



**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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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on August 2, 2016 in the Board of Supervisors' Chambers, Courthouse, Downieville, CA. This meeting was recorded for posting on the Board of Supervisors' website at www.sierracounty.ca.gov.

PLEDGE OF ALLEGIANCE: Led by Supervisor Schlefstein

ROLL CALL

Present: Lee Adams, Supervisor, Chair, District #1
Peter W. Huebner, Supervisor, Vice-Chair, District #2
Paul Roen, Supervisor, District #3
Scott A. Schlefstein, Supervisor, 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
Darden Bynum, Director of Health and Human Services
Laura Marshall, Assessor/IS Manager

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APPROVAL OF CONSENT AGENDA

At the request of the IS Manager, Consent Item 11.I. was moved to the Regular Agenda as Item 7.F.

- 11.I. Resolution declaring 3Com Phone System owned by Health and Human Services as surplus and authorizing disposal in accordance with County Code. (PUBLIC WORKS)

At the request of the Director of OES, Consent Items 11.L. and 11.M. were pulled from the agenda as these items were approved at the last meeting.

- 11.L. Governing Body Resolution naming authorizing agents for Sierra County for the Emergency Management Performance Grant (EMPG). (OES)
- 11.M. Governing Body Resolution naming authorizing agents for Sierra County for the Homeland Security Grant Program (SHSG). (OES)

The Board moved to approve the Consent Agenda as amended.

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

11. CONSENT AGENDA

- 11.A. Agreement for professional services between Toddler Towers and the County of Sierra. (SOCIAL SERVICES)

APPROVED, Agreement 2016-087

- 11.B. Rescission of agreement 2016-075 and approval of agreement for professional services between Yolo Community Care Continuum and County of Sierra. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2016-088

- 11.C. Agreement for professional services between Don Stembridge, Ph.D., and the County of Sierra. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2016-089

- 11.D. Agreement for professional services between Kings View and Sierra County Behavioral Health. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2016-090

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- 11.E. Agreement for professional services between Placer County and the County of Sierra. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2016-091

- 11.F. Resolution approving amendment to agreement with the County of Los Angeles Sheriff's Department, which has a Statewide inmate transportation system already in place, to provide inmate transportation for Sierra County inmates when appropriate and necessary. (SHERIFF)

ADOPTED, Resolution 2016-077

APPROVED, Agreement 2016-092

- 11.G. Amended Approval of California Governor's Office of Emergency Services (OES) County Victim Services (XC) Program. (DISTRICT ATTORNEY)

APPROVED, Agreement 2016-093

- 11.H. Amendment to Sauers Engineering Professional Services Agreement 2009-044 for engineering services related to the Sierra Brooks Water System Phase 2 project, term extension. (PUBLIC WORKS)

APPROVED, Agreement 2016-094

- 11.J. Resolution approving plans and specifications and authorizing bidding for the Loyalton Landfill Passive Landfill Gas Pilot Study. (PUBLIC WORKS)

ADOPTED, Resolution 2016-078

- 11.K. Resolution approving plans and specifications and authorizing bidding for the Loyalton Landfill Perimeter Gas Probe Installation Work. (PUBLIC WORKS)

ADOPTED, Resolution 2016-079

- 11.N. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Gerald & JoAnn Flavin, Applicants, and Robbie and Dianna Thingelstad Landowners: Consideration of a Special Use Permit to allow the placement of a manufactured home outside the allowable 150 feet distance from the primary residence in the Residential Rural 1.5 zoning district. The project site, identified as APN 023-080-027, is located at 155 Trelease Lane, Verdi, CA. (PLANNING)

APPROVED, Agreement 2016- 095

- 11.O. Amended and restated Joint Powers Agreement for Nevada-Sierra Counties connecting point public authority. (COUNTY COUNSEL)

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APPROVED, Agreement 2016-096

APPROVAL OF REGULAR AGENDA

The Board moved to approve the Regular Agenda as amended.

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

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:05 a.m. Chair Adams opened the public comment opportunity.

Mr. Richard Featherman, Goodyears Bar suggested adding metal detectors to the county blade trucks as there is a lot of money (gold) in the ground and not grinding up big trees as they are worth a lot of money. Mr. Featherman continued to review other options to bring in revenue to the County.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

- Plumas and Sierra County Energy Assistance and Housing Weatherization informational pamphlets. (SUPERVISOR SCHLEFSTEIN)

Supervisor Schlefstein briefly reviewed the pamphlets which are available to the public and provide information on cost saving tips, weatherization tips and low income energy assistance programs.

The Director of Health and Human Services added that he has copies of the applications should anyone want to apply for the benefits Supervisor Schlefstein was referring to.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Sheriff provided a brief presentation on the illegal marijuana grows occurring on national forest land.

Supervisor Schlefstein thanked the Sheriff's office for their efforts.

Chair Adams indicated he would like to have a discussion between the federal government and county officials on how this is going to be prosecuted, and if it will be prosecuted locally, what kind of assistance there is from the federal government to assist with the cost of the incarceration, medical responses, etc. Chair Adams added that he also spoke with Sierraville Ranger Quentin Youngblood to determine what kind of financial help is available to the County.

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Mr. Featherman informed the Board that he was in the National Guard and is willing to help the county if needed.

The Director of Health and Human Services distributed copies of an article in the Nevada Union regarding peer support centers in Nevada County, noting they are actively furthering the peer support model and would like to partner with other existing entities including the Western Sierra Medical Clinic.

5. FOREST SERVICE UPDATE

Yuba District Ranger Karen Hayden reported on a successful Packer Lake Fish Day; campgrounds are full; and the Loganville Fire which was a total of 4.08 acres.

Ms. Pam Saporta, Pike questioned if there is a program to remove dying trees due bark beetles as she has been hit hard by this problem on her property.

Ranger Hayden responded that there are no federal programs available, however there may some state programs.

Chair Adams added that the Forest Service and CAL FIRE have estimated that 66 million trees have died in the state from this issue and ten southern counties have been declared a disaster area by the governor.

Ranger Hayden also suggested contacting the Sierra County Fire Safe and Watershed Council.

6. AUDITOR / TREASURER-TAX COLLECTOR - Van Maddox

6.A. Resolution approving sale of Loyaltan Mobile Home Park subject to the Tax Collector's Power to Sell.

The Auditor referred to the memo previously transmitted to the Board, noting the \$265,700 minimum price he is recommending is what the property was listed for in June. The County received a lot of interest in the last tax sale, however no one actually bid on the property. The Auditor added that if this sells for nothing the schools, solid waste fund, general fund, etc. will eat a lot of lost taxes. He also understands that we are getting to an amount that is owed that we will never receive which is approximately \$412,000.

The Auditor also referred to an article in the Sierra Booster regarding concerns with the tax sale bidding starting on Fridays and ending on Mondays, explaining this is the standard for the industry.

The Auditor further explained that the cost of the sale, penalties and interest are paid first, then the back taxes.

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Brief discussion ensued pertaining to whether the amount of sale should be lowered; the state having made it clear that they want the County to attempt to sell this property one more time before they will revoke the permit; and how the reverse apportionment works if the property sells.

Following further discussion, the Board moved to adopt the resolution approving the sale of Loyalton Mobile Home Park subject to the Tax Collector's Power to Sell as presented.

The Director of Planning clarified that out of the \$412,000 in delinquent taxes, \$192,000 is a loss to the County solid waste fund which is one of reasons that led to the increase in the solid waste fee this year.

In response to Mr. Featherman's inquiry, Chair Adams clarified that the solid waste budget is reviewed every year and the fee can go up or down in any given year.

ADOPTED, Resolution 2016-080. Motion: Schlefstein/Roen/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

7. PUBLIC WORKS/TRANSPORTATION - TIM BEALS

- 7.A. Discussion/direction to staff regarding Proposition 1 Sierra Nevada Conservancy Grant, application deadlines in March and/or September of 2017 to implement the Forest Service Yuba Project.

