



**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 January 19, 2021. 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 LeBlanc

**ROLL CALL**

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

**Staff:** Heather Foster, County Clerk-Recorder  
Amanda Uhrhammer, Deputy 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  
Mike Fisher, Sheriff/Coroner

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**APPROVAL OF CONSENT AGENDA**

The Board moved to approve the Consent Agenda.

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

**15. CONSENT AGENDA**

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

**ADOPTED,** Resolution 2021-007

15.B. Annual renewal of Probation's pre-trial electronic monitoring per 1203.018 PC and post-sentence electronic monitoring program per 1203.016 PC. (PROBATION)

15.C. Resolution approving agreement with Placer County for Sierra County juvenile hall placements. (PROBATION)

**ADOPTED,** Resolution 2021-008; **APPROVED,** Agreement 2021-004

15.D. Agreement between Sierra County and Placer County for pathology services. (SHERIFF)

**APPROVED,** Agreement 2021-005

15.E. Agreement for Indemnification and Reimbursement for Extraordinary Costs for Megan Davin and Brian Habicht, landowner and applicants. Consideration for Conditional Use Permit to live in a travel trailer during construction on 109 Aspen Court in Calpine, Assessor's Parcel Number 012-190-033. (PLANNING)

**APPROVED,** Agreement 2021-006

15.F. Resolution authorizing Auditor to make changes to the 2021 Final Budget to reflect revenues and fixed asset expenditures related to the heavy equipment purchase under the Carl Moyer Grant. (PUBLIC WORKS)

**ADOPTED,** Resolution 2021-009

15.G. Resolution approving the surplus of one vehicle from the Social Services Department to the General Fund. (SOCIAL SERVICES)

**ADOPTED,** Resolution 2021-010

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- 15.H. Resolution adopting the amended Sierra County Injury and Illness Prevention Policy to update COVID addendum pursuant to OSHA requirements. (PERSONNEL)

**ADOPTED**, Resolution 2021-011

- 15.I. Resolution adopting the necessary updates to Resolution 2020-104, Sierra County Protocols for Maintaining a Safe and Healthy Workplace in light of COVID-19. (PERSONNEL)

**ADOPTED**, Resolution 2021-012

- 15.J. Minutes from the regular meeting held December 1, 2020. (CLERK OF THE BOARD)
- 15.K. Minutes from the regular meeting held December 15, 2020. (CLERK OF THE BOARD)

## **REGULAR AGENDA**

At the request of the Director of Public Works, Item 2 within Regular Agenda Item 12.A. was pulled from the agenda.

- 12.A. Discussion and direction on matters pertaining to Sierra Brooks Water System as follows: 1) update on water system project contract, budget and schedule for expected notice of completion of the project; 2) ~~approval for granting "amnesty" for penalties and fees for those limited number of accounts that are currently delinquent on monthly operation and maintenance assessments;~~ and 3) approval of an offer to a very limited number of property owners for the costs of replacing PRV (Pressure Reducing Valves) removed from within existing meter boxes by the contractor.

The Board moved to approve the Regular Agenda as amended.

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

## **2. PUBLIC COMMENT OPPORTUNITY**

At 9:04 a.m. Chair Adams opened and closed the public comment opportunity with no persons addressing the Board.

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

Chair Adams congratulated Chuck Henson on his appoint to Chief Probation Officer.

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Supervisor Roen reported on Sierra Valley Groundwater Management District meeting with respect to the SIGMA process moving forward and the appointment of Plumas County Supervisor Ceresola as the Board representative to this District and the Northern Sierra Air Quality Management Board.

Chair Adams reported on the swearing in of Mono County Supervisor Stacy Corless as RCRC's Chair at their annual meeting last Wednesday and the RCRC Executive Board meeting this Friday to conduct interviews for the new RCRC President.

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

The Director of OES reported on status of the PPE distribution to local businesses.

In response to Supervisor Roen's inquiry, the Director indicated that there are no limitations on the amount of PPE requests so long as it is within reason.

The Director continued to report on his request to the Forest Service for a meeting to resolve the financial agreement and MOU with the Forest Service for the North Yuba Project to proceed and Danielle Bradfield willing to proceed with a contract with the County.

The Director also reported on Sierra County's participation in the household hazardous waste event held in Portola a few months ago and the Planning Commission having approved the AT&T cell tower project in Downieville, proposing amendments to the County Code pertaining to electric charging stations, and looking at VRBO/Airbnb issues in the County.

The Director of Health and Social Services reported on regional managed care for Medi-Cal population which is gaining traction and recruitment efforts for the Infectious Disease Nurse and Fiscal Officer positions.

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

Tahoe National Forest Supervisor Eli Ilano presented a PowerPoint to the Board on the Tahoe National Forest 2021 update.

Supervisor LeBlanc commented that he might be able to provide some highlight points to the Forest Service as he used to run the High Sierra Camp back in the 90's with Yuba District Ranger Jeannie Masquelier and has been involved with the Forest Service and campgrounds for years.

#### **6. SUPERIOR COURT - ANN MENDEZ**

- 6.A. Resolution modifying the Civil Grand Jury for Sierra County term from a fiscal year to a calendar year.

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The Honorable Judge Ervin provided background on the request to adjust the Grand Jury term to a calendar year given the current circumstances.

Discussion ensued with the Board and Judge Ervin regarding the change in the term for the Grand Jury.

Following discussion, the Board moved to adopt the resolution modifying the Civil Grand Jury for Sierra County term from a fiscal year to a calendar year.

**ADOPTED**, Resolution 2021-013. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

**FOREST SERVICE UPDATE continued**

Sierraville District Ranger Quentin Youngblood responded to Supervisor Dryden's inquiries regarding the status of the Smithneck project which was not funded by the Sierra Nevada Conservancy last fall due to lack of funding, however they are resubmitting this project for the next round of Sierra Nevada Conservancy funding this spring.

- 9.B. Report and discussion on Snow Grooming Program as it relates to the COVID-19 Update.

Sierraville District Ranger Quentin Youngblood commented on the increase snowmobile traffic and the importance of engaging in a conversation with the County regarding concerns over the spread of COVID as well as recreational users embracing outdoor activities in order to limit the spread. Ranger Youngblood further commented that the State has assured them that the operations at Yuba Pass and Little Truckee Summit are in complete compliance with the Governor's order.

The Director of Public Works commented that the aspect of recreation had not been addressed and he wants to make sure the County has a proper policy in place as it relates to the snow grooming program and the COVID-19 protocols. The Director further recommended operating as usual as his assumption is outdoor recreation is not a use that is prohibited by the COVID-19 protocols.

Supervisor Adams recommended continuing the program unless there is an issue.

The Director of Health commented that having outdoor recreation available to the public is a good thing, however Public Health is concerned with illegal camping and partying.

Discussion ensued regarding the Governor supporting outdoor recreation.

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Following discussion and by consensus, the Board determined not to take any action at this time and directed staff to bring this matter back if issues arise.

### **13. TIMED ITEMS**

#### **13.A. 10:00AM PUBLIC HEARING - FIRE DEVELOPMENT IMPACT FEE - SIERRA COUNTY FIRE PROTECTION DISTRICT NO. 1**

- 1) Conduct public hearing to address a proposed increase to the Fire Development Impact Fee to be paid by certain new development/construction within the boundaries of the Sierra County Fire Protection District No. 1.
- 2) Resolution increasing the Fire Development Impact Fee to be paid by certain new development/construction within the boundaries of the Sierra County Fire Protection District No. 1, from \$1.25 per building square foot to \$1.90 per building square foot and authorizing an automatic increase each fiscal year, using the Engineering News Record San Francisco Construction Cost Index March to March percentage change for the prior twelve months, as documented in the Nexus Fee Study, dated July 15, 2020.
- 3) Introduction and waive first reading of an ordinance amending Section 12.06.050 of the Sierra County Code pertaining to the Sierra County Fire Protection District No. 1 Fire Development Impact Fee.

The Director of Planning provided background on the proposed increase to the fire development impact fee which is collected during the building permit process and subsequently transferred to the Fire District to be used to address the impact of new development within the District.

The Director continued to review the new capital improvement plan and schedule of fees; amending the fees by resolution rather than an ordinance; the proposed ordinance amendment to change the building categories that are impacted by the fee; and the annual fee escalation.

Tom Archer, Commissioner, Sierra County Fire Protection District, indicated the consensus of the District was to present this as formatted and to have the fee reviewed by resolution and to adopt the structures subject to the fee through the ordinance.

In response to Supervisor Dryden's inquiry as to the pros and cons of approving this, Mr. Archer explained this keeps the fee up with inflation and is a minimal increase. Mr. Archer added that they do not see a downside to doing this and that this is financially responsible.

At 10:28 a.m. Chair Adams opened the public hearing.

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The Director requested the following documents be entered into the record:

Exhibit 1 – Board of Supervisors record of proceeding and background documentation from the September 15, 2020 and January 19, 2021 meetings.

Supervisor Roen requested what the escalation fee will be.

Rick Maddalena, Commissioner, Sierra County Fire Protection District, responded that it would be approximately seven cents at 3%, however it generally does not go up 3%.

Supervisors Roen and Dryden expressed concerns with the escalation fee and the impacts going forward.

Discussion ensued regarding the annual escalation fee and what options exist to have the Board review the escalation fee annually before it goes into effect.

The Director questioned if there is a process to have the escalation be automatic but have a process for the Board to review it before it goes into effect in the event the Board feels the fee is out of line or not warranted.

Assistant County Counsel responded that the escalation can be automatic, but subject to review by the Board on an annual basis.

At 10:40 a.m. Chair Adams closed the public hearing with no further persons addressing the Board.

Mr. Archer clarified that the District provides an annual report on the fire mitigation fees collected and how they have been utilized.

Following brief discussion, the Board continued this item to later in the meeting to make changes to the language in the proposed resolution to reflect the annual review of the escalation fee by the Board.

## **7. HEALTH & SOCIAL SERVICES - VICKIE CLARK**

7.A. Resolution approving an agreement between the Downieville Fire Protection District and Sierra County Public Health regarding the Local Health Jurisdiction Epidemiology and Laboratory Capacity (ELC) Program pass through funds and authorizing Vickie Clark, Director, to sign the agreement.

The Director of Health and Social Service provided background on the proposed agreement between the Downieville Fire Protection District and Sierra County Public Health which will increase their capacity to provide testing resources to the west side of the County through Frank Lang and the Downieville Fire Protection District.

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The Board moved to adopt the resolution approving an agreement between the Downieville Fire Protection District and Sierra County Public Health regarding the Local Health Jurisdiction Epidemiology and Laboratory Capacity (ELC) Program pass through funds and authorizing Vickie Clark, Director, to sign the agreement.

**ADOPTED**, Resolution 2021-014; and **APPROVED**, Agreement 2021-007. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

**13.B. 10:30AM SHERIFF'S OFFICE K-9 PROGRAM**

Presentation and adoption of resolution authorizing funding generated through Sierra County District Attorney's Office Consumer Protection Program, and acceptance of donations from the Mendocino County District Attorney's Office for the implementation and ongoing costs of the Sheriff's Office K-9 Program.

Chair Adams commented that the Sheriff is not available and recommended continuing this item to the next meeting.

By consensus, this item was continued to the next meeting.

11.C. Discussion/action regarding appointments to commissions, board and associations; standing committee; term appointments made by the full board; and ad-hoc committees for 2021 Calendar Year. (CLERK OF THE BOARD)

The Board moved to approve the appointments to commissions, board and associations; standing committees; term appointments; and ad-hoc committees for the 2021 Calendar year as amended to appoint Supervisor LeBlanc as the Board Representative to the Behavioral Health Advisory Board.

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

11.D. Appointment to the Pliocene Ridge Community Services District. (CLERK OF THE BOARD)

The Board moved to appoint Larry Allen to the Pliocene Ridge Community Services District.

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

**8. PLANNING / BUILDING - TIM BEALS**

- 8.A. Discussion/direction/adoption of resolutions authorizing the REAP and LEAP planning grants administered through State Department of Housing and Community Development that will be directed to assisting the County in working with two properties adjacent to the City of Loyalton (former Loyalton Mobilehome Park and former SPI Mill Property) and to allow development of certain county policies that would streamline housing projects within existing communities.

The Director of Planning provided background on the proposed resolutions which will enable the Planning Department to pursue two funding sources that became available subsequent to the adoption of the housing element. The Director explained that the two planning grants are the Local Early Action Planning (LEAP) and the Regional Early Action Planning (REAP) planning grants which favor increases in housing stock and have a high emphasis on low- and moderate-income housing where possible. If approved for funding, the grant agreement would come back before the Board and is an excellent opportunity for the County to be proactive in ordinance development that streamlines housing, addresses alternative density units, and addresses density bonus options for property and the coordination with the City of Loyalton to focus on two properties: the former SPI mill property and biomass plant and the former Loyalton Mobile Home Park.

The Director further clarified that the intent is not to push a property owner to a specific development, rather provide the infrastructure that allows the County and developer to move forward on a project; the primary focus of the funds would be to address the condition of the infrastructure.

Supervisor Dryden clarified that there is no bias or commitment in this request or the housing element update.

The Director continued to review the purposes of the LEAP and REAP planning grants administered through State Department of Housing and Community Development.

The Board moved to adopt the resolution authorizing the LEAP planning grant administered through State Department of Housing and Community Development.

**ADOPTED**, Resolution 2021-015. Motion: Roen/LeBlanc/Unanimous Roll Call Vote: 5/0

The Board moved to adopt the resolution authorizing the REAP planning grant administered through State Department of Housing and Community Development.

**ADOPTED**, Resolution 2021-016. Motion: Roen/LeBlanc/Unanimous Roll Call Vote: 5/0

**11. BOARD OF SUPERVISORS**

- 11.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 developments to the COVID-19 Public Health Emergency and possible action/direction to staff. (CLERK OF THE BOARD)

The Director of Health reported on Sierra County still showing in the Orange Tier; the stay-at-home order for the Greater Sacramento Region being lifted; the increase in the number of cases within the County and believing the County should be in the Red or Purple Tier; the County Health Officer having the ability to impose stricter restrictions than what the State has imposed on the County; the new variant of the virus; testing availability and locations; and the limited vaccine availability.

The Director of OES reported on PPE distribution and the EMPG grant in the amount of \$75,000 which expires in October.

The Sheriff briefly reported on the status of the fire at the Sierra City transfer station.

The Sheriff continued to report on working with the Director of OES and the Director of Health on the distribution of PPE.

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

- 9.A. Waive second reading and adoption of Ordinance Repealing Part 150, Chapter 11, Section 05 (Ordinance 1093) to Sierra County Code which implemented weight restrictions on the Pearl Street (Hansen) Bridge, 13C0003.

The Board moved to waive the second reading and adopt the Ordinance Repealing Part 150, Chapter 11, Section 05 (Ordinance 1093) to Sierra County Code which implemented weight restrictions on the Pearl Street (Hansen) Bridge, 13C0003.

**ADOPTED**, Ordinance-1096. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

- 9.C. Resolution transferring COVID 19 Relief Funding into the OES budget for PPE supplies for county use and for business distribution.

The Board moved to adopt the resolution transferring COVID 19 Relief Funding into the OES budget for PPE supplies for county use and for business distribution.

**ADOPTED**, Resolution 2021-017. Motion: Huebner/Roen/Unanimous Roll Call Vote: 5/0

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**Item 13.A. continued**

- 2) Resolution increasing the Fire Development Impact Fee to be paid by certain new development/construction within the boundaries of the Sierra County Fire Protection District No. 1, from \$1.25 per building square foot to \$1.90 per building square foot and authorizing an automatic increase each fiscal year, using the Engineering News Record San Francisco Construction Cost Index March to March percentage change for the prior twelve months, as documented in the Nexus Fee Study, dated July 15, 2020.

Assistant County Counsel read the changes to the proposed resolution as follows:

3. Allow review of the automatic annual increase yearly by the Sierra County Board of Supervisors in conjunction with the receipt of the annual report regarding expenditure of fees. *Further, require review and approve of the fees every five years by the Sierra County Board of Supervisors.*

The Board moved to adopt the resolution increasing the Fire Development Impact Fee to be paid by certain new development/construction within the boundaries of the Sierra County Fire Protection District No. 1, from \$1.25 per building square foot to \$1.90 per building square foot and authorizing an automatic increase each fiscal year, using the Engineering News Record San Francisco Construction Cost Index March to March percentage change for the prior twelve months, as documented in the Nexus Fee Study, dated July 15, 2020 as amended to include the above language in Section 3 of the proposed resolution.

**ADOPTED as amended,** Resolution 2021-018. Motion: Roen/Huebner/Unanimous  
Roll Call Vote: 5/0

- 3) Introduction and waive first reading of an ordinance amending Section 12.06.050 of the Sierra County Code pertaining to the Sierra County Fire Protection District No. 1 Fire Development Impact Fee.

The Board moved to waive the first reading of an ordinance amending Section 12.06.050 of the Sierra County Code pertaining to the Sierra County Fire Protection District No. 1 Fire Development Impact Fee.

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

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**10. PERSONNEL DIRECTOR - MARGARET LONG**

10.A. Resolution adopting the Sierra County Management of COVID-19 Workplace Contact Tracing Investigations and Staff Notifications Policy.

Personnel Analyst Judi Behlke provided background on the Sierra County Management of COVID-19 Workplace Contact Training Investigations and Staff Notifications Policy.

In response to Supervisor Dryden's inquiry, the Personnel Director explained that this policy is what is required by OSHA.

The Board moved to adopt the resolution adopting the Sierra County Management of COVID-19 Workplace Contact Tracing Investigations and Staff Notifications Policy.

**ADOPTED**, Resolution 2021-019. Motion: Roen/Huebner/Unanimous Roll Call Vote: 5/0

11.B. Discussion/action regarding the Draft California Farmland Conservancy Program (CFCP) Guidelines. (SUPERVISOR ROEN)

Supervisor Roen requested authorization for himself and the Director of Planning to attend the public workshop regarding the Draft California Farmland Conservancy Program (CFCP) Guidelines.

By consensus, the Board authorized Supervisor Roen and the Director of Planning to attend the public workshop.

**12. COUNTY BOARD OF SUPERVISORS AND COUNTY SERVICE AREAS JOINT MEETING**

12.A. Discussion and direction on matters pertaining to Sierra Brooks Water System as follows: 1) update on water system project contract, budget and schedule for expected notice of completion of the project; 2) ~~approval for granting "amnesty" for penalties and fees for those limited number of accounts that are currently delinquent on monthly operation and maintenance assessments;~~ and 3) approval of an offer to a very limited number of property owners for the costs of replacing PRV (Pressure Reducing Valves) removed from within existing meter boxes by the contractor.

At 12:02 p.m., Vice-Chair Adams convened as the County Board of Supervisors and County Service Area joint meeting.

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1) Update on water system project contract, budget and schedule for expected notice of completion of the project.

The Director of Public Works provided an update on the Sierra Brooks Water System project.

In response to Supervisor Dryden's inquiry, the Director clarified they will file the notice of completion on the project as soon as they receive the second clean water test due to some contamination.

3) Approval of an offer to a very limited number of property owners for the costs of replacing PRV (Pressure Reducing Valves) removed from within existing meter boxes by the contractor.

The Director provided background on the request to reimburse approximately 10 property owners to replace the PRV's (Pressure Reducing Valves) that were removed from within the existing meter boxes. The Director further recommended giving these property owners an option to be reimbursed for the restoration of the PRV, which is approximately \$100 for the PRV, \$40 for the green box and an estimated 1.5 hours of labor, upon presentation of receipts.

Supervisor Dryden commented she believes this is the right thing to do and fits within the project budget.

Board discussion ensued.

The Board moved to approve the offer to reimburse property owners, up to \$100 for the PRV (\$50 for the green box and 1.5 hours of labor at \$100 per hour upon presentation of receipts) in an amount not to exceed \$5,000.

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

At 12:21 p.m., Chair Adams adjourned the joint meeting of the Board of Supervisors and County Service Area Board of Directors and reconvened as the Board of Supervisors.

#### **14. CLOSED SESSION**

14.A. Closed Session pursuant to Government Code Section 54957 - performance review regarding County Counsel.

The Board met in closed session from Closed Session 12:22 p.m. to 2:51 p.m.

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**16. CORRESPONDENCE LOG**

16.A. California Forestry Association update to the Coalition for Owls, Resources, and the Environment (CORE) members on the status of the lawsuit involving the U.S. Fish and Wildlife Service and the decision not to list the California Spotted Owl as endangered.

No action taken.

**ADJOURN**

At 2:51 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