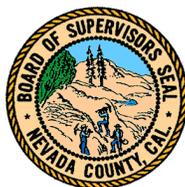


# COUNTY OF NEVADA

## STATE OF CALIFORNIA

*Nate Beason, 1st District*  
*Ed Scofield, 2nd District*  
*Dan Miller, 3rd District (Chair)*  
*Wm. "Hank" Weston, 4th District (Vice-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, May 24, 2016	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:*

*Nathan H. Beason, 1st District*  
*Ed Scofield, 2nd District*  
*Dan Miller, 3rd District*  
*Hank Weston, 4th District*  
*Richard Anderson, 5th District*

### STANDING ORDERS:

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

Pledge of Allegiance led by Ms. Chris Flores, Agricultural Commissioner.

Corrections and/or deletions to agenda.

ACTION TAKEN: Ms. Julie Patterson Hunter, Clerk of the Board, stated that the Closed Session to determine whether litigation should be initiated by the County in one matter, was pulled from the agenda at the request of staff.

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**PUBLIC COMMENT: 9:01 A.M.**

ACTION TAKEN: Ms. Penny Lucas, District II resident, provided comments regarding State legislation and mandates, and shared her support of the State of Jefferson.

Mr. Donn Coenen, District II resident, provided comments regarding harassment of County citizens by the California Regional Water Quality Control Board (CRWQCB) and suggested the County should split off from the State of California. He also requested the Sheriff contact CRWQCB and advise them to stop harassing citizens unless they have evidence of a violation and a warrant to that effect.

Mr. Weldon Travis, District IV resident, provided comments in support of gun rights.

Ms. Pat Nelson, Friends of Nevada County Military, announced the Fifth Annual Local Heroes Memorial Bridge Walk scheduled on May 30, 2016. She reported that the Saturday issue of the Union newspaper will have a special insert regarding the event, and invited everyone to attend.

Ms. Linda Chaplin, District I resident, commented on the opening of the local farmers markets and suggested everyone attend.

Mr. Matthew Coulter, District III resident, provided comments regarding recycling and buy-back centers. He also noted the lack of sufficient parking at the Rood Center (Eric Rood Administrative Center).

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**SCHEDULED ITEM: 9:02 AM**

1. [SR 16-0412](#) Resolution recognizing the month of June 2016 as "National Safety Month" and proclaiming support for June 2016 as "National Safety Month" in Nevada County. (Ms. Mary Jo Castruccio, Risk Manager)

**Adopted.**

Enactment No: RES 16-199

ACTION TAKEN: Ms. Mary Jo Castruccio, Risk Manager, and Mr. Brad Torres, Operations Manager, Public Works Department, and Safety Committee Chair, provided a report regarding the efforts of the County's Safety Committee, and requested the Board support the proposed Resolution proclaiming June 2016 as "National Safety Month."

**MOTION: Motion made by Supervisor Weston, seconded by Supervisor Scofield to adopt Resolution 16-199. On a roll call vote, the motion passed unanimously.**

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**INDIVIDUAL BOARD MEMBER ITEM:**

2. [SR 16-0411](#) Resolution proclaiming June 4, 2016 as "Celebration of Trails Day" in Nevada County.

**Sponsors:** Richard Anderson, District 5

**Adopted.**

Enactment No: RES 16-200

ACTION TAKEN: Supervisor Anderson introduced the item and reviewed the staff report in support of proclaiming June 4, 2016 as the "Celebration of Trails Day" in Nevada County. He provided comments regarding the benefits of outdoor recreational activities. Supervisor Anderson read the proclamation into the record, noting the events that would take place on June 4.

Ms. Marty Coleman-Hunt, Executive Director, Bear-Yuba Land Trust, commented on the importance of Nevada County's trails. She thanked the Board for their ongoing leadership in support of trails and invited them to attend the event.

Chairman Miller provided an opportunity for public comment

Ms. Linda Chaplin, District I resident, spoke in support of trails.

There being no further public comment, Chairman Miller closed public comment.

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Beason to adopt Resolution 16-200 proclaiming June 4, 2016 as Celebration of Trails Day in Nevada County. On a role call vote the motion passed unanimously.**

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**CONSENT CALENDAR:**

ACTION TAKEN: Chairman Miller introduced the consent calendar.

Behavioral Health Director: Rebecca Slade

3. [SR 16-0392](#) Resolution approving Amendment 1 to contract between the County of Nevada and Common Goals, Inc. pertaining to outpatient rehabilitative treatment services for the recovery and treatment of alcohol/drug dependency (Res. 15-365), increasing the maximum contract price from \$146,748 to \$168,748, for the period July 1, 2015 through June 30, 2016, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Behavioral Health Department budget for Fiscal Year 2015/16. (4/5 affirmative vote required.)

**Adopted.**

Enactment No: RES 16-201

Public Health Director: Jill Blake

4. [SR 16-0386](#) Resolution approving Amendment A01 to Standard Agreement 13-20425 between the County of Nevada and California Department of Public Health, Office of AIDS, for services related to the Housing Opportunities for Persons with AIDS (HOPWA) Program (Res. 13-433), decreasing the maximum payable amount from \$77,934 to \$76,857, revising the Scope of Work to reflect changes to the Performance Goals for Fiscal Year 2015/16, for the period July 1, 2013 through June 30, 2016, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

**Adopted.**

Enactment No: RES 16-202

Director of Social Services: Mike Dent

5. [SR 16-0390](#) Resolution approving the renewal Memorandum of Understanding (MOU) between the Nevada County Probation Department and the Department of Social Services (DSS) related to developing a coordinated services approach between DSS - CalWORKs and the County Probation Department for dual clients, in the maximum amount of \$75,000, for the period July 1, 2015 through June 30, 2016, and authorizing the Director of DSS and the Chief Probation Officer to sign said MOU.

**Adopted.**

Enactment No: RES 16-203

Environmental Health Director: Amy Irani

6. [SR 16-0385](#) Resolution accepting grant funding for Agreement EETAG1502 from the California Environmental Protection Agency (CalEPA) for the Environmental Enforcement & Training Account Grant (EETAG) Program, in the amount of \$34,900, for the period September 1, 2015, through July 30, 2017, and authorizing the Chair of the Board of Supervisors or his/her designee to execute all documents necessary to secure release of grant funds for the EETAG Program.

**Adopted.**

Enactment No: RES 16-204

Planning Director: Brian Foss

7. [SR 16-0393](#) Resolution approving an Agreement between the County of Nevada and the City of Nevada City pertaining to allocation of \$21,780 from County of Nevada Recreation Mitigation Funding, Grass Valley/Nevada City Benefit Zone, for the Pioneer Park Picnic Area Improvements Project, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Dist. I)

**Adopted.**

Enactment No: RES 16-205

Director of Public Works: Steven Castleberry

8. [SR 16-0353](#) Resolution approving the Maintained Mileage Certification for 2016, certifying the total mileage of County maintained roads to be 562.19 miles.

**Adopted.**

Enactment No: RES 16-206

9. [SR 16-0406](#) Resolution approving Exchange Program Agreement X16-5917(096) for the Federal Apportionment Exchange Program and State Match Program, with Nevada County funds in the amount of \$286,695 available for exchange and \$100,000 in available State Matching funds, for a total amount of \$386,695, and authorizing the Chair of the Board of Supervisors to execute the original two documents on behalf of the County of Nevada.

**Adopted.**

Enactment No: RES 16-207

10. [SR 16-0407](#) Resolution approving Program Supplement Number N036 Rev. 2, to Administering Agency-State Agreement for Federal Aid Projects Number 03-5917R, in the amount of \$694,349, for construction of the Newtown Road Class II Bike Lane Project - 5917(070), and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Dist. I)  
**Adopted.**  
Enactment No: RES 16-208
11. [SR 16-0356](#) Resolution continuing a temporary reduction of the Western Nevada County Solid Waste Parcel Charges for Fiscal Years 2016/17 and 2017/18, approving draft letters to the Cities of Grass Valley and Nevada City regarding Solid Waste Parcel Charges, and authorizing the Chair of the Board of Supervisors to execute the letters. (Sanitation).  
**Adopted.**  
Enactment No: RES 16-209
12. [SR 16-0403](#) Resolution accepting award of Fiscal Year 2014/15 Proposition 1B, California Transit Security Grant Program-California Transit Assistance Fund (CTSGP-CTAF) funding, Grant 6761-0002, for multi-phased bus stop improvements and equipment to improve and enhance transit system safety and security, in the amount of \$72,167. (Transit Services)  
**Adopted.**  
Enactment No: RES 16-210

Chief Information Officer: Stephen Monaghan

13. [SR 16-0387](#) Resolution rescinding Resolution 16-170, approving a revised contract between the County of Nevada and DMCE Concrete & Engineering, Inc., for the Grass Valley Veterans Memorial Building Sidewalk Improvements Project, in the amount of \$67,733 plus a contingency of \$6,774, for a total contract amount of \$74,507, and authorizing the Chair of the Board of Supervisors to execute the contract. (Facilities)  
**Adopted.**  
Enactment No: RES 16-211
14. [SR 16-0395](#) Resolution approving construction documents, and directing the Purchasing Agent to solicit bids for the Bost House Renovation Project, located at 145 Bost Avenue, Nevada City. (Facilities)  
**Adopted.**  
Enactment No: RES 16-212

15. [SR 16-0396](#) Resolution authorizing acceptance and recordation of a Non-Exclusive Access Easement from Eden Ranch Homeowners Association, Inc., to allow access to County property, located at 13782 State Highway 49, Nevada City (APN 14-140-67), for construction, operation and maintenance of the Nevada County Energy Conservation and Generation Project, and authorizing the Chair of the Board of Supervisors to execute the Easement Deed. (Facilities)  
**Adopted.**

Enactment No: RES 16-213

16. [SR 16-0397](#) Resolution authorizing the conveyance and recordation of a Non-Exclusive Easement at the Wayne Brown Correctional Facility Property, located at 925 Maidu Avenue, Nevada City (APN 05-020-22), approving the Easement Agreement between the County of Nevada, Pacific Gas and Electric (PG&E) Company, and Pacific Bell Telephone Company dba AT&T California, for installation and maintenance of utilities, and authorizing the Chair of the Board of Supervisors to execute the Easement Deed. (Facilities)  
**Adopted.**

Enactment No: RES 16-214

County Counsel: Alison Barratt-Green

17. [SR 16-0421](#) Resolution approving a Legal Services Fee Agreement between the County of Nevada and Attorney Andrea Widmer and a Power of Attorney to Mr. Widmer for the continued administration and distribution of the Estate of Albert F. Leuteneker, and authorizing the Chair of the Board of Supervisors to execute the documents.  
**Adopted.**

Enactment No: RES 16-215

County Executive Officer: Richard Haffey

18. [SR 16-0413](#) Resolution amending various Nevada County budgets through the Third Consolidated Budget Amendment for Fiscal Year 2015/16. (4/5 affirmative vote required)  
**Adopted.**

Enactment No: RES 16-216

Clerk of the Board: Julie Patterson Hunter

19. [SR 16-0399](#) Resolution making findings, accepting in part and rejecting in part the appeal filed by Larry and Cheryl Andresen to a decision of the Public Works Director regarding application for an encroachment permit on Floriston Avenue/Iceland Road, and scheduling a public hearing for June 28, 2016 at 1:30 pm. (Dist. V)  
**Adopted.**  
Enactment No: RES 16-217
20. [SR 16-0409](#) Appointment of Mr. Philip Reinheimer as a Public Member representative to the Adult & Family Services Commission, for a term expiring April 30, 2018.  
**Appointed.**
21. [SR 16-0398](#) Reappointment of Mr. James Meshwert as a public member to the Nevada County Finance Authority, for a term expiring June 30, 2018.  
**Reappointed.**
22. [SR 16-0405](#) Acknowledge Supervisor Scofield's acceptance of Ms. Debra Robertson's resignation as District II representative on the Sewage Disposal Technical Advisory Group.  
**Acknowledged.**
23. [SR 16-0429](#) Acceptance of Board of Supervisors Summary Minutes for May 10, 2016. (Pulled from Consent by Supervisor Beason.)  
**Pulled.**

ACTION TAKEN: Supervisor Beason requested Agenda Item #23 be pulled from the consent calendar for a correction.

*Approval of the Consent Agenda*

**Adopted.**

**MOTION: Motion made by Supervisor Beason, seconded by Supervisor Anderson to approve the consent calendar less Agenda Item #23. On a roll call vote, the motion passed unanimously.**

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**ITEMS PULLED FROM THE CONSENT CALENDAR:**

23. [SR 16-0429](#) Acceptance of Board of Supervisors Summary Minutes for May 10, 2016.  
(Pulled from Consent by Supervisor Beason.)  
**Accepted.**

ACTION TAKEN: Supervisor Beason referred to handwritten page 13 of the minutes the very last paragraph, and he requested that the language of the minutes be changed to reflect his request for the names of the Community Wildfire Protection Plan (CWPP) partners who commented in 2009 that they did not want Greenhorn Creek to be a priority due to off-highway vehicle (OHV) usage.

**MOTION: Motion made by Supervisor Beason, seconded by Supervisor Anderson, to approve the May 10, 2016 minutes with the requested change to Supervisor Beason's statement. On a roll call vote, the motion passed unanimously.**

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**DEPARTMENT HEAD MATTERS:****Director of Social Services: Mike Dent**

24. [SR 16-0388](#) Presentation on services, performance measures and an update regarding pertinent statistical outcomes related to the Calendar Year 2015 for the Nevada County Child Protective Services Division of the Department of Social Services, as well as providing information regarding Assembly Bill (AB) 403, the Continuum of Care Reform legislation.

ACTION TAKEN: Mr. Mike Dent, Director of Social Services, introduced Mr. Nicholas Ready, Program Manager, Child Protective Services, and provided a PowerPoint presentation regarding the 2015 Nevada County Child Protective Services (CPS) Division of Social Services, and provided information regarding Assembly Bill (AB) 403, Continuum of Care Reform Act Legislation.

Mr. Ready provided information regarding the number of children that are placed out-of-home; in foster family homes, with relatives or extended family members, in group homes, or supervised independent living situations, and he reviewed the outcome measures for those children. He noted that for the fourth quarter of 2015, Nevada County exceeded the National Standard for Federal Outcome Measures. Mr. Ready reviewed the Continuum of Care Reform, which seeks to reduce reliance on group homes by using a six month treatment window. He reported that Nevada County received State funding to help recruit new Foster Families, and to assist in the implementation of AB403 reform. Nevada County has recruited eight new Foster Family homes, four of which will be for teenagers, and one of which is located in Truckee.

Mr. Dent noted that their goal is to keep foster children housed locally, and to work toward family reunification. He shared good news regarding ongoing State funding, and reviewed their upcoming challenges and current successes.

Board questioning and discussion ensued.

Chairman Miller thanked Mr. Dent and Mr. Ready for their report and expressed his appreciation of Social Services and all of the work being done.

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**Director of Public Works: Steven Castleberry**

25. [SR 16-0415](#) (Waive Further Reading/Adopt) An Ordinance adding Subsections G-IV 8.18.D. through F. to Article 8 of Chapter IV of the General Code of the County of Nevada establishing regulations for the levy, collection and adjustment of Solid Waste Parcel Charges within Eastern Nevada County. (Sanitation)

**ACTION TAKEN:** Chairman Miller read the title of the proposed Ordinance into the record.

Mr. Steven Castleberry, Director of Public Works, reviewed the staff report regarding solid waste parcel charges in Eastern Nevada County. He reported that the amendment will define the methodology, and will allow the County to charge and place improvement fees on the tax bills.

**MOTION: Motion made by Supervisor Anderson, seconded by Supervisor Scofield, to introduce the proposed Ordinance and waive further reading.**

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Chairman Miller 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.**

Call meeting to Order. Chairman Miller called the meeting to order. All Directors present.

26. Consent: Chairman Miller introduced the consent calendar.

Director of Public Works: Steven Castleberry

**26a1.** [SR 16-0402](#) Resolution authorizing the approval of bidding documents and specifications for construction of the Penn Valley Dual Sewer Force Main Project - Contract No. 877140, and instructing the Purchasing Division to advertise for bids with the bid opening date to be set by the Director of Public Works. (Dist. IV)

**Adopted.**

Enactment No: SD16-004

**26a2.** [SR 16-0417](#) Resolution authorizing equipment sole source for the Penn Valley Dual Sewer Force Main Project. (Dist. IV)

**Adopted.**

Enactment No: RES SD16-005

Clerk of the Board: Julie Patterson Hunter

**26b.** [SR 16-0427](#) Acceptance of Nevada County Sanitation District No. 1 minutes for February 23, 2016. (Clerk of the Board)

**Accepted.**

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

Public comment: No public comment received.

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**Adjournment.**

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**ACTION TAKEN:** Chairman Miller adjourned as the Board of Directors of the Nevada County Sanitation District No.1 and reconvened as the Nevada County Board of Supervisors.

**SCHEDULED ITEM: 10:00 AM**

27. [SR 16-0422](#) Presentation on the status of Bark Beetles in Nevada County - 2016. (Mr. Robert Ingram, Nevada County Resource Conservation District)

ACTION TAKEN: Mr. Robert Ingram, Nevada County Resource Conservation District, provided a PowerPoint presentation regarding the status of Bark Beetles in Nevada County. The beetles have been over-wintering and are just now emerging. He reported that different species of beetles do their damage in different ways; Mountain Beetles force their way under the cadmium layer of pine trees; Western Bark Beetles enter under the bark of pine trees, slowly killing the tree. He reviewed the evidence called "pitch tubes" that beetles leave showing they have infested a tree. Mr. Ingram provided examples of healthy trees as opposed to weak trees, explaining that healthy trees have a stronger chance of fighting off the beetles. Older, weaker trees have a more difficult time resisting the damage caused by Bark Beetles.

Mr. Ingram reported that when trees grow too close together they become weak and create a lot of fuel. The lack of fuels management in the forest has increased the potential for Bark Beetle infestation. Additionally, excessive understory plant growth competes for water, weakens the trees and increases the likelihood of a Bark Beetle attack.

Mr. Ingram reviewed the process for cutting and processing beetle infested pine trees, and noted the difficulties in finding mills that will take the wood. The mills in California are currently overloaded with wood from last year's fires plus dead trees collected from the beetle infestation. He stressed that landowners should thin the trees on their property; healthier forests are more resistant to parasites, fire, and disease. Mr. Ingram recommended that if a landowner does have dead or infested trees, they deal with them as quickly as possible.

Board questioning ensued.

Supervisor Beason shared concerns regarding State requirements for landowners to manage their lands. He asked if there was any more immediate action that could be taken for defense of the forests and mentioned some of the regulatory obstructions that could be changed so that action can be taken more quickly. Mr. Ingram reiterated that prescribed burning, thinning, and removal of ground vegetation can help to mitigate Bark Beetles.

Supervisor Scofield provided comments regarding the many trees at the Fairgrounds that are beetle infested and are scheduled to be cut down. He also shared his frustration that there does not seem to be much that can be done.

Supervisor Anderson shared his frustration regarding the lack of a solution to the problem. He asked about the status of Bark Beetle damage in Eastern County. Mr. Ingram explained that there is damage being done in Eastern County by a different strain of Bark Beetles.

Board questioning continued.

Supervisor Weston stressed that the problem was due to the lack of forest management during the last 50 years. Also, due to the regulations and related costs, it is harder for property owners to maintain their property.

Chairman Miller provided an opportunity for public comment.

Mr. Al Bulf, District I resident, suggested ways that other countries are mitigating damage to the forests.

Mr. Thom Staser, District I resident, asked about applying for California Forest Improvement Program and the Federal Environmental Quality Incentive Program funding. Mr. Ingram responded that the State has been working to refund their program, but he was not sure where they were in the process.

Mr. Staser explained that his property in Nevada City needs to be thinned and his family does not have the funds to pay for thinning. He has been told that if his property burned, all of Nevada City could burn.

Ms. Pearl Bernard, District I resident, asked if the Bureau of Land Management (BLM) was taking care of their forests. The Board members and Mr. Ingram explained that BLM is not managing their forests.

Ms. Bernard asked if beetles affect other types of trees. Mr. Ingram explained that Bark Beetles only affect pine trees.

Mr. Randy Blakemore, District III resident, commented on the beetle damage on his property and the steps he has taken to mitigate the problem.

Mr. Jake Smith asked about China as a possible export market. Mr. Ingram responded that China desires certain lumber but we have not done the research into exporting logs to other countries.

Mr. Donn Coenen, District II resident, was not pleased that the mills have been shut down due to environmental protection laws in California. He asked about systemic insecticides and if

they are effective. Mr. Ingram responded that it is difficult to find research that supports the treatment and he knows of little success from herbicides and insecticides.

Ms. Barbara Miland, District II resident, shared concerns regarding the dead and/or dying trees on her property. She cannot afford to remove the trees. Ms. Miland asked if the County could declare a State of Emergency, which could provide some relief for homeowners. Supervisor Weston explained that it would be up to the State to declare Nevada County as a threatened County. Fire Safe Council of Nevada County could possibly provide a grant to assist her in removing the trees, although there is the difficulty of what to do with the trees after they are removed.

Mr. Lee French, District II resident, asked if chipping and/or burying the trees would help prevent Bark Beetle infestation. Mr. Ingram did not think there could be pits big enough to bury all of the damaged trees, although burying would work if it was a possibility. He stressed that fire is the best and most effective way to manage damage created by Bark Beetles.

The Board members thanked Mr. Ingram for his presentation and valuable information.

Supervisor Anderson noted the Nevada County Resource Conservation District's website provides information regarding Bark Beetles.

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

Supervisor Weston announced that the State Subcommittee approved funding in the amount of \$352,000 for the solar project at Malakoff Diggins State Park.

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**\*CLOSED SESSIONS:**

- [SR 16-0424](#) Pursuant to Government Code Section 54956.9(d)(4), County Counsel is requesting a closed session to determine whether litigation should be initiated by the County in one matter. (Pulled from the agenda at the request of staff.)
- [SR 16-0426](#) Pursuant to Government Code Section 54957(b)(1), the Board of Supervisors will hold a closed session for a public employee performance evaluation: Clerk of the Board.

ACTION TAKEN: Ms. Alison Barratt-Green, County Counsel, read the title of the closed session into the record and the Board entered into closed session.

Following closed session, Ms. Barratt-Green reported that nothing occurred in closed session that is required to be reported out by law.

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ADJOURNMENT: There being no further business, Chairman Miller adjourned the meeting at 12:12 P.M.

**Signature and Attestation**

**Dan Miller, Chairman**

**ATTEST:**

**By:**

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