



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

Lee Adams, District 1

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Peter W. Huebner, District 2

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Paul Roen, Chair, District 3

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Terry LeBlanc, District 4

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Sharon Dryden, Vice Chair, District 5

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on February 1, 2022. This meeting was recorded for posting on the Board of Supervisors' website at www.sierracounty.ca.gov.

PLEDGE OF ALLEGIANCE: Led by Supervisor Dryden

ROLL CALL

Present: Lee Adams, Supervisor, District #1
Peter W. Huebner, Supervisor, District #2
Paul Roen, Supervisor, Chair, District #3
Terry LeBlanc, Supervisor, District #4
Sharon Dryden, Supervisor, Vice Chair, District #5

Staff: Heather Foster, County Clerk-Recorder
David Prentice, County Counsel
Van Maddox, Auditor/Treasurer Tax Collector
Tim Beals, Director of Planning/Public Works/Transportation/OES
Lea Salas, Director of Behavioral Health
Vickie Clark, Director of Health and Social Services

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APPROVAL OF THE CONSENT AGENDA

The Board moved to approve the Consent Agenda.

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

13. CONSENT AGENDA

13.A. Resolution adopting the updated Sierra County Protocols For Maintaining a Safe and Healthy Workplace in Light of COVID-19. (PERSONNEL)

ADOPTED, Resolution 2022-007

13. B. Resolution adopting the updated Sierra County Management of COVID-19 Workplace Tracing, Investigations, and Staff Notifications Policy. (PERSONNEL)

ADOPTED, Resolution 2022-008

13.C. Resolution adopting the updated COVID-19 addendum for the Sierra County Illness and Injury Prevention Program Policy. (PERSONNEL)

ADOPTED, Resolution 2022-009

13.D. Resolution adopting amended Schedule F Health & Social Services/Behavioral Health and Schedule I Probation to Resolution 2018-024, Sierra County Fee Schedules. (CLERK-RECORDER)

ADOPTED, Resolution 2022-010

13.E. Resolution approving contract for HAVA Section 301 Voting Systems Program Grant Funds. (ELECTIONS)

ADOPTED, Resolution 2022-011

APPROVED, Agreement 2022-009

13.F. Minutes from the regular meeting held on December 21, 2021. (CLERK OF THE BOARD)

13.G. Minutes from the regular meeting held on January 4, 2022. (CLERK OF THE BOARD)

13.H. Minutes from the special meeting held on January 24, 2022. (CLERK OF THE BOARD)

APPROVAL OF THE REGULAR AGENDA

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At the request of Supervisor Adams, Correspondence Item 14.A. was moved to the Regular Agenda as Item 8.D.

14.A. Letter from Donna Stone, Chief Executive Officer of Northern California EMS, Inc. requesting a donation to the Dan Spiess Certification Assistance Fund.

The Board moved to approve the Regular Agenda as amended.

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

REGULAR

AGENDA

2. PUBLIC COMMENT OPPORTUNITY

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

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Chair Roen reported on a recent meeting of the North Yuba Forest Partnership.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Director of Health and Social Services reported on engaging in a new CAEHA (California Environmental Health Administrators) contract which will be on the February 15, 2022, agenda; pursuing another CUPA trust to support bringing in a contractor to do the underground storage tank CUPA work; having made an offer of employment for the Senior Public Health Nurse position; and the status of the Public Health remodel project.

The Director of Behavioral Health reported on the external quality review of the drug and alcohol and mental health systems of care; the upcoming triannual review on February 15, 2022; and the receipt of the Behavioral Health Quality Improvement Program funds in the amount of \$250,000.

The Director of Planning reported on the Downieville Community Hall project; the status of the acquisition of the Sierraville School; and an upcoming call with the County Planning Directors and the Executive Director of the Board of Forestry regarding the issuance of the Board of Forestry's rules.

Supervisor Adams indicated that RCRC has filed suit against the Board of Forestry.

Chair Roen commented on the CalFire Director position and the plan to hire a forester to fill the position.

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The Director of Planning continued to report on the LTC (Local Transportation Commission) work program; redefining the distribution of the Homeland Security Grant funds to meet the needs of the Sheriff; and the State Fire Safe Council having paid the first invoice for advance funding in the amount of \$35,000.

5. FOREST SERVICE UPDATE

Yuba River District Ranger Lon Henderson reported on various matters going on in the district.

In response to the Director of Planning's inquiry regarding the status of the opening of the Sierra, Chapman, Yuba Pass and Ramshorn campgrounds, Ranger Henderson indicated that the hazard tree coordinator moved onto a different position, however they have a grant with the National Forest Foundation who just hired a vegetation manager officer which should help expedite the work on the campgrounds.

Supervisor Adams expressed frustration with the Forest Service taking two or three years to remove trees from the campgrounds.

Ranger Henderson indicated that the Forest Service is also frustrated as these are prime recreation sites. Ranger Henderson further explained that they are currently focused on storm damage clean up at this time.

The Director also expressed frustration and commented on the pressure from the business community as these campground closures have a large impact to these businesses. The Director further inquired as to whether there is anyway the county can help accelerate the removal of these trees under the stewardship agreement between the Forest Service and the county.

Ranger Henderson indicated that he believes there are some opportunities under the stewardship agreement.

Supervisor Adams continue to express his frustration with the Forest Service not opening these campgrounds.

Acting Sierraville District Ranger Rachel Hutchison provided an update on burning at Loyalton Pines; the status of hiring a Ranger Program Manager based out of Sierraville; considering applying for green sticker funds to implement the plan for the Little Truckee Summit parking area; and starting the planning process for Sierra Buttes Stewardship trail that ties into the Little Truckee Summit parking area.

Chair Roen commented that he would like to visit with Ranger Hutchison regarding the Ranger Program Manager position and include Tracy Schohr, UC Cooperative Extension, in the discussion.

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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.

The Auditor provided brief background on the tax sale process which will take place in May if the properties subject to sale are not redeemed before the sale.

In response to the Director of Planning's inquiry, the Tax Collector indicated that the properties subject to sale are located in Pike, Loyalton and Verdi.

The Board moved to adopt the approving sale of tax defaulted property subject to the Tax Collector's power to sell.

ADOPTED, Resolution 2022-012. Motion: Adams/LeBlanc/Unanimous Roll Call Vote: 5/0

7. BEHAVIORAL HEALTH - LEA SALAS

- 7.A. Resolution approving agreement between Tony Hoffman, high school and middle school substance use prevention speaker for Downieville and Loyalton, and Sierra County Behavioral Health, and authorizing Lea Salas, Administrative Director to sign the agreement.

The Director of Behavioral Health provided background on the proposed agreement.

The Board moved to adopt the resolution approving agreement between Tony Hoffman, high school, and middle school substance use prevention speaker for Downieville and Loyalton, and Sierra County Behavioral Health, and authorizing Lea Salas, Administrative Director to sign the agreement.

ADOPTED, Resolution 2022-013 and **APPROVED**, Agreement 2022-008

8. BOARD OF SUPERVISORS

- 8.A. CONTINUED COVID-19 PUBLIC HEALTH EMERGENCY UPDATE: Report from Sierra County Public Health, County Office of Emergency Services, County Department Managers, Forest Service Representatives, and other local agencies on recent developments relating to the COVID-19 Public Health Emergency and possible action/direction to staff. (CLERK OF THE BOARD)

The Director of Health provided an update on the case numbers within the state and county. The Director further commented on the large drop in vaccination demand

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and possibly moving to one clinic a month on both sides of the county beginning in March.

The Director continued to provide an update on the vaccination numbers within the county.

In response to Supervisor Dryden's inquiry, the Director clarified that her numbers for fully vaccinated are those who have received two doses, not boosted.

The Director continued to report on testing and testing inventory; the contact investigation and tracing contract; and surrounding county case numbers continuing to rise.

Supervisor Dryden commented on Sierra County's COVID-19 statistics and the public's fear and panic diminishing and wanting to move on with their lives.

The Director commented on the importance of the metrics and the impacts to businesses with the last surge.

11. TIMED ITEMS

11.A. 10:00 AM CONTINUED PUBLIC HEARING - BAARSMA NUISANCE PROCEEDING

Continued public hearing to determine existence of a nuisance as contained in a formal complaint filed with the Sierra County Planning Department in compliance with Chapter 8.20 of the Sierra County Code against Painter Eden Kyler Baarsma as the property owner for property located at 100 Main Street, Sierraville, CA, Assessor Parcel No. 015-052-001-000 and discussion/action with respect to findings and nuisance abatement process.

The Director of Planning commented on conversations he's had with Greg Bulanti (Realtor) and Mr. Baarsma who are actively pursuing listing the property which will hopefully resolve the immediate issues.

In response to Chair Roen's inquiry, the Director clarified that the realtor must provide full disclosure to any potential buyers and Mr. Bulanti has received the county's memo outlining the issues with the property.

The Director further recommended formally opening the public hearing and his request will be for a 30-to-45-day continuance.

At 10:16 a.m. Chair Roen opened the public hearing.

The Director reiterated that he has been in contact with the realtor who will be signing a listing agreement with Mr. Baarsma who has committed to selling the property.

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The Director continued to refer to his letter dated December 6, 2021 (Exhibit 2) which has been provided to the realtor and will have to be disclosed to any potential buyer, and the need for something to put the new owner on notice that they are in the middle of a nuisance proceeding and will have the same status as the current owner.

In response to County Counsel's inquiry, the Director indicated that the county has adopted an ordinance authorizing the recording of a notice of violation.

Considerable discussion ensued with the Board

The Director suggested closing the hearing, declare the existence of a nuisance, defer the abatement order for 30 days to determine the process, and move forward with recording a notice of violation.

Further discussion ensued.

Mr. Painter Baarsma, property owner, concurred with the statements made by the Board and the Director.

County Counsel clarified that by determining a nuisance exists on the property, it will keep a new buyer from litigating or challenging this issue.

The Clerk entered the following documents into the record:

Exhibit A – Email dated from January 25, 2022 from Greg Bulanti to the Director of Planning.

Exhibit B - Plan to stabilize the property submitted by Painter Baarsma, property owner to the Director of Planning.

The Director recommended closing the public hearing, declare the existence of a nuisance based on the findings within the December 6, 2021 letter to the Board (Exhibit 2), and direct the order of abatement 30 days from today.

At 10:32 a.m. Chair Roen closed the public hearing with no further persons addressing the Board.

The Board moved to declare the existence of a nuisance for property located at 100 Main Street, Sierraville, CA, Assessor Parcel No. 015-052-001-000, property owner Painter Eden Kyler Baarsma, directed the order of abatement in 30 days and authorized staff to record a notice of violation.

APPROVED. Motion: Adams/Dryden/Unanimous Roll Call Vote: 5/0

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- 8.B. Discussion/action regarding conducting meetings of the Sierra County Board of Supervisors in accordance with AB 361 and Sierra County Resolution 2021-140. (CLERK OF THE BOARD)

The Clerk briefly introduced the item.

Following brief discussion, the Board moved to return to conducting hybrid meetings in accordance with AB 361 and Sierra County Resolution 2021-140.

APPROVED. Motion: Dryden/LeBlanc/Majority Roll Call Vote: 4/1 (Supervisor Huebner NO)

- 8.C. Discussion/action on submitting comments on the California Natural Resources Agency (CNRA) Draft "Pathways to 30x30: Accelerating Conservation of California's Nature". (CHAIR ROEN)

Chair Roen provided background on the Draft "Pathways to 30x30: Accelerating Conservation of California's Nature" which proposes to conserve 30% of the land in California. Chair Roen continued to express concerns with CNRA's refusal to recognizing the conservation easements that are in perpetuity and the progressive actions taken by productive agricultural producers. Chair Roen further explained that if they would give concessions to the easements that are in perpetuity, it would far exceed 30%.

Tracy Schohr, UC Cooperative Extension, commented on behalf of ranchers and cattlemen of the Sierra Valley who support conservation and have invested their own dollars and time and partnered with government and nonprofits to enhance natural resources on private lands. Ms. Schohr added that many property owners have voluntarily entered their lands into conservation easements keeping their lands open in perpetuity, however the 30x30 plan fails to recognize these practices.

Discussion ensued with the Board.

Following discussion and by consensus, the Board direct staff to draft comments to the CNRA for consideration and approval at the February 15, 2022, meeting.

- 8.D. Letter from Donna Stone, Chief Executive Officer of Northern California EMS, Inc. requesting a donation to the Dan Spiess Certification Assistance Fund. (**Correspondence Item 14.A.**)

Supervisor Adams provided background on the request and recommended donating to the fund.

Following brief discussion and by consensus, the Board directed staff to add this request as an action item to the February 15, 2022, agenda.

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9. PUBLIC WORKS/TRANSPORTATION - TIM BEALS

- 9.A. Resolution rescinding Agreement 2021-125 and approving an updated Memorandum of Understanding with Pliocene Ridge Community Services District authorizing transfer of and specifying use of funds paid from PG&E to Sierra County related to PSPS events and Community Resource Center uses.

The Board moved to adopt the resolution rescinding Agreement 2021-125 and approving an updated Memorandum of Understanding with Pliocene Ridge Community Services District authorizing transfer of and specifying use of funds paid from PG&E to Sierra County related to PSPS events and Community Resource Center uses.

ADOPTED, Resolution 2022-014 and **APPROVED**, Agreement 2022-011. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

10. PLANNING / BUILDING - TIM BEALS

- 10.A. Approval of funding agreement with State Department of Housing and Community Development for the LEAP (2019 Local Early Action Planning) grant that was awarded to Sierra County.

The Director of Planning provided background on the LEAP and REAP funding which were designed to address development issues in and around Loyalton.

Supervisor Dryden clarified that this funding is not in the interest of any specific develop or property, rather to look at the overall infrastructure needs.

The Board moved to approve the funding agreement with State Department of Housing and Community Development for the LEAP (2019 Local Early Action Planning) grant that was awarded to Sierra County.

APPROVED, Agreement 2022-012. Motion: Dryden/LeBlanc/Unanimous Roll Call Vote: 5/0

- 10.B. Memorandum of Understanding (MOU) between the County of Sierra and the Sierra County Fire Safe and Watershed Council to establish protocols to cooperatively engage in establishing priorities and implementing a program of work to address catastrophic wildfires, forest and landscape treatments, and wildfire mitigation and prevention.

The Director of Planning provided background on the proposed Memorandum of Understanding which establishes a relationship between the county and the Sierra County Fire Safe and Watershed Council (Fire Safe Council) and requires the Fire Safe Council to remain in good standing and to participate as equal partners with the county.

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Considerable discussion ensued.

Comments were received by Don Russell on behalf of the Sierra County Fire Safe Council.

Following discussion, the Board moved to approve the Memorandum of Understanding (MOU) between the County of Sierra and the Sierra County Fire Safe and Watershed Council to establish protocols to cooperatively engage in establishing priorities and implementing a program of work to address catastrophic wildfires, forest and landscape treatments, and wildfire mitigation and prevention.

APPROVED, Agreement 2022-013. Motion: Dryden/Adams/Majority Roll Call Vote: 4/0/1 (Chair Roen ABSTAINED)

12. CLOSED SESSION

12.A. Closed Session pursuant to Government Code Section 54957 - performance review regarding Personnel Director.

CLOSED SESSION STATEMENT

The Board met in closed session from 11:20 a.m. to 11:55 a.m.

County Counsel reported that information and direction was given.

ADJOURN

At 11:55 a.m., with no further business, Chair Roen adjourned the meeting.

PAUL ROEN, CHAIR
BOARD OF SUPERVISORS

ATTEST:

HEATHER FOSTER
CLERK OF THE BOARD