



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

Lee Adams, Chair, District 1

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on January 19, 2016 in the Loyalton Social Hall, in the Loyalton City Park, Loyalton, CA. This meeting was recorded for posting on the Board of Supervisors' website at www.sierracounty.ca.gov.

PLEDGE OF ALLEGIANCE: Led by Supervisor Huebner

ROLL CALL

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

Staff: Heather Foster, County Clerk-Recorder
Jim Curtis, County Counsel
Van Maddox, Auditor/Treasurer Tax-Collector
Tim Beals, Director of Planning and Transportation
Darden Bynum, Director of Health and Human Services
Tim Standley, Sheriff/Coroner

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APPROVAL OF CONSENT AGENDA

At the request of Chair Adams, Consent Item 11.D. was moved to the Regular Agenda as Item 8.B.

- 11.D. Environmental Health request for a letter from the Board of Supervisors regarding the intention to develop a Local Agency Management (LAMP) to comply with the prescriptive standards from the State Water Board. (ENVIRONMENTAL HEALTH)

The Board moved to approve the Consent Agenda as amended.

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

11. CONSENT AGENDA

- 11.A. Public Works Contract with TRUE Telecom and Surveillance for installation of biometric security hardware on all entrances to the Sierra County Courthouse. (PUBLIC WORKS)

APPROVED, Agreement 2016-005

- 11.B. Resolution approving updated Zero Tolerance Drug and Alcohol Policy for transit providers under contract to Sierra County. (PUBLIC WORKS)

ADOPTED, Resolution 2016-004

- 11.C. Amendment to Agreement No. 2015-041 for Title III Funding with regard to the Sierra County Fire Safe Council. (AUDITOR)

APPROVED, Agreement 2016-007

- 11.E. Agreement for professional services between Willow Glenn Care Center and Sierra County. (MENTAL HEALTH)

APPROVED, Agreement 2016-008

- 11.F. Agreement between Kings View Corporation and Sierra County for electronic health record information system and all pay sources billing services. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2016-009

- 11.G. Agreement with Robert J. Shulman, Esq. regarding review of county counsel hiring process documents. (CHAIR ADAMS)

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APPROVED, Agreement 2016-010

11.H. Minutes from the regular meeting held on December 15, 2015. (CLERK-RECORDER)

APPROVAL OF REGULAR AGENDA

The Board moved to approve the Regular Agenda as amended.

APPROVED as amended. Motion: Roen/Huebner/Unanimous

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:04 a.m. Chair Adams opened the public comment opportunity.

Mr. Tom Dotta, Loyalton referred to comments by Supervisor Huebner at the last meeting held in Downieville regarding the City of Reno's budget being close to bankruptcy, and expressed concerns that Supervisor Huebner is spreading incorrect information as he received a statement from the Director of Finance indicating the City of Reno is not close to bankruptcy. The City's financial situation is not in a position where they would consider this nor does the State of Nevada have the option the same as California to declare bankruptcy. Mr. Dotta further described in detail the information he received from the City of Reno's Director of Finance. Mr. Dotta requested Supervisor Huebner not shoot off with nonfactual information and that the discrimination against the east side of Sierra County discontinue.

Mr. Jason Christian, Portola referred to the Loyalton Biomass project which was in response to the mountain county's proclamation of emergency initiated by this Board in July 2014. Mr. Christian added this project is dedicated to Bob and Mary Haggard, those who have served in and through our elected governance, the community members and citizens who have put themselves forward for the health of their common home. Mr. Christian also thanked the Board for the work they have done for the communities.

Mr. Donald Russell, Editor of the Mountain Messenger informed the Board that they might want to add a threat of potential litigation to the next agenda due to the Sheriff's Department deciding what information they will give to the public and the law is clear on this. This is why he pays dues to the California Newspaper Publication Association as they have lawyers that are experts in this and he is going there.

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3. COMMITTEE REPORTS & ANNOUNCEMENTS

Chair Adams reported that the next Natural Resource, Planning and Building Standing Committee meeting will be held next Tuesday, January 26, 2016 at 9:30 a.m. in regards to the medical marijuana issue.

Sergeant Tony Prisco, CHP provided a brief update to the Board.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Sheriff provided an update on the new 911 system and they also still have people getting stuck in the Dog Valley area.

The Public Health Officer, Dr. Celia Sutton-Pado reported on the influenza virus, noting peak influenza activity is in January and February and the best way to prevent it is to get the flu vaccine every year. Dr. Sutton-Pado added she wants to promote everyone staying healthy and to get the flu vaccine from the County Health Department which is only \$2. She also indicated everyone can take basic steps to protect themselves by washing your hands and staying home when you are sick.

5. FOREST SERVICE UPDATE

Sierraville District Ranger Quentin Youngblood provided an update on various Forest Service activities in Sierra County.

Ranger Youngblood also reported on the Truckee Watershed Council who was awarded funds from the Sierra Nevada Conservancy for the Perazzo Meadows Phase 3 project, noting he will be meeting with the Council and will be coming before the Board to vet this project through the County, the RCD and Sierra Valley Mutual Water Company.

At the request of Supervisor Roen and by consensus, the Board authorized an ad hoc committee consisting of Chair Adams and Supervisor Roen to address the Perazzo Meadows Phase 3 project.

Ranger Youngblood continued to report on the Little Truckee Summit parking project noting any support by the County would be helpful.

Chair Adams suggested Ranger Youngblood provide more information to the Clerk so a letter in support can be agendized for the next meeting.

6. AUDITOR / TREASURER-TAX COLLECTOR - Van Maddox

6.A. Resolution approving sale of tax defaulted property subject to the Tax Collector's power to sell.

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Following a brief introduction by the Tax Collector, the Board moved to adopt the resolution approving sale of tax defaulted property subject to the Tax Collector's power to sell.

ADOPTED, Resolution 2016-005. Roen/Beard/Unanimous Roll Call Vote: 5/0

- 6.B. Discussion/update on the 2015/2016 County Budget and the 2016/2017 Preliminary Budget.

The Auditor reported the County is spending the current budget as expected at this point and doesn't see any troubled areas. With respect to the 2016/2017 fiscal year the County has some increasing revenue and some decreasing revenues in the road budget. Right now the County is looking at \$300,000 deficit in the general fund and road fund next year. The Assessor has indicated there are new sales and the Prop 8 is promising, however we won't know the amount for a few months. The Auditor added he believes we should squeeze and save now.

Chair Adams indicated the items the Auditor has pointed out is a reminder to everyone not to overspend as next year will be critical due to the loss of the Secured Rural Schools funding.

7. PUBLIC WORKS / TRANSPORTATION - Tim Beals

- 7.A. Discussion/direction to staff regarding letter of suspension from the State of California regarding the Loyaltan Estates Mobilehome Park.

Supervisor Beard briefly explained he requested this item go on the agenda as an opportunity to address how the trailer park is progressing as he has received a number of inquiries on this issue.

The Director of Public Works provided background on the inspection by the state, noting it was clear to him that a number of new violations had been discovered and the permit to operate was going to be suspended by the state. The Mobilehome Parks Act, under the state Health and Safety Code clearly indicates this is a state permit and HCD (State Housing and Community Development) is the agency with operating authority under the Health and Safety Code. The County's role is very limited to land use jurisdiction and is limited in scope. The County's role does become more prominent if the permit to operate is revoked. Once the state revokes the permit to operate the park, the property reverts back to a non-mobilehome park status, so the tenants occupying the park are in violation of County code.

The Director added that the letter of suspension is attached to this item and clearly states the permit is suspended, rent cannot be collected from any of the mobilehome park occupants and the property owner, Mr. Stephen Griggs must comply with the suspension letter or there will be further actions taken by the state. This certainly has a lot of impacts to the occupants living in the mobilehome park.

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The Director continued to explain he is preparing a report to provide the Board and the Department Managers involved, which will include the history of the park, the current statistics, the location of the park, the nature of the configuration of the property, etc. This will be a detailed document so everyone is fully aware of what the status is and what the options are in the future for retrieval of the park or the return of some land use that is compatible with the general plan. The Director further explained this is quite an undertaking and he has had a number of good discussions with the Sheriff, Auditor, Assessor and Director of Health and Human Services. The bottom line and real impact is to the land use program if the permit is suspended as the County has an obligation to uphold the zoning laws in the general plan. The City of Loyalton is also responsible as there are several spaces located within the City limits and the City also services the mobilehome park with water and sewer.

The Director concluded his comments noting we know we have a park with a suspended permit to operate, it is delinquent in property taxes and solid waste fees. As soon as this report is prepared there is going to be an expectation to stop the bleeding which involves an alternative to the waste system and how the residents will access the system. Worst case scenario would be if the permit is revoked and there is a requirement to bring the property into conformance with the County's zoning. The Director clarified this isn't the County's doing, the County doesn't own the property and the garbage bins are still on the property, so these rumors have been put to rest.

Supervisor Huebner expressed concerns about the people who live at the mobilehome park as most are on a tight budget and are worried about where they will go. Supervisor Huebner added that he hopes the Director of Health and Human Services has staff that can talk to the people that live there regarding what can be done. There is a lot of confusion as there is no one in charge.

The Director explained there is a limit to what the County can do since we are not the owner. He understands the need to have a companionate discussion with the people living in the park and try to make this an easy transition.

In response to Supervisor Schlefstein's inquiry, the Director explained he will have the report to the Board by the February 16th meeting.

Supervisor Schlefstein further suggested in the meantime giving out the information they currently have. He has also spoken to people in his district and the media in an attempt to dispel the rumors.

Mr. Terry LeBlanc, Intermountain Disposal explained there are five dumpsters at the park and the driver is supposed to pick up a check for \$550 from Mr. Rimmer so they can dump the dumpsters. Mr. LeBlanc added there is another option wherein the occupants can get a 90 gallon can which would be picked up and recorded through the hauler.

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Supervisor Schlefstein questioned how they would go about getting the 90 gallon can.

Mr. LeBlanc clarified they would contact Intermountain Disposal.

Chair Adams clarified that they are only paying for the hauling and not for the cost of the disposal.

The Director also clarified that the disposal costs in this scenario are not being covered. There is a \$90,000 delinquency in solid waste fees over the last 7 years.

Mr. LeBlanc suggested adding the solid waste fee to the hauling fee.

Chair Adams suggested the Director work with the Solid Waste Administrator on a temporary fix so these folks can either dispose of their own garbage at the dump or work with Intermountain Disposal to pick it up for them. This at least is an alternative so we don't continue to hemorrhage as the months go on.

Mr. LeBlanc added this would also eliminate a health issue.

The Auditor clarified that with respect to someone in charge, the only way we are going to get there is if this property sells.

Chair Adams cautioned empowering Mr. Rimmer as he doesn't want the County to look as though the County has put him in charge. Chair Adams agrees with the Supervisor Huebner that at the end of the day these are people out there but also agrees with the Auditor that the County cannot promise a good ending to this as it is private property. This is going to fall to the private market to decide how to handle this and he would also submit that the other 3100 residents of the County are already into this \$31 per person for past solid waste fees. He believes the best thing those living in the park can do is contact the City, the County and Intermountain Disposal and show a sign of good will that they are going to pay for these services.

County Counsel referred to the accrued delinquency for solid waste fees, noting depending on what happens with the impending sale of the property, if there is going to be a right-off the County general fund is going to be the deep pocket on this.

Supervisor Roen suggested calling a Solid Waste Committee meeting to discuss dealing with the solid waste issues at the mobilehome park.

The Director suggested approaching the occupants of the mobilehome park and ask them if they can cover the cost of the solid waste fee for the remainder of the year so they can access the landfill. This would only be a temporary fix to stop the bleeding.

By consensus, the Board referred this matter to the Public Works, Roads, and Solid Waste Standing Committee.

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In response to Supervisor Schlefstein's inquiry, the Director explained the solid waste fee for the next five months would be approximately \$150.00.

Supervisor Schlefstein noted when it comes down to where these people will want to put their money in the event they have to move, they are going to pay their moving expenses, electricity bill, etc. before they pay for their garbage.

Chair Adams explained they are just as responsible to pay their way as anyone else. Supervisor Adams also expressed concerns with putting this on the rest of the taxpayers.

Supervisor Schlefstein clarified his comments noting the reality is if someone is in a poverty type situation everyone has a priority and they will pay for their heat before paying for garbage. Supervisor Schlefstein added that he is not making an argument that they are right, but the reality is when the occupants have the uncertainty of where they are going to live, if he was in that situation he would hold onto his coins in case he would have to move.

In response to Supervisor Huebner's inquiry, the Director of Health and Human Services clarified that the department can only assist if they are already receiving services.

Supervisor Beard reiterated that the garbage bins have not been removed, the County has not issued the suspension order as this is not the responsibility of the County, and the property is not owned by the County even though the County is selling the property for back taxes.

Discussion ensued regarding the Solid Waste Committee meeting to address the solid waste issue; the Solid Waste Fee Administrator having the authority to work with the individuals in the mobilehome park to either pay the fee or work through the hauler to collect the fee; and putting together a fact sheet to put on doors and windshields to provide information to the mobilehome park occupants.

Supervisor Roen added that Nichole Johnson (Sierra Booster) was unable to attend the meeting today and has requested Supervisor Schlefstein to contact her so she can report accurately on this issue.

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10. TIMED ITEMS

10.A. 10:00AM ALLIANCE FOR WORKFORCE DEVELOPMENT Presentation and update by Kayte Puckett, Career Center Advisor on services provided by the Alliance for Workforce Development in Sierra County. (CHAIR ADAMS)

Ms. Kayte Puckett provided an update to the Board on the activities of the Alliance for Workforce Development operations in Sierra County outlined in the background information previously transmitted to the Board.

In response to Supervisor Huebner's inquiry, Ms. Puckett explained that most of their clients are from Sierraville and Loyalton but during the summer months she does go over to Downieville.

8. BOARD OF SUPERVISORS

8.A. Discussion/approval of letter to the US Forest Service regarding cooperative law enforcement funding program. (CHAIR ADAMS)

Chair Adams provided brief background on the item.

Supervisor Schlefstein suggested making a few grammatical corrections to the proposed letter.

The Board moved to approve the letter to the US Forest Service regarding cooperative law enforcement funding program as amended.

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

8.B. Environmental Health request for a letter from the Board of Supervisors regarding the intention to develop a Local Agency Management (LAMP) to comply with the prescriptive standards from the State Water Board. (ENVIRONMENTAL HEALTH) (**Consent Item 11.D.**)

Chair Adams explained he requested this item be pulled as he wanted to make sure everyone is clear on what the County is doing. He understands this is a lessor alternative to the requirements of AB 885, wherein the state decided to give local communities an alternative to monitor themselves instead of overseeing a state mandatory program.

The Director of Health and Human Services explained the two choices under the Local Agency Management Program (LAMP) are Tier 1, which is really stringent and Tier 2, which is more in line with the particular needs with respect to the geology, geography, hydrology, etc. of the County. He would like to send a link out with more detailed information about this as there are tasks that need to be performed by

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Environmental Health by May 13, 2016 and would request the Board sign the proposed letter staff has prepared so they can move forward with the program and the codes of compliance.

Chair Adams referred to the draft letter and requested this effort be coordinated between both the Environmental Health Department and the Planning/Building Department in order to meet the May deadline, so we are not forced into the state oversight system.

The Director of Planning provided background on AB 885 which started out as a top down approach to onsite wastewater treatment systems. As a result of public outcry the state board deferred to local pressure and indicated they would withdraw the regulations and develop more local ordinance control.

The Director further reviewed the two tiers under the regulatory program, noting Tier 1 is state regulations that are very conservative and restrictive and Tier 2 is an opportunity for local agencies to adopt their own ordinances that reflect their own local conditions. By opting into Tier 2 the County is opting into the obligation of developing a local ordinance which has to be reflected in the LAMP. Once the LAMP is approved the County has 5 years to adopt and implement programs. The Director added that the County doesn't have much of a choice unless we want to go with Tier 1, however he would counsel against this.

The Board moved to approve the letter from the Board of Supervisors regarding the intention to develop a Local Agency Management (LAMP) to comply with the prescriptive standards from the State Water Board.

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

Item 8.A. continued

By consensus, the Board authorized also sending this letter to the Regional Foresters in Regions 4 and 5.

9. COUNTY COUNSEL - James A. Curtis

9.A. Resolution denying Les Scott's solid waste fee appeal of January 5, 2016.

The Board moved to adopt the resolution denying Les Scott's solid waste fee appeal of January 5, 2016.

ADOPTED, Resolution 2016-006. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

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12. CORRESPONDENCE LOG

12.A. Letter from Jason E. Christian, Ph.D., Proponent, Loyaltan Biomass Project regarding the Governor's Proclamation of Emergency, signed October 30, 2015, involving drought driven Tree Mortality in the woodlands of California.

No action taken.

12.B. Letter from Karen Hayden, Yuba River District Ranger, regarding the Forest Service proposing to provide 25 camping areas for authorized users such as special use permittees and valid, permitted mining claimants along the North Yuba River.

No action taken.

12.C. Letter from Tosha Buckbee resigning from the Pliocene Ridge Community Service District.

ADJOURN

At 10:58 a.m., with no further business, Chair Adams adjourned the meeting.

LEE ADAMS, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD