



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

Lee Adams, District 1

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Peter W. Huebner, District 2

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Paul Roen, Chair, District 3

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Jim Beard, Vice-Chair, District 4

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

Sharon Dryden, District 5

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on September 17, 2019 at 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 Nicole Johnson

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
Jeff Bosworth, Chief Probation Officer

September 17, 2019

APPROVAL OF CONSENT AGENDA

The Board moved to approve the Consent Agenda.

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

12. CONSENT AGENDA

12.A. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Robert and Elaine Wilhelmy, landowners and Robert Wilhelmy, applicant for consideration of a parcel merger of two commonly owned and adjacent lots. The project site, identified as APN's 016-150-052 and 016-150-053 are located at 52 Mustang Trail, Sierra Brooks. (PLANNING)

APPROVED, Agreement 2019-105

12.B. Approval of County Certification of Network Adequacy Data and Documentation Submission. (BEHAVIORAL HEALTH)

12.C. Authorize payment of Invoice Number 198133 to Intermountain Disposal for tipping fees for waste that has been diverted to Delleker Transfer Station. (PUBLIC WORKS)

12.D. Contract between the County of Sierra and Corrections Software Solutions for Probation's Case Management System. (PROBATION)

APPROVED, Agreement 2019-106

12.E. Local Enforcement Agency Grant Agreement EA30-19-0063, for the time period of July 1, 2019 through October 29, 2020, in the amount of \$15,022.00. (PUBLIC HEALTH)

APPROVED, Agreement 2019-107

12.F. Professional Services Agreement between Oliver Ocskay, Ph.D. and Sierra County for behavioral health services. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2019-108

12.G. Certified statement of the results of the canvass for the August 27, 2019 Assembly District 1 Special Primary Election. (ELECTIONS)

12.H. Minutes from the regular meeting held on August 6, 2019. (CLERK-RECORDER)

September 17, 2019

12.I. Minutes from the regular meeting held on September 3, 2019. (CLERK-REORDER)

APPROVAL OF REGULAR AGENDA

At the request of Supervisor Adams, Correspondence Item 13.A. was moved to the Regular Agenda as Item 8.B.

13.A. Letter from Chris Carlton, Plumas National Forest Supervisor regarding determination of eligibility for the Hays/Taws cabin, Plumas National Forest, Sierra County, California.

The Board moved to approve the Regular Agenda as amended.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:07 Chair Roen opened the public comment opportunity

3. COMMITTEE REPORTS & ANNOUNCEMENTS

No reports were given.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Director of Health and Social Services reported on the upcoming flu clinics within the County; having received seven applications for the Environmental Health Specialist position but none for the Director of Environmental Health position; another successful Family Fun Fest; and the recruitment for the Independent Fiscal Officer position due to a retirement.

The Chief Probation Officer reported on the annual conference for the California Probation, Parole and Correctional Association and having received an award.

The Director of Planning reported on the field review with Sierra Nevada Conservancy staff of property around Sierra Brooks and Greene Acres; the Sierra Brooks Water System project; the upcoming City Council meeting to discuss disincorporation; the attendance of the Plumas National Forest Supervisor at the October 15, 2019 Board meeting; and the need for a committee to review the current lease agreements at the Sierraville School.

School Superintendent James Berardi introduced himself to the Board.

September 17, 2019

Supervisor Dryden reported on the Sierra Brooks Water System project ribbon cutting ceremony held on September 4th and the field review with the Sierra Nevada Conservancy staff of property behind Sierra Brooks.

5. FOREST SERVICE UPDATE

Sierraville District Ranger Quentin Youngblood reported on a number of Forest Service activities going on in the County.

6. PROBATION - Jeff Bosworth

- 6.A. Discussion on pending probation policy regarding concealed weapons permit for retired probation officers pursuant to Penal Code 25455.

The Chief Probation Officer provided background on the new policy regarding concealed weapons permits for retired probation officers.

Comments were received by Supervisors Dryden and Adams.

