



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

Lee Adams, Chair, District 1

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Peter W. Huebner, Vice-Chair, District 2

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Paul Roen, District 3

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Terry LeBlanc, District 4

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Sharon Dryden, District 5

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on October 19, 2021. This meeting was recorded for posting on the Board of Supervisors' website at www.sierracounty.ca.gov.

PLEDGE OF ALLEGIANCE: Led by Supervisor Roen

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
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
Mike Fisher, Sheriff/Coroner
Celia Sutton-Pado, County Health Officer

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APPROVAL OF CONSENT AGENDA

The Board moved to approve the Consent Agenda.

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

15. CONSENT AGENDA

15.A. Resolution adopting the Sierra County Department of Motor Vehicles Employer Pull Notice Program Policy. (PERSONNEL)

ADOPTED, Resolution 2021-141

15.B. Resolution approving agreement with CalTrans for the purchase of brine solution for winter road treatment. (PUBLIC WORKS)

ADOPTED, Resolution 2021-142 and **APPROVED,** Agreement 2021-126

15.C. Authorization for purchase and payment to John M. Ellsworth Company, Inc. in the amount of \$10,383.92 for two, 550-gallon double wall flame shield tanks. (PUBLIC WORKS)

15.D. Authorize payment of Invoice Number 221479 to Intermountain Disposal for tipping fees for waste that has been diverted to Delleker Transfer Station. (PUBLIC WORKS)

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

APPROVED, Agreement 2021-127

15.F. Professional Services Agreement between the County of Sierra and Michelle Romero for public health nursing services. (PUBLIC HEALTH)

APPROVED, Agreement 2021-128

15.G. Professional Services Agreement between the County of Sierra and Erin Bautista for public health nursing services. (PUBLIC HEALTH)

APPROVED, Agreement 2021-129

15.H. Professional Services Agreement between the County of Sierra and Carolyn Rees for public health nursing services. (PUBLIC HEALTH)

APPROVED, Agreement 2021-130

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

APPROVED, Agreement 2021-131

- 15.J. Agreement between County of Sierra and Northern California EMS, Inc. for Local Emergency Medical Services Agency (LEMSA) Deliverables Hospital Preparedness Program (HPP) for Fiscal Year 2021-2022. (PUBLIC HEALTH)

APPROVED, Agreement 2021-132

- 15.K. Certified statement of the results of the canvass for the September 14, 2021, California Gubernatorial Recall Election. (ELECTIONS)
- 15.L. Minutes from the regular meeting held on September 7, 2021. (CLERK RECORDER)

APPROVAL OF THE REGULAR AGENDA

The Board moved to approve the Regular Agenda.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:03 a.m. Chair Adams opened and tabled the public comment opportunity to allow more time for members of the public to access the teleconference.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Roen reported the North Yuba project tour will be held this Thursday and Friday.

Supervisor Huebner reported the Sierra City Firewise Committee met Saturday and was attended by 22 volunteers.

Supervisor Dryden reported on Liberty Utility's recent power outages and an upcoming meeting Thursday afternoon at 3:30 at the Loyalton City Hall with representatives from Liberty Utility, Supervisor LeBlanc and Sierra County OES to address some of the issues from the power outages.

Chair Adams reported on a conference to be held this Friday with PG&E, himself, Supervisor Huebner, and the Director of OES to address similar issues.

4. DEPARTMENT MANAGERS’ REPORTS & ANNOUNCEMENTS

No reports given.

5. FOREST SERVICE UPDATE

Sierraville District Ranger Quentin Youngblood provided a report on various matters going on in the district.

6. BOARD OF SUPERVISORS

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

The Director of Health provided an update on the COVID case rate throughout the state and the increased COVID case rate within Sierra County.

Board discussion ensued.

The Director continued to report on the recent school closure due to COVID outbreaks; testing and vaccine availability within the County; the status of vaccine boosters and vaccine availability for 5- to 11-year-old children; and the school walk out that happened in the County and around the state of California.

The County Health Officer commented on the mandates for school children to be vaccinated, which won't take effect until there is full FDA approval of the vaccine.

6.B. 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)

Chair Adams introduced the item.

County Counsel recommended the County continue to meet by remote teleconference only, due to the recent COVID outbreaks and increase case rate throughout the County.

By consensus the Board directed continuing to meet by remote teleconference only, and to continue this item to the November 2, 2021 agenda for further review.

6.C. Discussion/direction regarding scheduling the remaining public hearings for the 2021 Redistricting Process. (CLERK OF THE BOARD)

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Following a brief introduction by the Clerk and by consensus, the Board set the next 2021 Redistricting public hearings for November 2, 2021, at 10:30 a.m. and November 16, 2021, at 6 p.m.

7. AUDITOR / TREASURER-TAX COLLECTOR - VAN MADDOX

- 7.A. Resolution of intent to allocate Title III funds to provide \$2,500 for Loyaltan Pines to develop and execute a community firewise plan.

The Board moved to adopt the resolution of intent to allocate Title III funds to provide \$2,500 for Loyaltan Pines to develop and execute a community firewise plan.

ADOPTED, Resolution 2021-143. Motion: Huebner/Roen/Unanimous Roll Call Vote: 5/0

Public Comment Opportunity continued

The Clerk reported on the receipt of a letter from Mr. Tom Dotta pertaining to California's ban on small gas engines.

8. BEHAVIORAL HEALTH - LEA SALAS

- 8.A. Discussion regarding Behavioral Health Quality Improvement Plan Funds.

The Director of Behavioral Health provided an update to the Board on Sierra County's Behavioral Health Quality Improvement Program Start-Up funding allocation in the amount of \$250,000 and contesting the State Department of Health Care Services' determination that Sierra County will have to negotiate for a portion of Placer County's allocation as a joint mental health plan. The Director continued to review the impacts to Sierra County if this funding is not received.

9. PLANNING / BUILDING - TIM BEALS

- 9.A. Discussion and direction regarding proposed amendment to Chapter 8, Sierra County Code with regard to nuisance regulations to add a provision that would allow the Board of Supervisors to place a property on a probationary status following nuisance abatement proceedings.

County Counsel provided background on the proposed amendment to the County Code which adds the ability for the Board to retain jurisdiction over these properties for six months once the Board has issued an abatement order.

By consensus, the Board directed staff to add the proposed ordinance to the November 2, 2021, agenda for introduction and first reading.

14. TIMED ITEMS

14.A. 10:00 AM PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM PLAN

Presentation by Sherry Morgado on behalf of Housing Tools and adoption of Resolution authorizing the application for the Permanent Local Housing Allocation (PLHA) Program Plan.

Sherry Morgado on behalf of Housing Tools presented a PowerPoint to the Board on the Permanent Local Housing Allocation (PLHA) Program Plan.

The Director of Planning questioned if the plan is in sync with the County's adopted Housing Element with respect to the RHNA (Regional Housing Needs Allocation) credits for this project.

Ms. Morgado responded that this is complicated as the project will be built in Plumas County, however she has reached out to the state about whether there is a possibility of a joint sharing of the RHNA credits between Plumas and Sierra County since there is not a big enough demand to build in Sierra County. Ms. Morgado added that she cannot guarantee the state will allow it, but they have indicated they are open to it.

The Director continued to comment on the certified housing element established priorities and projects and what the impacts could be from transferring some of the RHNA numbers over to Plumas County.

Chair Adams commented on the state usually being very receptive of regional cost effectiveness. Chair Adams further questioned what the downside would be if the Board did not adopt the resolution today.

The Director of Planning responded that he is unsure of a downside, however he would recommend a meeting with the Plumas County Planning Director with respect to the coordination of the two housing elements. The Director added that the Board will want to make sure they are not compromising any of the goals in the County's housing element as they have identified a lot of priorities to seek housing assistance in and around the City of Loyalton, including support of a seasonal workforce for the operation of the biomass plant and to make up for the 54-unit loss at the Loyalton Mobile Home Park.

The Director continued to suggest moving forward, but also having a full discussion regarding how this project interacts with the goals of the County's housing element as it is currently structured.

Discussion ensued with the Board.

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Following discussion and by consensus the Board directed staff to work with Plumas County on these potential issues and report back to the Board at a future meeting.

The Director of Planning reiterated that he would like to discuss this further as the County is committing a lot of future resources to this one project.

The Board moved to adopt the resolution authorizing the application for the Permanent Local Housing Allocation (PLHA) Program Plan.

ADOPTED, Resolution 2021-144. Motion: Roen/LeBlanc/Majority Roll Call Vote: 4/1 (Supervisor Huebner NO)

14.B. 10:30 AM ALLIANCE FOR WORKFORCE DEVELOPMENT

Presentation by Alliance for Workforce Development, Inc. on business and job seeker services provided to Sierra County for Fiscal Year 2020-2021.

Valerie Bourque, Business Services Representative for the Alliance for Workforce Development thanked Supervisor Roen for serving on the NoRTEC Board on behalf of Sierra County.

Ms. Bourque continued to provide an update to the Board on the business and job seeker services provided to Sierra County for Fiscal Year 2020-2021.

In response to Supervisor LeBlanc's inquiry, Ms. Bourque clarified they are working with the City of Loyalton on the current job openings and working to get as much exposure as possible for their smaller communities.

Personnel Analyst Judi Behlke expressed her appreciation to Ms. Bourque for the work she does for Sierra County.

Supervisor Roen thanked the Alliance for Workforce Development for staying engaged and staying in Sierraville.

Department Managers' Reports and Announcements Continued

The Sheriff reported on the recent multi-agency law enforcement operation for illegal operations of commercial cannabis in Sierra County.

10. OFFICE OF EMERGENCY SERVICES (OES) -TIM BEALS

10.A. Resolution adopting expenditures for the Fiscal Year 2019 Homeland Security Grant Program.

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The Director of OES provided background on the resolution which revises the 2019/2020 Homeland Security Grants priorities and dedicates the entire allocation for 2019/2020 for activities to support priorities in the Sheriff's office, except for the Downieville Fire Department warning system which has already been paid for.

In response to Chair Adams' concerns, the Director clarified this resolution transfers the previous funding priorities to other Homeland Security Grant balances that remain available.

In response to Supervisor Roen's inquiry, the Sheriff reviewed the Computer Aided Dispatch Software expenditure in the proposed resolution.

The Board moved to adopt the resolution adopting expenditures for the Fiscal Year 2019 Homeland Security Grant Program.

ADOPTED, Resolution 2021-145. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

10.B. Resolution adopting expenditures for the Fiscal Year 2020 Homeland Security Grant Program.

The Board moved to adopt the resolution adopting expenditures for the Fiscal Year 2020 Homeland Security Grant Program.

ADOPTED, Resolution 2021-146. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

11. PUBLIC WORKS/TRANSPORTATION - TIM BEALS

11.A. Discussion and approval of deed completing property conveyance from the County of Sierra to Jeff and Mary Jo Rust, approved as part of the Goodyears Bar Land Adjustment implemented in 2003 and authorizing the Clerk to cause the recordation of the deed.

The Director of Public Works provided background on the Goodyears Bar land swap and the abandonment of the Rust's mining claim in return for the County providing the Rusts with a strip of land behind their property in Downieville. The Director further clarified that the transfer of the 15-foot strip piece of land had initially required a boundary line adjustment, however the County Surveyor has decided this is no longer necessary.

The Board moved to approve the deed completing property conveyance from the County of Sierra to Jeff and Mary Jo Rust, approved as part of the Goodyears Bar Land Adjustment implemented in 2003 and authorizing the Clerk to cause the recordation of the deed.

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

11.B. Discussion/direction on the Wildfire Evacuation Planning and Development Grant through the California Fire Safe Council.

The Director of Public Works reviewed the Wildfire Evacuation Planning and Development Grant program administered by the California Fire Safe Council and recommended the OAEC (Operational Area Emergency Council) meet between now and November 1st to determine whether there is interest in participating in the grant program.

In response to Chair Adams' inquiry, the Director clarified there can only be one application per county and the Board will need to decide whether the County wants to be the applicant or delegate to another district.

Discussion ensued with the Board.

Following discussion and by consensus, the Board directed staff to move forward with putting a grant packet together.

The Director clarified that between now and November 1st he will have the OES Coordinator organize an OAEC meeting to discuss the grant program.

11.C. Discussion/approval of an appropriation in the amount of \$20,000 to the Parks and Recreation budget for engineering consultant services to investigate the extent of damages for the Calpine Community Hall sub-structure and multi-purpose room floor.

The Director of Public Works provided background on the damage to the Calpine Community Hall, which he is projecting to cost be between \$100,000 and \$200,000.

The Director continued to review the damage to the property and the rejection of the property damage claim through Trindel, which puts the burden onto the County.

The Auditor clarified that the claim was denied as the insurance carrier believes the damage happened over a slow period versus suddenly.

In response to Chair Adams' inquiry, County Counsel indicated he would contact the insurance company regarding the denial of the County's claim.

The Board moved approve an appropriation in the amount of \$20,000 to the Parks and Recreation budget for engineering consultant services to investigate the extent of damages for the Calpine Community Hall sub-structure and multi-purpose room floor.

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

11.D. Discussion and approval of amendment to Sierra County Agreement 2021-064 with Golden Rays Senior Citizens of Sierra County to add new responsibilities required for "transit operators" in Sierra County.

The Director of Public Works provided background on the revised DMV Pull Notice Program Policy and County Counsel’s concerns with the transit operators being treated the same as County employees with respect to the DMV Pull Notice Program Policy.

County Counsel clarified that the concern with private employees being treated as a public employee is they can make a claim to that effect and are then entitled to the same benefits as County employees including PERS.

The Director further explained that in recognition of County Counsel’s concerns they are proposing the amendment to the agreements with the two groups to address this issue.

In response to Supervisor Dryden’s inquiry, the Director indicated that there hasn’t been any direct outreach to Golden Rays Senior Citizens or Incorporated Seniors Citizens regarding the proposed changes as they would be notified upon receipt of the agreement.

The Board moved to approval of amendment to Sierra County Agreement 2021-064 with Golden Rays Senior Citizens of Sierra County to add new responsibilities required for "transit operators" in Sierra County.

APPROVED, Agreement 2021-133. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

11.E. Discussion and approval of amendment to Sierra County Agreement 2021-065 with Incorporated Senior Citizens of Sierra County to add new responsibilities required for "transit operators" in Sierra County.

The Board moved to approve the amendment to Sierra County Agreement 2021-065 with Incorporated Senior Citizens of Sierra County to add new responsibilities required for "transit operators" in Sierra County.

APPROVED, Agreement 2021-134. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

11.F. Approval of purchase agreement between the County of Sierra and the Sierra-Plumas Joint Unified School District setting forth the terms, opening of escrow, and facilitating the completion of the acquisition of the Sierraville School.

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The Director of Public Works provided background on the purchase agreement which sets up the County’s ability to acquire in fee the Sierraville School property from the Sierra-Plumas Joint Unified School District. The Director added that the State Department of Parks has not committed to allowing the purchase price of the Sierraville School as a match for the project, however they have encouraged the County to proceed with the purchase.

The Board moved to approve the purchase agreement between the County of Sierra and the Sierra-Plumas Joint Unified School District setting forth the terms, opening of escrow, and facilitating the completion of the acquisition of the Sierraville School.

APPROVED, Agreement 2021-135. Motion: Roen/Dryden/Unanimous Roll Call Vote: 5/0

11.G. Resolution adopting set expenditures of the Public Safety Power Shutoff (PSPS) Grant funds received by the County.

The Director of Public Works indicated that proposed resolution is not ready as the PSPS Committee has not.

No action taken.

12. COUNTY COUNSEL - DAVID PRENTICE

12.A. Waive second reading and adoption of an ordinance adding Subsection F to Section 5.04.140 of Chapter 5.04 of the Sierra County Code pertaining to Formal Bid Procedures, adding Formal Bid Protest Procedures.

The Board moved to waive the second reading and adopt the ordinance adding Subsection F to Section 5.04.140 of Chapter 5.04 of the Sierra County Code pertaining to Formal Bid Procedures, adding Formal Bid Protest Procedures.

ADOPTED, Ordinance 1106. Motion: Huebner/Roen/Unanimous Roll Call Vote: 5/0

13. CLOSED SESSION

13.A. Closed session pursuant to Government Code section 54956.9(a) - conference with legal counsel regarding the following litigation: Sierra County v. Loyalton Mobile Home Park.

13.B. Closed session pursuant to Government Code section 54956.9(a) to discuss the following litigation: Sierra County v. Statewide Homes, Inc.

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

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CLOSED SESSION STATEMENT

The Board met in closed session from 12:00 p.m. to 12:50 p.m. County Counsel reported that information and direction was given on Item 13.A., and direction was given to staff on Items 13.B. and 13.C.

16. CORRESPONDENCE LOG

16.A. Notice of preparation to harvest timber submitted by Doug and Jason White for Kenton Ventures LLC. Project is located approximately half mile west of Alleghany, California.

No action taken.

ADJOURN

At 1:00 p.m., with no further business, Chair Adams adjourned the meeting.

LEE ADAMS, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD