



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

Lee Adams, Vice-Chair, 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, District 3

P.O. Box 43 - Calpine, CA 96124 - 209-479-2770 - supervisor3@sierracounty.ca.gov

Jim Beard, 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 September 15, 2020. 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, Vice-Chair, District #1
Peter W. Huebner, Supervisor, District #2
Paul Roen, Supervisor, District #3
Sharon Dryden, Supervisor, District #5

Absent: Jim Beard, Supervisor, Chair, District #4

Staff: Heather Foster, County Clerk-Recorder
Amanda Uhrhammer, Deputy County Counsel
Van Maddox, Auditor/Treasurer Tax Collector
Tim Beals, Director of Planning/Public Works/OES/Transportation
Lea Salas, Director of Behavioral Health
Vickie Clark, Director of Health and Social Services
Laura Marshall, Assessor/Solid Waste Fee Administrator

APPROVAL OF CONSENT AGENDA

At the request of the Clerk, Item 11.G. was pulled from the Consent Agenda.

11.G. Minutes from the regular meeting held on August 18, 2020. (CLERK)

The Board moved to approve the Consent Agenda as amended.

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

11. CONSENT AGENDA

11.A. Agreement with the State Department of Parks and Recreation for funding for the Over Snow Vehicle Program for grooming, plowing and maintenance services through September 30, 2024. (PUBLIC WORKS)

APPROVED, Agreement 2020-110.

11.B. Approval of expenditure in the amount of \$9,862.50 to Bertagnolli Paving for patching areas on parking area and landing strip of the Sierraville Dearwater Airport which sustained some damages during the Loyaltan Fire. (PUBLIC WORKS)

11.C. Approval of expenditure for generators and supplies to enhance courthouse back up power and contingency efforts in the event of a power loss and authorization to apply this purchase to the PSPS funding received last fiscal year from the State of California in the amount of \$11,093.03. (PUBLIC WORKS)

11.D. Professional services agreement between Placer County Department of Health & Human Services and Sierra County for Locked Acute Inpatient and Outpatient Mental Health Services and Technical Guidance. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2020-111.

11.E. Agreement between Northern California EMS, Inc. and County of Sierra for Local Emergency Medical Services Agency (LEMSA) Deliverables Hospital Preparedness Program (HPP) for Fiscal Year 2020-2021. (PUBLIC HEALTH)

APPROVED, Agreement 2020-112.

September 15, 2020

- 11.F. Resolution approving the Sierra County Allocation Funding Application (AFA), Scope of Work (SOW), and the budget for the ongoing Maternal, Child and Adolescent Health, (MCAH) program for Fiscal Year 2020-2021 and authorizing Vickie Clark, Public Health and Social Services Director, to sign documents regarding the AFA. (PUBLIC HEALTH)

APPROVED, Agreement 2020-113.

- 11. H. Minutes from the special meeting held on August 24, 2020. (CLERK)

APPROVAL OF REGULAR AGENDA

Vice-Chair Adams requested adding the following urgency item to the Regular Agenda as the Forest Service has implemented extreme fire restrictions through September 21, 2020 and he would like to emulate those restrictions with respect to private property.

- 6.D. Discussion/action regarding adopting an urgency ordinance prohibiting open fires on private property within the unincorporated areas of Sierra County due to extreme fire danger.

The Board moved to add Item 6.D to the Regular Agenda.

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

The Board moved to approve the Regular Agenda as amended.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:07 a.m., Vice-Chair Adams opened and closed the public comment opportunity with no persons addressing the Board.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Dryden reported on the Sierra Brooks Firewise Community.

Vice-Chair Adams reported on a recent lawsuit filed against Nor-Cal EMS pertaining to California law that does not allow someone with a felony conviction to

September 15, 2020

become an EMT and whether all five counties should share the \$25,000 deductible for the legal defense.

Vice-Chair Adams also reported that RCRC meets tomorrow, and the Finance Committee and Prop 68 Ad Hoc Committee have met twice in the last two weeks.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Solid Waste Fee Administrator reported on the solid waste invoice sent to the Forest Service and the earliest the County can expect payment is 60 days due to the amount being over \$10,000.

Following discussion and by consensus, the Board agreed not to impose penalties and interest on the amount due for solid waste by the Forest Service.

Ranger Youngblood expressed his appreciation to the Board and indicated that they are working on processing the invoice and that it will be paid.

The Sheriff provided an update on the Claremont Bear Fire and having sent mutual aid to Butte County.

