



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

Lee Adams, District 1

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Peter W. Huebner, Chair, District 2

P.O. Box 349 - Sierra City, CA 96125 - 530-862-1004 - supervisor2@sierracounty.ca.gov

Paul Roen, District 3

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on March 21, 2017 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 Adams

ROLL CALL

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

Absent: Jim Beard, Supervisor, District #4

Staff: Heather Foster, County Clerk-Recorder
David Prentice, County Counsel
Van Maddox, Auditor/Treasurer Tax-Collector
Tim Beals, Director of Planning and Transportation
Lea Salas, Director of Behavioral Health
Laura Marshall, Assessor/IS Manager
Tim Standley, Sheriff/Coroner

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APPROVAL OF CONSENT AGENDA

The Board moved to approve the Consent Agenda.

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

12. CONSENT AGENDA

12.A. Amendment to Agreement 2016-061 for professional services between Thomas E. Bittker, MD, LTD and the County of Sierra. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2017-020

12.B. Resolution approving the submittal of an application for the Local Enforcement Agency Grant and authorizing Director, Interim Director, or Assistant Director to execute the necessary application for the securing of grant funds. (PUBLIC HEALTH)

ADOPTED, Resolution 2017-037

APPROVED, Agreement 2017-021

12.C. Resolution approving the Children's Medical Services (CMS) plan for Fiscal Year 2016-2017. (PUBLIC HEALTH)

ADOPTED, Resolution 2017-038

APPROVED, Agreement 2017-022

12.D. Resolution adopting pay tables for the County of Sierra and Special Revenue Funds. (AUDITOR)

ADOPTED, Resolution 2017-039

12.E. Resolution adjusting the approved baseline increase from the Long Valley Groundwater Management District to the Sierra Valley Groundwater Management District for the 2016/2017 Budget. (AUDITOR)

ADOPTED, Resolution 2017-040

12.F. Resolution authorizing inter-agency vehicle transfer from Sierra County to the Sierra Plumas Joint Unified School District. (PUBLIC WORKS)

ADOPTED, Resolution 2017-041

12.G. Resolution updating listing of authorized representatives to acquire surplus property through the auspices of the California State Agency for Surplus

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Property, and authorization to complete and submit new application for eligibility for the State and Federal Surplus Property Program through the California Department of General Services. (PUBLIC WORKS)

ADOPTED, Resolution 2017-042

12.H. Governing Body Resolution naming authorizing agents for the designation of applicants agents for the purpose of obtaining federal financial assistance due to the winter storms. (OES)

ADOPTED, Resolution 2017-043

12.I. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Billy and Kathleen Epps, Applicants and Landowners for consideration of a Conditional Use Permit to allow the use of a travel trailer while constructing a single family residence. The project site, identified as APN 002-130-028, is located at 215 Gold Bluff Road, Downieville. (PLANNING)

APPROVED, Agreement 2017-023

APPROVAL OF REGULAR AGENDA

The Board moved to approve the Regular Agenda.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:02 a.m. Chair Huebner opened the public comment opportunity.

Mr. Ernest Rimmer, Loyalton Mobile Estates noted he believes the Board is being mislead and hopes the Board has done their research. If the Board's intent is to shut the park down he intends to fight tooth and nail and the county will never recoup their money as the property is not worth what it is being sold as.

Mr. David Allen, Loyalton Mobilehome Park noted he has worked on a couple of the trailers in the park to make it a better place. He also has a dying wife and nowhere else to go. Mr. Allen continued to note he hopes the Board allows the park to stay open and let someone come in and run the park.

Mr. Merrill Grant, Superintendent of Schools introduced the new business manager for the School District Ms. Nona Griesert.

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Ms. Griesert addressed the Board noting she is looking forward to working with everyone.

Mr. Michael Perry, Loyalton Mobilehome Park expressed concerns with the people moving into the park and something needing to be done about it. Mr. Perry added that he would like to find out who has the county's disaster plan as he has more radio frequencies than the police department and he could be a great resource to the county.

Mr. Mark Marin, city of Loyalton Mayor commented that the Loyalton Mobilehome Park is consuming approximately \$5,000 a month in sewer and water and the city is eating this every month. Mr. Marin continued to explain what a lot of people don't know is the trailer park was good ol' boy deal years ago, so the city doesn't own the lines only the poop and water in the lines. Mr. Marin also gave an attaboy to the City's two public works employees and John Cussins as they were the only city on the Feather River watershed that didn't dump any waste water into the watershed during the flood.

At 9:10 a.m. Chair Huebner closed the public comment opportunity with no further persons addressing the Board.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Supervisor Roen reported on the potential sale of the Cogen facility noting there have been several meetings, they are still negotiating and it is still a viable project.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Director of Planning reported on meetings he attended sponsored by OES and FEMA, noting he is learning that the rules are changing with respect to financial obligations with regards to the recent disasters. The final work/restoration on recovery won't be reimbursed until a final field inspection is done by FEMA and OES. Fortunately, the county has not started any.

The Director continued to explain that when they find more damage as the snow melts, there is going to be a significant delay to proceed with repairs due to issues with getting financial assistance for recovery.

In response to Supervisor Adams' inquiry, the Director clarified they are still allowing for debris removal, but as far as final repairs go, it cannot happen until we receive an approved report.

The Director continued to report on the filing of two Resource Advisory Committee grants, the AIS inspection and assistance in formulating the tree mortality task force; Webber Lake will be open for first time in history to the public this year; and with respect to the new building codes in place effective January of this year, staff will be preparing the proper ordinance for approval by the Board.

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The Director further referred to the number of people from the Loyalton Mobilehome Park in attendance, explaining this might have been a result of staff's conclusion of the inspection of the Loyalton Mobilehome Park which focused on matters not related to the Mobile Home Parks Act which currently are under the jurisdiction of the state of California. The inspection report and any direction from that report will be part of the discussion at the meeting to be held on April 19th. The Director clarified that there is no agenda focused on shutting anything down, this is a meeting developed and requested to lay a foundation for what is in existence at the park, both the physical condition and what is available in terms of options from the regulatory perspective.

5. FOREST SERVICE UPDATE

Sierraville District Ranger Quentin Youngblood reported on a number of matters going on in the district including the Resource Advisory Committee (RAC); having had a good snowmobile season both at Yuba Pass and Little Truckee Summit; campgrounds opening in line with fishing season depending on snow; road damage and restoration efforts; and timber sales.

The Director of Planning requested if Ranger Youngblood would 1) confirm whether the initially constructed campgrounds at Jackson Meadows were part of the FERC licensing; 2) clarify what facilities are owned by the Forest Service and which are owned by NID (Nevada Irrigation District); and 3) did the use permit the Forest Service initially issued contain language for NID to comply with local ordinances, specifically TOT (Transient Occupancy Tax) payments.

Ranger Youngblood responded that the special use permit is very clear as far as TOT and Solid Waste Fees. With respect to what is owned by the National Forest, what is public, and what is owned by NID there are two group campgrounds entirely on NID lands, the boat launches are owned by the US government, the East Meadows campground is approximately 40% owned by NID and 60% owned by the US government, Pass Creek campground is owned entirely by the US government, the Pass Creek day use area is 80% owned by the US government and 20% owned by NID, the Findley campground is owned entirely by the US government, the Woodcamp campground is approximately 75% owned by the US government and 25% owned by NID, and the RV dump station is owned entirely by NID.

Ranger Youngblood further responded that with respect to the FERC licensing the campgrounds were constructed as part of the mitigation measure as part of FERC license requirement. Ranger Youngblood added that he has had a number of conversations with FERC and have been told repetitively that regardless of the mitigation measure to build and construct those facilities, the USFS has a shared responsibility in the overall maintenance and operation of those facilities, so the burden is not solely on NID.

Lt Richards, CHP reported on an increase in officers from six to seven in the Portola Post in order to increase response time.

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Supervisor Schlefstein thanked CHP for assisting his wife a week ago when she hit a deer.

6. INFORMATION SYSTEMS MANAGER - Laura A. Marshall

6.A. Discussion/direction regarding the use of personal devices by County employees.

The IS Manager introduced the item and request the issue be referred to a committee as she is looking to prohibit the use of personal devices by county employees for county business. The IS Manager further reviewed the proposed list of phones identified for use and Verizon's price schedule and recommended referring this to the Finance Committee as it has a financial aspect to it.

The Auditor clarified that a personal device is not limited to a communication device.

Supervisor Adams indicated he is fine with referring this to the Finance Committee.

In response to Supervisor Schlefstein's inquiry, the IS Manager clarified that she is only seeking to amend the current information technology policy with respect to personal devices.

Supervisor Schlefstein questioned when it is relevant to have a discussion about how an employee who works out of their home office and uses the county email on a personal device, how this will be structured/changed and what are the protections, risks, liabilities, etc. Supervisor Schlefstein added that he believes this discussion is broad and far reaching and goes beyond the Finance Committee.

County Counsel referred to the Supreme Court's decision, noting they recognize this is going to be difficult and their recommendation is that every public agency develops a policy. This is going to come back as they are working on a policy for all agencies to review and is definitely a government issue. The purchase of cell phones is just a piece of this issue. He is hoping to have a policy in the next few weeks and will review it with the Department Managers and then bring it to the full Board for discussion and potential referral to committee.

Considerable discussion ensued regarding whether to refer this to committee now or continue to the next Board meeting; determining when to discontinue the use of personal devices; using Androids versus Apple products; and how many phones will need to be purchased.

The Director of Planning requested the Board be cautious of going cold turkey and throwing the switch as there are a number of employees that need access. The Director added that he has a number of employees who are tech savvy and would like to review the recommended phones and would suggest a smooth transition.

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Following discussion and by consensus the Board referred this matter to the Government Committee and scheduled a meeting for Tuesday, March 28, 2017 at 1:00 p.m. in Downieville.

7. SHERIFF/CORONER - Tim Standley

- 7.A. Discussion/direction regarding adoption of resolution and approval of Cooperative Law Enforcement Fiscal Year 2017 Annual Operating and Financial Plan between the Sierra County Sheriff's Office and the USDA, Forest Service Humboldt-Toiyabe National Forest.

Following a brief introduction by the Sheriff, the Board moved to adopt the resolution approving the Cooperative Law Enforcement Fiscal Year 2017 Annual Operating and Financial Plan between the Sierra County Sheriff's Office and the USDA, Forest Service Humboldt-Toiyabe National Forest.

ADOPTED, Resolution 2017-044; and **APPROVED**, Agreement 2017-024. Motion: Adams/Schlefstein/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

8. PROBATION - Jeff Bosworth

- 8.A. Resolution approving agreement between the City of Loyalton and the County of Sierra to lease an office for the Probation Department in Loyalton.

Following a brief introduction by Deputy Probation Officer Chuck Henson, the Board moved to adopt the resolution approving the agreement between the City of Loyalton and the County of Sierra to lease an office for the Probation Department in Loyalton.

ADOPTED, Resolution 2017-045; and **APPROVED**, Agreement 2017-025. Motion: Roen/Schlefstein/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

9. PUBLIC WORKS/TRANSPORTATION - TIM BEALS

- 9.E. Progress report and discussion on landfill closure process.

The Director of Public Works reported on the directions made by the Board at the last meeting, noting a letter has been sent to Plumas County asking for meeting in the event the alternative selected by the Board involves the use of the Delleker transfer station so there will be a long term agreement in place and won't be subject to an administrative revocation.

The Director added that as a result of the meeting in Sierraville they are researching options limited to more county involved actions with respect to the operation itself and as a result they met with the management staff at Lockwood and requested a minimum 15 year contract proposal from them which would include a tipping fee designed to accommodate the county's disposal needs. This would involve transporting waste

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directly from Loyalton to Lockwood and would avoid the tipping fee at the Portola transfer station.

The Director continued to explain that there are a number of dynamics with this system and the plan is to convert the Loyalton landfill to a transfer station. When this is approved and the landfill is closed the county can operate as it has in the past; it will not change how people use the system.

The Director continued to refer to the negotiation that will need to occur with Intermountain Disposal for the refuse hauling license and transportation services.

The Director further referred to the issue of the assessment fee and questions that still need to be answered including whether it is necessary to have an election every year when the fee doesn't change and do we have to conduct a new Proposition 218 protest vote to address the changes that will result from the closure of the landfill.

The Director concluded that the two guiding factors from his view point and confirmed by the committee is to make as few changes in the system as possible so the transition from the landfill closure to the new system is palpable to the users, and make every effort to maintain or reduce the fee expectation for the operation. He is expecting the landfill to be closed in the next two months.

- 9.A. Services Agreement with Hansen Bros. Enterprises for emergency work for slide removal and erosion repair on Kanaka Creek Road due to the January 2017 storms.

The Director of Transportation introduced the item and reviewed in detail the damage to the Kanaka Creek Road, noting this project has been started however the Goodyears Creek Road project under item 9.B. has not been as the slide area is a serpentine deposit and has created a large volume of natural asbestos material which requires different handling. The Director added that both projects are critical to opening the road system and are qualified under the two declarations, however they cannot start the completion of both projects until they have a field review and it is signed off by OES and FEMA. With the approval of these two items they will restore temporary access to the roads.

The Board moved to approve the Services Agreement with Hansen Bros. Enterprises for emergency work for slide removal and erosion repair on Kanaka Creek Road due to the January 2017 storms.

APPROVED, Agreement 2017-026. Motion: Adams/Roen/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

- 9.B. Services Agreement with Hansen Bros. Enterprises for emergency work for mudslide cleanup on Goodyears Creek Road due to the January 2017 storms.

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The Board moved to approve the Services Agreement with Hansen Bros. Enterprises for emergency work for mudslide cleanup on Goodyears Creek Road due to the January 2017 storms.

APPROVED, Agreement 2017-027. Motion: Adams/Roen/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

9.C. Authorize letter of support for SB 1 (Beall) Transportation Funding and Reform Packages.

9.D. Authorize letter of support for AB 1 (Frazier) Transportation Funding and Reform Packages.

The Director of Transportation introduced the item, explaining that the transportation funding reform package is critical to the survival of local streets and roads in northern California. His conclusion of the Sierra County Road Department is we have great people working for us, however if we don't find an infusion of revenue the department will be in a catastrophic situation as the equipment is outdated and they do not have the budget to support repairing it. If AB 1 and SB 1 are passed and ultimately signed it will make a significant difference to the county and the city of Loyalton in terms of road funds being available.

Supervisor Adams noted both CSAC and RCRC support this. While no one likes fee increases at the end of the day even those counties that tend not to support this realize this is the only thing that will save the local transportation system. Supervisor Adams added that for the amount of funding that our rate payers put into the state pot the amount that comes back to the rural counties is probably 20 to 1.

In response to Supervisor Schlefstein's inquiry, Supervisor Adams clarified that this is gas tax and vehicle license fees and for those that hate hybrid cars they will start paying \$100 per car as well.

Supervisor Schlefstein continued to refer to the text of the bill and the statement that "California's motorists are spending \$17 billion annually on extra maintenance and car repair bills which is more than \$700 per driver on average due to the state's poorly maintained roads", noting if the roads were better maintained it would cost less on maintenance of vehicles. He doesn't like supporting additional vehicle license fees and gas taxes as California has the highest vehicle license fees, registration fees and gas taxes in the nation. Supervisor Schlefstein added that while this is going up everyone's salaries are staying the same or going down.

The Board moved to authorize the letter of support for SB 1 (Beall) Transportation Funding and Reform Packages and the letter of support for AB 1 (Frazier) Transportation Funding and Reform Packages.

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

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10. BOARD OF SUPERVISORS

- 10.A. Approval of letter to Mr. Ben Metcalf, Director California Department of Housing and Community Development regarding the Loyalton Mobile Home Park - County of Sierra Workshop. (CHAIR HUEBNER)

The Board moved to approve the letter to Mr. Ben Metcalf, Director California Department of Housing and Community Development regarding the Loyalton Mobile Home Park - County of Sierra Workshop.

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

- 10.B. Discussion/authorization to move forward with the purchase of property located at 202 Front Street, Loyalton, CA for the Sierra County Department of Health and Human Services. (SUPERVISOR ROEN)

Supervisor Roen provided background on the item, noting the contract is going to expire in the next few years so the Board authorized the appraisal of the property and he would recommend moving forward with making the city of Loyalton an offer for the purchase of the property based on the amount of the appraised value.

The Board moved to direct staff to move forward with making an offer to the city of Loyalton for the purchase of property located at 202 Front Street, Loyalton, CA for the Sierra County Department of Health and Human Services.

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

- 10.C. Discussion/direction to refer to the Board of Supervisors Finance Committee the hiring of employees who are currently working for, or have previously worked for an agency who participates in the California retirement system. (CLERK OF THE BOARD)

The Auditor introduced the item, noting this is going to be a minimum of \$12,000 and approximately six months to implement. Over the last seven years there have been approximately five opportunities to hire, however with the short coming in the accounting system it wouldn't allow it.

Following brief discussion and by consensus this item was referred to the Government Committee.

The Sheriff indicated that with the new rules it is only going to get more difficult to get qualified individuals to work in the county.

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The Auditor clarified that this does not apply to anyone who has retired in PERS, it is only those who were or are in the PERS system.

The Sheriff continued to express concerns with the inability to hire someone part time due to the accounting system.

The Director of Planning indicated that he understands the fiscal constraints, but he also has issues with being able to hire individuals and would like to have the committee discuss the contract issue that the Auditor is concerned about as it is a vehicle to be able to hire those who have worked or retired from PERS.

10.D. Appointments to the Downieville Fire Protection District. (CLERK OF THE BOARD)

The Board moved to appoint Irving Christiansen and Michael Galan to the Downieville Fire Protection District.

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

10.E. Appointments to the Sierra County (Calpine) Waterworks District. (CLERK OF THE BOARD)

The Board moved to appoint Russell Rosewood, Sali Wise and Christine Lindberg to the Sierra County (Calpine) Waterworks District.

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

10.F. Approval of letter of support for SB 447 re: Multicounty assessment appeals boards. (SUPERVISOR ADAMS)

Supervisor Adams introduced the item, noting this bill is being pushed by Alpine County as it has been difficult for them to find the necessary disciplines to sit on a board. The way the bill is written it doesn't have to be a contiguous county and it gives counties the option to do this. RCRC's board supports this and there doesn't seem to be any downside to this.

Supervisor Schlefstein commented that he ran this issue up the flagpole a few years ago and no one saluted it. Supervisor Schlefstein added that he believes this is a good idea.

The Board moved to approve the letter of support for SB 447 re: Multicounty assessment appeals boards.

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

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11. CLOSED SESSION

11.A. Closed Session pursuant to Government Code Section 54956.9(d)(2) - anticipated litigation - Sierra County v. Department of Finance for the State of California.

11.B. Closed session pursuant to Government Code Section 54956.9(d)(2) - conference with legal counsel - anticipated litigation - 1 case.

The Board met in closed session from 10:49 a.m. to 11:26 a.m. Chair Huebner reported with respect to items 11.A. and 11.B. information was given to the Board.

13. CORRESPONDENCE LOG

13.A. Letter from Karma Hackney, California Governor's Office of Emergency Services (CalOES) regarding the U.S. Small Business Administration declaring certain counties in the State of Nevada and California a disaster area.

ADJOURN

At 11:26 a.m., with no further business, Chair Huebner adjourned the meeting.

PETER HUEBNER, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD