



**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, 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 regular session commencing at 9:00 a.m. on August 7, 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 Huebner

ROLL CALL

Present: Lee Adams, Supervisor, District #1
Peter W. Huebner, Supervisor, District #2
Jim Beard, Supervisor, District #4
Scott A. Schlefstein, Supervisor, Chair, District #5

Absent: Paul Roen, Supervisor, Vice-Chair, District #3

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 Services

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APPROVAL OF CONSENT AGENDA

At the request of Supervisor Huebner and Chair Schlefstein, Consent Items 13.K, 13.L., 13.M. and 13.N. were moved to the Regular Agenda as items 9.B., 9.C., 9.D. and 9.F.

- 13.K. Approval of Board of Supervisor Travel Reimbursement for Lee Adams July 2018. (AUDITOR)
- 13.L. Approval of Board of Supervisor Travel Reimbursement for Peter Huebner May 2018. (AUDITOR)
- 13.M. Approval of Board of Supervisor Travel Reimbursement for Peter Huebner June 2018. (AUDITOR)
- 13.N. Approval of Board of Supervisor Travel Reimbursement for Jim Beard January through June 2018. (AUDITOR)

The Board moved to approve the Consent Agenda as amended.

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

13. CONSENT AGENDA

- 13.A. Professional services agreement between Community Recovery Resources and Sierra County for substance use disorder services. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2018-082

- 13.B. Amendment to professional services agreement 2018-076 between Thomas E. Bittker, M.D., and Sierra County for behavioral health services. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2018-083

- 13.C. Professional services agreement between Charis Youth Center and Sierra County Behavioral Health Department for behavioral health services for youth. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2018-084

- 13.D. Rescission of Lease Agreement 2003-120 and approval of Lease Agreement between Janet M. Hamilton and Pamela A. Brandon and Sierra

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County for office space on the west side of the county. (HEALTH & HUMAN SERVICES)

APPROVED, Agreement 2018-085

- 13.E. Professional services agreement between M. Susan "Sue" Haun, dba Strategies by Design, and Sierra County for evaluation of the Tobacco program. (PUBLIC HEALTH)

APPROVED, Agreement 2018-086

- 13.F. Resolution approving the Sierra County Allocation Funding Application, (AFA) and Scope of Work, (SOW) for the ongoing Maternal, Child and Adolescent Health (MCAH) program for Fiscal Year 2018/19 and authorizing Vickie Clark, Public Health and Social Services Director, to sign documents regarding the AFA. (PUBLIC HEALTH)

ADOPTED, Resolution 2018-085

APPROVED, Agreement 2018-087

- 13.G. Professional services agreement between Toddler Towers, Inc. and Sierra County Social Services. (SOCIAL SERVICES)

APPROVED, Agreement 2018-088

- 13.H. Professional services agreement between Sierra County Child Abuse Council and Sierra County Social Services. (SOCIAL SERVICES)

APPROVED, Agreement 2018-089

- 13.I. Cash audit report for the quarter ended June 30, 2018. (AUDITOR)
- 13.J. Treasurer reports and statements of liquidity for the period April 1, 2018 through June 30, 2018. (AUDITOR)
- 13.O. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Karen and Jason Wood, (DBA: Origins Gathering) applicants and landowners: Consideration of a Conditional Use Permit to allow a yearly outdoor gathering. The project site, identified as APN 004-080-028 is located at 3000 Mt. Alta Road, Camptonville, CA. (PLANNING)

APPROVED, Agreement 2018-090

- 13.P. Agreement for Indemnification and Reimbursement for Extraordinary Costs for David Robertson, applicant and landowner: Consideration of a Conditional Use Permit to allow construction of a concrete apron for a

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helicopter pad. The project site, identified as APN 023-080-028 is located at 550 Hill Land, Verdi, CA. (PLANNING)

APPROVED, Agreement 2018-091

13.Q. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Dave and Michelle Jacobsen, applicants and landowners: Consideration of a Conditional Use Permit to allow the temporary use of an "RV" while constructing a single family residence. The project site, identified as APN 016-180-032 is located at 430 Rancho Circle, Sierra Brooks, CA. (PLANNING)

APPROVED, Agreement 2018-092

13.R. Resolution approving plans, specifications and bidding documents and authorization to solicit bids for the HVAC Systems Replacement for Health and Human Services. (PUBLIC WORKS)

ADOPTED, Resolution 2018-086

13.S. Authorization to purchase 3 Heavy Duty Drop Body Roll Off Bins for the solid waste and recycling system. (PUBLIC WORKS)

13.T. Authorization to pay invoice to Coan Equipment of Nevada in the amount of \$15,624.00 for Cat D8T Dozer Rental related to the Loyaltan Landfill Closure. (PUBLIC WORKS)

13.U. Resolution approving agreement to allow the County Personnel Director to request and receive background checks on prospective and current employees when the law allows. (COUNTY COUNSEL/PERSONNEL DIRECTOR)

ADOPTED, Resolution 2018-087

APPROVED, Agreement 2018-093

13.V. Minutes from the special meeting held on June 8, 2018. (CLERK-RECORDER)

13.W. Minutes from the regular meeting held on July 3, 2018. (CLERK-RECORDER)

13.X. Minutes from the regular meeting held on July 17, 2018. (CLERK-RECORDER)

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APPROVAL OF THE REGULAR AGENDA

The Board moved to approve the Regular Agenda as amended.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:03 a.m. Chair Schlefstein opened and closed the public comment opportunity with no persons addressing the Board.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Huebner thanked Caltrans and the Deputy Director of Transportation, Bryan Davey for the new sign on Highway 49 announcing Alleghany and Pike.

Supervisor Adams reported on the committee meeting held with two representatives from the California Department of Fish and Wildlife with respect to how to live in cooperation with bears. Supervisor Adams further distributed a list of considerations and suggested referring this to the Solid Waste Committee to help solve some of the problems.

Mr. Derek Beverly, Sierra City briefly referred to his letters on the Correspondence Agenda and also referred to the bear issue and the need for more bins.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Director of Behavioral Health reported on the County's Friday Night Live (FNL) program and gave kudos to Derick Couch, Preventative Coordinator who organizes all of the FNL chapters for this area as well as Erin Folchi who is one of the Loyalton Elementary School coordinators. The Director also reported on working towards becoming Drug MediCal compliant including having an agreement with the state in place by September, and the transition to a new health record system with Avatar which is used by Placer County a would make the billing seamless and easier on Sierra County's behalf.

The Director of Health and Social Services reported on the Emergency Food and Shelter Program through FEMA which she applied for and was granted \$23,000; the recruitment of the Social Services Quality Assurance and the Public Health Program Manager positions; the recent resource family approval audit and Sierra County having been out of compliance with respect to being able to certify a foster home; receiving \$15,000 which will cover the cost of the database system for adult protective services in order to be compliant with providing the required statistics to the state; and the State Board approving the County's LAMP on August 2, 2018.

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The Auditor recognized the County's Safety Officer Judi Behlke for being the first county to ever receive 100% on the safety audit; an issue with the conversion to the new Megabyte system and changes made to properties on Forest Service land which they are working to correct; and the Finance Committee is scheduled to meet this Thursday.

Supervisor Adams also recognized Ms. Behlke for doing a great job with respect to helping him renew his harassment training.

The Director of Planning reported on CalFire's requirement of a conversion permit in an established subdivision for the removal of trees and setting a meeting with the appropriate CDF personnel to address this issue; CDF Unit Chief George Morris will make a presentation to the Board at the meeting on August 21st; the Bassetts Station bathroom project should be completed by the end of month; the airport project should end this week; negotiating with Hat Creek Construction for additional projects including Antelope Valley Road, a portion of Hill Street and Smithneck Creek Park; the County's assistance to the fire at the biomass plant last night; Gold Lake Road has been striped and starting on Harriot Lane, West Side Road and Beckwith Road; the Downieville Downhill bike race and an meeting this afternoon with the race promoters; the expiration of the three year contract for snow grooming; the Sierra Valley Hospital District and Sierra County Fire Protection District No. 1 having filed formal applications with LAFCo to move forward with their projects; and installation of radar speed feedback signs approved by Local Transportation Commission in Sierra City and on Highway 49 east and west of the City of Loyalton.

Board questioning ensued.

5. FOREST SERVICE UPDATE

Fire resources update. (SUPERVISOR ADAMS)

North Yuba District Ranger Lon Henderson reported on the Downieville Downhill; Engine 32 being stationed in Downieville when not deployed; and the Blue Forest Conservation's Forest Resilience Bonds.

Supervisor Adams expressed his appreciation to Ranger Henderson for having the engine stationed in Downieville when it is not deployed.

6. PUBLIC WORKS/TRANSPORTATION - Tim Beals

6.A. Introduction and first reading of an ordinance repealing Subsection (I) from 11.08.020 and adding Subsection (M) to 11.08.010 the Sierra County Code establishing a 15 mile per hour speed limit on Old Toll Bridge Road.

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The Director of Public Works provided background on the ordinance establishing a 15 mile per hour speed limit on Old Toll Bridge Road due to recent improvements which have increased faster driving.

The Board moved to waive the first reading of an ordinance repealing Subsection (I) from 11.08.020 and adding Subsection (M) to 11.08.010 the Sierra County Code establishing a 15 mile per hour speed limit on Old Toll Bridge Road.

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

6.B. Discussion/direction regarding the solid waste program for brush disposal as well as the disposal services to US Forest Service campgrounds.

The Director of Public Works provided background on his inspection of the organized camps, Forest Service facilities and the brush intake at the Loyaltan landfill and the substantial increase in green waste. The Director also reviewed the breach of use of the tourist disposal bin at Bassetts Station by organized camps as the number of bins located at the campgrounds are not adequate to cover the volume of waste being generated.

The Director further recommended referring the green waste issue to the Solid Waste Committee.

Board discussion ensued.

By consensus, the Board referred the issue of green waste and the use of the bin located at Bassetts Station due to the lack of bins located at the campgrounds to the Solid Waste Committee.

11.A. 10:00 AM UPPER NORTH YUBA FOREST HEALTH AND RESILIENCE PROJECT

Presentation by Tim Beals, Director of Planning on the Upper North Yuba Forest Health and Resilience Project which is a combined effort between Sierra Nevada Conservancy, North Yuba River Ranger District (USFS) and Sierra County for forest thinning/fuels reduction project between Bassetts Station and Yuba Pass. A Draft Negative Declaration and Monitoring Mitigation Plan have been prepared for this project.

The Director of Planning provided background on the Upper North Yuba Forest Health and Resilience Project wherein the County agreed to sponsor an application for grant funding through the Sierra Nevada Conservancy to implement a portion of this project, and the requirement of CEQA in order to release the grant funding.

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Assistant Director of Planning Brandon Pangman distributed additional documentation pertaining to comments received on the Initial Study and Proposed Mitigated Negative Declaration for the Upper North Yuba Forest Health and Resilience Project.

At the request of Mr. Pangman, the following exhibit was entered into the record:

Exhibit 1 – Comments received on the Initial Study and Proposed Mitigated Negative Declaration for the Upper North Yuba Forest Health and Resilience Project – 21 pages

Board questioning ensued.

11.A.i. Resolution adopting Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program and directs Sierra Nevada Conservancy to apply for a grant for the Upper North Yuba Forest Health and Resilience fuels reduction project.

The Board moved to adopt the resolution adopting Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program and directs Sierra Nevada Conservancy to apply for a grant for the Upper North Yuba Forest Health and Resilience fuels reduction project.

ADOPTED, Resolution 2018-088. Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Roen ABSENT)

9. BOARD OF SUPERVISORS

9.A. Approval of response to 2017-2018 Grand Jury Report regarding Sierra County Elections Department. (SUPERVISOR ADAMS)

The Board moved to approve the response to the 2017-2018 Grand Jury Report regarding Sierra County Elections Department.

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

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

8.A. Resolution rescinding Resolution No. 2017-144 and adopting replacement resolution to reflect amended expenditures for the Fiscal Year 2017 Homeland Security Grant.

The Board moved to adopt the resolution rescinding Resolution No. 2017-144 and adopting replacement resolution to reflect amended expenditures for the Fiscal Year 2017 Homeland Security Grant.

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ADOPTED, Resolution 2018-089. Motion: Adams/Beard/Unanimous Roll Call Vote: 4/0/1 (Supervisor Roen ABSENT)

- 8.B. Resolution rescinding Resolution No. 2018-027 and adopting replacement resolution to reflect amended expenditures for the Fiscal Year 2016 Homeland Security Grant.

The Board moved to adopt the resolution rescinding Resolution No. 2018-027 and adopting replacement resolution to reflect amended expenditures for the Fiscal Year 2016 Homeland Security Grant.

ADOPTED, Resolution 2018-090. Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Roen ABSENT)

11.B. 10:30AM TRINDEL INSURANCE FUND

Presentation by David Nelson, Trindel Insurance Fund Executive Director and approval of revised and restated Trindel Insurance Fund Joint Powers Agreement.

Mr. David Nelson, Trindel Insurance Fund Executive Director made his presentation to the Board.

The Board moved to approve the revised and restated Trindel Insurance Fund Joint Powers Agreement.

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

- 6.C. Discussion/direction on USDA-Forest Service, Tahoe National Forest, Sierraville Ranger District, Sierra County Little Truckee Summit Parking Improvement Project 30 Day Comment Period.

The Director of Public Works briefly explained this is the project to expand the parking staging area at Little Truckee Summit and recommended the Board authorize a letter in support of the project.

The Board moved to authorize a letter in support of the USDA-Forest Service, Tahoe National Forest, Sierraville Ranger District, Sierra County Little Truckee Summit Parking Improvement Project to be signed by the Chair.

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

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- 6.D. Discussion/direction regarding changing the title of Solid Waste Attendant to Solid Waste Worker and reclassifying it at Class 11 on the Parity Chart.

The Director of Public Works provided background on the request to reclassify the Solid Waste Attendant to Solid Waste Worker due to the difficulty in recruiting and the laborer position not being indicative to the responsibilities these employees have taken on.

In response to Supervisor Adams' inquiries, the Director clarified that these positions are paid out of the Solid Waste budget and they work 18 hours per week.

By consensus, the Board directed submitting the requested reclassification to the Personnel Director for approval and to return to the Board with a resolution approving the reclassifications at next meeting.

- 6.E. Discussion/direction to staff regarding creating a new, additional tier on the non elected/non department head management unit table to include an authorization to move the classification of Road Superintendent from Topography D Class 39 to the lowest (newest) tier of the Mid Management Unit.

The Director of Transportation provided background on moving the classification of the Road Superintendent position to a new lowest tier of the Mid Management Unit.

Comments were received by the Auditor with respect to the change in classification alleviating his concerns with respect to overtime and the need to develop the pay rate.

The Director suggested deferring this issue to the Finance Committee.

Discussion ensued.

By consensus, the Board referred creating a new, additional tier on the non elected/non department head management unit table to include an authorization to move the classification of Road Superintendent from Topography D Class 39 to the lowest (newest) tier of the Mid Management Unit to the Finance Committee.

7. PLANNING / BUILDING - Tim Beals

- 7.A. Authorization for Director of Planning and Building to execute and record a Restrictive Covenant to Real Property with the Kenny John B. Kenny and Martha Kenny Revocable Trust 2010.

The Director of Planning provided background on the item and requested striking the words "*with no intention to return*" from bullet 5.B. of the proposed Restrictive Covenant to Real Property.

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The Board moved to authorize the Director of Planning and Building to execute and record a Restrictive Covenant to Real Property with the Kenny John B. Kenny and Martha Kenny Revocable Trust 2010 as amended.

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

10. **COUNTY SERVICE AREA BOARD OF DIRECTORS**

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

At 11:20 a.m. Chair Schlefstein recessed the Regular Board meeting and reconvened as the County Service Area Board of Directors.

At 11:57 a.m. Chair Schlefstein adjourned as the County Service Area Board of Directors and reconvened as the Board of Supervisors.

9.B. Approval of Board of Supervisor Travel Reimbursement for Lee Adams July 2018. (AUDITOR) **(Consent Item 13.K.)**

9.C. Approval of Board of Supervisor Travel Reimbursement for Peter Huebner May 2018. (AUDITOR) **(Consent Item 13.L)**

9.D. Approval of Board of Supervisor Travel Reimbursement for Peter Huebner June 2018. (AUDITOR) **(Consent Item 13.M.)**

9.E. Approval of Board of Supervisor Travel Reimbursement for Jim Beard January through June 2018. (AUDITOR) **(Consent Item 13.N.)**

In response to Chair Schlefstein's inquiry, the Auditor explained the reason for having these items on the agenda which was due to things that have happened over the last three years.

Supervisor Adams clarified the reason the Commission on State Mandates is listed on the hotel bill for the Nor-Cal EMS meeting he attended in Redding due to this being the only form of government identification he had at the time he checked in.

Considerable discussion ensued with the Board and staff with respect to having the Board of Supervisors' travel reimbursements on the agenda.

Following discussion, County Counsel requested tabling the matter in order to allow him to review the Board of Supervisors' travel policy and to return with a new policy if any ambiguity is found in the current policy.

Discussion ensued with the Board.

Comments were received by Don Russell, Downieville.

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The Board moved to approve the Board of Supervisor Travel Reimbursement for Lee Adams July 2018.

APPROVED. Motion: Beard/Schlefstein/Majority Roll Call Vote: 3/1/1 (Supervisor Huebner NO and Supervisor Roen ABSENT)

The Board moved to approve the Board of Supervisor Travel Reimbursement for Peter Huebner May 2018.

APPROVED. Motion: Adams/Beard/Majority Roll Call Vote: 3/1/1 (Supervisor Huebner NO and Supervisor Roen ABSENT)

The Board moved to approve the Board of Supervisor Travel Reimbursement for Peter Huebner June 2018.

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

The Board moved to approve the Board of Supervisor Travel Reimbursement for Jim Beard January through June 2018.

APPROVED. Motion: Adams/Beard/Majority Roll Call Vote: 3/1/1 (Supervisor Huebner NO and Supervisor Roen ABSENT)

12. CLOSED SESSION

- 12.A. Closed session pursuant to Government Code Section 54956.9(c) - conference with legal counsel regarding potential initiation of litigation - one case.

The Board met in closed session from 12:25 p.m. to 12:34 p.m. County Counsel reported direction was given to staff.

14. CORRESPONDENCE LOG

- 14.A. Letter from Derek Beverly, Sierra City resident regarding Sierra County Ordinance Code sections pertaining to Nuisances and Code Enforcement.

No action taken.

- 14.B. Letter from Derek Beverly, Sierra City resident pertaining to the Pacific Crest Trail (PCT) hikers in the town of Sierra City and the towns difficulty addressing increases in such areas as refuge, sanitation and accommodations.

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No action taken.

14.C. Letter from Natasha Karl Drane, Delta Countries Coalition Coordinator pertaining to securing California's water future and taking a stand against California WaterFix.

No action taken.

ADJOURN

At 12:36 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