The Director of Health and Social Services reported on the state fiscal review desk audit for the Department of Social Services; the County being granted a waiver to start the MediCal Inmate Program; and client statistics.

The Director of Planning reported on receiving a \$15,000 carpet-recycling grant; the re-scoping of the beverage container grant to purchase a waste baler for storage; and an upcoming meeting with the State OES representative regarding damages the County suffered from the Loyaltan Fire.

5. FOREST SERVICE UPDATE

Sierraville District Ranger Quentin Youngblood provided an update on activities in the County and the recent order extending the forest closure until September 20th on the Tahoe National Forest due to current fire conditions.

North Yuba River District Ranger Lon Henderson provided an update on the North Complex Fire and the construction of a contingency line from Bullards Bar to Poker Flat.

Beckworth Acting District Ranger Stephanie Cappelto reported on the North Complex Fire and other projects going on in the district.

- 6.D. Discussion/action regarding adopting an urgency ordinance prohibiting open fires on private property within the unincorporated areas of Sierra County due to extreme fire danger.

September 15, 2020

Supervisor Adams provided background on the current Forest Service Order restricting fires on public land and the proposed urgency ordinance, which would restrict fires within Sierra County on private property.

Ranger Youngblood commented on the increased workload due to fires from dispersed campsites and their support of the County’s suggestion to ban fire on private property.

Considerable discussion ensued regarding banning anything that has an open flame with the exemption of gas cook stoves; emulating the Regional Forest Order with respect to fire restrictions on public lands; whether the ban would be for a short term or seasonal; having a well-defined ordinance that can’t be challenged; and how the ordinance will be enforced by the Sheriff’s office.

Following discussion, the Board tabled this item to later in the meeting in order to draft the proposed urgency ordinance.

6. BOARD OF SUPERVISORS

6.A. CONTINUED COVID-19 PUBLIC HEALTH EMERGENCY UPDATE: Report from Sierra County Public Health, County Office of Emergency Services, County Department Managers, Forest Service Representatives, and other local agencies on recent developments relating developments to the COVID-19 Public Health Emergency and possible action/direction to staff. (CLERK OF THE BOARD)

The Director of Health reported on testing, positivity rates and the potential for a new health order around gatherings with the weather changing.

The Director of OES reported on the vandalism of COVID signs and working to replace them.

Additional comments were received by the County Health Officer and Sheriff.

6.B. Discussion/direction on the request from the Sierra County Fire Protection District #1 to amend and adopt an ordinance repealing and reenacting section 12.06.040 of the Sierra County Code pertaining to fire impact development fees within the boundaries of the Sierra County Fire Protection District #1. (CLERK OF THE BOARD)

Rick Maddalena, Director, Sierra County Fire Protection District No. 1 and Catherine Hansford, Hansford Economic Consulting, Inc. presented a PowerPoint to the Board regarding the mitigation fee study.

September 15, 2020

In response to Supervisor Roen's inquiry, Mr. Maddalena explained the annual escalation is based on the Engineering News Record San Francisco Construction Cost Index sited in the Nexus Study, which averages about 2.5% each year.

Supervisor Roen expressed concerns with the annual escalation and Sierra County Measure E (Transient Occupancy Tax Increase) as he these numbers can get big fast.

Supervisor Dryden clarified that Measure E will be decided by the voters; however, making sure the Fire District is funded properly going forward is something that needs to be considered.

Supervisor Adams clarified that the fire development fee is "a welcome new person bill"; it does not affect a homeowner unless they decide to add onto an existing house.

The Director of Planning questioned why there is not anything specific to Verdi or Long Valley in the capital improvement plan projection over the next 20 years considering the steady building program in Verdi and if there is a nexus between the anticipated fee growth over the 20-year period and the origin of that fee growth. The Director further expressed concerns with the automatic fee escalation as it trumps the review process of the fee and capital improvement program.

Mr. Maddalena responded that there is no capital investment plan specifically for the Verdi and Long Valley area; however, they now have a new commissioner that represents this area and are hoping she will help them tweak the capital investment plan in the future.

Ms. Hansford commented that it is common practice to have an escalation so the fee can keep up with inflation. Ms. Hansford continued to comment that the district is required to put together an annual report every five years on what the funds will be spent on and would suggest either the District come back to the Board every five years or cap the escalation at five years.

The Director continued to comment on Appendix A of the Nexus Study and requested deferring the approval in order to allow time to resolve some questions.

Following discussion and by consensus, the Board directed staff to meet with the Sierra County Fire Protection District No. 1 to review Appendix A of the Nexus Study, to cap the escalation fee at five years, and to set the public hearing for October 20, 2020 or at a future meeting if staff feels there is a time crunch.

10. TIMED ITEMS

September 15, 2020

10.A. 10:00 A.M. ALLIANCE FOR WORKFORCE DEVELOPMENT

Presentation by the Alliance for Workforce Development, Inc. on business and job seeker services provided to Sierra County for Fiscal Year 2019/2020.

Kristine Farrell, Program Director, Alliance for Workforce Development briefed the Board on the Alliance For Workforce Development, Inc. operations in Sierra County and introduced Christy Cota, the new Resource Coordinator at the Sierra County office.

- 6.C. Report/update by the Sierra County Firesafe and Watershed Council and approval of amendment to Master Agreement No. 2012-111 for funding Firewise Community Projects to be undertaken by the Sierra County Firesafe and Watershed Council. (AUDITOR)

The Auditor briefly reviewed the amended language to the Master Funding Agreement, which allows the Sierra County Firesafe and Watershed Council (Firesafe Council) to do more than just education.

Patty Hall, Director, Sierra County Firesafe and Watershed Council provided a brief update on the history of the Firesafe Council; current projects the Firesafe Council is working on; potential grant funding; and the current membership of the Firesafe Council.

Board discussion ensued.

The Board moved to approve the amendment to Master Agreement No. 2012-111 for funding Firewise Community Projects to be undertaken by the Sierra County Firesafe and Watershed Council.

APPROVED, Agreement 2020-114. Motion: Roen/Dryden/Unanimous Roll Call Vote: 5/0

In response to Supervisor Dryden's inquiry, the Auditor clarified that this amendment gives the Firesafe Council the ability to use Title III funding for firewise communities.

Item 6.D. continued

Supervisor Adams reviewed the draft urgency ordinance previously transmitted to the Board and the recommended changes.

The Board moved to adopt the urgency ordinance.

ADOPTED. Ordinance 1094. Motion: Roen/Huebner/Roll Call Vote: 5/0

The Board took the noon recess from 11:46 a.m. to 12:36 p.m.

7. PUBLIC WORKS/TRANSPORTATION - TIM BEALS

7.A. Discussion/direction/action on recommendations of the ad hoc committee meeting held on Friday, September 4, 2020 for recreational funding under Proposition 68.

The Director of Public Works reviewed the request from the City of Loyalton to enter into a joint project and the Ad Hoc Committee’s proposed projects including the Sierraville School, Calpine Community Hall, and Downieville Community Hall.

The Director further recommended the Board authorize a letter to the City of Loyalton indicating that the Board is not interested in a joint project due to the County having greater needs than available funding.

The Director continued to review the scope of the three proposed projects and required \$80,000 match to utilize the \$400,000 available funding.

By consensus, the Board authorized a letter to the City of Loyalton and to move forward with utilizing the Proposition 68 funding for the Sierraville School, Downieville Community Hall, and Calpine Community Hall projects.

7.B. Authorization to enter into negotiations and to purchase used State (Caltrans) equipment in the Road Fund.

The Director of Transportation reviewed background on the ten wheel dump trucks that became available for surplus and the request to authorize proceeding with negotiations with Caltrans and to move \$50,000 from the Road Fund budget special department expense to fixed assets.

The Board moved to authorize entering into negotiations and to purchase used State (Caltrans) equipment in the Road Fund.

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

7.C. Discussion/direction regarding an award to Sierra County of the Northern Sierra Air Quality Management District Carl Moyer Grant in the amount of \$65,000.

The Director of Transportation reviewed the Carl Moyer Grant in the amount of \$108,000 to replace an old Hugh Loader with a new loader for snow removal. The Director further explained that in order to qualify for the grant the County would have to fund the balance of the loader, which would cost approximately \$150,000, and can be a direct purchase or purchased using CAT’s finance repurchase program over a six-year period.

September 15, 2020

By consensus, the Board directed staff to pursue the grant award and match.

8. PLANNING / BUILDING - TIM BEALS

8.A. OPEN SPACE SCREENING COMMITTEE (LAND CONSERVATION CONTRACTS).

1. Resolution declaring the three public positions on the Open Space Screening Committee as vacant and direction to the Clerk to advise said vacancies.
2. Resolution amending Resolution 2000-137 to include the Agricultural Extension Office as an ex-officio advisory member of the Open Space Screening Committee.
3. Discussion/direction with regard to proposed amendments to Resolution 2000-137 to provide updated procedures for Land Conservation contracts, Farmland Security Zone contracts, and other subjects necessitating committee review and recommendations including direction to place amended resolution on the agenda for the first Board meeting in October 2020.

Supervisor Roen suggested forwarding the one application to the full Board due to the time it will take to reestablish the Open Space Screening Committee. Supervisor Roen commented that the Sierra Valley Resource Conservation District, Farm Advisor and UC Cooperative Extension Advisor Tracy Schohr are all willing to review the application.

The Director clarified that there is no risk in bypassing the committee process on this application and reviewed the application process for Williamson Act and Farmland Security Zone contracts.

The Director further recommended pulling Item 3 from the agenda and with respect to the present application, staff will bypass the Open Space Committee and meet with the ex-officio members of the Committee to review the application for any potential issues.

Following discussion, the Board moved to adopt the resolution declaring the three public positions on the Open Space Screening Committee as vacant as amended to remove direction to the Clerk to advertise said vacancies.

ADOPTED as amended, Resolution 2020-106. Motion: Roen/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

The Director further suggested holding off on the resolution to include the Agricultural Extension Office as an ex-officio member and bringing back proposed amendments to Resolution 2000-137 in October.

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

At 1:07 p.m., Vice-Chair Adams convened as the County Board of Supervisors and County Service Area joint meeting.

9.A. Resolution adopting Appropriation Limits for the 2020-2021 Fiscal Year for the County Service Areas 2, 3 and Sierra Brooks 5A.

The Auditor provided brief background on the appropriation limits.

Brief discussion ensued regarding the impacts to the County if Proposition 15 passes.

The Board moved to adopt the resolution adopting Appropriation Limits the 2020-2021 Fiscal Year for the County Service Areas 2, 3 and Sierra Brooks 5A.

ADOPTED, CSA Resolution 2020-007. Motion: Roen/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

9.B. Resolution adopting Appropriation Limits for the 2020-2021 Fiscal Year for the County of Sierra.

The Auditor provided brief background on the appropriation limits.

The Board moved to adopt the resolution Appropriation Limits for the 2020-2021 Fiscal Year for the County of Sierra.

ADOPTED, Resolution 2020-107. Motion: Roen/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

9.C. Resolution adopting the 2020-21 Final Budget for the County Service Areas 1, 2, 3, 4, 5, 4A5A (Sierra Brooks Water).

The Auditor provided background on the County Service Area budgets.

Supervisor Dryden expressed concerns with CSA 5 paying the entire cost for the Loyalton Library and suggested CSA 4 also contribute to the cost of the Loyalton Library.

Discussion ensued regarding having CSA 4 pay a portion of the Loyalton Library costs; merging the CSA's into one CSA; and the Finance Committee's recommendation to send the City of Loyalton a letter requesting the City pay half of the total cost of \$16,031 for the Loyalton Library; and adding the new CSA 4 Zone 4B to the budget.

September 15, 2020

Following discussion, the Board moved to adopt the resolution adopting the 2020-21 Final Budget for the County Service Areas 1,2,3,4,5 and 5A (Sierra Brooks Water) as amended to include CSA 4 Zone 4B budget (\$18,000 in revenue and \$18,000 to be paid out for the contract for fire services) and to add a \$2,500 line item in CSA 4 to go towards the Loyalton Library, and direction to send a letter to the City of Loyalton requesting the City pay half of the total cost of the Loyalton Library.

ADOPTED as amended, CSA Resolution 2020-008. Motion: Roen/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

9.D. Resolution adopting the 2020-2021 Final Budget for the County of Sierra.

The Auditor reviewed the proposed resolution, which includes authorizing the Auditor to reimburse County funds with CARES Act funding. The Auditor further reviewed the Finance Committee's budget recommendations previously transmitted to the Board.

Discussion ensued with the Board regarding CARES Act funding for the School District and offering credit for mandatory solid waste pickup to businesses that could not open during COVID-19.

The Auditor clarified that under authorized positions the Planning Department Specialist position should be 5% OES and 95% Planning and under Solid Waste Operations the first road worker position should be 50% and the other 50% is under Sierra Brooks.

Following further discussion, the Board moved to adopt the 2020-2021 Final Budget for the County of Sierra as amended.

ADOPTED as amended, Resolution 2020-108. Motion: Roen/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

At 1:41 p.m., Vice-Chair Adams adjourned the joint meeting of the Board of Supervisors and County Service Area Board of Directors and reconvened as the Board of Supervisors.

ADJOURN

At 1:41 p.m., with no further business, Vice-Chair Adams adjourned the meeting.



LEE ADAMS, VICE-CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD