018-080. Roen/Beard/Unanimous Roll Call Vote: 4/0/1 (Supervisor Huebner ABSENT)

10.B. Appointment to the Downieville Fire Protection District. (CLERK OF THE BOARD)

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The Board moved to appoint Frank Lang to the Downieville Fire Protection District.

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

11. COUNTY COUNSEL - David Prentice

11.A. Grand Jury request for contribution in the amount of \$3,000.00 to further Grand Jury functions for Fiscal Year 2018-2019.

Deputy County Counsel briefly explained that based on nature of the work they cannot provide any information as to why the funds are requested but they have been approved by County Counsel.

The Board moved to approve the Grand Jury request for contribution in the amount of \$3,000.00 to further Grand Jury functions for Fiscal Year 2018-2019 out of County Counsel's Outside Budget.

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

11.B. Authorization to issue waiver of county liability for issuance of conditional building permit until the Local Agency Management Plan (LAMP) is approved by the State Water Quality Control Board in August.

Following a brief overview of the item by Deputy County Counsel, the Board moved to authorize issuing a waiver of county liability for issuance of conditional building permit until the Local Agency Management Plan (LAMP) is approved by the State Water Quality Control Board in August

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

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