



**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 October 18, 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](http://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  
Jim Beard, Supervisor, District #4  
Scott A. Schlefstein, Supervisor, District #5

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

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## **APPROVAL OF CONSENT AGENDA**

At the request of Supervisor Huebner, Consent Item 12.B. was moved to the Regular Agenda as Item 6.C.

- 12.B. Request for convening of Health and Social Services Committee meeting regarding Social Services and Facilities Management. (HEALTH AND HUMAN SERVICES)

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

## **12. CONSENT AGENDA**

- 12.A. Resolution authorizing the Auditor to make certain changes to the 2015/2016 final budget for the Sheriff's fixed asset purchase. (SHERIFF)

**ADOPTED,** Resolution 2016-099

- 12.C. Rescission of Agreement 2016-103 due to name changes in the agreement and approval of agreement for professional services between Crestwood Behavioral Health, Inc. and County of Sierra. (BEHAVIORAL HEALTH)

**APPROVED,** Agreement 2016-120

- 12.D. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Heather and Matt Fraser, Applicants and Landowners: Consideration of a Conditional Use Permit to allow the occupancy of a travel trailer during building of a single family residence. The project site, identified as APN 013-110-145 is located at Parcel 2 of the Frank Amodei Subdivision, Sierraville, CA. (PLANNING)

**APPROVED,** Agreement 2016-121

- 12.E. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Tristan and Sarah Grew, Applicants and Landowners: Consideration of a Conditional Use Permit to allow the occupancy of a travel trailer during the building of a single family residence. The project site, identified as APN 006-130-027, is located at 21 Ranch Court, Pike, CA. (PLANNING)

**APPROVED,** Agreement 2016-122

- 12.F. Approval of Conflict of Interest Code for the Sierra County Office of Education. (CLERK OF THE BOARD)

## **APPROVAL OF REGULAR AGENDA**

The Board moved to approve the Regular Agenda as amended.

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

## **REGULAR AGENDA**

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

At 9:02 a.m. Chair Adams opened and closed the public comment opportunity with no persons addressing the Board.

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

- RCRC September 30, 2016 Board meeting highlights. (CHAIR ADAMS)

Chair Adams reported on the Sierra Frontier Medical Resources Committee who is working on improving emergency medical services in Downieville. The Committee will hold another meeting on the 14<sup>th</sup> with the North San Juan Fire District who was successful in two tax initiatives to support emergency medical services in the North San Juan area. The Committee is looking to do an initiative in Service Areas 1 or 2 or the fire districts on the west side of the County to determine if the voters are willing to tax themselves to support emergency medical services. He has also spoke with County Counsel who has agreed to attend their next meeting.

Supervisor Roen briefly reported on the Solid Waste Committee meeting held yesterday.

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

The Director of Public Works reported on the Solid Waste Committee meeting, noting a number of recommendations will be before Board on November 1, 2016 specifically the analysis provided by the Solid Waste Fee Administrator regarding mining claims and Forest Service occupancies; national forest system land uses and establishing a fee for disbursed recreation; a recommendation regarding the tourist bin at Bassets; the landfill closing sooner than anticipated along with detailed information on the closure expectations, permit and regulatory oversight; and recommended actions to convert from the current system to a new waste system. The Director added that there was also discussion regarding coordinating with the City of Loyalton and the suggestion to encourage the mayor to attend the next Committee meeting.

### **5. FOREST SERVICE UPDATE**

Sierraville District Ranger Quentin Youngblood reported on activities within the District including timber sales; fuels reduction projects; Sardine Lookout will be closed effective October 31<sup>st</sup>; pile burning; clean-up of marijuana grow sites on national forest system lands; and the campgrounds will be closed effective October 31, 2016.

### **9. BOARD OF SUPERVISORS**

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- 9.A. Discussion/direction regarding response from Sierraville District Ranger Quentin Youngblood pertaining to county costs incurred for drug enforcement activities on national forest system lands. (CHAIR ADAMS)

Chair Adams provided background on the item clarifying that although the response letter was from Sierraville District Ranger Youngblood, all of the law enforcement decisions made are not under his control. Chair Adams continued to note he believes the County will have to look at whether we are going to continue to engage on responding to enforcement on national forest system lands.

Ranger Youngblood explained there may be some opportunities to increase the drug enforcement eradication and cooperative law enforcement agreements. Ranger Youngblood added that this issue isn't new to us and is not going to go away. The Forest Service is the responsible party on national forest lands and Sierra County has his commitment to make sure it is within the Forest Service's jurisdictional boundaries with respect to prosecution, incarceration, etc. with the US Attorney's office.

Chair Adams referred to two programs that are set up to assist the weakest among counties: 1) the homicide reimbursement program wherein the state has agreed to step in and reimburse counties when their general fund has reached a certain threshold; and 2) the state boating reimbursement program which is based on how many boats are within a county. Chair Adams added that if the Board is interested he would like to write a letter to Patrol Captain Joe Cook and suggest that the Forest Service at least regionally, if not nationally, consider holding a few million back and put it into a pool to be used for these kinds of cases.

By consensus the Board authorized the Chair to write a letter suggesting this as a potential solution to this problem in the future.

Ranger Youngblood suggested adding to the letter concerns with the chemicals that are used for marijuana grows and the harm to the municipal water supplies and wildlife and the costs associated with remediation and the effect on the downstream users of the municipal watershed.

Chair Adams continued to express his concerns and frustration with those that have poisoned our public lands and the damage inflicted.

The Director of Planning expressed concerns with the impact this potentially has on the County's budget and the lack of meaningful dialog from leadership of the Forest Service above the District Ranger level; this should have the ear of the Forest Supervisor and Regional Forester.

Chair Adams responded that this obviously had the possibility of eating the County alive and could have been a six figure cost; his understanding is that the cost right now is approximately \$30,000 to \$40,000. Chair Adams added he is open to suggestions where to go with this and also agrees that this is out of the District Ranger's control.

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Supervisor Beard expressed concerns with the Forest Service having refused to collect the Transient Occupancy Tax and passing it through to the County. He further suggested pulling a New Mexico and seize control of the Forest Service lands so we can have our own timber sales and apply these funds the way we see fit.

The Sheriff referred to the difficulty in working out the cooperative agreements between the County and the Forest Service last year and suggested the need to vet this in depth and substantially increase that grant funding. The Sheriff continued to address whether the County wants to continue these contracts with the Forest Service and also not wanting to give the impression that it's ok to grow on national federal lands in Sierra County.

Chair Adams noted that the problem with the contracts is they are a set amount each year and this amount changes every year which is why the concept of having an emergency fund would work to address the peaks in costs. These contracts are for routine patrol and not extra ordinary events. Chair Adams added that he's not comfortable with Supervisor Beard's suggestion to seize Forest Service lands and severing all ties with the Forest Service as the County is 70% national forest land and he is not sure that would be in our best interest.

Chair Adams continued to suggest inviting the Forest Supervisor or Regional Forester to a meeting to explain why they have a system that has the potential of doing this to a small county and why not come up with a better system.

The Director reiterated that this is becoming a significant impact to the County budget and the need to reopen and discuss the relationship with the Forest Service. The Director also recommended the Sheriff send the Regional Forest Service office a bill for the costs incurred.

Supervisors Schlefstein and Huebner concurred with sending a bill to the Forest Service.

The Auditor indicated that sending a bill has value if it is part of a larger plan; on its own it's just going to be put in the file. The Auditor added that this will eventually be solved through a political process.

Chair Adams suggested adding the additional costs to the courts, mostly in the form of interpreters, if we send a bill.

Following further discussion, the Board moved to send an invoice to the Forest Service for costs incurred to the County for drug enforcement activities on national forest system lands and authorized the Chair to draft a letter to the Tahoe National Forest Supervisor and Regional Forester, for review and approval at the next meeting.

## **6. HEALTH & HUMAN SERVICES - Darden Bynum**

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6.A. Authorization to recruit and fill a Social Worker I-III position.

In response to Supervisor Huebner's inquiries, the Director of Health and Human Services explained this is a new position to help with the growing adult protective services in the County; there are seven cases served by the public guardian and he is the only one doing this work.

In response to Supervisor Schlefstein's inquiries, the Director explained how IHSS operates and the numbers have increased from 16 to 32; the majority of the work for the request position would be for guardianship and adult protective services; and currently the County has two social workers and one social worker supervisor.

The Auditor clarified that there are three social worker positions in the budget along with the social worker supervisor position. The Auditor added that he believes Merit Systems determines the staffing level and questioned if they have provided a report stating the Department qualifies for a 4<sup>th</sup> position.

Chair Adams also questioned if this has been recommended.

The Director responded that he can provide this information and the recommendation is to have its own department and have its own office. This position is taking on the most sensitive people in the county and their personal finances and their care.

Following brief discussion, Chair Adams indicated that the public guardian was in the District Attorney's office for decades and at some point it become more than that office could handle. The District Attorney's office has a staff of somewhere between one and two and now we are giving this to an agency of 34 employees and somehow this is overwhelming? Chair Adams further questioned if the Director can't clear someone's desk and whatever that person is doing now give everybody a 30<sup>th</sup> of their job assignment.

The Director responded that people are already working and he welcomes and wants to acknowledge those who have come to the Department and seen work happening and how wonderful it is to see people helping people. The Director further welcomed the Board members to drop in and scrutinize their work as it occurs, and consider what it would be like to have seven people show up in your world and how you would handle making all of those decisions.

The Auditor explained that there are three social workers and a social worker supervisor. The case load is low but there is a need for three social workers due to training, sick leave, vacation, etc., The Auditor further questioned where the justification is of adding the additional position and if this will be funded properly as he understands that Merit Systems ultimately controls this.

Discussion ensued pertaining to waiting on this request until the vacant social worker position is filled and vetting this issue through a committee.

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Following discussion and by consensus, the Board tabled this request until the vacant social worker position is filled.

- 6.B. Agreement for professional services between Sierra County Child Abuse Council and the County of Sierra.

Following a brief overview by Supervisor Schlefstein, the Board moved to approve the agreement for professional services between Sierra County Child Abuse Council and the County of Sierra.

**APPROVED**, Agreement 2016-123. Motion: Schlefstein/Beard/Unanimous Roll Call Vote: 5/0

## 10. TIMED ITEMS

### 10.A. 10:00 A.M. APPEAL HEARING - NOTICE TO ABATE

Continued appeal of Notice to Abate Unlawful Marijuana Cultivation filed by Sarah J. Lang (Grew) and Tristan Grew, Property Owners and Jennifer L. Lahm and Ryan J. Romero, Property Occupants, APN 006-130-027-00.

Chair Adams provided background on the time, noting the result from the last Board meeting was a stipulation made that the folks involved agreed to abate the marijuana by today and if they didn't they were waiving all appeal rights and the Sheriff could abate starting tomorrow. He understands that the appellants are not present and the Clerk has forwarded to him some photos alleging to be their property with the marijuana abated however there is no way to confirm this.

Deputy County Counsel noted based on the stipulation it would require the appellants to be here to provide testimony of what the pictures depicted and would also require that they invite the Sheriff out to the property to confirm that the land has been cleared. At this point he would make a finding that the stipulation hasn't been complied with.

Following brief discussion, the Board moved to deny the appeal and enforce the abatement based on the failure of the stipulation to be complied with.

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

- 6.C. Request for convening of Health and Social Services Committee meeting regarding Social Services and Facilities Management. (HEALTH AND HUMAN SERVICES) (**Consent Item 12.B.**)

Supervisor Huebner indicated he pulled this item as he didn't believe it should have been on the Consent Agenda.

The Director of Health and Human Services referred to the email trail from the architect and developer around a concept for a county services annex. The Director

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continued to explain that this represents is an opportunity to combine different County and private functions together at the site of the current landfill, that is off of the main street and consolidate energy, rent, security and access simultaneously. Through the lease buyback program this would be an opportunity to have other organizational entities both in and out of county such as seniors, the District Attorney, the Board of Supervisors, etc.

The Director continued to explain he believes this is also an opportunity to take a sept toward the UC System and their interest in the Sierra Cogen plant. The ideal location would be the industrial park, but short of that this is an opportunity to move forward in order to consolidate rents and also embrace the state of the art of solar and efficiency and this is already a county owned property.

Supervisor Beard noted there are some issues involving the County and the City of Loyalton and he feels this should be referred to committee.

Supervisor Beard moved to approve the request convene the Health and Social Services Committee meeting. Supervisor Schlefstein seconded the motion.

Supervisor Roen indicated he attended the meeting when City of Loyalton voted to move forward to enlist an appraiser for the current property.

In response to Supervisor Schlefstein's inquiry, Supervisor Roen clarified that he believes the City wants to sell the property to the County.

Chair Adams commented that he thinks this is far bigger than Social Services and suggested vetting this through the entire county family. Chair Adams further suggested referring this to the Government Committee or to an ad hoc committee as it is impacting everyone and not just Health and Human Services.

The maker amended the motion to refer this to an ad hoc committee of Supervisors Huebner and Schlefstein.

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

## **7. OFFICE OF EMERGENCY SERVICES (OES) -Tim Beals**

- 7.A. Rescission of Resolution # 2016-025 and adoption of replacement resolution to reflect amended expenditures for the Fiscal Year 2015 Homeland Security Grant.

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The Director of OES introduced the item explaining this is a clean-up of the resolution and final accounting. The Director added that the remaining item was radio purchases, so the OAEC took an inventory of radio needs of the various fire and emergency agencies within the County and they will purchase radios with the residual amount of the 2015 Home land Security Grant funding.

The Board moved to rescind Resolution 2016-025 and adopt a resolution reflecting amended expenditures for the Fiscal Year 2015 Homeland Security Grant.

**ADOPTED**, Resolution 2016-100. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

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

- 8.A. Resolution approving proposed budget for the CalRecycle City/County Payment Program for Fiscal Year (FY) 2016/2017 and adopt the attached budget.

The Board moved to adopt the resolution approving proposed budget for the CalRecycle City/County Payment Program for Fiscal Year (FY) 2016/2017 and adopt the attached budget.

**ADOPTED**, Resolution 2016-101. Motion: Huebner/Roen/Unanimous Roll Call Vote: 5/0

- 9.B. Approval of letter of support for Western Sierra Health Clinic's Section 330(e) Service Area Competition Application (HRSA-17-054). (CHAIR ADAMS)

Chair Adams provided background on the item explaining this is a grant the Clinic has received for decades and the Board has been asked in the past to support. He has received some feedback from the Western Frontier Medical Group requesting the Board add some additional language that allows for cooperation with different model programs within the community for delivery of emergency medical care services. Chair Adams further recommended approving the revised letter.

The Board moved to approve the letter support for Western Sierra Health Clinic's Section 330(e) Service Area Competition Application (HRSA-17-054).

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

- 9.C. Appointment to the Mental Health Advisory Board. (CLERK OF THE BOARD)

The Board moved to appoint Jason Purvis to the Mental Health Advisory Board.

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

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**11. CLOSED SESSION**

- 11.A. Closed Session pursuant to Government Code Section 54957 - performance review regarding Director of Health and Human Services.
- 11.B. Closed Session pursuant to Government Code Section 54957 to consider employee discipline/dismissal/release.

The Board met in closed session from 10:50 a.m. to 12:19 p.m. County Counsel reported on both items noting direction was given to staff.

**13. CORRESPONDENCE LOG**

- 13.A. Response from the Sierra County Board of Supervisors to the 2015/2016 Grand Jury Report.

No action taken.

- 13.B. E-mail correspondence regarding interdistrict attendance agreements affecting Verdi, California children.

No action taken.

**ADJOURN**

At 12:20 p.m., with no further business, Chair Adams adjourned the meeting.

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LEE ADAMS, CHAIR  
BOARD OF SUPERVISORS

ATTEST:

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HEATHER FOSTER  
CLERK OF THE BOARD