



**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 November 6, 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 Beard

ROLL CALL

Present: Lee Adams, Supervisor, District #1
Peter W. Huebner, Supervisor, District #2
Paul Roen, Supervisor, Vice-Chair, District #3
Jim Beard, Supervisor, District #4
Scott A. Schlefstein, Supervisor, Chair, District #5

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
Jeff Bosworth, Chief Probation Officer

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APPROVAL OF CONSENT AGENDA

The Board moved to approve the Consent Agenda.

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

14. CONSENT AGENDA

- 14.A. Approval of Board of Supervisors Travel Reimbursement for Lee Adams, RCRC annual meeting September 18-21, 2018. (AUDITOR)
- 14.B. Approval of Board of Supervisors Travel Reimbursement for Lee Adams, CSAC Executive Committee October 3-5, 2018. (AUDITOR)
- 14.C. Approval of Board of Supervisors Travel Reimbursement for Peter Huebner, August 2018. (AUDITOR)
- 14.D. Approval of Board of Supervisors Travel Reimbursement for Peter Huebner, September 2018. (AUDITOR)
- 14.E. Resolution approving the California Office of Emergency Services (CalOES) 2018/2019 Victim/Witness Grant. (DISTRICT ATTORNEY)

ADOPTED, Resolution 2018-120

APPROVED, Agreement 2018-117

- 14.F. Governing Body Resolution naming authorizing agents for Sierra County Emergency Management Performance Grant for the Fiscal Year 2018 Grant Year (OES). (PLANNING)

ADOPTED, Resolution 2018-121

- 14.G. Acceptance of surplus trailer from Downieville Fire Protection District for use in Solid Waste, valued at \$399.00 and authorization to add to solid waste equipment inventory. (PUBLIC WORKS)
- 14.H. Approval of purchase order (SW-216) to Cretecraft Concrete Construction, Inc. for construction of a concrete slab at the Loyaltan Transfer Station which will accommodate the compactor. (PUBLIC WORKS)
- 14.I. Review and approval of applications for expiring terms on the Nevada County Resource Conservation District. (CLERK OF THE BOARD)
- 14.J. Minutes from the special meeting held on September 28, 2018. (CLERK-RECORDER)

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14.K. Minutes from the regular meeting held on October 2, 2018. (CLERK-REORDER)

14.L. Minutes from the special meeting held on October 22, 2018. (CLERK-REORDER)

APPROVAL OF REGULAR AGENDA

At the request of the Clerk, Item 10.B. was pulled from the Regular Agenda.

10.B. Request for the Sierra County Board of Supervisors' Personnel Standing Committee to meet to discuss employee recruitment and retention issues including review of the current salary and benefit structure and the proposed parity study.

The Board moved to approve the Regular Agenda as amended.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

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

3. COMMITTEE REPORTS & ANNOUNCEMENTS

No reports were given.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Director of Behavioral Health reported on the peer review for psychology as part of the Mental Health Plan requirements and only receiving a few minor suggestions on documentation. The Director also reported on the preparation of the tri-annual review for the Mental Health Program coming up on December 1st and 2nd and the hosting a mental health first aid class on December 1st for the general public.

The Director of Health and Social Services reported on opening up conversations and getting involved with the animal control issues since she is also the Chief Animal Control Officer.

APPROVAL OF REGULAR AGENDA continued

The Director of Public Works requested adding item 8.E.2 to the Regular Agenda.

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- 8.E.2. Presentation of bids for OHV Snow Grooming Program and adoption of resolution rejecting high bid as non-responsible and authorizing negotiation with the sole responsible bidder.

County Counsel indicated that the matter came up after the close of the agenda and must be taken up before the next Board meeting.

The Board moved to add item 8.E.2. to the Regular Agenda.

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

The Board moved to approve the Regular Agenda as amended.

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

DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS continued.

The Director of Planning reported on the Sierra Brooks Water System project; the Yuba project; the closure of the landfill which is almost complete; the Truckee Meadows Fire Protection District agreement with Sierra County for fire protection services and the start of the proceedings for the special assessment zones to augment the agreement; the LAFCO hearing for the Sierra County Fire Protection District No. 1 proceedings to be held on November 28, 2018 in Sierraville; and FEMA reevaluating the floodplain in the Sierra Valley.

5. FOREST SERVICE UPDATE

Yuba River District Ranger Lon Henderson provided an update on matters going on in the district.

- 5.A. Presentation and adoption of Resolution of Appreciation to Marilyn Tierney, USFS Wildlife Biologist for the North Yuba Ranger District.

Comments were received by William Copren, Sig Ostrom, and District Ranger Lon Henderson.

Chair Schlefstein presented the resolution of appreciation to Marilyn Tierney.

6. HEALTH & SOCIAL SERVICES - Vickie Clark

- 6.A. Resolution of the Board of Supervisors of the County of Sierra pursuant to California Public Employees' Pension Reform Act of 2013 – Resolution for exception to the 180-day wait period in accordance to California Government Code Sections 7522.56 & 21221(h).

The Director of Health and Social Services provided background on the Elizabeth Morgan's (Director of Environmental Health) upcoming retirement effective November 11,

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2018 and the proposed resolution which requests the 180 waiver and to bring Ms. Morgan back as a retired annuitant.

The Board moved to adopt the resolution of the Board of Supervisors of the County of Sierra pursuant to California Public Employees' Pension Reform Act of 2013 – Resolution for exception to the 180-day wait period in accordance to California Government Code Sections 7522.56 & 21221(h).

ADOPTED, Resolution 2018-122. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

7. PROBATION - Jeff Bosworth

7.A. Further discussions on Bail Reform (AB10) and the implications for Sierra County.

The Chief Probation Officer provided background on AB 10 (Bail Reform) which requires a letter of intent between the Courts and Probation to contract for pretrial assessment services. The Chief Probation Officer also explained that a referendum has been filed by the bail bond industry and if they are successful in obtaining the required signatures the bill will not go into effect until after the 2020 general election.

By consensus, the Board indicated they have no contest with the letter of intent.

The Chief Probation Officer continued to review potential future savings in the general fund if the employee under the new bail reform was to provide bailiff and inmate transportation services.

13. TIMED ITEMS

13.A. 10:00AM TAX EXCHANGE - EASTERN PLUMAS HEALTH CARE DISTRICT

Resolution approving a tax exchange between the County of Sierra and Eastern Plumas Health Care District for the annexation of the Sierra Valley Hospital District.

The Director of Planning provided background on the LAFCO proceedings for the Sierra Valley Hospital District and the requirement of negotiating the tax exchange between the County and Eastern Plumas Health Care District.

The Director further reviewed the boundaries of the annexation.

Comments were received by the Auditor with respect to the history on tax rate areas prior to and after Proposition 13 and what will occur with the property taxes and the current bond as a result of the proposed annexation.

Comments were received by William Copren, Sierra Valley Hospital District Chair.

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The Board moved to adopt the resolution approving a tax exchange between the County of Sierra and Eastern Plumas Health Care District for the annexation of the Sierra Valley Hospital District.

ADOPTED, Resolution 2018-123. Motion: Roen/Beard/Unanimous Roll Call Vote: 5/0

13.B. 10:15AM TAX EXCHANGE - SIERRA COUNTY FIRE PROTECTION DISTRICT NO. 1

Resolution approving a tax exchange between the County of Sierra and the Sierra County Fire Protection District No. 1 for the annexation of certain property into the Fire District.

The Director of Planning introduced the item.

Chair Schlefstein expressed concerns with the negotiated tax exchange amounts.

Comments were received by the Auditor in response to Chair Schlefstein's concerns.

Considerable discussion ensued with the Board.

Following discussion, the Board moved to adopt the resolution approving a tax exchange between the County of Sierra and the Sierra County Fire Protection District No. 1 for the annexation of certain property into the Fire District.

ADOPTED, Resolution 2018-124. Motion: Roen/Beard/Unanimous Roll Call Vote: 5/0

13.C. 11:00AM CLOSED SESSION

Closed Session pursuant to Government Code Section 54957 - public employment - Chief Technology Officer.

CLOSED SESSION STATEMENT

The Board met in closed session from 11:14 a.m. to 11:25 a.m. County Counsel reported that the Board gave direction to staff regarding the Chief Technology Officer position.

11. BOARD OF SUPERVISORS

11.A. Discussion/action to approve letter to Pacific Gas & Electric Company regarding concerns of new policy to shut off commercial power during times of high fire danger conditions. (SUPERVISOR ADAMS)

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Following a brief introduction by Supervisor Adams, the Board moved to approve the approve letter to Pacific Gas & Electric Company regarding concerns of new policy to shut off commercial power during times of high fire danger conditions.

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

11.B. Designation of the 2019 Rural County Representatives of California (RCRC) and Golden State Finance Authority (GSFA) Delegates and Alternates. (CLERK OF THE BOARD)

The Board moved to appoint Supervisor Adams as the Delegate and Supervisor Huebner as the Alternate to the Rural County Representatives of California (RCRC) and Golden State Finance Authority.

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

8. PUBLIC WORKS/TRANSPORTATION - Tim Beals

8.A. Resolution of intent to vacate Oregon Creek Road (#295) as depicted on attached Exhibit A to the resolution.

The Director of Public Works provided background on Oregon Creek Road having been subject to abandonment in the late 1980's due to the owners of the Kate Hardy Mine and Zumalt family's interest in seeing the road abandoned. The Director further explained the owners of the Kate Hardy Mine now want the road to remain public and if the road is not abandoned the county will have to take over the reconstruction of the bridge.

Supervisor Adams recommended changing the language from "pursue" to "consider" under the second "Whereas" of the proposed resolution.

Discussion ensued with the Board.

The Board moved to adopt the resolution of intent to vacate Oregon Creek Road (#295) as depicted on attached Exhibit A to the resolution as amended and directed staff to add an agenda item, separate from the public hearing, rescinding the original agreement.

ADOPTED as amended, Resolution 2018-125. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

8.B. Professional Services Agreement with MGE Engineering, Inc. for Professional Engineering and Environmental Services for 2017 Storm Damaged FHWA ER Projects.

The Board moved to approve the Professional Services Agreement with MGE Engineering, Inc. for Professional Engineering and Environmental Services for 2017 Storm Damaged FHWA ER Projects.

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Bryan Davey, Deputy Director of Transportation provided background on the agreement.

APPROVED, Agreement 2018-118. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

- 8.C. Amendment to Professional Services Agreement 2018-07 with MGE Engineering, Inc. for Phase 2 of the engineering and design services for the 2017 flood sites.

The Board moved to approve the Amendment to Professional Services Agreement 2018-07 with MGE Engineering, Inc. for Phase 2 of the engineering and design services for the 2017 flood sites.

APPROVED, Agreement 2018-119. Motion: Roen/Adams/Unanimous Roll Call Vote: 5/0

- 8.D. Update on Tire Grant TA4 170055 and upcoming free tire disposal event scheduled for November 17, 18, and 19, 2018.

The Director of Public Works provided background on the tire grant and free tire disposal event scheduled for November 17, 18, and 19, 2018.

- 8.E. Discussion and direction on setting a date and time for formal Board review and adoption of any comments on the Plumas National Forest Over-Snow Vehicle (OSV) Use Designation Draft Environmental Impact Statement (DEIS).

The Director of Public Works provided background on the deadline for public review on the Plumas National Forest Over-Snow Vehicle (OSV) Use Designation Draft Environmental Impact Statement (DEIS).

By consensus, the Board directed adding the formal Board review and adoption of any comments on the Plumas National Forest Over-Snow Vehicle (OSV) Use Designation Draft Environmental Impact Statement (DEIS) to the December 4, 2018 Board meeting.

- 8.F. Continued discussion and direction regarding points raised during presentation by CalFire Unit Ranger George Morris III on September 4, 2018.

The Director of Public Works provided background on the prior discussion with Mr. Morris at the Board of Supervisors meeting held on September 4th and the issue with the conversion permit requirements in Sierra Brooks.

Supervisor Adams commented on having reminded RCRC's staff about this issue and they are putting him in touch with the CalFire Chief heir apparent.

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The Director continued to refer to the Board's prior direction to send a letter to CalFire regarding the conversion permit issue, concerns with the mutual aid agreement, concerns regarding the placement of engines in the county, and the change in designation in the Sierra Valley from LRA to SRA.

By consensus, the Board directed staff to draft the letter and return to the Board for review and consideration at a future meeting.

