



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

**Lee Adams, District 1**

P.O. Box 1 - Downieville, CA 95936 - 530-289-3506 - [supervisor1@sierracounty.ca.gov](mailto:supervisor1@sierracounty.ca.gov)

**Peter W. Huebner, District 2**

P.O. Box 349 - Sierra City, CA 96125 - 530-565-6055 - [phuebner@sierracounty.ca.gov](mailto:phuebner@sierracounty.ca.gov)

**Paul Roen, Chair, District 3**

P.O. Box 43 - Calpine, CA 96124 - 530-565-6048 - [supervisor3@sierracounty.ca.gov](mailto:supervisor3@sierracounty.ca.gov)

**Jim Beard, Vice-Chair, District 4**

P.O. Box 1140 - Loyalton, CA 96118 - 530-565-6092 - [jbeard@sierracounty.ca.gov](mailto:jbeard@sierracounty.ca.gov)

**Sharon Dryden, District 5**

P.O. Box 246 - Loyalton, CA 96118 - 530-913-9218 - [sdryden@sierracounty.ca.gov](mailto:sdryden@sierracounty.ca.gov)

The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on March 5, 2019 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](http://www.sierracounty.ca.gov).

**PLEDGE OF ALLEGIANCE:** Led by Supervisor Dryden

**ROLL CALL**

**Present:** Peter W. Huebner, Supervisor, District #2  
Paul Roen, Supervisor, Chair, District #3  
Jim Beard, Supervisor, Vice-Chair, District #4  
Sharon Dryden, Supervisor, District #5

**Absent:** Lee Adams, Supervisor, District #1

**Staff:** Heather Foster, County Clerk-Recorder  
Amanda Uhrhammer, Deputy County Counsel  
Van Maddox, Auditor/Treasurer Tax-Collector  
Tim Beals, Director of Planning and Transportation  
Lea Salas, Director of Behavioral Health  
Vickie Clark, Director of Health and Social Services

March 5, 2019

## **APPROVAL OF CONSENT AGENDA**

The Board moved to approve the Consent Agenda.

**APPROVED.** Motion: Dryden/Huebner/Unanimous Roll Call Vote: 4/0/1 (Supervisor Adams ABSENT)

### **12. CONSENT AGENDA**

- 12.A. Authorization to sign letter in support of Governor's January Budget proposal to revise the County In-Home Supportive Services (IHSS) Maintenance of Effort (MOE). (SOCIAL SERVICES)
- 12.B. Approval of travel reimbursement for Peter Huebner, January 2019. (AUDITOR)
- 12.C. Resolution approving Master Agreement Administering Agency-State Agreement for Federal-Aid Projects with the State of California. (PUBLIC WORKS)

**ADOPTED,** Resolution 2019-025

**APPROVED,** Agreement 2019-013

- 12.D. Resolution approving Program Supplement Agreement No. F-031 to Administering Agency-State Agreement No. 03-5913 F15, related to Emergency Relief Funding for Ridge Road Site 1 from the 2017 storm damage. (PUBLIC WORKS)

**ADOPTED,** Resolution 2019-026

**APPROVED,** Agreement 2019-014

- 12.E. Resolution approving Program Supplement Agreement No. 032-F to Administering Agency-State Agreement No. 03-5913 F15, related to Emergency Relief Funding for Mountain House Road Site 1 from the 2017 storm damage. (PUBLIC WORKS)

**ADOPTED,** Resolution 2019-027

**APPROVED,** Agreement 2019-015

- 12.F. Resolution approving Program Supplement Agreement No. 033-F to Administering Agency-State Agreement No. 03-5913 F15, related to Emergency Relief Funding for Mountain House Road Site 2 from the 2017 flood damage. (PUBLIC WORKS)

**ADOPTED,** Resolution 2019-028

**APPROVED,** Agreement 2019-016

March 5, 2019

- 12.G. Resolution approving Program Supplement Agreement No. 034-F to Administering Agency-State Agreement No. 03-5913 F15, related to Emergency Relief Funding for Mountain House Road Site 3 from the 2017 storm damage. (PUBLIC WORKS)

**ADOPTED**, Resolution 2019-029  
**APPROVED**, Agreement 2019-017

- 12.H. Resolution approving Program Supplement Agreement No. 035-F to Administering Agency-State Agreement No. 03-5913 F15, related to Emergency Relief Funding for Mountain House Road 4 a and b sites from the 2017 storm damage. (PUBLIC WORKS)

**ADOPTED**, Resolution 2019-030  
**APPROVED**, Agreement 2019-018

- 12.I. Resolution approving Program Supplement Agreement No. 036-F to Administering Agency-State Agreement No. 03-5913 F15, related to Emergency Relief Funding for Gold Lake Road Site from the 2017 storm damage. (PUBLIC WORKS)

**ADOPTED**, Resolution 2019-031  
**APPROVED**, Agreement 2019-019

- 12.J. Resolution approving Program Supplement Agreement No. 037-F to Administering Agency-State Agreement No. 03-5913 F15, related to Emergency Relief Funding for Smithneck Road Site from the 2017 storm damage. (Public Works)

**ADOPTED**, Resolution 2019-032  
**APPROVED**, Agreement 2019-020

- 12.K. Resolution approving Program Supplement Agreement No. 038-F to Administering Agency-State Agreement No. 03-5913 F15, related to Emergency Relief Funding for Ridge Road Site 2 from the 2017 storm damage. (PUBLIC WORKS)

**ADOPTED**, Resolution 2019-033  
**APPROVED**, Agreement 2019-021

- 12.L. Minutes from the regular meeting held on February 19, 2019. (CLERK-RECORDER)

March 5, 2019

## **APPROVAL OF REGULAR AGENDA**

The Board moved to approve the Regular Agenda.

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

## **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**

Supervisor Huebner commented on the written report he provided on the meeting regarding the Sierra Valley Apartments.

Chair Roen reported on a meeting to be held in Calpine on March 14, 2019 with Plumas-Sierra Telecommunications regarding broadband.

Supervisor Dryden reported on the JJCC and CCP meetings and CSAC's New Supervisor Training she attended in Sacramento.

Supervisor Beard reported the Behavioral Health Advisory Board will meet on Thursday at 9:00 a.m. in Loyalton.

Chair Roen reported that he will attend the Sierra Nevada Conservancy meeting to be held tomorrow.

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

The Director of Health and Social Services reported on the upcoming Quality Assurance Audit for the IHSS program and starting the county self-assessment in child protective services in May.

The Director of Behavioral Health reported on the upcoming MHSA audit in March, the desk audit for the substance abuse disorder program, and with respect to their managed care plans they will now be reimbursed through Anthem for time and travel.

Judi Behlke provided a brief report on accepting her new position as the Personnel Analyst under the Personnel Director.

March 5, 2019

## **COMMITTEE REPORTS & ANNOUNCEMENTS CONTINUED**

Supervisor Beard reported on the Safe Talk class to be held class on March 19<sup>th</sup> from 1:00-4:30 p.m. in the Loyalton City Council meeting room.

### **7. ASSESSOR / SOLID WASTE ADMINISTRATOR - LAURA A. MARSHALL**

- 7.A. Approval of Memorandum of Understanding between Sierra County and Alpine County to share the cost for Megabyte Property Tax System services under Sierra County Agreements 2017-134 and 2017-135.

The Assessor provided background on Megabyte allowing Sierra County to add Alpine to Sierra County's agreements for service which will save Sierra County half of the conversion costs and approximately \$30,000 per year.

The Board moved to approve the Memorandum of Understanding between Sierra County and Alpine County to share the cost for Megabyte Property Tax System services under Sierra County Agreements 2017-134 and 2017-135.

**APPROVED**, Agreement 2019-022. Motion: Huebner/Beard/Unanimous Roll Call Vote: 4/0/1 (Supervisor Adams ABSENT)

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

Yuba District Ranger Lon Henderson provided an update on various matters going on in the District.

In response to Supervisor Huebner's inquiry, Ranger Henderson clarified that Engine 32 will be stationed in Downieville.

Discussion ensued regarding having the county included in the discussions for the North Yuba Watershed project.

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

- 6.A. Resolution adopting amendment to Resolution 2018-024, Schedule F, Fees and Charges for Health and Social Services/Behavioral Health.

The Director of Health and Social Services provide background on the amendment to the fees for the department.

The Board moved to adopt the resolution amending Resolution 2018-024, Schedule F, Fees and Charges for Health and Social Services/Behavioral Health.

March 5, 2019

**ADOPTED**, Resolution 2019-034. Motion: Dryden/Beard/Unanimous Roll Call Vote: 4/0/1 (Supervisor Adams ABSENT)

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

- 8.A. Resolution of intent and scheduling of a public hearing with regard to the proposed termination of a portion of Oregon Creek Road, County Road 295, specifically for the portion between the Zumalt property and the Kate Hardy Mine property.

The Director of Transportation provided brief background on the proposed resolution which sets forth the process outlined in the Streets and Highway Code in order to move forward with process to terminate the maintenance of a portion of the road.

The Board moved to adopt the resolution of intent and scheduling of a public hearing on April 2, 2019 at 10:00 a.m. in Downieville with regard to the proposed termination of a portion of Oregon Creek Road, County Road 295, specifically for the portion between the Zumalt property and the Kate Hardy Mine property.

**ADOPTED**, Resolution 2019-035. Motion: Huebner/Beard/Unanimous Roll Call Vote: 4/0/1 (Supervisor Adams ABSENT)

**9. COUNTY SERVICE AREA BOARD OF DIRECTORS**

Meeting of the County Service Area (CSA) Board of Directors.

At 9:33 a.m. Chair Roen recessed the Regular Board meeting and reconvened as the County Service Area Board of Directors.

At 9:36 a.m. Chair Roen recessed as the County Service Area Board of Directors and reconvened as the Board of Supervisors.

**11. TIMED ITEMS**

**11.A. 10:00AM PUBLIC HEARING - VACATION PROCEEDING**

Conduct public hearing and provide direction to staff with regard to resolution of intent to abandon (vacate) a portion of an offer of dedication that was offered in perpetuity to the County as part of the approval of the Sierra Valley Senior Community located on Hill Street adjacent to the City of Loyalton.

The Director of Transportation provided background on the proceeding initiated by the potential owner of the Sierra Valley Senior Community due to the discovery of an encroachment over the county's offer of dedication.

At 10:11 a.m. Chair Roen opened the public hearing.

March 5, 2019

Brian Bisnett, Bisnett Design Associates representing the purchaser of the Sierra Seniors property commented on the history of the site and the discovery of two of the units encroaching upon the offer of dedication to the county which encroachments raised a red flag with the lender and is impacting the purchaser's ability to finance the property.

Mr. Bisnett further suggested abandoning the offer of dedication with the exception of the northern most 60' wide by 80' long portion which provides access to the property and also clarified that the utilities are handled under a separate easement.

Jim Turner, American Renewable Power and adjacent landowner, expressed concerns regarding the encroachment and would propose doing more research with Nevada Energy and Liberty Utilities to make sure if they allow an encroachment that it will not impact the utility easement and their potential plans to enter into an agreement with Nevada Energy to install solar in the future.

The Director further reviewed and requested the following documents be entered into the record:

- Exhibit 1 - Record of Proceeding and attachments – 5 pages
- Exhibit 2- Record of Survey Map, Book 5, Page 76 – 1 page
- Exhibit 3 - Senior Community Property Complex Map – 1 page
- Exhibit 4 - General Plan map of areas outside of Loyalton – 1 page

The Director continued to review the issue of the creeping encroachment on the Senior Community Property which can be handled easily through a new encroachment permit which would accommodate Mr. Turner's concerns. The critical issue is whether the abandonment of the westerly 15' of the offer of dedication presents any issues for the property owners or for the county. From the county's perspective there is a general plan designation for potential development in and around that strip and the county would want to protect this interest which essentially protects the interest of Mr. Van Horne, Liberty Energy and American Renewable Energy.

The Clerk entered the following documents into the record:

- Exhibit A – Email from Brian Bisnett dated March 4, 2019 with attachments – 12 pages
- Exhibit B - Letter from Liberty Utilities dated March 5, 2019 – 2 pages

March 5, 2019

Discussion ensued with the Board regarding the letter received from Liberty Utilities and making sure this isn't abandoning the utility easement and what the possible alternatives are to resolve this issue.

Jim Turner suggested getting ahold of Liberty Utilities to work out the issues so this can move forward.

Following further discussion, the Board moved to continue the public hearing to March 19, 2019 at 11:15 a.m. in Loyalton and no further notice will be given.

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

**11.B. 10:30 AM HIV/PREVENTION HEALTH VAN**

Presentation by Sierra County Substance Abuse Counselor Dan Henson, CAODC, regarding the Plumas-Sierra HIV/Prevention Health Van.

Dan Henson, Substance Abuse Counselor provided background on the Opioid Coalition acquiring a HIV/Prevention Health Van which they can take to the underserved communities within the county that don't have access to services.

Mr. Henson further introduced Plumas County Health Education Coordinator Pete Wilson who has been helping with the paper work to bring the health van to Sierra County through a memorandum of understanding with Plumas County. Mr. Henson further clarified the only cost to the county would be a split cost in fuel.

Discussion ensued with the Board.

By consensus, the Board directed staff to bring the memorandum of understanding between Plumas and Sierra County for the use of the health van to the next meeting for consideration and approval.

**10. CLOSED SESSION**

10.A. Closed session pursuant to Government Code Section 54956.9 (d)(2) - conference with legal counsel - anticipated litigation - 2 cases.

10.B. Closed session pursuant to Government Code section 54956.9(a) - conference with legal counsel regarding the following litigation: Sierra County v. Michael Miller, Sierra County Superior Court Case No. 7637.

**CLOSED SESSION STATEMENT**

The Board met in closed session from 11:19 a.m. to 11:46 a.m. Deputy County Counsel reported that there was nothing to report out of closed session with respect to Items 10.A. and 10.B.



March 5, 2019

**9. COUNTY SERVICE AREA BOARD OF DIRECTORS**

Meeting of the County Service Area (CSA) Board of Directors.

At 11:47 a.m. Chair Roen recessed the Regular Board meeting and reconvened as the County Service Area Board of Directors.

At 11:51 a.m. Chair Roen adjourned as the County Service Area Board of Directors and reconvened as the Board of Supervisors.

**13. CORRESPONDENCE LOG**

13.A. Letter from California State Water Resources Control Board regarding denial of water quality certification for the Upper North Fork Feather River Hydroelectric Project.

No action taken.

13.B. Letter from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding an update on flood hazard mapping activities and notice of engineering models being used.

No action taken.

13.C. Letter of resignation from Shelly Fischer for the Sierra County Child Care Local Planning Council (LPC).

No action taken.

13.D. Notice from Plumas-Sierra Telecommunications regarding a meeting to be held on March 14, 2019 at 6:00 p.m. at the Calpine Community Hall to discuss plans to provide broadband service to Calpine, Sattley and Sierraville.

**ADJOURN**

At 11:51 a.m., with no further business, Chair Roen adjourned the meeting.

---

PAUL ROEN, CHAIR  
BOARD OF SUPERVISORS

ATTEST:

---

HEATHER FOSTER  
CLERK OF THE BOARD