



**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

P.O. Box 349 - Sierra City, CA 96125 - 530-565-6055 - phuebner@sierracounty.ca.gov

Paul Roen, Chair, District 3

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Terry LeBlanc, District 4

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Sharon Dryden, Vice Chair, District 5

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on June 7, 2022 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 Adams

ROLL CALL

Present: Lee Adams, Supervisor, District #1
Peter W. Huebner, Supervisor, District #2
Paul Roen, Supervisor, Chair, District #3
Sharon Dryden, Supervisor, Vice Chair, District #5

Absent: Terry LeBlanc, Supervisor, District #4

Staff: Heather Foster, County Clerk-Recorder
David Prentice, County Counsel
Van Maddox, Auditor/Treasurer Tax Collector
Tim Beals, Director of Planning/Public Works/Transportation/OES
Lea Salas, Director of Behavioral Health
Vickie Clark, Director of Health and Social Services
Chuck Henson, Chief Probation Officer
Mike Fisher, Sheriff/Coroner

June 7, 2022

APPROVAL OF THE CONSENT AGENDA

The Board moved to approve the Consent Agenda.

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

12. CONSENT AGENDA

12.A. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Marco Ambroselli, applicant and landlord: consideration of a zone variance application for property located at 250 Goodyear Creek Road, Goodyears Bar, CA, APN: 002-180-013-000. (PLANNING)

APPROVED, Agreement 2022-059

12.B. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Michael Freschi, applicant and landlord: consideration of an applicant-initiated parcel merger application for property located at 131 & 133 Calpine Avenue, Calpine, CA, APN: 012-124-024-000 and 012-124-021-000. (PLANNING)

APPROVED, Agreement 2022-060

12.C. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Constellation Creek, aka The Outpost Group, Inc., applicant and landlord: consideration of a Conditional Use Permit/Zone Amendment application for property located at 622 Old Truckee Road, Sierraville, CA, APN: 018-060-009 & 018-060-021. (PLANNING)

APPROVED, Agreement 2022-061

12.D. Agreement for Transportation Services in the amount of \$80,000 between County of Sierra and Incorporated Senior Citizens of Sierra County for Fiscal Year 2023. (PUBLIC WORKS)

APPROVED, Agreement 2022-062

12.E. Agreement for Transportation Services in the amount of \$80,000 between County of Sierra and Golden Rays Senior Citizens for Fiscal Year 2023. (PUBLIC WORKS)

APPROVED, Agreement 2022-063

12.F. Resolution adopting a list of road maintenance projects to be funded by SB 1 funds for Fiscal Year 2022-2023. (PUBLIC WORKS)

June 7, 2022

ADOPTED, Resolution 2022-056

- 12.G. Resolution declaring two Clark Motorgraders surplus, establishing a minimum bid amount, and authorizing sale. (PUBLIC WORKS)

ADOPTED, Resolution 2022-057

- 12.H. Agreement for services by the East Sierra Valley Chamber of Commerce for promotion of Sierra County during the 2022/2023 Fiscal Year. (AUDITOR)

APPROVED, Agreement 2022-064

- 12.I. Resolution delegating the Investment Authority and renewing the Investment Policy. (TREASURER)

ADOPTED, Resolution 2022-058

- 12.J. Personal Services Agreement between the County of Shasta, through its Department of Housing and Community Action Agency Programs, and the County of Sierra for the purpose of participating in a collaborative effort known as Continuum of Care (CoC). (BEHAVIORAL HEALTH)

APPROVED, Agreement 2022-065

- 12.K. Resolution approving Plumas County Agreement No. PARTB2223SCPH, Ryan White Part B, and authorizing the Public Health Director to sign the Agreement and all invoices to secure funds. (PUBLIC HEALTH)

ADOPTED, Resolution 2022-059 and **APPROVED**, Agreement 2022-066

- 12.L. Professional Services Agreement between the County of Sierra and Christina K. Potter for public health nursing services. (PUBLIC HEALTH)

APPROVED, Agreement 2022-067

- 12.M. Professional Services Agreement between the County of Sierra and Robin K. Jaquez for public health nursing services. (PUBLIC HEALTH)

APPROVED, Agreement 2022-068

- 12.N. Resolution authorizing the Sierra County Auditor to transfer an additional 10% from Social Services realignment to Public Health realignment pursuant to W&I Code Section 17600.20. (SOCIAL SERVICES)

ADOPTED, Resolution 2022-060

June 7, 2022

12.O. Election Information Management System (EIMS) Lease Agreement Modification #2 to Master Agreement No. 2011-021 between DFM Associates and the County of Sierra extending the term of the agreement. (ELECTIONS)

APPROVED, Agreement 2022-069

12.P. Amendment to the Sierra County Fire Protection District #1 Conflict of Interest Code. (CLERK OF THE BOARD)

12.Q. Resolution amending the Risk Management Committee and Risk Manager's duties. (CLERK OF THE BOARD)

ADOPTED, Resolution 2022-061

12.R. Amendment to Agreement 1994-110 for Public Defender Services with J. Lon Cooper to extend the term of the contract. (CLERK OF THE BOARD)

APPROVED, Agreement 2022-070

12.S. Minutes from the regular meeting held on May 17, 2022. (CLERK OF THE BOARD)

APPROVAL OF THE REGULAR AGENDA

At the request of Supervisor Huebner, Correspondence Item 13.A. was moved to the Regular Agenda as Item 10.F.

13.A. Email from Sierra City resident Irina Rivkin regarding internet connectivity and fire safety.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:06 a.m. Chair Roen opened and closed the public comment opportunity with no persons addressing the Board.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Dryden reported on the Department of Fish and Wildlife taking on a proposed project to fence Sierra Brooks which was inadvertently published in the Sierra Booster along with the Smithneck fuels reduction program causing concerns amongst

June 7, 2022

the community. As a result, she participated in a Teams meeting with the Department of Fish and Wildlife and the Sheriff last Friday. The Department of Fish and Wildlife has since sent a letter to the Sierra Brooks Property Owner's Association committing to more public input on the proposed project.

Supervisor Dryden further requested Chair Roen, the Director of Public Works, the Sheriff and representatives from the Sierra Valley Resource Conservation District attend any future meetings regarding this issue.

Supervisor Huebner recommended including the Sierra County Fish and Wildlife Commission in the discussion regarding this project.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Director of Health and Social Services reported on the impacts of the infant formula crisis throughout the country and in Sierra County; on COVID cases within the county; entering into a no cost agreement with Public Health Institute for continued contact tracing, etc.; and the hiring of the Financial Officer position.

5. FOREST SERVICE UPDATE

Supervisor Adams commented on an email he sent to Ranger Henderson on May 30th with a few items he wanted to discuss today and expressed concerns with not having anyone from the district in attendance today when 44% of the Tahoe National Forest is in Sierra County.

Sierraville District Ranger Rachel Hutchinson indicated she would carry the message back to the district.

Brief discussion ensued.

Ranger Hutchinson continued to report on the Matt Jedra's appointment as the Acting Supervisor while Eli Ilano is in Colorado; updates on staffing in the district; an upcoming bike race this weekend north of Stampede which will include up to 1500 people; fuels reduction work in the district; and the status of campground openings.

Yuba River District Ranger Lon Henderson reported on the recent fire near Camptonville; ongoing projects in the district; and receiving a lot of interest in the bipartisan infrastructure legislation and collaborative landscape forest restoration.

Chair Roen informed Ranger Henderson that he will be receiving a letter from the Board and would like to follow up with a meeting with him and Acting Forest Supervisor Matt Jedra to outline some of the county's priorities.

Ranger Henderson continued to report that Gabe Foster is the new acting Fire Management Officer for the district.

June 7, 2022

Chair Roen questioned if they Board can receive daily updates on the Forest Service project activity level (PAL) with respect to fire restrictions.

Ranger Henderson indicated he would send the Board the link to their website with this information.

Supervisor Adams also requested Ranger Henderson provide an update on the Ramshorn Campground and the email he sent pertaining to fire issues and mining issues in the Poker Flat area.

- 7.G. Discussion and direction regarding Forest Service policy pertaining to waste disposal at public facilities and its impact on the County waste disposal system.

The Director of Public Works expressed concerns with the closures of campgrounds on the North Yuba River District and the need for waste disposal services on national forest service land as there is an erosion of revenues owed to the county for disbursed recreation and increasing litter issues with the “pack it in pack, it out” policy.

The Director continued to express concerns with the flow of information from the district which is necessary for the county to establish a reasonable waste fee for mining claims and representatives from the Yuba River Ranger District informing him that this information will no longer be provided to the county. The Director added that there needs to be better lines of communication between the county and the Forest Service.

Supervisor Adams questioned if the Yuba River Ranger District facility located on Marysville Road still in existence.

Ranger Henderson responded that the facility is still in existence and won't close until the new Forest Supervisor's office is built, which is three years away.

Chair Roen suggested facilitating a meeting soon to address some of these issues and requested the Acting Forest Supervisor Matt Jedra attend to also discuss the CFRL funding to get work done around the communities on the west side of the county.

Brief discussion ensued.

6. HEALTH & SOCIAL SERVICES - VICKIE CLARK

- 6.A. Resolution approving the California Department of Public Health Disease Intervention Specialist (DIS) Workforce Development grant agreement for July 1, 2021, through December 31, 2025, in the amount of \$502,460 and authorizing the Public Health Director to sign the agreement and all invoices to secure funds.

The Director of Health and Social Services provided background on the California Department of Public Health Disease Intervention Specialist (DIS) Workforce

June 7, 2022

Development grant funding which is specific to staffing and the intent to pay staffing out of this funding versus COVID as it is more sustainable.

The Board moved to adopt the resolution approving the California Department of Public Health Disease Intervention Specialist (DIS) Workforce Development grant agreement for July 1, 2021, through December 31, 2025, in the amount of \$502,460 and authorizing the Public Health Director to sign the agreement and all invoices to secure funds.

ADOPTED, Resolution 2022-063 and **APPROVED**, Agreement 2022-071 Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor LeBlanc ABSENT)

7. PUBLIC WORKS/TRANSPORTATION - TIM BEALS

- 7.A. Second Reading and adoption of ordinance governing and providing regulations, rules, rates, and charges, governing the use, operation, maintenance and management of property, parks and recreation facilities, streetlights, facilities, equipment, easements, and other responsibilities including the Sierra Brooks Public Water System of County Service Area 5, Zone 5A.

Following a brief overview of the item by the Director of Public Works, the Board moved to waive the second reading and adopt the ordinance governing and providing regulations, rules, rates, and charges, governing the use, operation, maintenance and management of property, parks and recreation facilities, streetlights, facilities, equipment, easements, and other responsibilities including the Sierra Brooks Public Water System of County Service Area 5, Zone 5A.

ADOPTED, Ordinance 1111. Motion: Dryden/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor LeBlanc ABSENT)

- 7.B. Professional Services Agreement with Bennett Engineering Incorporated for engineering services related to the Highway Safety Improvement Program (HSIP) Guardrail Replacement Projects.

The Director of Public Works provided background on the proposed agreement which is needed to proceed with the guardrail replacement projects.

The Board moved to approve the Professional Services Agreement with Bennett Engineering Incorporated for engineering services related to the Highway Safety Improvement Program (HSIP) Guardrail Replacement Projects.

APPROVED, Agreement 2022-072. Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor LeBlanc ABSENT)

June 7, 2022

- 7.C. Resolution authorizing the addition of the position to Plant Maintenance of an extra help custodian to supply the janitorial needs for the Sheriff's Substation and the Loyalton Office of the Probation Department.

The Director of Public Works provided brief background on the request for an extra help custodian to supply janitorial needs for the Sheriff's Substation and the Probation Department Loyalton office.

The Board moved to adopt the resolution authorizing the addition of the position to Plant Maintenance of an extra help custodian to supply the janitorial needs for the Sheriff's Substation and the Loyalton Office of the Probation Department.

In response to the Auditor's inquiry, the Director indicated that the cost for the request will range from \$8,000 to \$12,000.

The Sheriff indicated that he anticipates an hour and half per week per building.

ADOPTED, Resolution 2022-064. Motion: Huebner/Adams/Unanimous Roll Call Vote: 4/0/1 (Supervisor LeBlanc ABSENT)

11. TIMED ITEMS

11.A. 10:00 A.M. - US SENATE CERTIFICATE OF COMMENDATION – TIMOTHY BEALS

Presentation of United States Senate Certificate of Commendation to Timothy Beals in recognition of his service to Sierra County. (SUPERVISOR HUEBNER)

Supervisor Huebner provided brief background on the United States Senate Certificate of Commendation which was intended to be presented to Mr. Beals on July 2, 2013.

Supervisor Huebner presented the commendation to Mr. Beals.

Mr. Beals thanked the Board and Supervisor Huebner for the commendation.

- 7.D. Approval of Deed Restriction for the Sierra County property identified as the Downieville Community Hall, a requirement of the California Drought, Water, Parks, Climate, 2018 Coastal Protection, and Outdoor Access for All of Parks Bond Act, 2018 Parks Bond Act Per Capita Program, which authorizes funding to renovate the kitchen, restrooms, and rooms within the Downieville Community Hall and authorization for Clerk-Recorder to record deed restriction.

The Board moved to approve the Deed Restriction for the Sierra County property identified as the Downieville Community Hall, a requirement of the California Drought, Water, Parks, Climate, 2018 Coastal Protection, and Outdoor Access for All of Parks

June 7, 2022

Bond Act, 2018 Parks Bond Act Per Capita Program, which authorizes funding to renovate the kitchen, restrooms, and rooms within the Downieville Community Hall and authorization for Clerk-Recorder to record deed restriction.

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

- 7.E. Approval of Deed Restriction for the Sierra County property identified as the Sierraville School, a requirement of the California Drought, Water, Parks, Climate, 2018 Coastal Protection, and Outdoor Access for All of Parks Bond Act, 2018 Parks Bond Act Per Capita Program, which authorizes funding to existing community center at Sierraville Community-Recreation Center and authorization for Clerk-Recorder to record deed restriction.

The Board moved to approve the Deed Restriction for the Sierra County property identified as the Sierraville School, a requirement of the California Drought, Water, Parks, Climate, 2018 Coastal Protection, and Outdoor Access for All of Parks Bond Act, 2018 Parks Bond Act Per Capita Program, which authorizes funding to existing community center at Sierraville Community-Recreation Center and authorization for Clerk-Recorder to record deed restriction.

APPROVED. Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1

- 7.F. Discussion and direction on priority opportunities and workload for grant funding to complement existing funding and projects including approved County truck purchases, Kentucky Mine Trestle, Downieville Community Hall, Sierraville Recreation Center, Calpine Community Hall, and transit funding.

The Director of Public Works provided background on grant options available to the Board to leverage existing funding for the Downieville Community Hall project, Sierraville School project, Calpine Community Hall project, the purchase of trucks, and the restoration of the trestle and portal at the Kentucky Mine.

The Director added that he plans to bring the documents forward to the Board at the next meeting to memorialize the authorization to apply for grants

No action taken.

Discussion ensued pertaining to the renaming the Sierraville School building.

- 7.H. Resolution approving reorganization of the solid waste positions, approval of job descriptions, and authorization to implement re-classifications.

The Director of Public Works provided background on the reorganization of the solid waste positions.

June 7, 2022

Supervisor Adams expressed his support of the request and clarified that merit increases for part-time positions will take time to receive.

The Board moved to adopt the resolution approving reorganization of the solid waste positions, approval of job descriptions, and authorization to implement re-classifications.

ADOPTED, Resolution 2022-065. Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor LeBlanc ABSENT)

- 7.I. Resolution approving the filing of an application and grant agreement for the “California Climate Investment Fire Prevention Grant Program” which will be utilized for Sierra County Wildfire Evacuation Route Plan and Development Program.

Deputy Director of Transportation Bryan Davey provided background on the California Climate Investment Fire Prevention Grant Program which is specific to evacuations and is a good opportunity to get the county GIS layers updated.

The Board moved to adopt the resolution approving the filing of an application and grant agreement for the “California Climate Investment Fire Prevention Grant Program” which will be utilized for Sierra County Wildfire Evacuation Route Plan and Development Program.

ADOPTED, Resolution 2022-066 and **APPROVED**, Agreement 2022-073
Motion: Huebner/Adams/Unanimous Roll Call Vote: 4/0/1 (Supervisor LeBlanc ABSENT)

Item 7.G. continued from earlier in the meeting

In response to the Director of Public Work’s inquiry, Chair Roen clarified the need to get a meeting together with the Forest Service to address several issues.

Supervisor Adams recommended scheduling a meeting for June 13th.

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

At 11:00 a.m. Chair Roen convened as the County Board of Supervisors and County Service Area joint meeting.

- 8.A. Discussion/direction/adoption of a resolution setting the County Service Areas Preliminary Budget for Fiscal Year 2022-23.

Following a brief overview by the Auditor, the Board moved to adopt the resolution setting the County Service Areas Preliminary Budget for Fiscal Year 2022-23.

June 7, 2022

ADOPTED, CSA Resolution 2022-001. Motion: Adams/Dryden/Unanimous Roll Call Vote: 4/0/1 (Supervisor LeBlanc ABSENT)

- 8.B. Discussion/direction/adoption of a resolution setting the County & Special Revenue Funds Preliminary Budget for Fiscal Year 2022-23.

The Auditor commented on additions that need to be made to the final budget including the \$650,000 STIP program.

Supervisor Adams commented on the five requested items to be included in the preliminary budget including the virtual upgrade in the Board chambers, the Sheriff's fuel costs; the Forester contract; the Clerk-Recorder's extra-help position; and the Plant Maintenance extra-help position.

In response to Supervisor Dryden's inquiry pertaining to the Health Department's request for \$150,000 van, Supervisor Adams clarified that the Finance Committee recommended allowing the Director of Health to start the grant application process for the van, but not the purchasing of the van.

The Auditor also reviewed the requested encumbered items that need to be added, including the vehicle for Plant Maintenance, the three pickup trucks for the Road Department and a Road Maintenance Worker promotion.

The Board moved to adopt the resolution setting the County & Special Revenue Funds Preliminary Budget for Fiscal Year 2022-23.

ADOPTED, Resolution 2022-066. Motion: Dryden/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor LeBlanc ABSENT)

- 8.C. Amendment to Agreement No. 2003-192 between the County of Sierra and the Alleghany County Water District for funding for library rental space.

The Board moved to approve the Amendment to Agreement No. 2003-192 between the County of Sierra and the Alleghany County Water District for funding for library rental space.

APPROVED, CSA Agreement 2022-001. Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor LeBlanc ABSENT)

At 11:12 a.m. Chair Roen adjourned the joint meeting of the Board of Supervisors and County Service Area Board of Directors and reconvened as the Board of Supervisors.

9. CLOSED SESSION

June 7, 2022

- 9.A. Closed session pursuant to Government Code section 54956.9 (a) to discuss the following litigation: Feather River Action! and Project Coyote v. County of Plumas and Plumas-Sierra Counties Department of Agriculture; County of Sierra, Real Party of Interest, Plumas County Superior Court Case No. CV22-0037.
- 9.B. Conference with labor negotiators pursuant to Government Code section 54957.6, David Prentice Negotiator, Deputy Sheriff's Association (DSA).
- 9.C. Conference with labor negotiators pursuant to Government Code section 54957.6, David Prentice Negotiator, Mid-Management.
- 9.D. Conference with labor negotiators pursuant to Government Code section 54957.6, David Prentice Negotiator, Appointed Department Managers.

CLOSED SESSION STATEMENT

The Board met in closed session from 11:23 a.m. to 2:08 p.m.

County Counsel reported that direction was given to staff with respect to Items 9.A. and 9.B.; with respect to Item 9.C., the Board decided not to modify the previous resolution for Mid-Management; and with respect to Item 9.D., the Board will discuss an interim contract pending further negotiations with the Department Managers.

10. BOARD OF SUPERVISORS

- 10.A. Resolution authorizing a Cost of Living Adjustment (COLA) for Mid-Management positions.

No action taken.

- 10.B. Resolution authorizing a Cost of Living Adjustment (COLA) for Department Managers.

County Counsel indicated that the Board is authorizing an interim amount of 4% retroactive to April 25, 2022 with further negotiations to commence prior to December 2022.

ADOPTED, Resolution 2022-067. Motion: Adams/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor LeBlanc ABSENT)

- 10.C. Appointment to fill a vacancy on the Sierra County Fire Protection District #1. (CLERK OF THE BOARD)

The Board moved to appoint Victoria Fisher to the Sierra County Fire Protection District #1.

June 7, 2022

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

10.D. Discussion/direction to schedule a public hearing for an appeal filed May 23, 2022 by Andrew Woodruff of the Planning Commission's decision executed on May 12, 2022 to deny an application for a zone variance for a reduction of the front yard setback for a constructed 111 square-foot woodshed located at 165 Main Street in Sattley, APN 013-080-002-000. (CLERK OF THE BOARD)

The Board moved to set the public hearing for July 19, 2022 at 10:00 a.m. in Loyalton.

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

10.E. Discussion/action regarding conducting meetings of the Sierra County Board of Supervisors in accordance with AB 361 and Sierra County Resolution 2021-140. (CLERK OF THE BOARD)

By consensus, the Board directed continuing to conduct hybrid meetings in accordance with AB 361 and Sierra County Resolution 2021-140.

10.F. Email from Sierra City resident Irina Rivkin regarding internet connectivity and fire safety. **(Correspondence Item 13.A.)**

Supervisor Huebner provided background on Ms. Rivkin's concerns about fire safety and wanting the county to go back to prohibiting open fires. Supervisor Huebner further requested discussing an ordinance prohibiting fires on the next agenda.

Supervisor Adams indicated that he supports adding this to the next meeting agenda for further discussion, however if the county implements restrictions too soon there will be a lot of push back.

Supervisor Adams further commented on Webber Lake requesting an exemption from the restrictions and suggested allowing an exemption if they receive a fire clearance from the local fire department and comply with Forest Service guidelines.

Supervisor Adams also commented on the county implementing the fire restrictions on June 28th last year when the rain total was only 30 inches, and currently the rain total is at 60 inches.

By consensus, the Board directed staff to add an item regarding the county prohibiting open fires to the next meeting agenda.

The Sheriff suggested the Board consider adding an exemption in the next ordinance for large camps that have charcoal barbeques.

June 7, 2022

Supervisor Adams also commented on Ms. Rivkin's concerns regard internet coverage and having emailed her explaining the county's involvement with the Golden State Connect Authority who is working to address this issue.

ADJOURN

At 2:19 p.m., with no further business, Chair Roen adjourned the meeting.

PAUL ROEN, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD