

COUNTY OF NEVADA

STATE OF CALIFORNIA

Heidi Hall, 1st District
Ed Scofield, 2nd District (Vice-Chair)
Dan Miller, 3rd District
Wm. "Hank" Weston, 4th District (Chair)
Richard Anderson, 5th District



BOARD OF SUPERVISORS

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Julie Patterson Hunter, Clerk of the Board
Richard A. Haffey, County Executive Officer
Alison Barratt-Green, County Counsel

SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, February 14, 2017	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
Hank Weston, 4th District
Richard Anderson, 5th District

STANDING ORDERS:

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

Pledge of Allegiance led by Mr. Tom Coburn, Facilities Program Manager.

Corrections and/or deletions to agenda.

ACTION TAKEN: Ms. Julie Patterson Hunter, Clerk of the Board, noted that an Addendum Agenda was posted to add Agenda Items #35 and 35a regarding the immediate need to proclaim a state of emergency due to the damage to the Oroville Dam spillways and the resulting evacuation impact on our communities.

PUBLIC COMMENT: 9:01 A.M.

ACTION TAKEN: Mr. Calvin Clark, District IV resident, read a Declaration of Unity into the record in support of the State of Jefferson.

SCHEDULED ITEM: 9:02 A.M.

1. [SR 17-0064](#) Resolution proclaiming 2017 as Interfaith Food Ministry's 30th Anniversary; Feeding Families, Fueling Hope for 30 years.

Adopted.

Enactment No: Res. 17-065

ACTION TAKEN: Ms. Sue Van Son, Executive Director, Interfaith Food Ministry (IFM), gave a brief history and current update of IFM and their services.

The Board members thanked IFM for their hard work and service to our community. Chairman Weston read the Proclamation into the record and the Board presented Ms. Van Son with the Proclamation.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Scofield, to adopt Resolution 17-065. On a roll call vote the motion passed unanimously.

CONSENT CALENDAR:

Public Health Director: Jill Blake

2. [SR 17-0065](#) Resolution approving Amendment A01 to Standard Agreement 15-10165 between the County of Nevada and the California Department of Public Health, Maternal, Child and Adolescent Health (CDPH/MCAH) Division, for administration of the California Home Visiting Program (CHVP) (Res. 15-275), replacing Exhibit A, Scope of Work, and Exhibit B, Attachment II, Budget Year 2, amending the total maximum amount payable from \$3,230,008 to \$3,205,628, for the period July 1, 2015 through June 30, 2019, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Adopted.

Enactment No: RES 17-066

3. [SR 17-0069](#) Resolution approving Amendment One to the Memorandum of Understanding (MOU) between the County of Nevada and the California Health and Wellness Plan (CHWP) for coordination of services (Res. 13-516), amending the MOU to add Women, Infants and Children Supplemental Food Program (WIC), Family Planning, Immunizations, Sexually Transmitted Diseases (STD), and Human Immunodeficiency Virus (HIV) Programs, effective December 10, 2016, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 17-067

Director of Social Services: Mike Dent

4. [SR 17-0027](#) Resolution approving a contract between the County of Nevada and Sierra Forever Families for Psychosocial Assessments and Adoption Services activities for Resource Families, in the maximum amount of \$231,250, for the period January 1, 2017 through June 30, 2018, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: RES 17-068

Child Support Services Director: Tex Ritter

5. [SR 17-0034](#) Resolution approving the annual Plan of Cooperation (POC) between the California Department of Child Support Services and the Sierra Nevada Regional Department of Child Support Services for Federal Fiscal Year 2017, October 1, 2016 through September 30, 2017, and authorizing the Director of Sierra Nevada Regional Department of Child Support Services to sign the POC.

Adopted.

Enactment No: RES 17-069

Director of Public Works: Trisha Tillotson

6. [SR 17-0075](#) Resolution approving Amendment 1 to the Subrecipient Agreement between the County of Nevada and the Nevada County Transportation Commission (NCTC) (Res. 16-548), correcting the funding amount from \$51,500 to \$57,500, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 17-070

7. [SR 17-0084](#) Resolution approving Amendment 1 between the County of Nevada and Nelson Engineering for County Surveyor Functions (Res. 16-306), increasing the maximum contract amount from \$90,000 to \$145,000 to provide sufficient funds for professional surveying services, directing the Auditor-Controller to amend the Fiscal Year 2016/17 budget, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-071

8. [SR 17-0086](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Robinson Enterprises Investment Co., Inc. for leachate transportation services (Res. 13-492), increasing the maximum contract amount from \$209,700 to \$359,700 to provide for the transport of an additional 2.1 million gallons of leachate through June 30, 2017, directing the Auditor-Controller to amend the Fiscal Year 2016/17 Solid Waste Western budget, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Sanitation) (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-072

Chief Information Officer: Stephen Monaghan

9. [SR 17-0066](#) Resolution approving the official change of name of the Nevada County-owned Airport, located at 13083 John Bauer Avenue, Grass Valley, California, from "Nevada County Air Park" to "Nevada County Airport," and directing the Airport Manager to submit the required documentation to the Federal Aviation Administration. (Airport)

Adopted.

Enactment No: RES. 17-073

10. [SR 17-0076](#) Resolution approving Amendment 4 to the contract between the County of Nevada and Epic Aviation, LLC, for aviation fuel services and support at the Nevada County Airport (Res. 06-071), extending the contract for an additional six months through August 15, 2017, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Airport)

Adopted.

Enactment No: RES 17-074

11. [SR 17-0040](#) Resolution recognizing the continuing proclamation of a Local Emergency in Nevada County due to Extreme Tree Mortality. (Emergency Services)

Adopted.

Enactment No: RES 17-075

12. [SR 17-0067](#) Resolution recognizing the continuing proclamation of a Local Emergency in Nevada County due to Extreme Weather from an Atmospheric River Event on January 11, 2017. (Emergency Services)
Adopted.
Enactment No: RES 17-076
13. [SR 17-0068](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and G.W. Pacific Builders for the Joseph Center Rear Entrance Improvements Project (Res. 16-479), located at 10075 Levon Avenue, Truckee, with contract costs totaling \$48,471, and directing the Clerk of the Board to record this Notice in accordance with Civil Code Section 9208. (Facilities)
Adopted.
Enactment No: RES 17-077
14. [SR 17-0072](#) Resolution approving the renewal agreement between the County of Nevada and the City of Nevada City for management and marketing of the County's Nevada City Veterans Building, for the period January 1, 2017 through December 31, 2020, and authorizing the Chair of the Board of Supervisors to execute the agreement. (Facilities)
Adopted.
Enactment No: RES 17-078
15. [SR 17-0085](#) Resolution approving a License Agreement between the County of Nevada and Phillips and Jordan, Inc., representing Pacific Gas and Electric Company (PG&E), for the use of the Nevada County Operations Center Access Road for a Tree Mortality Debris Management Site (DMS), for the period February 14, 2017 through February 13, 2019, authorizing improvements to the Access Road and La Barr Meadows Road at no cost to the County, providing a location for a possible public DMS, and authorizing the Chair of the Board of Supervisors to execute the License Agreement. (Facilities)
Adopted.
Enactment No: RES 17-079
16. [SR 17-0094](#) Resolution authorizing purchase of a Cognos Enterprise Software License, in the amount of \$37,780, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 Information Systems budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 17-080

17. [SR 17-0095](#) Resolution declaring certain County property as surplus, and authorizing the Purchasing Agent to dispose of obsolete unusable surplus property listed on Exhibit A as "Assets to be Sold at Auction: March 2017." (Purchasing) (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-081

County Librarian: Laura Pappani

18. [SR 17-0093](#) Resolution accepting the funding commitment of \$47,010 from the Friends of the Libraries of Nevada County in support of the libraries in Western Nevada County for calendar year 2017, and directing the Auditor-Controller to amend the Fiscal Year 2016/17 budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 17-082

County Executive Officer: Richard Haffey

19. [SR 17-0083](#) Resolution adopting the 2017 Board Objectives and Legislative Priorities for Nevada County as discussed at the Board's January Workshop, and directing the County Executive Officer to use the Objectives and Priorities for the development of the 2017/18 Fiscal Year Budget and the management of County operations, programs and services. (Pulled from consent by Supervisor Weston) Board Order opened.

Adopted.

Enactment No: RES 17-085

20. [SR 17-0081](#) Resolution adopting the 2017/18 Vision, Mission, and Value Statements, and Core Services definition for Nevada County, as discussed at the Board's January Workshop, and directing the County Executive Officer to use the County Vision, Mission and Value Statements for the development of the 2017/18 Fiscal Year budget and the management of County operations, programs and services, and repealing Resolution16-080.

Adopted.

Enactment No: RES 17-083

21. [SR 17-0082](#) Resolution adopting the Order and Decorum Policy and rescinding Resolution 13-050.

Adopted.

Enactment No: RES 17-084

22. [SR 17-0080](#) Approval of the 2017/18 proposed Budget Schedule and Policies as discussed at the Board's January Workshop.

Approved.

23. [SR 17-0099](#) Acceptance of the Countywide Audit for Fiscal Year 2015/2016 prepared by the firm of Gallina, LLP.
Accepted.

Clerk of the Board: Julie Patterson Hunter

24. [SR 17-0090](#) Acceptance of resignation from Ms. Toni Thompson as a Low-Income representative member on the Adult & Family Services Commission.
Accepted.
25. [SR 17-0092](#) Acceptance of resignation from Mr. Ronald Jauch as a member on the Citizens' Oversight Committee of the Nevada County Library.
Accepted.
26. [SR 17-0091](#) Acceptance of resignation from Mr. David Lass as the Eastern Nevada County representative on the Fish & Wildlife Commission.
Accepted.
27. [SR 17-0089](#) Appointment of Ms. Sylvia Pichitino as Disabled and Non-profit Agency member representative to the Adult & Family Services Commission, for an unexpired term ending April 30, 2018.
Appointed.
28. [SR 17-0062](#) Acceptance of Board of Supervisors Summary Minutes for January 24, 25 and 26, 2017.
Accepted.

ACTION TAKEN: Chairman Weston introduced the consent calendar. Agenda Item #19 pulled from consent by Chairman Weston.

Approval of the Consent Agenda

Adopted.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Hall, to approve the consent calendar less Agenda Item #19. On a roll call vote, the motion passed unanimously.

ITEMS PULLED FROM THE CONSENT CALENDAR:

19. [SR 17-0083](#) Resolution adopting the 2017 Board Objectives and Legislative Priorities for Nevada County as discussed at the Board's January Workshop, and directing the County Executive Officer to use the Objectives and Priorities for the development of the 2017/18 Fiscal Year Budget and the management of County operations, programs and services. (Pulled from consent by Supervisor Weston) Board Order opened.

Adopted.

Enactment No: RES 17-085

ACTION TAKEN: Chairman Weston reported that Agri-Tourism was included in last year's Board Objectives, although it was not added to this year's Board Objectives. He requested an update on the status of the Objective.

Supervisor Scofield clarified that the Agricultural Commissioner and Agricultural Advisory Commission continued to work on the topic, which is coming forward to a special meeting of the Agricultural Advisory Commission. The Commission's recommendations will then move forward to the Planning Commission. Mr. Brian Foss, Planning Director, responded with additional information regarding the time line. Any potential changes to the Zoning Ordinance would come forward to be addressed by the Board of Supervisors. Supervisor Scofield suggested a Board Order be opened so staff would be clear on how to proceed.

Supervisor Anderson wondered if the Board's 2017 Objectives should be amended to add Agri-Tourism back onto the list. Chairman Weston responded that because it is already coming before the Agricultural Advisory Commission he would recommend moving forward with a Board Order to make sure it returns to the Board in a certain amount of time.

Board questioning ensued.

Supervisor Hall wanted to make sure that Agri-Tourism is considered a priority so the Board has the ability to direct staff to work on the issue. Whether it is a Board Order or adopted into the Board's 2017 Objectives, her concern is that it not be forgotten. She was anxious to see the Agricultural Advisory Commission's recommendations.

Board discussion ensued.

Chairman Weston stated his proposed Board Order, which would direct staff to return to the Board with a report on Agri-Tourism following the Agricultural Advisory Commission meeting within 120 days. He felt this direction would be the appropriate action to take at this time. Alison Lehman, Assistant County Executive Officer, and Mr. Foss believed the direction to staff was clear.

Supervisor Hall requested that next year, the Board reviews the previous year's Objectives to make sure nothing is overlooked.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Miller, to adopt Resolution 17-085, and to open Board Order BO17-01 directing staff to return to the Board within 120-days with a report on Agri-Tourism, based on recommendations by the Agricultural Advisory Commission and Planning Commission. On a roll call vote the motion passed unanimously.

Chairman Weston recessed as the Board of Supervisors and convened as the Board of Directors of the Nevada County Sanitation District No. 1.

Regular meeting of the Board of Directors of the Nevada County Sanitation District No. 1.

Chairman Weston called the meeting to order. All Directors present.

Consent:

29a. [SR 17-0074](#) Resolution authorizing and directing the Auditor-Controller to amend the Fiscal Year 2016/17 budget for the Nevada County Sanitation District No. 1, North San Juan (Zone 4) Sewer Assessment and the North San Juan Operations and Maintenance budget, to retire the debt obligation for a loan with the United States Department of Agriculture through the Farmer's Home Administration for construction of a sewer collection and treatment system for the community of North San Juan, and directing the Auditor-Controller to transfer the residual funds from the North San Juan Sewer Assessment to the North San Juan Operations and Maintenance budget. (Dist. IV) (Sanitation) (4/5 affirmative vote required)

Adopted.

Enactment No: SD17-002

29b. [SR 17-0105](#) Acceptance of the Nevada County Sanitation District No. 1 Summary Minutes for January 10, 2017. (Clerk of the Board)

Accepted.

Approval of the Consent Agenda

Adopted.

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

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Public comment: No public comment received.

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Adjournment:

Chairman Weston adjourned as the Board of Directors of the Nevada County Sanitation District No. 1 and reconvened as the Nevada County Board of Supervisors.

DEPARTMENT HEAD MATTERS:

Sheriff-Coroner/Public Administrator: Keith Royal

30. [SR 16-0999](#) (Introduce/Waive further reading) An Ordinance amending Subsection 1.4 BB. of Article 1 of Chapter IV of the Nevada County General Code, pertaining to the definition of "Vicious Dog."

First reading held.

ACTION TAKEN: Chairman Weston introduced the agenda item. Sheriff Keith Royal reviewed the staff report and commented that this change is being made to bring County Code in line with new State law. He requested the Board introduce and waive further reading of the Ordinance.

Board questioning ensued.

Chairman Weston opened the item for public comment. There being no public comment Chairman Weston closed public comment.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, to introduce and waive further reading of the Ordinance pertaining to "Vicious Dog". On a roll call vote the motion passed unanimously.

SCHEDULED ITEM: 9:30 A.M.**INDIVIDUAL BOARD MEMBER ITEM:**

31. [SR 17-0030](#) Request for Letter of Support for the Pines to Mines Trail.

Sponsors: Richard Anderson, District 5, Heidi Hall, District 1

Approved.

ACTION TAKEN: Chairman Weston introduced the agenda item, and Supervisor Anderson reviewed the staff report. He spoke to the interest and need for the project, which will bring together hikers, equestrians, and mountain bikers, enhance the quality of life, and help community businesses. Supervisor Anderson reported that funding would likely come from the non-profit community as no Federal funding is expected. Supporters are also requesting support from the City of Nevada City and the Town of Truckee.

Supervisor Hall agreed to providing support to the organization.

Chairman Weston provided an opportunity for public comment.

Ms. Fran Cole, Gold Country Trails Council representative, provided comments regarding the history and mission of Gold Country Trails Council and in support of the proposed Pines to Mines Trail.

Mr. Terry Hundemer, President, Bear Yuba Land Trust Board, reported on the Land Trust's interest in the creation of additional trails throughout the County. He spoke in support of connecting Eastern County to the Western portion of the County and connecting Nevada City to the National Forest trails.

Board questioning ensued.

Ms. Alison Pedley, Executive Director, Truckee Trails Foundation, with Mr. Paco Lindsay, Board member and Secretary, provided comments in support of the Trail, and thanked Supervisor Anderson for bringing the item forward. She emphasized that the four partnering non-profit organizations would be raising the funding for the trail.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Scofield, to support the letter. On a voice vote the motion passed unanimously.

INDIVIDUAL BOARD MEMBER ITEMS:

32. [SR 17-0097](#) Request for Letter of Support for California Senate Bill (SB) 58 - Wildlife Management Areas: Payment of Taxes and Assessments.

Sponsors: Dan Miller, District 3

Approved.

ACTION TAKEN: Supervisor Miller reported that the item came forward by request from Rural County Representatives of California (RCRC). The State has not been paying the "Payment in Lieu of Taxes" (PILT) monies owed to Nevada County. There was a change made to the rule in the Fish and Game Code regarding whether the State "shall" pay or "may" pay the PILT. Currently, the State owes the County over \$330,000 in PILT funds. The letter of support of SB58 will request the State "shall pay" the funds and put a little pressure on the State to start paying these past due funds. This bill affects 36 rural counties in the State of California.

Board discussion ensued.

Chairman Weston provided an opportunity for public comment.

Mr. Calvin Clark, District IV resident, shared his concerns regarding the Federal Government and State not returning tax money back to the Counties.

There being no further public comment, Chairman Weston closed the public comment period.

MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Hall, to support the letter. On a voice vote the motion passed unanimously.

33. [SR 17-0063](#) Resolution proclaiming support for proposed Legislation Senate Bill (SB) 1 and Assembly Bill (AB) 1 for increased funding for road maintenance purposes, and authorizing letters of support to be sent to the California Legislature.

Sponsors: Hank Weston, District 4

Adopted.

Enactment No: RES 17-086

ACTION TAKEN: Chairman Weston reviewed the staff report and reported that there are two pieces of Legislation coming forward regarding transportation funding. If passed, Nevada County would continue to receive funding for current Nevada County road projects. He requested the Board support the letter.

MOTION: Motion made by Supervisor Scofield, seconded by Supervisor Miller, to support the letter. On a voice vote the motion passed unanimously.

Chief Information Officer: Stephen Monaghan

35. [SR 17-0118](#) Motion of the Board of Supervisors finding that there is a need for immediate action to ratify a local emergency proclamation to ensure the continued ability to respond to and assist with an emergency situation and that the need for this action came to the attention of the County subsequent to the posting of the February 14, 2017 Agenda, and adding Item 35a to the Agenda.
(4/5 affirmative vote required) (Emergency Services)
Approved.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Miller, to add the item to the Agenda. On a roll call vote the motion passed unanimously.

- 35a. [SR 17-0119](#) Resolution ratifying a local emergency proclamation by the Nevada County Director of Emergency Services due to extreme precipitation, excessive water capture, significant damage to Oroville Dam spillways and mandatory evacuation in communities below the Oroville Dam, and requesting that the Governor proclaim a State of Emergency for Nevada County.
Adopted.
Enactment No: RES 17-087

ACTION TAKEN: Chairman Weston introduced the agenda item regarding the request to proclaim a State of Emergency in the County of Nevada due to the extreme damage to the Oroville Dam.

Mr. Stephen Monaghan, Chief Information Officer and Emergency Services Director, reported that he had declared an emergency yesterday due to the Oroville Dam event and the impact it is having on our Community. He updated the Board regarding the events of the last few days. He reported that Yuba County Office of Emergency Services requested they be allowed to relocate their Emergency Operations Center (EOC) to the Nevada County EOC due to the impending evacuations in their community. Responding to Yuba County's request, Nevada County opened a shelter at the Nevada County Fairgrounds. The Red Cross, other non-profit organizations, and many County employees deployed to help with the shelters. Mr. Monaghan reported that we had more than 800 evacuees in our shelters. The Sheriff's department also took in inmates from both Yuba County jail and juvenile hall. Mr. Monaghan asked that the Board ratify the emergency declaration.

The Board members thanked Nevada County staff, members of the community, and the staff of the Yuba County EOC for their outstanding efforts and support on behalf of the evacuees.

Supervisor Hall asked that the Office of Emergency Services (OES) be sure to put information for the public on their Facebook page.

Supervisor Weston reported on the availability of Recreational Vehicle (RV) camping spaces throughout Western Gateway Park, and requested Mr. Monaghan be in contact with the Park's administrators.

Chairman Weston provided an opportunity for public comment.

Mr. Calvin Clark, District IV resident, provided comments in support of the efforts to help the evacuees. He commented that there could be a food shortage next summer due to the damage that flooding may have done to the farms in Yuba County, and stressed that our local Food Banks need additional food.

There being no further public comment, Chairman Weston closed the public comment period.

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Anderson, to adopt Resolution 17-087. On a roll call vote the motion passed unanimously.

SCHEDULED ITEM: 10:00 A.M.

34. [SR 16-1082](#) Public hearing regarding the appointment of the Director of Public Works as the Nevada County Road Commissioner in accordance with California Streets and Highways Code Section 2006 and Nevada County Administrative Code Section A-II 42.10.3.

Resolution appointing Ms. Trisha Tillotson as the Nevada County Road Commissioner, effective February 14, 2017, and directing the Community Development Agency to ensure that the State Controller's Office is notified of this appointment and the County's compliance with Section 2006 of the Streets and Highways Code.

Adopted.

Enactment No: RES 17-088

ACTION TAKEN: Chairman Weston introduced the agenda item and Ms. Trisha Tillotson, Public Works Director, reported that a public hearing must be held to formally appoint a Road Commissioner.

Chairman Weston opened the public hearing. There being no public comment, Chairman Weston closed the public hearing.

MOTION: Motion made by Supervisor Miller, seconded by Supervisor Hall, to adopt Resolution 17-088. On a roll call vote the motion passed unanimously.

***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: Updates were provided by members of the Board.

ADJOURNMENT:

ACTION TAKEN: Chairman Weston adjourned the meeting at 10:23 A.M.

Signature and Attestation

Hank Weston, Chairman

ATTEST:

By:

Lelia Loomis, Deputy Clerk to the Board