No action taken.

7. PUBLIC WORKS/TRANSPORTATION - Tim Beals

- 7.A. Discussion and approval of final "fire protection services agreement" between Truckee Meadows Fire Protection District, Sierra County Fire Protection District #1, and Sierra County for services at Verdi and Long Valley and authorization to secure the signature of SCFPD#1 and then forward on to Truckee Meadows Fire Protection District for final approval.

The Director of Public Works provided background on the fire service agreement and additional comments recently received from the Sierra County Fire Protection District No. 1 with respect to the agreement and anticipating bringing the final draft to the Board for approval at either a special meeting of the Board or the regular Board meeting to be held on October 15, 2019.

- 7.B. Resolution authorizing the submittal of a project funding application to the Sierra Nevada Conservancy for a forest health-community fire resiliency project at Sierra Brooks to apply to Smithneck Creek Wildlife Management Area/US Forest Service system lands-Sierraville Ranger District-Sierra Valley Resource Conservation District and Sierra County as co-applicants.

The Director of Public Works reviewed the Sierra Nevada Conservancy's request to have the County merge the Smithneck Creek Wildlife Management project with the adjacent Sierra Valley Resource Conservation District project and no longer needing a separate resolution authorizing the application.

September 17, 2019

Following brief discussion and by consensus, the Board directed staff to draft a letter of support for the RCD project for review and approval at a future meeting.

The Director continued to review maps of the project area.

Mr. Dave Goicoechea, Director, Sierra Valley Resource Conservation District, expressed support on behalf of the RCD of merging the project.

- 7.C. Resolution authorizing the submittal of a project funding application to the Sierra Nevada Conservancy for a forest health-community fire resiliency project at Greene Acres to apply to US Forest Service system lands-Yuba River Ranger District-County of Sierra as applicant.

The Director of Planning reviewed the project and the Sierra Nevada Conservancy following the field review urging the County to increase the size of the project.

The Director continued to review maps of the area of the proposed project and read the proposed resolution into the record.

The Board moved to adopt the resolution authorizing the submittal of a project funding application to the Sierra Nevada Conservancy for a forest health-community fire resiliency project at Greene Acres to apply to US Forest Service system lands-Yuba River Ranger District-County of Sierra as applicant.

Supervisor Adams indicated he would like to have a discussion with Ranger Henderson regarding how they pick their priorities and why the communities on the west side of the County are not getting more attention.

ADOPTED, Resolution 2019-127. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

- 7.J. Resolution approving right-of-way agreement for 49er Drive affecting ownership of property owned by Elise Ostrom of Sierra City and direction to the County Clerk-Recorder to record the agreement.

The Director of Public Works provided background on the proposed agreement which is a standard agreement and will put the entire road under a right-of-way agreement.

The Director further referred to the letter received by Mr. Larry Ostrom expressing concerns regarding the proposed agreement.

Deputy County Counsel commented on Mr. Ostrom's letter and the attached deeds and explained that if the owner of the property doesn't have the right to grant the right-of-way the true owner can come forward and contest it.

September 17, 2019

The Board moved to adopt the resolution approving the right-of-way agreement for 49er Drive affecting ownership of property owned by Elise Ostrom of Sierra City and direction to the County Clerk-Recorder to record the agreement.

ADOPTED, Resolution 2019-128 and **APPROVED**, Agreement 2019-109. Motion Huebner/Adams/Unanimous Roll Call Vote: 5/0

7.D. Approval of letter to the California Insurance Commissioner directed by the Board on September 3, 2019 regarding the serious issues facing County residents in obtaining fire and homeowners insurance.

The Director of Public Works reviewed the letter to the Insurance Commissioner.

Discussion ensued with the Board.

Supervisor Adams recommended copying RCRC on the letter.

The Board moved to approve the letter to the California Insurance Commissioner directed by the Board on September 3, 2019 regarding the serious issues facing County residents in obtaining fire and homeowners insurance as amended to include additional cc's.

