



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

**Lee Adams, Chair, District 1**

P.O. Box 1 - Downieville, CA 95936 - 530-289-3506 - [supervisor1@sierracounty.ca.gov](mailto:supervisor1@sierracounty.ca.gov)

**Peter W. Huebner, Vice-Chair, District 2**

P.O. Box 349 - Sierra City, CA 96125 - 530-565-6055 - [phuebner@sierracounty.ca.gov](mailto:phuebner@sierracounty.ca.gov)

**Paul Roen, District 3**

P.O. Box 43 - Calpine, CA 96124 - 209-479-2770 - [supervisor3@sierracounty.ca.gov](mailto:supervisor3@sierracounty.ca.gov)

**Terry LeBlanc, District 4**

P.O. Box 387 - Loyalton, CA 96118 - 707-489-0314 - [tleblanc@sierracounty.ca.gov](mailto:tleblanc@sierracounty.ca.gov)

**Sharon Dryden, District 5**

P.O. Box 246 - Loyalton, CA 96118 - 530-913-9218 - [sdryden@sierracounty.ca.gov](mailto:sdryden@sierracounty.ca.gov)

The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on August 3, 2021 in the Board of Supervisors' Chambers, Courthouse, Downieville. This meeting was recorded for posting on the Board of Supervisors' website at [www.sierracounty.ca.gov](http://www.sierracounty.ca.gov).

**PLEDGE OF ALLEGIANCE:** Led by Supervisor LeBlanc

**ROLL CALL**

**Present:** Lee Adams, Supervisor, Chair, District #1  
Peter W. Huebner, Supervisor, Vice Chair, District #2  
Paul Roen, Supervisor, District #3  
Terry LeBlanc, Supervisor, District #4  
Sharon Dryden, Supervisor, District #5

**Staff:** Heather Foster, County Clerk-Recorder  
Melissa Kinneer, Assistant County Clerk-Recorder  
Scott McLeran, Assistant 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

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## **APPROVAL OF CONSENT AGENDA**

The Board moved to approve the Consent Agenda.

**APPROVED:** Motion: Huebner/LeBlanc/Unanimous Roll Call Vote: 5/0

### **12. CONSENT AGENDA**

12.A. Renewal of Regional Facility Agreement with Butte County for Sierra County juvenile hall placements. (PROBATION)

**ADOPTED,** Resolution 2021-106 and **APPROVED,** Agreement 2021-097

12.B. Professional Services Agreement between Sierra Agape Therapeutic Services and Sierra County for Behavioral Health services. (BEHAVIORAL HEALTH)

**APPROVED,** Agreement 2021-098

12.C. Professional Services Agreement between Toddler Towers, Inc. and Sierra County Social Services for early childhood care and education, parent support and respite care services. (SOCIAL SERVICES)

**APPROVED,** Agreement 2021-099

12.D. Professional Services Agreement between Sierra County Child Abuse Council and Sierra County Social Services to provide the community outreach and education, as well as skills training and resources to achieve goals essential to the safety, permanency, and well-being of children and families in Sierra County. (SOCIAL SERVICES)

**APPROVED,** Agreement 2021-100

12.E. Agreement for Indemnification and Reimbursement for Extraordinary Costs for William O'Connor, applicant and landowner. Consideration of a zone variance for property located at 20 Busch Street, Sierra City, CA, APN: 009-141-012. (PLANNING)

**APPROVED,** Agreement 2021-101

12.F. Approval of payment to Plumas County in the amount of \$29,268.74 for road maintenance work provided by Plumas County to Sierra County roads in the Howland Flat-Scales region of the County. (PUBLIC WORKS)

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- 12.G. Authorize request for quotes and subsequent construction of concrete pad at for Tesla Battery at Sierra County Courthouse in an amount not to exceed \$11,850 and authorization for Auditor to pay purchase order upon presentation. (PUBLIC WORKS)
- 12.H. Minutes from the regular meeting held on June 15, 2021. (CLERK OF THE BOARD)
- 12.I. Minutes from the regular meeting held on July 6, 2021. (CLERK OF THE BOARD)

## **APPROVAL OF THE REGULAR AGENDA**

The Board moved to approve the Regular Agenda.

**APPROVED:** Motion: Huebner/LeBlanc/Unanimous Roll Call Vote: 5/0

## **REGULAR AGENDA**

### **2. PUBLIC COMMENT OPPORTUNITY**

At 9:03 a.m. Chair Adams opened and closed the public comment opportunity with no persons addressing the Board.

### **3. COMMITTEE REPORTS & ANNOUNCEMENTS**

Supervisor Huebner reported on the meeting held on July 22<sup>nd</sup> with the Western Sierra Residential Center Board of Directors and on the \$50,000 donation delivered to the Building Department to help offset the costs associated with remodeling the Downieville Community Hall.

Supervisor Dryden reported on the meeting held with the Agency on Aging Area 4 regarding the master plan on aging recommendations from the Governor. Supervisor Dryden further reported that discussions have been made with different Areas on the pros and cons of realigning, with the focus being on consolidation of services and to provide more centralized ways to provide these services to seniors in California.

### **4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS**

Personnel Analyst, Judi Behlke provided an update to the Board on the vacant and newly hired positions within the county and on the county receiving a 100 percent on the Trindel safety program audit. The Personnel Analyst expressed gratitude to all county employees for their support and hard work on accomplishing this goal.

The Auditor expressed gratitude to Mrs. Behlke for her hard work on achieving the safety award on behalf of the county.

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The Personnel Analyst further acknowledged two Department Safety Representatives (DSR's), Teia Miller from the Clerk-Recorder's Office and Sara Carr from the Treasure-Tax Collector's Office for their hard work and dedication to safety.

The Director of Health and Social Services reported that a specialist from the State Water Resources Board has been secured to provide Certified Program Agency (CUPA) services for the gas station in Downieville at no cost to the county. The Director further reported that a specialist from Modoc County has also been secured to provide Certified Program Agency (CUPA) services for the two active sites in the county, funded under the Certified Program Agency (CUPA) trust through a training grant.

The Director further reported that she declined the \$350,000 allocated COVID funding from the Public Health Institute for vaccinations as the money is not needed at this time and commented on the Agency on Aging Area 4 upcoming changes coming to the county.

The Director of Behavioral Health provided an update on the Substance Abuse Block grant funding received for Coronavirus Relief Supplement Appropriation as well as the funding from the American Rescue Plan to be used for drug and alcohol treatment facilities, Friday Night Live programs, prevention programs, recovery housing, and primary prevention programs for youth.

The Director further reported on the results of the MHSA (Mental Health Services Act) audit performed in the Behavioral Health Department.

## **5. FOREST SERVICE UPDATE**

Sierraville District Ranger, Quentin Youngblood provided an update to the Board on Forest Service activities within the county including the Fletcher timber sale; fire preparedness and patrol prevention; the Sierra Trek event to be held from August 11<sup>th</sup> through 15<sup>th</sup>; the Little Truckee Summit orienteering event; and the Bad Mouth Trail repair work with the Sierra Buttes Trail Stewardship.

## **6. AUDITOR / TREASURER-TAX COLLECTOR - VAN MADDOX**

### **6.A. Discussion and direction to staff on allocating the remaining funds for Title III.**

The Auditor provided an update to the Board on the available Title III funds not yet allocated or authorized and on how these funds may be utilized to reimburse local government agencies for work on federal land and on implementing and developing Firewise Community plans.

Discussion ensued with the Board.

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Supervisor Roen made a recommendation to allocate \$7,500 to the communities that have met with the intent on moving forward with local Firewise plans.

Chair Adams expressed his concerns over the eligibility requirements for agencies applying for the funding and suggested conducting a county workshop to provide clarity to these agencies on how this funding may be utilized and who may apply.

Discussion ensued with the Board.

The Director of Planning reported on the local agencies currently eligible to receive Title III funding, which include the 4 fire districts within the county, the Sheriff's office, and the road fund. The Director further expressed concern on the matter and recommended that County Counsel review the Title III language and provide direction to the Auditor to restore the fund annually and retroactively to cover the costs that occurred during the fiscal year.

Discussion ensued with the Board.

Chair Adams expressed concern over how to spend the money appropriately to avoid any impacts to the general fund.

Considerable discussion ensued with the Board.

In response to Supervisor Huebner's inquiry about spending deadlines, the Auditor reported that the funding must be allocated by September 2023 and spent by September 2024.

Discussion ensued with Board.

Supervisor Dryden recommended that County Counsel review the guidelines for use of the Title III funds before any further action is taken by the Board.

Discussion ensued with the Board.

By consensus, the Board directed scheduling a workshop with County Counsel, the Auditor, and Director of Planning to discuss the matter at the September 7th meeting and encouraged all interested agencies to attend.

6.B. Resolution of intent to allocate Title III funds for reimbursements to Sierra County local governments for work done on federal lands within Sierra County.

Supervisor Roen introduced the item.

Brief discussion ensued with the Board.

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The Board moved to allocate \$20,000 out of the Title III funds for reimbursement to local governments for work done on federal lands within Sierra County.

**ADOPTED**, Resolution 2021-107. Motion: Roen/Dryden/Unanimous Roll Call Vote: 5/0

## **10. TIMED ITEMS**

### **10.A. 10:00 AM PENSION OBLIGATION BONDS**

Resolution authorizing the issuance and sale of bonds to refund certain pension obligations of the County, approving the form and authorizing the execution of a trust agreement, authorizing judicial validation proceedings relating to the issuance of such bonds and authorizing actions related thereto. Agreement for legal services between the County of Sierra and Quint & Thimmig LLP.

The Auditor briefly introduced the item.

Jeff Small, Financial Advisor from Capitol PGF introduced himself to the Board.

Brian Quince, Bond Counsel from Quint & Thimmig LLP provided background on the item and on the option to reduce the unfunded liability obligation to CalPERS by exchanging pension obligation bonds. Mr. Small further reviewed the three purposes of the resolution; 1) to authorize the issuance of the bonds to satisfy the unfunded liability; 2) to approve the trust agreement between the county and the trust bank (US Bank); and 3) to authorize the commencement of the judicial validation proceedings with the Sierra Superior Court as required by law.

In response to Supervisor Dryden's inquiry, the Auditor reported that no debt would be passed onto taxpayers.

Discussion ensued with the Board.

Supervisor Adams expressed concern over the language under Article 5 of the Trust Agreement regarding the references made to the City and not County.

In response to Chair Adams' concern, Mr. Quince commented that all corrections will be made prior to the final execution of the Trust Agreement.

Discussion ensued with the Board.

The Board moved to adopt the Resolution authorizing the issuance and sale of bonds to refund certain pension obligations of the County and approving the form and authorizing the execution of a trust agreement with amended language and authorizing judicial validation proceedings relating to the issuance of such bonds and authorizing actions related thereto.

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**ADOPTED as amended.** Resolution 2021-108 and **APPROVED,** Agreement 2021-102.  
Motion: Huebner/Roen/Unanimous Roll Call Vote: 5/0

The Auditor provided a brief update on the Agreement for legal services to the Board.

Following brief discussion, the Board moved to approve the Agreement for legal services with Quint & Thimmig LLP.

**APPROVED,** Agreement 2021-107. Motion: Dryden/Roen/Unanimous Roll Call Vote: 5/0

- 9.A. Waive second reading and adoption of an ordinance prohibiting open fires on public and private property within the unincorporated area of Sierra County due to extreme fire danger. (SUPERVISOR ADAMS)

The Board moved to waive the second reading and adopt the ordinance prohibiting open fires on public and private property within the unincorporated area of Sierra County due to extreme fire danger.

**ADOPTED,** Ordinance 1101. Motion: Huebner/LeBlanc/Unanimous Roll Call Vote: 4/0/1 (Supervisor Roen ABSENT)

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

The Board moved to appoint Jeff McCollum to the Sierra County Fire Protection District #1.

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

- 7.C. Set public hearing on September 7, 2021 in Downieville, California to consider a recommendation of the County Planning Commission dated July 15, 2021 to approve a County-Initiated Zone Amendment for APN 015-072-004, Sierraville, California (Skutt, Record Owner) from "R-1"-Residential Single Family District to "CC"-Community Commercial District.

The Director of Planning briefly introduced the item to the Board.

Following brief discussion, the Board moved to set the public hearing on September 7<sup>th</sup> at 11:00 a.m. in Downieville to consider a recommendation of the Planning Commission to approve a County-Initiated Zone Amendment for APN 015-072-004, Sierraville, California (Skutt, Record Owner) from "R-1"-Residential Single Family District to "CC"-Community Commercial District.

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

**10.B. 10:30 AM RESOLUTION OF APPRECIATION**

Presentation of Resolution of Appreciation to Mr. Malcolm R. Cooper who recently tendered his resignation after a long-term length of service as a Sierra City Fire District Commissioner.

Supervisor Huebner presented the Resolution of Appreciation to Mr. Malcolm R. Cooper and thanked him for his service to the Sierra City Fire District.

Comments were received from Bryan Davey, retired Fire Chief, Miriam Dines, public member, the Director of Planning, and Supervisor LeBlanc expressing their gratitude to Mr. Cooper for his support and dedication to the Sierra City Fire District.

6.C. Discussion/possible adoption of resolution allocating COVID State and Local Fiscal Recovery Funds (SLFRF) under the American Recovery Plan Act.

The Auditor provided background on the Finance Committee and department managers recommendations on allocating the Local Fiscal Recovery Funds (SLFRF) under the American Recovery Plan Act.

Chair Adams commented on the loss of revenue to businesses, museums, and local government agencies due to COVID-19 pandemic.

Discussion ensued with the Board.

By consensus, the Board continued the matter for discussion at the August 17<sup>th</sup> meeting in Loyalton.

6.D. Report from the Finance Committee and direction to staff regarding County health insurance for the 2022 calendar year.

The Auditor provided a brief update on the recommendation from the Finance Committee and on the feedback received from employees to not change the current health insurance policy for calendar year 2022.

By consensus, the Board directed not to make any changes to the current health policy for the 2022 calendar year.

**7. PLANNING / BUILDING - TIM BEALS**

7.A. Report on ad hoc committee meeting held July 27, 2021, in Sierraville to discuss the Fire Safe Coordinators Grant Program available to Sierra

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County, and discussion/direction on filing a formal application for a grant in the amount of \$175,000.

The Director of Planning updated the Board on the ad hoc committee meeting held on July 27th, in Sierraville regarding the Fire Safe Coordinators Grant program and on the recommendation from the committee to have the county apply as both the grant applicant and recipient. The Director further requested direction from the Board to proceed with the formal application process.

Supervisor Dryden expressed her support of the grant application and acknowledged the Director of Planning for coordinating as the applicant.

Discussion ensued with the Board.

Chair Adams trailed this item for Supervisor Roen to provide input on the matter.

8.A. Presentation of bids and adoption of resolution for award of Public Works Contract to Hansen Bros. Enterprises for the 2017 Storm Damage Repair at Sailor Ravine Road, FEMA Project Number PA-09-CA-4308 - PW 1258.

Deputy Director of Transportation, Bryan Davey provided a brief update to the Board on the item.

After brief discussion, the Board moved to adopt the resolution for award of Public Works Contract to Hansen Bros. Enterprises for the 2017 Storm Damage Repair at Sailor Ravine Road, FEMA Project Number PA-09-CA-4308 - PW 1258.

**ADOPTED**, Resolution 2021-109 and **APPROVED**, Agreement 2021-103. Motion: Huebner/Dryden/Unanimous Roll Call Vote: 4/0/1 (Supervisor Roen ABSENT)

8.B. Presentation of bids and adoption of resolution for award of Public Works Contract to Westcon Construction Corp. for the 2017 Storm Damage Repair at Oxford Mine Road, FEMA Project Number PA-09-CA-4301 - PW 822.

Deputy Director of Transportation, Bryan Davey provided brief background to the Board on the item.

Discussion ensued with the Board.

The Board moved to adopt the resolution for award of Public Works Contract to Westcon Construction Corp. for the 2017 Storm Damage Repair at Oxford Mine Road, FEMA Project Number PA-09-CA-4301 - PW 822.

**ADOPTED**, Resolution 2021-110 and **APPROVED**, Agreement 2021-104. Motion: Dryden/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Roen ABSENT)

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- 8.C. Discussion of the 2017 Storm Damage Repair Project for Gold Bluff Road Project and actions as follow: 1) Adoption of resolution rejecting bid filed by Edward T. Navickis on June 25, 2021 based on staff report outlining findings; 2) Direction to staff to proceed with the bid rejection process; 3) Adoption of resolution awarding construction contract to next lowest responsible bidder, Westcon Construction Corporation, in the amount of \$448,075.00 and authorizing the Chairman to execute the construction agreement as presented.

Chair Adams briefly introduced the item and updated the Board on the issue pertaining to the rejection of the bid filed on behalf of Edward T. Navickis.

Assistant County Counsel recommended the Board continue item #1, adoption of resolution rejecting the bid filed by Edward T. Navickis to the August 17<sup>th</sup> meeting for consideration, due to the timing issue associated with the filing of the withdrawal and on the noticing requirements.

Deputy Director of Transportation, Bryan Davey reported on the revision needed to the resolution to remove the language rejecting the bid to Edward T. Navickis.

Discussion ensued with the Board.

The Board moved to adopt the resolution with amended language as approved by County Counsel, awarding the construction contract to next lowest responsible bidder, Westcon Construction Corporation, in the amount of \$448,075.00 and authorizing the Chairman to execute the construction agreement as presented.

**ADOPTED as amended.** Resolution 2021-111 and **APPROVED**, Agreement 2021-105. Motion: Huebner/Dryden/Unanimous Roll Call Vote: 4/0/1 (Supervisor Roen ABSENT)

- 10.C. 11:00AM PRESENTATION BY THE DOWNIEVILLE IMPROVEMENT GROUP Presentation by the Downieville Improvement Group (DIG) of a donation in the sum of \$70,000.00 for the renovation project of the Downieville Community Hall. (SUPERVISOR ADAMS)

Chair Adams provided background to the Board on the Downieville Improvement Group (DIG) and on the current donations received to date for the renovation project of the Downieville Community Hall.

Cherry Simi, President introduced the members of the Downieville Improvement Group (DIG) and presented the Board with a check in the amount of \$70,000 for the renovation project of the Downieville Community Hall.

Cindy McCreary, public member read a letter to the Board written by her father, Thomas Vilas on the history of the construction of the Downieville Community Hall.

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**Item 7.A. continued from earlier in the meeting.**

Chair Adams re-opened the item for discussion.

Supervisor Roen briefly commented on the item and recommended having the County Forrester work directly on applying for the grant on behalf of the county.

Discussion ensued with the Board.

Following brief discussion, the Board directed the County Forrester to begin preparing the application for consideration and approval at the August 17<sup>th</sup> meeting.

**11. CLOSED SESSION**

11.A. Closed session pursuant to Government Code Section 54957 - Public Employment - All Department Directors/Managers.

**CLOSED SESSION STATEMENT**

The Board met in closed session from 11:28 a.m. to 12:09 p.m.

County Counsel reported out of closed session that no action was taken.

8.D. Request for authorization to submit request for financial assistance with the California State Water Resources Control Board to secure sufficient funding to commence a consolidation analysis of the Sierra City Water Systems.

The Director of Public Works provided background on the item and requested authorization to submit a request to the California State Water Resources Control Board for financial assistance with the consolidation analysis of the Sierra City Water Systems and to apply for the grant as both the applicant and recipient.

Discussion ensued with the Board.

In response to Supervisor Dryden's concerns, the Director stated that the funding would be utilized specifically for hiring a consultant to oversee the grant application process and that his staff would not be greatly impacted by the project.

Considerable discussion ensued with the Board.

Comments were received from Bill Chrisman from Tschopp Mutual Water Company regarding the matter.

Discussion ensued with the Board.

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Deputy Director of Transportation, Bran Davey reported on the status of the two major water companies for sale in Sierra City.

The Director of Public Works recommended delaying any action on the item and to defer the matter to an organizational meeting with the community.

- 8.E. Resolution approving Emergency Land Use and Facilities Agreement with the US Forest Service for emergency use of the Sierraville Dearwater Airport as a heliport base during the Beckwourth Complex Fire. (PUBLIC WORKS)

Deputy Director of Transportation, Bryan Davey provided background to the Board on the agreement already entered into with the US Forest Service for repairs to the Sierraville Dearwater Airport runway, damaged during the Beckwourth Complex Fire.

After brief discussion, the Board moved to adopt the resolution approving the Emergency Land Use and Facilities Agreement with the US Forest Service for emergency use of the Sierraville Dearwater Airport as a heliport base during the Beckwourth Complex Fire.

**ADOPTED**, Resolution 2021-112 and **APPROVED**, Agreement 2021-106. Motion: Dryden/Huebner/Unanimous Roll Call Vote: 5/0

- 8.F. Review of status of Rule 20A Overhead Utility Conversion Funds program and review direction on project status for Sierra City Main Street.

The Director of Public Works provided background to the Board on the status of Rule 20A Overhead Utility Conversion Funds program and on the dwindling options available to the county. The Director further requested that the matter be continued to the August 17<sup>th</sup> meeting for discussion.

Discussion ensued with the Board.

- 7.B. Continued discussion and direction on Nuisance Abatement and progress update for property owned by Tim Diltz in Sierraville.

The Director of Planning reported on the recent inspection of the property and on the current nuisance abatement progress made by property owner, Tim Diltz in Sierraville. The Director further updated the Board on the status of the remaining property not yet removed and requested direction from the Board on whether to move forward with the full abatement process.

Discussion ensued with the Board.

The Director recommended ordering the abatement with specific conditions.

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Discussion ensued with the Board.

In response to Chair Adams' inquiry, Assistant County Counsel recommended the Board make a motion to abate the nuisance and meet with County Counsel to discuss conditions before a final determination is made as to whether a contractor or county personnel should visit the property to initiate the abatement.

Following discussion, the Board moved to approve the Director of Planning to move forward with the full nuisance abatement order for property owner Tim Diltz in Sierraville.

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

## **8. PUBLIC WORKS/TRANSPORTATION - TIM BEALS**

8.G. Review and approval of grant application filed with the USDA to provide 75% of the cost of acquiring a used water truck for the County Road Department and authorization to provide security (down payment) to hold selected vehicle.

The Director of Public Works introduced the item and provided background to the Board on the grant application available from the USDA for funding to offset the direct costs of purchasing a used water truck.

Deputy Director of Transportation, Bryan Davey provided an update to the Board on the USDA grant application and on the \$50,000 available funding to assist with securing a down payment on a used water truck and further requested direction from the Board to move forward with the purchasing process.

Considerable discussion ensued with the Board.

Supervisor Roen expressed his support to the Director of Public Works to move forward with securing \$50,000 in grant funding for the down payment on a used water truck.

By consensus, the Board moved to approve the grant application filed with the USDA to provide 75% of the cost of acquiring a used water truck for the County Road Department and authorization to provide security (down payment) to hold selected vehicle.

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

## **9. BOARD OF SUPERVISORS**

9.C. 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

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Public Health Emergency and possible action/direction to staff. (CLERK OF THE BOARD)

The Director of Health reported on the number of statewide case counts, hospitalizations, increasing numbers in ICU's and on the current case rates and counts for Sierra County.

The Director further reported on the recent recommendations from the Public Health Officer to require masking in all indoor settings.

Discussion ensued with the Board.

The Director provided an update on the contract renewal with the Downieville Fire Protection District for testing, the meetings held with the schools to support testing options, on the testing and vaccination options and locations within and outside the county, and on the FDA status of vaccinations in children.

In closing, the Director commented on the seriousness of the situation and on the grim projections going forward.

### **13. CORRESPONDENCE LOG**

13.A. Letter from the Wildlife Conservation Board (WCB) regarding their proposal to allocate funds for a grant to enhance forest health and improve wildfire resilience by restoring meadow habitat on privately owned land in Sierra and Nevada Counties.

No action taken.

### **ADJOURN**

At 1:52 p.m., with no further business, Chair Adams adjourned the meeting.

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LEE ADAMS, CHAIR  
BOARD OF SUPERVISORS

ATTEST:

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MELISSA KINNEER  
ASSISTANT CLERK OF THE BOARD