The Director of Public Works introduced the item noting, the first opportunity to seek funding from the Sierra Nevada Conservancy is in March of 2017 and the second funding opportunity will be in September 2017. The County and the Forest Service have conducted a number of meetings in the past to coordinate projects that are beneficial to the Forest Service but also to the County. The Yuba Project has been identified as one of those projects and focuses on reducing ladder fuels and restoring watershed health; its primary purpose is for fire suppression. The Forest Service cannot be the applicant for Sierra Nevada Conservancy funds and would have to find a local agency or non-profit, so the County is best postured to be an applicant to assist the Forest Service in implementing the Yuba Project.

The Director continued to explain what is being suggested today is a green light to proceed with further discussions with the Forest Service for the County to be applicant and contract with the Forest Service for the Yuba Project. He is suggesting two projects, a small project filed cooperatively with the Forest Service in March of 2017 which would be a test case to see if the County and Yuba District can work cooperatively on a project most likely with the Fire Safe Council on projects that are already in queue. If this works, they can work towards a project application that implements the Yuba Project which is a bigger pool of funding that will become available in September 2017. The County would be the lead agency and would have to make sure the environmental documents satisfy NEPA and CEQA. Beyond that they would hope to have a project agreement between the County and the Forest Service.

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The Director concluded that he would like to know if the Board is inclined to support this concept before going any further.

The Board moved to authorize the Director of Transportation to work with the Forest Service on two projects to be submitted under Proposition One and return to the Board with a detailed scope and project definition for approval.

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

9.C. Continued discussion/direction regarding notice from Larry Ostrom canceling Sierra County Agreement 2002-207 for Grant of Right of Way and Road Maintenance. (CLERK OF THE BOARD)

The Director of Transportation introduced the item, noting over the past few months there have been ongoing concerns and suggestions from the RR Lewis Water Company wishing to terminate the Right of Way Agreement negotiated back in 2002 by the Board of Supervisors. This agreement impacted a number of roads in Sierra City including Squirrel Hollow, Ostrom Way, Wild Plum, Wild Plum Ridge and 49er Drive. On May 11, 2016 Mr. Ostrom informed the Board of Supervisors of his wish to terminate the agreement, however there is no termination clause in the agreement. There is a clause that the agreement terms can change upon agreement of all parties. The suggestion to terminate the public right of way seems contrary to the mission created in 2002 when the agreement was executed.

The Director continued to note Mr. Ostrom's request went before the Board on June 6th wherein Mr. Ostrom requested a continuance and the Board requested a letter go out to all of the property owners pertaining to the impacts of this decision. This matter was brought back in July and was again continued to allow the new County Counsel time to review the issue.

The Director continued to explain in 2007 the Board adopted a resolution which established Wild Plum Ridge, Ostrom Way and 49er Drive as county roads and confirms the further existence of a public right of way on these roads. The Director continued to review the impacts of removing the agreement including minimal road maintenance, access for emergency vehicles, property values, insurance, etc.

The Director added that staff is recommending the Board not terminate or alter the agreement. He believes there is overwhelming public and agency support to maintain the road the way it is and also for the Board to take a more proactive stance in the ownership and control of the road system.

Ms. Nordis Ostrom, 49er Drive expressed concerns with the current agreement as Mr. Ostrom can use this against the County and the residents as leverage for personal gain which he tends to do. She would hope the Board consider condemning the road and taking it over. Ms. Ostrom also expressed concerns with Mr. Ostrom threatening

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disallowing snow removal. Ms. Ostrom further reiterated she would recommend the Board condemn the road and take possession of the road.

Supervisor Huebner indicated he also lives on 49er Drive and expressed concerns with respect to Mr. Ostrom, noting it is time the County comes to an agreement to protect the property owners. What he is hearing is a very simple solution to condemn the roads and the County takes them over.

County Counsel reminded the Board that this item is to determine whether the Board wants to terminate the agreement or not.

Mr. Phil Cammack, Sierra City noted he believes this is opening a huge can of worms and expressed concerns with the length of the road not being more than 50 feet wide and the County running into tremendous costs in surveys, etc.

In response to Chair Adams' question if Mr. Cammack has an opinion on whether to terminate the agreement or not, Mr. Cammack responded that he is in favor of the termination but the County will have to buy the road.

Mr. Bryan Davey, Sierra City Fire Chief expressed the importance for the fire department and law enforcement to have access to these roads as he has personally responded to a number of calls on all three of these roads multiple times and not having access would be a travesty.

Mr. Sig Ostrom, Sierra City provided background on the property and Mr. Ostrom, noting this is personal for the property owners and there would be a large group of people willing to support the condemnation of the road.

The following correspondence was received in regards to this matter:

- Email dated July 29, 2016 from David M. Rubiales – 21 Squirrel Hollow, Sierra City
- Letter dated July 30, 2016 from Paula Hester – 38 Valhalla, Sierra City
- Email dated July 31, 2016 from Loren and Dawn Brown – 222 49er Drive, Sierra City
- Letter dated July 31, 2016 from Elise Ostrom – 220 49er Drive and 35 Valhalla, Sierra City
- Email dated July 31, 2016 from Lynanne and Kelly Mehlhaff – 226 49er Drive, Sierra City
- Email dated August 1, 2016 from Bradley J. Whitman – 15 Squirrel Hollow Drive, Sierra City
- Letter dated August 1, 2016 from Phil Nowak – 224 49er Drive, Sierra City
- Email dated August 1, 2016 from Fred and Kathleen Kennedy – Ostrom Way, Sierra City
- Email dated August 1, 2016 from Sarah West-Kubly and Eric Kubly – 49er Drive, Sierra City
- Email dated August 1, 2016 from Kevin and Terry Fahey – 316 Ostrom Way, Sierra City

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- Email dated August 2, 2016 from Dan George – Lewis Lane/49er Drive, Sierra City

The Board moved to deny the termination of Agreement No. 2007-202 and directed the Clerk to notify Mr. Ostrom of the Board's decision.

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

9. BOARD OF SUPERVISORS

- 9.A. Resolution calling an election for, and authorizing the submission to the voters of, an ordinance amending chapter 8.01 of the Sierra County Code regarding restrictions on marijuana cultivation, and consolidating the election with the November 8, 2016 Statewide General Election. (CHAIR ADAMS)

Chair Adams briefly introduced the item.

Supervisor Schlefstein referred to page 8, section 5 of the proposed ordinance noting the Board needs to define "living areas".

County Counsel noted he can further define this as this involves normal living areas, i.e. living rooms, kitchens, bathrooms, etc.; other storage facilities within the home are open for growing.

Supervisor Schlefstein expressed the need to be careful if they are going to define living areas and restrict what someone is doing within their own house.

Chair Adams questioned whether the Board should further defining this or strike this section all together.

County Counsel explained universally law enforcement has indicated that when they try to define the inside of the house it is almost impossible for them to enforce as they cannot enter the house legally. He believes striking this would be better as enforcement would be nearly impossible

By consensus, the Board directed striking section 5 on page 8 of the proposed ordinance.

In response to Supervisor Huebner's inquiry, Chair Adams clarified that the proposed ordinance allows up to three plants outside on less than two acres with setbacks.

Chair Adams further referred to the definition pertaining to multifamily buildings, explaining the Board's intent was not to have prohibition on a mother-in-law unit, rather this was specific to a multifamily structure, i.e, an apartment, mobile home park, etc. which

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does not have relatives but strangers living in a common area. Chair Adams added that he believes they need to further define what multifamily means.

County Counsel noted this is an easy fix and he can refer to the definition of multifamily residences in state law.

Chair Adams further suggested changing the first whereas of the proposed resolution to clarify that the ordinance was subject to referendum and the Board opted to repeal the ordinance, make modifications and send it back to the voters in a different form as the ordinance was challenged and not rejected.

In response to Supervisor Schlefstein's inquiry regarding the requested changes having to come back, County Counsel clarified this can be done today as these are scrivener changes for clarifying some definitions and changing some wording in the resolution and staff can be directed to follow the Board's direction and move forward with the resolution.

The Director of Planning clarified that the term mother-in-law unit is now called a second unit and could be complete strangers. The Director indicated that he is assuming if there is a second unit on property that the Board's position is it still doesn't alter the grant of right to a parcel.

It was clarified that the limitations imposed in the ordinance are by parcel not by structure.

The Director also referred to section 1, page 7 with respect to the six foot height of a fence in the front yard and questioned whether there should be an allowance for cultivation in the front yard or visible from a public highway and what the height of the fence in the front yard should be.

Chair Adams noted he doesn't have difficulty with six feet, but in the past the Board discussed setback language that no plants are forward of the front of the house; you can have a six foot fence even with your house or down the side or back, but not a perimeter fence in the front of the property exceeding four feet.

County Counsel indicated that he can add this language and also include that the no growing in the front yard is subject to variance.

Mr. Richard Featherman, Goodyears Bar suggested allowing a three foot berm and allowing the fence.

County Counsel clarified that it is a six foot enclosure whether partial berm and fence.

Ms. Pam Saporta, Pike referred to the proposed ordinance, noting this was originally presented as a two part ordinance with the second part being the ban on commercial and questioned if has this changed.

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County Counsel clarified that the ban is included in section 6 and was combined since this is going to the ballot.

Ms. Saporta requested further clarification on the ballot question.

The Clerk explained there is a 75 word limit for the ballot question but County Counsel's impartial analysis of the measure will be included in the voter information pamphlet which is sent out with the ballots.

Brief discussion ensued pertaining to including the full text of the measure in the voter information pamphlet and the process of printing arguments in favor and against a measure in the pamphlet.

Ms. Saporta also requested including a map of the excluded districts with the voter information pamphlet.

County Counsel noted if this was to happen the Board would miss the August 12th deadline to place the measure on the November ballot.

Chair Adams added that he believes it is incumbent on the individual property owner to know what their zoning is.

Ms. Saporta further questioned the reference to County Code Sections 1.16 through 1.18 with respect to fines without stating what the fine actually is.

County Counsel clarified that these are the normal fines that are part of the County Code and have the potential to change by Board action.

Ms. Saporta also pointed out that the definition of a greenhouse in one section of the proposed ordinance is defined as outdoor and defined as an accessory structure in another section.

Chair Adams indicated that the Board's intent was that a greenhouse in its traditional setting would be considered outdoors, if the building is an adjacent structure and is completely solid it is not considered a greenhouse.

Ms. Saporta also questioned why lighting is prohibited outdoors or in greenhouses if it is shielded from public view.

Chair Adams noted he believes this was prohibited due to concerns for impact on neighbors.

Ms. Saporta further addressed the 4th Amendment language and the requirement of an inspection notice, noting they want this in the ordinance as they don't want the surprise knock on the door and would like a paper trail.

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Ms. Sarah Grew, Pike distributed a statement and proposed first draft ordinance to the Board.

Ms. Grew also referred to the greenhouse limitations and suggested the Board consider someone on a larger parcel with a greenhouse with permitted electrical as this really isn't a nuisance.

Supervisor Roen clarified that if it is a permitted accessory structure then it is not a greenhouse and it can have lights. There is also the opportunity for a variance for unique situations.

Ms. Grew further read her statement to the Board urging the Board not put this draft ordinance to the voters because it is flawed in many ways and if the citizens voted on this, any amendments to the measure cannot be changed unless it's taken up for another vote by the public. Ms. Grew also indicated that she does not support the ballot language as it does not give the voters enough understanding of the limitations set forth within the ordinance. Ms. Grew further encouraged the Board to review her draft of an ordinance.

Chair Adams indicated that he appreciates Ms. Grew's comments and his vote is not to shame the subject, to each is his own and live and let live. The question becomes how much is enough and how much is too much and he is just trying to find a balance to this. Chair Adams added that Yuba County is much more restrictive than we are, Plumas County is talking about a moratorium and Nevada County may vote to be more restrictive, so Sierra County is still the more liberal in the neighborhood if this is adopted.

Ms. Grew responded that those other counties are going to continue to deal with what they are dealing with and she doesn't believe the prohibition tactics will help their communities in the long run.

Mr. Featherman noted in the totality that the state or government is supposed to help people who are progressive and making money, everything thing that is stopping the Board from doing this is so minor.

The Director further referred to page 7, section F2 and the reference to Chapter 15.24 for a county variance, noting he would like to work with County Counsel on this as this procedure requires a noticed hearing and he believes they are looking for more of an administrative variance.

Chair Adams suggested leaving it the way it is and change Chapter 15.24 later.

The Board moved to adopt the resolution calling an election for, and authorizing the submission to the voters of, an ordinance amending chapter 8.01 of the Sierra County Code regarding restrictions on marijuana cultivation, and consolidating the election with the November 8, 2016 Statewide General Election as amended and directed the Clerk not to include the text of the measure in the voter information pamphlet but to make it available online and by request.

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ADOPTED as amended, Resolution No. 2016-081. Motion: Roen/Huebner/Unanimous
Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

The Board took the noon recess from 11:27 a.m. to 1:01 p.m. and reconvened with Supervisor Beard ABSENT.

- 7.B. Professional Services Agreement with Avalex, Inc. for professional engineering services associated with the proposed perimeter landfill gas probe installation and the passive landfill gas vent pilot study work at the Loyaltan Landfill.

The Board moved to approve the Professional Services Agreement with Avalex, Inc. for professional engineering services associated with the proposed perimeter landfill gas probe installation and the passive landfill gas vent pilot study work at the Loyaltan Landfill.

APPROVED, Agreement 2016-097. Motion: Roen/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

- 7.C. Presentation of bids and adoption of resolution awarding contract for the Jim Crow Road Bridge Rehabilitation Project (continued from meeting of July 19, 2016).

The Director of Transportation provided background, explaining the bid came in much higher than engineers estimate and as a result the allocation of funds that are funding this project are going to be delayed. The funds are secure as they are going to be. Worst case scenario is the funds won't be available until November 1st however they don't expect to draw these funds until around that time.

In response to Chair Adams' inquiry, the Director clarified worst case scenario if the funding doesn't come through there would be some damages; the County couldn't walk away from the contract and the project.

Mr. Bryan Davey, Transportation Planner explained that the award is \$1,179,000 and the actual program is \$675,000 and so long as the county presents actual costs they will pay them. There is sufficient funding in the current transportation bill it just hasn't gone through the process of allocating the TIP.

The Director added that any actual claim will be covered as they have the Caltrans E-76 letter.

Mr. Davey also explained that if the Board doesn't authorize the project and they don't go to construction now the County will be looking at an increased price in the project and the project would be postponed an additional year.

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Discussion ensued pertaining to the worst case scenario should the funding not come through.

In response to Chair Adams inquiry, Mr. Davey explained that if the Board does nothing they would have to cancel everything up to this point and go back out to bid which would increase the cost and push the project out a year.

Following further discussion the Board moved to adopt the resolution adoption of resolution awarding contract for the Jim Crow Road Bridge Rehabilitation Project.

ADOPTED, Resolution 2016-083 and **APPROVED**, Agreement 2016-098. Motion: Roen/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

7. F. Resolution declaring 3Com Phone System owned by Health and Human Services as surplus and authorizing disposal in accordance with County Code. (PUBLIC WORKS) (**Consent Item 11.I.**)

The IS Manager indicated that Nevada County would like to purchase this system and she is looking for the authority to sell with a minimum bid of \$200.

The Board moved to adopt the resolution declaring 3Com Phone System owned by Health and Human Services as surplus and authorizing disposal in accordance with County Code and authorized the IS Manager to sell the system with a minimum bid of \$200.00.

ADOPTED, Resolution 2016-082. Motion: Roen/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

- 7.E. Resolution of intent to utilize Title III funding in the total amount of \$15,707.93, \$14,306.00 remaining from allocations made under Resolution 2012-022, and \$1,401.03 from allocations made under Resolution 2016-010, to reimburse the Sierra County Public Works budget in the amount of \$9,160.90 and Sierra County Service Area 5 in the amount of \$6,547.03, for costs of support for work done in conjunction with the California Conservation Corps on Bear Valley Road which involves clearing/landscaping within the County right of way which is within 200 feet of most homes, and will "increase the protection of people and property from wildfires" and project adjacent national forest system lands. (Section 302)(a)(1) H.R.1424-145.

Following a brief introduction by the Director of Public Works, the Board moved to adopt the resolution of intent to utilize Title III funding in the total amount of \$15,707.93, \$14,306.00 remaining from allocations made under Resolution 2012-022, and \$1,401.03 from allocations made under Resolution 2016-010, to reimburse the Sierra County Public Works budget in the amount of \$9,160.90 and Sierra County Service Area 5 in the amount of \$6,547.03, for costs of support for work done in conjunction with the California Conservation Corps on Bear Valley Road which involves clearing/landscaping within the

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County right of way which is within 200 feet of most homes, and will "increase the protection of people and property from wildfires" and project adjacent national forest system lands. (Section 302)(a)(1) H.R.1424-145.

ADOPTED, Resolution 2016-084. Motion: Schlefstein/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

- 7.D. Agreement for professional services with Omni-Means, LTD. for construction management and materials testing for the Jim Crow Road Bridge Rehabilitation Project.

The Board moved to approve the agreement professional services with Omni-Means, LTD. for construction management and materials testing for the Jim Crow Road Bridge Rehabilitation Project.

APPROVED, Agreement 2016-099. Motion: Roen/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Beard ABSENT)

8. PLANNING / BUILDING - Tim Beals

- 8.A. Discussion and update on a meeting with the City of Reno regarding a proposed development in Washoe County in a portion of Long Valley.

The Director of Planning provided background on the item and the letter previously submitted to the City of Reno directed at the last Board meeting, noting when he started talking to the City staff they realized they had failed to notify the adjacent property owners in California and requested continuing the item.

The Director further distributed a packet of material, noting he will be requesting authorization to send a letter to the City Planning Commission and City Council to delay any action on this project until the master plan update is complete.

The Director further reviewed in detail a map showing the City of Reno boundary and a map showing the proposed project and expressed concerns with the proposal of 10,000 potential lots and no indication of where they are getting the water or coordinating with the Sierra Valley Groundwater District, what the sewer capacity is going to be, and they haven't addressed the circulation of traffic, fire protection, or security/law enforcement particularly on the California side. The City of Reno is proposing an approval of master plan change at their meeting tomorrow without addressing any of these issues and the goal is to have this delayed so the County can participate in the discussions. This is a significant issue and has residents of Long Valley very concerned.

The Director continued to explain this has everything to do with public services and not whether the development is a good thing.

Following brief discussion, the Director indicated the most effective tool is a letter authorized by the Board of Supervisors and hand delivered to the Reno City Planning Commission at their meeting tomorrow and submitted in writing to the Reno City Council.

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The Director reiterated that staff is not opposing the project, rather they just want a place at the table.

Chair Adams questioned because of the impacts to the groundwater basin, whether there is a regional or state group we could get support from.

The Director indicated the Board could request support from both non-profits and governmental agencies.

Chair Adams further suggested sending an email to other state agencies informing them of this project.

The Board moved to authorize a letter to the Reno City Planning Commission and Reno City Council requesting a continuance and deferral of the project until the master plan is completed.

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

- 9.B. Discussion/direction regarding response to the 2015/2016 Sierra County Grand Jury Report. (CHAIR ADAMS)

Chair Adams introduced the item and suggested Supervisors Huebner and Roen work on a draft with the Director of Planning to address the fire issues.

Following brief discussion, this item was continued to the next meeting.

10. CLOSED SESSION

- 10.A. Closed session pursuant to Government Code Section 54957.6 to discuss labor negotiations.
- 10.B. Closed session pursuant to Government Code 54956.9(d)(2) - anticipated litigation - 2 cases.

The Board met in closed session from 2:02 p.m. to 2:34 p.m. County Counsel reported with respect to the two litigation discussions, the Board gave direction to staff on both items and with respect to labor negotiations the Board has directed having Margaret Long, Assistant County Counsel appointed as the County labor negotiator and she will start the process this Friday.

12. CORRESPONDENCE LOG

- 12.A. Letter from Kevin De Leon, President Pro Tempore regarding major efforts the California Legislature is taking to combat homelessness and to call attention to new programs that are targeted to assist counties implement these initiatives.

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12.B. Letter from the U.S. Department of the Interior Bureau of Reclamation regarding the Stampede Safety of Dams Modification Project.

ADJOURN

At 2:34 p.m., with no further business, Chair Adams adjourned the meeting.

LEE ADAMS, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD