

# COUNTY OF NEVADA

## STATE OF CALIFORNIA

*Heidi Hall, 1st District (Chair)*

*Ed Scofield, 2nd District*

*Dan Miller, 3rd District (Vice-Chair)*

*Susan Hoek, 4th District*

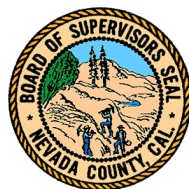
*Richard Anderson, 5th District*

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*Julie Patterson Hunter, Clerk of the Board*

*Alison Lehman, County Executive Officer*

*Katharine L. Elliott, County Counsel*



## BOARD OF SUPERVISORS

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## SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, November 12, 2019	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

### REGULAR MEETING: 9:00 AM

*Rollcall*

*The following Supervisors present:*

*Heidi Hall, 1st District*

*Ed Scofield, 2nd District*

*Dan Miller, 3rd District*

*Susan Hoek, 4th District*

*Richard Anderson, 5th District*

### STANDING ORDERS:

Chairman Anderson called the meeting to order at 9:00 A.M.

Pledge of allegiance led by Mr. Donn Coenen, District II resident.

Corrections and/or deletions to agenda.

ACTION TAKEN: No corrections and/or deletions to the agenda were noted.

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**SCHEDULED ITEMS: 9:01 A.M.****Public Comment:**

ACTION TAKEN: The following members provided comment: Ms. Linda Chaplin, District I resident; Mr. Wade Laughter, District I resident; Reverend Donna Glory, County resident; Mr. Richard Vannuzzi, County resident; Mr. Brian Snyder, District I resident and FREED representative; Mr. Donn Coenen, District II resident; Ms. Barbara Larsen, District I resident; and Mr. Dick Law, District I resident.

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**Clerk of the Board: Julie Patterson Hunter**

1. [SR 19-0965](#) Resolution proclaiming December 14, 2019 as Nevada County Food & Toy Run Day. (Thom Staser, CEO and Founder, and Ed Broneske, Vice-President)  
**Adopted.**  
Enactment No: RES 19-589

ACTION TAKEN: Chairman Anderson introduced Mr. Thom Staser, Nevada County Food & Toy Run CEO and Founder, provided an overview of the upcoming event, scheduled for December 14, 2019 beginning at 12:00 noon. They are expecting up to 2,000 motorcycles. Mr. Staser reported that food for families will be handed out along with three toys for each and every child. He welcomed members of the public to join in the event.

To donate, members of the public can go to their website at [www.toyrun.org](http://www.toyrun.org); Satellite TV is accepting toys; and food and toys will be accepted at the Fairgrounds starting the afternoon of December 13, 2019. You can also mail donations to Nevada County Food & Toy Run, P.O. Box 549, Nevada City CA. 95959.

The Board members spoke in support of the event, and thanked Mr. Staser for his work in the community. Chairman Anderson read the Proclamation into the record, and the Board members presented the Proclamation to Mr. Staser.

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 19-589. On a roll call vote the motion passed unanimously.**

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**CONSENT CALENDAR:****Behavioral Health Director: Phebe Bell**

2. [SR 19-0969](#) Resolution approving Amendment 1 to the contract between the County of Nevada and SPIRIT - Peers for Independence and Recovery, Inc. for operation of SPIRIT's Mental Health Peer Empowerment Center and related services for the enhancement and expansion of services to meet unmet community needs as a component of the County's Mental Health Services Act Plan (Res. 19-301), expanding services to include increased administrative and direct client services, increasing the maximum contract price from \$160,944 to \$185,144, for the period July 1, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

**Adopted.**

Enactment No: RES 19-590

3. [SR 19-0968](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Victor Community Support Services, Inc. for the provision of Wraparound and Therapeutic Behavior Services (Res. 19-373), increasing the maximum contract price from \$1,669,841 to \$1,857,843, incorporating an increase in capacity of treatment from 50 treatment slots to 65 treatment slots, for the period July 1, 2019 through June 30, 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

**Adopted.**

Enactment No: RES 19-591

4. [SR 19-0967](#) Resolution approving a Contract for Services between the County of Nevada and the County of Plumas for the provision of Telephone Triage Services for Plumas County Adult System of Care and Children's System of Care, in the maximum amount payable of \$39,179, for the period December 1, 2019 through June 30, 2020, authorizing the Director of the Nevada County Behavioral Health Department to execute the Contract, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Behavioral Health Department's budget. (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 19-592

Director of Social Services: Tex Ritter

5. [SR 19-0957](#) Resolution approving an agreement between the County of Nevada and the County of Placer pertaining to the Nevada County Veterans Services Officer providing consultative/program management services for the Placer County Veterans Service Office, up to a maximum payable amount of \$30,000, for the period August 15, 2019 through January 31, 2020, and authorizing the Chair of the Board of Supervisors to execute the agreement. (Veterans Services)

**Adopted.**

Enactment No: RES 19-593

Child Support Services, Collections, and Housing Director: Mike Dent

6. [SR 19-0996](#) Resolution approving the submittal of an application to the California Health Facilities Financing Authority for funding under the Community Services Infrastructure Grant Program to acquire and renovate a facility, in order to provide services to Justice-Involved homeless individuals afflicted with mental health disorders, substance use disorders and/or trauma related disorders, in the amount of up to \$10,000,000, and authorizing the Health and Human Services Agency Director to sign the grant application and all other documents that support the application. (Housing)

**Adopted.**

Enactment No: RES 19-594

District Attorney: Clifford Newell

7. [SR 19-0962](#) Resolution accepting a grant from the California Office of Emergency Services Grant Award VW19330290 for the Nevada County Victim Witness Assistance Program, in the amount of \$291,761, for the period October 1, 2019 through September 30, 2020, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 District Attorney's budget. (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 19-595

Director of Public Works: Trisha Tillotson

8. [SR 19-0971](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Viking Construction Company, Inc. for the Purdon Road Over Shady Creek Bridge Replacement Project - Federal Aid Project Number BRLO-05917(083), County Contract No. 224021 (Res. 18-307), with contract costs totaling \$1,832,760.43, and directing the Clerk of the Board of Supervisors to record this notice in accordance with Civil Code Section 9208. (Dist. IV)  
**Adopted.**  
Enactment No: RES 19-596
9. [SR 19-0973](#) Resolution approving an Amendment to the agreement between the County of Nevada and the Fire Safe Council of Nevada County, Inc. (FSCNC) for implementation of vegetation removal through State Fire Assistance Grant Subgrant No. 17-SFA-81341 (Res. 18-408), accepting additional grant funds in the amount of \$70,000, which includes \$7,000 for grant administration from FSCNC and \$63,000 for vegetation removal by the County, and authorizing the Chair of the Board of Supervisors to execute the Amendment.  
**Adopted.**  
Enactment No: RES 19-597
10. [SR 19-0958](#) Resolution approving Amendment 3 to the agreement between the County of Nevada and the Town of Truckee for snow removal services in the Glenshire/Hirschdale area of Eastern Nevada County (Res. 17-568), for a revised amount not exceed \$73,970.99, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist. IV)  
**Adopted.**  
Enactment No: RES 19-598
11. [SR 19-0976](#) Resolution approving the Summary Vacation (Abandonment) of a portion of the 5-foot public utility easement over the northerly sideline of Lot 6 of the "English Mountain Park Phase Two" Subdivision, as shown on the Subdivision Map recorded in Book 8 of Subdivisions at page 150, Assessor's Parcel Number 006-920-018. (Dist. 1)  
**Adopted.**  
Enactment No: RES 19-599

12. [SR 19-0966](#) Resolution authorizing the Nevada County Fleet Services Manager to purchase a Capital Asset, one Ford Explorer Interceptor Civil Four Door All-Wheel Drive Vehicle, in the amount of \$33,763, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Transit Services Division budget. (4/5 affirmative vote required) (Transit)  
**Adopted.**  
Enactment No: RES 19-600

Director of Human Resources: Steven Rose

13. [SR 19-0961](#) Resolution amending Resolution 17-601 to clarify the extension of salary, benefits, and employer contributions for up to 365 days for Nevada County employees on leave under orders to serve or train for Active Military Duty in the U.S. Armed Forces.  
**Adopted.**  
Enactment No: RES 19-601

14. [SR 19-0986](#) Resolution approving amendments to the Nevada County Personnel Code, including Public Agency Eligibility List, Conflict of Interest, Tuition Reimbursement, and Flexible Work Schedules, effective November 12, 2019.  
**Adopted.**  
Enactment No: RES 19-602

Chief Information Officer: Stephen Monaghan

15. [SR 19-0960](#) Resolution accepting the Fiscal Year 2019 Emergency Management Performance Grant from the California Governor's Office of Emergency Services funded through the U.S. Department of Homeland Security, in the amount of \$145,009 with a 100% matching fund requirement, for use during the period July 1, 2019 through June 30, 2021. (Emergency Services)  
**Adopted.**  
Enactment No: RES 19-603
16. [SR 19-0963](#) Resolution approving a contract between the County of Nevada and Pride Industries One, Inc., for the Nevada County Bost House HVAC Installation Project located at 145 Bost Avenue, Nevada City, in the amount of \$32,471 plus a contingency of \$3,248 for a total contract amount of \$35,719, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2019/20 Capital Facilities budget. (4/5 affirmative vote required) (Facilities)  
**Adopted.**  
Enactment No: RES 19-604

County Librarian: Yolande Wilburn

17. [SR 19-0984](#) Resolution approving a Memorandum of Understanding between the Nevada County Community Library and the NorthNet Library System for joining the NorthNet Library System LINK + Contract, for a term through January 31, 2024, authorizing the acceptance of \$12,101 in grant revenue to cover first year costs, and authorizing the Auditor-Controller to amend the Fiscal Year 2019-20 Library budget. (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 19-605

County Executive Officer: Alison Lehman

18. [SR 19-0974](#) Resolution amending various Nevada County budgets through the First Consolidated Budget Amendment for Fiscal Year 2019/20. (4/5 affirmative vote required)

**Adopted.**

Enactment No: RES 19-606

Individual Board Member Item: Supervisors Hall, District I, and Hoek, District IV

19. [SR 19-0970](#) (Waive further reading/Adopt) An Ordinance amending Article 6 of Chapter XVI of the Nevada County Land Use and Development Code to extend the prohibition of outdoor burning during fire season in the Yuba River Corridor as a Pilot Program until the end of declared fire season in 2020. (4/5 affirmative vote required)

**Adopted.**

Enactment No: ORD-2472

Clerk of the Board: Julie Patterson Hunter

20. [SR 19-0951](#) Election of Supervisor Ed Scofield to continue as representative, and Supervisor Heidi Hall as alternate, to the California State Association of Counties (CSAC) Board of Directors for the 2019/20 Association Year, beginning Tuesday, December 3, 2019.

**Appointed.**

21. [SR 19-0959](#) Appointment of Ms. Ann Shanti Emerson as a Board of Supervisors representative to the Area 4 Agency on Aging Advisory Council, for an unexpired three-year term ending June 30, 2022.

**Appointed.**

22. [SR 19-0950](#) Acknowledgement of Supervisor Miller's appointment of Mr. Carl Van Son as the District III representative to the Building and Accessibility Standards Board of Appeals, and the end of the current representative's term, effective November 5, 2019.

**Acknowledged.**

ACTION TAKEN: Chairman Anderson introduced the consent calendar.

*Approval of the Consent Agenda*

**Adopted.**

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hall, to approve the consent calendar. On a roll call vote, the motion passed unanimously.**

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**\*DEPARTMENT HEAD MATTERS:**

**Director of Social Services: Tex Ritter**

24. [SR 19-1056](#) Report from Gold Country Community Services (GCCS): Food Insecurity within Nevada County. (Janeth Marroletti, Executive Director, GCCS)

ACTION TAKEN: Ms. Janeth Marroletti, Executive Director, Gold County Community Services (GCCS), provided a PowerPoint presentation regarding Food Insecurity in Nevada County. She requested assistance from the Board of Supervisors to increase food resources; establish a Senior Center; include homebound seniors in emergency plans; enhance collaboration for services; evaluate options for transportation; and support workforce development.

Board questioning and discussion ensued.

Chairman Anderson provided an opportunity for public comment and the following members of the public provided comments: Ms. Barbara Larson, Senior Advocate and District V resident; Mr. Phil Alonso, Executive Director, Interfaith Food Ministry and District II resident; Ms. Karen Chileski, Meals on Wheels volunteer and District III resident; Mr. Gabriel Lenhart, GCCS Board member, and District II resident; Ms. Pinkie Zalkin, District I resident; Ms. Theresa Haleen, Chair of the Elder Care Providers Coalition; and Ms. Maureen Gerecke, FREED employee and District III resident.

There being no further members of the public wanting to speak, Chairman Anderson closed the opportunity for public comment.

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23. [SR 19-0956](#) Acceptance of the Nevada County Veterans Services Office Fiscal Year 2019/20 informational report and presentation. (Veterans Services)  
**Accepted.**

ACTION TAKEN: Sargeant David West, Veterans Services Officer provided a PowerPoint presentation regarding the services his office provides to the 8,585 Veterans that live in Nevada County. He reported that only 24.1% of the Veteran population living within the County is receiving Veterans Administration (VA) benefits, which is below state average. Sargeant West stressed that his goal is to reach out to Nevada County's Veterans to ensure that all eligible Veterans are receiving services, and he outlined some of the methods of outreach his office is working on.

Board questioning and discussion ensued.

Chairman Anderson provided an opportunity for public comment, and Mr. Wade Laughter, District I resident, provided comments. There being no further members of the public wishing to speak, Chairman Anderson closed the opportunity for public comment.

**MOTION: Motion made by Supervisor Hall, seconded by Supervisor Hoek, to accept the Nevada County Veterans Services Office Fiscal Year 2019/20 informational report and presentation. On a voice vote the motion passed unanimously.**

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**SCHEDULED ITEM: 10:30 A.M. Building Director, Craig Griesbach**

26. [SR 19-0977](#) Public hearing to consider the appeal filed by Mr. Scott Merritt regarding the Nevada County Building and Accessibility Standards Board of Appeals notice of determination dated September 5, 2019, regarding Section R317.1.3 of the 2016 California Residential Code requiring all horizontal and vertical structural members of decks exposed to the weather to be of materials that are naturally resistant to decay or pressure treated. The project is for the construction of a 2 story structure with main level workshop (1,567 sq. ft.), upper level single family residence (1,822 sq. ft.), and deck (1,730 sq.ft.). (Dist. I)

Resolution denying the appeal filed by Mr. Scott Merritt regarding the Building and Accessibility Standards Board of Appeal's August 29, 2019 decision to uphold the determination of the Building Official regarding Building Permit 181444 at 16887 Champion Road, Nevada City (APN 004-151-008), regarding Section R317.1.3 of the 2016 California Residential Code requiring all horizontal and vertical structural members of decks exposed to the weather to be of materials that are naturally resistant to decay or pressure treated.

(Supervisors Hall, Scofield and Miller - Aye; Supervisor Hoek and Anderson - No)

**Adopted.**

Enactment No: RES 19-607

**ACTION TAKEN:** Mr. Craig Griesbach, Building Director, reviewed the staff report and provided a PowerPoint presentation, regarding the appeal filed by Mr. Scott Merritt of the Nevada County Building and Accessibility Standards Board of Appeals notice of determination requiring all horizontal and vertical structural members of decks exposed to the weather to be of materials that are naturally resistant to decay or pressure treated. He explained that Mr. Merritt's deck was built from materials that are not pressure treated or naturally resistant to decay. Mr. Griesbach reviewed the Board of Appeal process. He concluded his report and recommended the Board uphold the decision of the Appeals Board.

Board questioning and discussion ensued.

Mr. Scott Merritt, Appellant, provided his presentation regarding the requirement to construct his deck with pressure treated or naturally resistant to decay building product. He stressed that it was not clear to him as to which of the building codes applied to the construction; he mentioned that the first Building Inspector did not mention the issues regarding the deck construction. It was not until a second inspection was completed that the Inspector noticed issues with the deck construction. Mr. Merritt stressed that the way the deck is built is far superior to the requirements of the Building Code, and he suggested that there would be more damage done to the deck if it were torn apart. Mr. Merritt wondered why a second inspection was necessary. He suggested the cost to make the required changes to the deck could be \$40,000. He concluded his presentation and requested the Board uphold his appeal.

Mr. Griesbach clarified the building and inspection process.

Board questioning ensued.

Chairman Anderson opened the public hearing for public comment. There being no public comment, Chairman Anderson closed the opportunity for public comment.

Mr. Merritt provided his summation, requesting the Board uphold his appeal. He again stressed that local pest companies suggested that the way his deck is built is far superior than it would be if he used the construction materials required and he requested it be considered more than adequate. He concluded his summation.

Mr. Griesbach provided staff's summation. He noted that this rule has been on the books for a very long time. He agreed that it would be difficult to change, as well as costly, but they consistently follow the California Building Code.

Mr. Griesbach responded to Board questioning and discussion continued.

**MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 19-607. On a roll call vote the motion passed as follows: (in roll call order) Ayes: Supervisors Scofield, Miller, and Hall. Noes: Supervisors Hoek and Anderson.**

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**\*INDIVIDUAL BOARD MEMBER ITEM: Supervisor Ed Scofield, District II**

25. [SR 19-0964](#) Acceptance of the Alliance for Workforce Development, Inc. (Nevada County Business and Career Network), annual presentation of the Alliance's Fiscal Year 2018/19 performance - Workforce Innovation and Opportunity Act Program and Services. (Amy Velazquez, Director of Business Services, AFWD)

ACTION TAKEN: Presentation postponed.

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**SCHEDULED ITEM: 11:00 A.M. Building Director, Craig Griesbach**

27. [SR 19-0975](#) Public hearing to consider an ordinance amending Chapter V of the Land Use and Development Code of the County of Nevada, adopting the 2019 California Building Standards, and local amendments thereto: and adoption of express findings of reasonable necessity for changes and modifications to the California Building Standards Code based on local climatic, geological, or topographical conditions.

(Introduce/Waive further reading) An Ordinance amending Chapter V of the Land Use and Development Code of the County of Nevada, adopting the 2019 California Building Standards, and Local Amendments thereto; and adoption of express findings of reasonable necessity to changes and modifications to the California Building Standards Code based on local climatic, geological, or topographical conditions.

**First reading held.**

ACTION TAKEN: Mr. Craig Griesbach, Building Director, reviewed the staff report regarding the Ordinance proposing to amend Chapter V of the Land Use and Development Code of the County of Nevada, adopting the 2019 California Building Standards, and local amendments thereto: and adoption of express findings of reasonable necessity for changes and modifications to the California Building Standards Code based on local climatic, geological, or topographical conditions.

He concluded his presentation, and responded to Board questioning.

Calfire Fire Captain/Nevada County Fire Planner, Matt Furtado, and Fire Chief Terry McMahon, Nevada County Consolidated Fire Protection District, responded to Board questions regarding the California Fire Code.

Chairman Anderson opened the public hearing for public comment, and the following members of the public provided comments: Mr. Wayne Littlesee, Nevada County resident; Ms. Joey Jordan, District IV resident; Ms. Barbara Bashall, Executive Director, Nevada County Contractor's Association; Ms. Sheri Murray, Co-Owner Statewide Homes and District I resident; Mr. Tim VanWagner, District I resident; Ms. Diana Gamzon, Executive Director, Nevada County Cannabis Alliance and District I resident; Mr. Denis Kutch, District V resident; Mr. Wade Laughter, District I resident; and Mr. Sky Rutherford, District III resident.

There being no further public comment, Chairman Anderson closed the opportunity for the public to provide input.

Mr. Griesbach responded to questions asked by members of the public.

Mr. Griesbach reported that all Counties and Cities are required to adopt the California Building Codes. Codes that are suggested for Nevada County in particular can be revised. He explained that it would be a downside if they were not adopted, because staff would not be able to address the regulations in the field. Mr. Griesbach stressed that it is up to the Board as to whether or not they decide to adopt the California Building Codes at this time and review Nevada County specific revisions at a later date.

Mr. Griesbach responded to Board questioning.

Supervisor Miller was concerned about insurance affordability for a manufactured home without sprinklers, and requested more research on the issue prior to adoption. Supervisor Hoek was in support of implementing sprinkler systems as a means to ensure the safety of firefighters, although both Supervisors Hall and Hoek shared concerns about implementing sprinkler systems due to increased costs and regulation. Supervisor Scofield did not support adding sprinkler systems into manufactured homes if they are not required by California Building Code Standards.

Supervisors Scofield, Hall and Hoek agreed with the 5-foot space between hoop houses.

Ms. Sheri Murray reported that she has heard from one insurance company that discounts can be provided by insurance companies for manufactured homes if sprinklers are installed, although she has also been told that it does not affect the insurability of a manufactured home.

**MOTION:** Motion made by Supervisor Hall, seconded by Supervisor Miller, to introduce and waive further reading of the proposed Ordinance, as amended, to revise the distance between hoop structures from 10- to 5-feet, and tabling the requirement of installing sprinkler systems in manufactured homes to a later date. On a roll call vote the motion passed unanimously.

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**\*CLOSED SESSION:**

[SR 19-1054](#) Pursuant to Government Code Section 54956.8, the Board of Supervisors desires to hold a closed session regarding real property negotiations. The negotiator for the County is Steve Monaghan, Chief Information Officer/Director of Information and General Services. The negotiator for the property owner, J&M Sierra Properties LLC, are John Hagele and Mark Hagele. Items under negotiation concern the price and terms of payment, and the property interest to be obtained, for property located at 2059 Nevada City Highway, Grass Valley, CA 95945 (APN 035-400-001).

**ACTION TAKEN:** Closed session held. Following the closed session, County Counsel reported that direction was provided to staff.

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**\*ANNOUNCEMENTS:**

*Pursuant to Government Code Section 54954.2, Board members and County Executive Officer may make a brief announcement or brief report on his or her activities. Board members and County Executive Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.*

**ACTION TAKEN:** Not held.

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**ADJOURNMENT:**

**ACTION TAKEN:** Chairman Anderson adjourned the meeting at 12:48 P.M.

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Signature and Attestation

Richard Anderson, Chairman

ATTEST:

By:

Lelia Loomis, Deputy Clerk to the Board