- 8.G. Resolution authorizing Director of Transportation to execute official ballots on behalf of the County of Sierra for County Service Area 5, County of Sierra Assessment District 2015-01 (Sierra Brooks Water System) Ballot Proceeding for Assessor's Parcel Numbers 016-110-041-0, 016-110-043-0, and 016-110-042-0.

The Board moved to adopt the resolution authorizing Director of Transportation to execute official ballots on behalf of the County of Sierra for County Service Area 5, County of Sierra Assessment District 2015-01 (Sierra Brooks Water System) Ballot Proceeding for Assessor's Parcel Numbers 016-110-041-0, 016-110-043-0, and 016-110-042-0 and directed Vice-Chair Roen to sign the resolution.

ADOPTED, Resolution 2018-126. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

- 8.E.2. Presentation of bids for OHV Snow Grooming Program and adoption of resolution rejecting high bid as non-responsible and authorizing negotiation with the sole responsible bidder.

The Director of Public Works recommended the Board reject the highest bid and authorize the negotiation with the remaining bidder, Sierra Snow Cats.

The Board moved to adopt the resolution rejecting the high bid as non-responsible and authorizing negotiation with the sole responsible bidder as amended to correct the fourth "Whereas" to "Now Therefore Be it Resolved".

ADOPTED as amended, Resolution 2018-127. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

- 8.H. Discussion of status of Sierra County snow grooming program for 2018-2019 and adoption of resolution authorizing Director of Transportation to seek and secure an equipment lease agreement for a snow groomer and authorization create a temporary extra help position to provide a grooming program for the 2018-2019 grooming season.

Bryan Davey, Deputy Director of Transportation briefly reviewed the item which is an alternative in the event they are unable to negotiate the snow grooming contract with Sierra Snow Cats.

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By consensus, the Board agreed to this concept.

9. PLANNING / BUILDING - Tim Beals

9.A. Discussion and direction for approval of priority list for First Responder Network (FirstNet) Broadband Service in Sierra County.

Lee Brown, OES Coordinator provided background on FirstNet Broadband Service and the recommended list of priority sites due to limited broadband service.

By consensus, the Board approved the priority list for First Responder Network (FirstNet) Broadband Service in Sierra County.

9.B. Resolution authorizing the Auditor to allow certain county employees to continue to accrue vacation hours over the maximum allowed hours.

The Director of Transportation provided background on the request to allow the certain employees continue to accrue vacation hours over the maximum allowed hours.

Discussion ensued with the Board.

Following discussion, the Board moved to adopt the resolution authorizing the Auditor to allow certain county employees to continue to accrue vacation hours over the maximum allowed hours as amended to include the sunset date of July 1, 2019 and a list of employees.

ADOPTED, Resolution 2018-128. Motion: Adams/Roen/Unanimous Roll Call Vote: 5/0

10. CLERK-RECORDER - Heather Foster

10.A. Authorization to fill an Account Technician I-III in the Auditor's office and a Deputy Clerk-Recorder I-III in the County Clerk-Recorder's office due to vacancies within said offices.

Chair Schlefstein commented on discussing these positions separately as they are two completely different departments.

Comments were received by the Clerk and the Auditor with respect to both positions being critical to the operations of the offices.

The Board moved to authorize filling of an Account Technician I-III in the Auditor's office and a Deputy Clerk-Recorder I-III in the County Clerk-Recorder's office due to vacancies within said offices.

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

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12. COUNTY SERVICE AREA BOARD OF DIRECTORS

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

At 12:36 p.m. Chair Schlefstein recessed the Regular Board meeting and reconvened as the County Service Area Board of Directors.

At 12:39 p.m. Chair Schlefstein adjourned as the County Service Area Board of Directors and reconvened as the Board of Supervisors.

15. CORRESPONDENCE LOG

15.A. Letter from Luis Rodriguez, P.E., Director for Federal Emergency Management Agency (FEMA) regarding notifications on March 3, 2014 and August 19, 2015 of proposed modified flood hazard determinations affecting the Flood Insurance Rate Map and Flood Insurance Study report for the unincorporated areas of Sierra County.

No action taken.

15.B. Letter from Alison Kearns, U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA) regarding Sierra Valley Flood Study and Mapping Project.

No action taken.

ADJOURN

At 12:40 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