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

7.E. Approval of letter to the CPUC directed by Board on September 3, 2019 regarding the 2-1-1- system.

The Director of Public Works provided background on the proposed letter which abandons any concept for taking on the 2-1-1 system.

The Board moved to approve the letter to the CPUC directed by Board on September 3, 2019 regarding the 2-1-1- system.

APPROVED. Motion: Dryden/Huebner/Unanimous

7.F. Approval to purchase and install fencing at the Loyalton Landfill in the amount of \$26,467.35.

The Director of Public Works explained this is a Cal Recycle requirement that needs to be implemented to prevent cattle on the landfill to allow for revegetation.

The Board moved to approve the purchase and installation of fencing at the Loyalton Landfill in the amount of \$26,467.35.

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

September 17, 2019

- 7.G. Discussion of status of fire mitigation fee in place within the Sierra County Fire Protection District and direction to staff (County Counsel and Planning Director) to conform the existing ordinance with the expanded boundaries of the fire protection district.

The Director of Public Works provided background on the fire mitigation fee and the annexation of the remainder of eastern Sierra County by the Sierra County Fire Protection District No. 1 and the need to revise the existing ordinance to address the annexation.

Comments were received by Chair Roen, the Director and Deputy County Counsel.

Following discussion and by consensus, the Board directed staff to coordinate with the Fire District on an amended ordinance.

- 7.H. Discussion, direction and approval of the final draft master stewardship agreement with USDA-Forest Service and the County of Sierra and authorization to submit the final agreement to the Regional Forester.

The Director of Public Works reviewed changes to the draft master stewardship agreement and recommended the Board authorize submitting the final draft to the US Forest Service.

By consensus, the Board authorized submitting the final draft master stewardship agreement with USDA-Forest Service and the County of Sierra to the Regional Forester.

11. TIMED ITEMS

11.A. 11:00 AM LOYALTON BIOMASS PLANT

Presentation and discussion with Kevin Lee and Jim Turner of American Renewable Power on the Loyalton biomass plant with a public question and answer period to follow the presentation.

Mr. Kevin Lee, American Renewable Power made his presentation to the Board on the current operations of the plant.

In response to Supervisor Dryden's inquiry regarding what the Board can do to help operate the plant, Mr. Lee indicated their biggest challenge is obtaining fuel from this area.

Chair Roen commented that the Master Stewardship Agreement should help get this in place.

September 17, 2019

Discussion ensued with the Board.

No action taken.

- 7.I. Discussion, review and direction on adoption of any comments on the Plumas National Forest Over-Snow Vehicle (OSV Use Designation) Final Environmental Impact Statement.

Following a brief overview by the Director of Public Works and by consensus, the Board continued this item to the next meeting.

- 7.K. Introduction and first reading of proposed ordinance amending the Sierra Brooks Water System regulations currently in place to conform County regulations to the requirements of the new Sierra Brooks Water System Project.

The Director of Public Works reviewed in detail the draft ordinance with the Board.

Board discussion ensued.

Following discussion and by consensus, direction was given to staff to work with County Counsel and bring the proposed ordinance back to a future meeting.

8. BOARD OF SUPERVISORS

- 8.A. Acceptance by the County of Sierra from the estate of Patricia Erlandsen of nine original oil paintings of nine historic venues in Sierra County painted by Mrs. Erlandsen over approximately the past 30 years. (SUPERVISOR ADAMS)

Supervisor Adams provided background on the nine original oil paintings of rural Sierra County and suggested rotating the paintings for display between the Courthouse, the Sierraville School and the Kentucky Mine.

The Board moved to accept from the estate of Patricia Erlandsen of nine original oil paintings of nine historic venues in Sierra County painted by Mrs. Erlandsen over approximately the past 30 years.

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

- 8.B. Letter from Chris Carlton, Plumas National Forest Supervisor regarding determination of eligibility for the Hays/Taws cabin, Plumas National Forest, Sierra County, California. **(Correspondence Item 13.A.)**

September 17, 2019

Supervisor Adams commented on the Plumas National Forest Supervisor attending the October 15, 2019 Board meeting and a subsequent meeting wherein he plans to address this item and the Forest Services' treatment in general of historical places in Sierra County.

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

Board of Supervisors to convene as the County Service Area (CSA) Board of Directors and to hold joint meetings as both the County Board of Supervisors and the CSA Board of Directors.

At 12:30 p.m. Chair Roen recessed the County Board of Supervisors meeting and reconvened as the joint meeting of the County Service Area Board of Directors and County Board of Supervisors.

9.A. Minutes from the County Service Area Board of Directors meeting held on July 23, 2019. (CLERK OF THE BOARD)

The Board moved to approve the minutes from the County Service Area Board of Directors meeting held on July 23, 2019.

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

9.B. Minutes from the County Service Area Board of Directors meeting held on August 6, 2019. (CLERK OF THE BOARD)

At the request of the Clerk, this item was pulled from the agenda.

9.C. Resolution adopting Appropriation Limits for the 2019-2020 Fiscal Year for Sierra County Service Areas 2, 3 and 5A (Sierra Brooks Water).

The Board moved to adopt the resolution adopting appropriation limits for the 2019-2020 Fiscal Year for Sierra County Service Areas 2, 3 and 5A (Sierra Brooks Water)

ADOPTED, CSA Resolution 2019-014. Motion: Huebner/Beard/Unanimous Roll Call Vote: 5/0

9.D. Resolution adopting Appropriation Limits for the 2019-2020 Fiscal Year for the County of Sierra.

The Board moved to adopt the resolution adopting appropriation limits for 2019-2020 Fiscal Year for Sierra County.

ADOPTED, Resolution 2019-129. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

September 17, 2019

- 9.E. Resolution adopting the 2019-2020 Final Budget for Sierra County Service Areas 1, 2, 3, 4, 5, 5A (Sierra Brooks Water).

The Auditor commented on the addition of the Sierra Brooks Water System project bond and construction budget for CSA 5.

The Board moved to adopt the resolution adopting the 2019-2020 Final Budget for Sierra County Service Areas 1, 2, 3, 4, 5, and 5A (Sierra Brooks Water).

ADOPTED, CSA Resolution 2019-015. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

- 9.F. Resolution adopting the 2019-2020 Final Budget for the County of Sierra.

The Auditor reviewed the recommended changes by the Finance Committee to the proposed budget including an increase in the library budget in anticipation of negotiations with Plumas County; and additional \$5,000 to the personnel budget for overtime; and some adjustments made in payroll to the road fund.

The Director of Health and Social Services commented on a few items that the Finance Committee didn't make a recommendation on including the reclassification of the plant manager position to a facilities manager.

Supervisor Adams reiterated his concerns with adding employees to the Health and Human Services agency.

Supervisor Beard moved to add the reclassification and the 60% peer support position in Downieville.

Motion died due to lack of a second.

The Board moved to adopt the resolution adopting the 2019-2020 Final Budget for the County of Sierra as presented.

The Auditor also commented on the budget resolution giving authority for common payments that are made on an annual basis over \$7,500.

Supervisor Adams further suggested bringing the request for the peer support position in Downieville and the reclassification of the plant manager position to the department managers, and if they are supportive, to bring the request back to a future Board meeting for consideration.

ADOPTED, Resolution 2019-130. Motion: Adams/Dryden/Unanimous Roll Call Vote: 5/0

September 17, 2019

10. CLOSED SESSION

10.A. Closed session pursuant to Government Code Section 54956.9 (d)(2) - conference with legal counsel - anticipated litigation - 1 case.

CLOSED SESSION STATEMENT

The Board met in closed session from 12:56 p.m. 1:08 p.m. Deputy County Counsel reported information was given and direction was given to staff.

ADJOURN

At 1:08 p.m., with no further business, Chair Roen adjourned the meeting.

PAUL ROEN, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD