



**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

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Sharon Dryden, District 5

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The Sierra County Board of Supervisors will meet in regular session commencing at 9:00 a.m. on November 5, 2019 in the Board of Supervisors' Chambers, Courthouse, Downieville, CA. This meeting will be 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, Chair, District #3
Jim Beard, Supervisor, Vice-Chair, District #4

Absent: Sharon Dryden, Supervisor, District #5

Staff: Heather Foster, County Clerk-Recorder
Amanda Uhrhammer, 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 THE CONSENT AGENDA

At the request of the Clerk, Item 12.N. was pulled from the Consent Agenda.

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

12. CONSENT AGENDA

12.A. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Judy D. Marovich, Applicant and Landowner: Consideration of a lot line adjustment in order to divide interest in a commonly owned parcel. The project site, identified as APNs 009-020-067-0 and 009-020-029-0, is located on Sacred Mound Road, Sierra City. (PLANNING)

APPROVED, Agreement 2019-129

12.B. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Stephen and Lynn Fillo, Applicant and Landowner: Consideration of a lot line adjustment in order to divide interest in a commonly owned parcel. The project site, identified as APNs 009-020-067-0 and 009-020-029-0, is located on Sacred Mound Road, Sierra City. (PLANNING)

APPROVED, Agreement 2019-130

12.C. Professional Services Agreement with DUDEK to complete the CEQA environmental review for the AT&T Downieville Cell Tower project (Sierra County Planning Department file no. 1669.) (PLANNING)

APPROVED, Agreement 2019-131

12.D. Amendment A02 to Agreement No. 17-94163, Sierra County Agreement No. 2017-130 between the Department of Health Care Services and the County of Sierra for Substance Use Disorder services for Fiscal Years 2017-2018 through 2019-2020. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2019-132

12.E. Amendment to Agreement 2019-057 and Amendment 2019-089 between Clean & Sober Recovery Services, Inc. and the County of Sierra to increase contract amount and lower daily rate. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2019-133

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- 12.F. Resolution approving State Agreement 19-10453 between the California Department of Public Health and the County of Sierra for the HIV Surveillance Program. (PUBLIC HEALTH)

APPROVED, Resolution 2019-141
APPROVED, Agreement 2019-134

- 12.G. Resolution authorizing hiring of an extra help Road Maintenance Worker position to cover for a temporary vacancy occurring while an existing employee is off on extended medical leave. (PUBLIC WORKS)

APPROVED, Resolution 2019-142

- 12.H. Governing Body Resolution authorizing actions necessary for the purpose of obtaining federal financial assistance provided by the Federal Department of Emergency Management Performance Grant and subgranted through the State of California. (OFFICE OF EMERGENCY SERVICES)

APPROVED, Resolution 2019-143

- 12.I. Governing Body Resolution authorizing actions necessary for the purpose of obtaining federal financial assistance provided by the Federal Department of Homeland Security and subgranted through the State of California. (OFFICE OF EMERGENCY SERVICES)

APPROVED, Resolution 2019-144

- 12.J. Resolution approving appointment in lieu of election to the Downieville Public Utility District. (ELECTIONS)

APPROVED, Resolution 2019-145

- 12.K. Resolution approving appointments in lieu of election to the Sierraville Public Utility District. (ELECTIONS)

APPROVED, Resolution 2019-146

- 12.L. Certified Statement of the results of the canvass for the November 5, 2019 Assembly District 1 Special General Election. (ELECTIONS)

- 12.M. Minutes from the regular meeting held on October 15, 2019. (CLERK OF THE BOARD)

- 12.N. Minutes from the regular meeting held on November 5, 2019. (CLERK OF THE BOARD)

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APPROVAL OF REGULAR AGENDA

The Board moved to approve the Regular Agenda.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:05 a.m. Chair Roen opened and closed the public comment opportunity with no persons addressing the Board.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Huebner reported on the number of road improvements in Verdi performed by the county road crew; concerns with reports of the large amount of traffic and illegal parking on Sunrise Creek and Dog Valley Road; a recent meeting held in Boomtown regarding the proposed 1000 new residential developments; and the Western Sierra Residential Center Board of Directors meeting held last Friday regarding the future of the center.

Chair Roen reported on the State Insurance Commissioner roundtable discussion which was by invitation only and facilitated by the Clerk. Chair Roen also reported on the Sierra Valley Resource Conservation District meeting and interviewing for the fellowship position.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Director of Behavioral Health reported on the Whole Person Care (WPC) program and the State's request for a letter of intent from the County prior to developing a plan for the use of the available funding.

The Sheriff reported on the promotion of Brad Dempster to Undersheriff and additional staffing updates in the department. The Sheriff also reported that the two new patrol vehicles are complete.

The Director of Health and Social Services reported on no longer having an Environmental Health Director and having added a clause in the CUPA contract with Plumas County in order to have access to a director if necessary. The Director also reported on possibly hiring Elizabeth Morgan back as an Environmental Health Specialist through the California Environmental Health Association as a third party contractor to help with the workload in the department.

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Supervisor Adams recommended getting a clearance letter from PERS so the County is not penalized.

The Director further reported on working with CPS HR for the recruitment of a number of vacant positions in the County and the surplus of a Social Services vehicle.

The Director of Planning commented on the vehicle surplus; road work in Verdi; parking issues at the Von Schmitt Park; ABC news doing a piece on "how California got it's shape"; the Sierra Brooks Water System project; the need to set an ad hoc committee meeting to determine the allocation of the CalOES grant which is intend to cover efforts to deal with the PSPS events; the Truckee Meadows Fire Protection agreement will be signed tonight; the Local Transportation Commission will meet tomorrow at 10:00 a.m.; the Planning Commission will meet on Thursday at 10:00 a.m. for the annual review of the Firm Foundation Academy's conditional use permit; the Park grant will be brought forward to the Board on December 3rd; the conservation easements meeting and the misinformation that was shared during the meeting; and issues with coming up with a solution for the entrance to the Senior Center on Hill Street.

5. FOREST SERVICE UPDATE

Sierraville District Ranger Quentin Youngblood provided an update on various projects going on in the district including Christmas tree permits; staffing; and the Master Stewardship Agreement.

Ranger Youngblood also distributed a scoping document regarding the Truckee Donner Land Trust donating 982 acres of land to the federal government under the jurisdiction of the Tahoe National Forest.

Chair Roen requested adding this matter to the next meeting agenda so the Board can comment on it.

6. HEALTH & SOCIAL SERVICES - VICKIE CLARK

- 6.A. Approval of new position of Sierra County Health Officer and Employment Contract between Celia Sutton-Pado and County of Sierra.

The Director of Health and Social Services provided background on the employment contract which has two fiscal benefits including being able to take advantage of applying 25% of the salary towards indirect costs and receiving a 75% match from the federal government for any direct service provided to MediCal clients.

The Board moved to approve the position of Sierra County Health Officer and Employment Contract between Celia Sutton-Pado and County of Sierra.

APPROVED, Agreement 2019-135. Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Dryden ABSENT)

7. PUBLIC WORKS/TRANSPORTATION - TIM BEALS

- 7.A. Presentation on quotes for the Wellness Center and adoption of resolution authorizing negotiation of purchase agreement with GS Home Construction for the manufactured home.

Following brief discussion, the Board moved to adopt the resolution authorizing negotiation of purchase agreement with GS Home Construction for the manufactured home.

ADOPTED, Resolution 2019-147 and **APPROVED**, Agreement 2019-137A. Motion: Beard/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Dryden ABSENT)

- 7.B. Discussion and direction on request to approve appropriation in the road fund budget for two road maintenance employees to attend a two-week training class for operator training sponsored by Operating Engineers in Sloughhouse at a cost of \$12,434.80 per employee.

The Director of Public Works provided background on the two-week training class sponsored by Operating Engineers and recommended reducing the request to only one employee to attend the training.

Following brief discussion, the Board moved to approve the appropriation in the road fund budget for one road maintenance employee to attend a two-week training class for operator training sponsored by Operating Engineers in Sloughhouse at a cost of \$12,434.80.

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

- 7.C. Introduction and first reading of an ordinance adding Part 11, Chapter 12, Section 080, Subsections (b) and (c), prohibiting parking along a portion of property owned by Sierra County on the south side of Dog Valley Road and restricting parking to two (2) hours between sunrise and sunset and prohibiting parking between sunrise and sunset within the parcel of property owned by Sierra County known as the Von Schmidt Historic Monument County Park located on the south side of Dog Valley Road.

The Director of Public Works provided background on the proposed ordinance which adds Subsection (b) prohibiting parking on a portion of County property on the south side of Dog Valley Road which property was dedicated to the County for the installation of 20,000 underground water tank for fire protection and for housing equipment. Subsection (c) prohibits parking between sunset and sunrise within the parcel of property owned by the County known as the Von Schmidt Historic Monument County Park.

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Comments were received by the Director and the Sheriff regarding issues with traffic on Dog Valley Road with respect to ATV use and people using computer based travel advisories trying to get to Sacramento via the Verdi Grade.

Following discussion the Board moved to waive the first reading of an ordinance adding Part 11, Chapter 12, Section 080, Subsections (b) and (c), prohibiting parking along a portion of property owned by Sierra County on the south side of Dog Valley Road and restricting parking to two (2) hours between sunrise and sunset and prohibiting parking between sunrise and sunset within the parcel of property owned by Sierra County known as the Von Schmidt Historic Monument County Park located on the south side of Dog Valley Road.

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

- 7.D. Approval of final "MASTER STEWARDSHIP AGREEMENT" between the County and the USDA Forest Service containing the final edits agreed upon by County staff and US Forest Service Regional Office and authorizing the Chairman of the Board to execute the agreement.

The Director of Public Works briefly reviewed the Master Stewardship Agreement and recommended approval.

Comments were received by Sierraville District Ranger Quentin Youngblood.

Supervisor Adams expressed concerns regarding public notices being advertised in the Nevada County paper and recommended having these notices published in a newspaper in Sierra County.

Following brief discussion, the Board moved to approve the final "MASTER STEWARDSHIP AGREEMENT" between the County and the USDA Forest Service containing the final edits agreed upon by County staff and US Forest Service Regional Office and authorized the Chairman of the Board to execute the agreement.

APPROVED, Agreement 2019-136. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

The Director further suggested the agreement transmittal letter to the US Forest Service make a recommendation to expand the public notice to advertise locally and amend the agreement in the future to memorialize this.

11. TIMED ITEMS

11.A. 10:30 AM UNITED STATES FOREST SERVICE

Introduction of and discussion with District Ranger Matt Zumstein, Carson Ranger District/Humboldt-Toiyabe National Forest and possible inclusion of Forest Supervisor William Dunkleberger depending on schedule.

The Director of Public Works introduced Carson District Ranger Matt Zumstein and also commented on the list of concerns he forwarded to Ranger Zumstein.

Ranger Zumstein provided background on himself to the Board.

The Director continued to comment on issues with overnight parking, drug deals, and abandoned vehicles in Verdi and the need to evaluate whether a parking regulation would be necessary from a Forest Service standpoint and what levels of enforcement are being seen from the Humboldt-Toiyabe National Forest.

Ranger Zumstein commented on having spoken to both law enforcement officers and the recreation manager on the Carson Ranger District and they recognize there are some issues. Ranger Zumstein further indicated that he would like to hear the Board's recommendations and then take a common sense approach to these issues.

Comments were received by the Director and the Sheriff regarding public traffic and recreation on the Humboldt-Toiyabe National Forest accessed by Dog Valley Road and Long Valley Road which are both County roads.

Comments were received by Janet Loverin, Long Valley expressing concerns regarding the impacts to Long Valley Road as it has become a racetrack to OHV's.

Supervisor Adams clarified that Long Valley Road is a public road that OHV's shouldn't be on.

Ms. Loverin continued to comment that the community would be willing to help and work with the Forest Service to come up with a plan including providing a loading and unloading area in the Forest Service so people do not park at Bordertown.

Discussion ensued with the Board.

8. PLANNING / BUILDING - TIM BEALS

8.A. Discussion and adoption of resolution approving Tolling Agreement with AT&T which allows for an extension of processing time for a Conditional Use Permit Application, County Planning File 1669.

The Director of Planning provided background on the proposed Tolling Agreement which is an FCC requirement that prescribes a time period for the completion of the permit

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process and the County has an obligation to try to resolve the application by the end of the period or deny the request. The Director added that AT&T is asking the County to approve the Tolling Agreement. If the agreement is not approved, this puts AT&T in contrary to the FCC regulations and puts the project in jeopardy.

Deputy County Counsel indicated that Tolling Agreements are not unusual.

The Board moved to adopt the resolution approving Tolling Agreement with AT&T which allows for an extension of processing time for a Conditional Use Permit Application, County Planning File 1669.

ADOPTED, Resolution 2019-148 and **APPROVED**, Agreement 2019-137. Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Dryden ABSENT)

- 8.B. Discussion and direction on request from Sierra Pacific Industries (SPI) to release a performance bond and a payment bond both in the amount of \$114,032.00 posted by SPI in October 2008 to secure subdivision improvements (sidewalks) for the Loyalton Business Park-Phase 1A Final Map approved by County Resolution 2008-165.

At the request of the Director of Planning, this item was continued.

9. BOARD OF SUPERVISORS

- 9.A. Designation of the 2020 Rural Counties' Environmental Services Joint Powers Authority (ESJPA) Delegate and Alternates. (CLERK OF THE BOARD)

The Board moved to appoint Supervisor Adams as the Delegate, Supervisor Huebner as the Alternate, and Director Tim Beals as the Second Alternate to the 2020 Rural Counties' Environmental Services Joint Powers Authority (ESJPA) Delegate and Alternates.

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

- 9.B. Approval of letter of support of the North Yuba Forest Partnership. (CHAIR ROEN)

The Board moved to approve the letter of support of the North Yuba Forest Partnership.

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

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10. CLOSED SESSION

- 10.A. Conference with labor negotiators pursuant to Government Code section 54957.6, Margaret Long Negotiator, all bargaining units.

CLOSED SESSION STATEMENT

Th Board met in closed session from 11:34 a.m. to 11:48 a.m. Deputy County Counsel reported that direction to staff was given.

13. CORRESPONDENCE LOG

- 13.A. Notice of Intent to Harvest Timber submitted by Ronald S. Hutchinson located in Nevada County: a portion of Section 32 and 33, T21N, R11E, MDB&M.

No action taken.

ADJOURN

At 11:48 a.m., with no further business, Chair Roen adjourned the meeting.

PAUL ROEN, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD