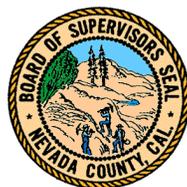


COUNTY OF NEVADA

STATE OF CALIFORNIA

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



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, April 10, 2018	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

REGULAR MEETING: 9:00 A.M.

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

(Supervisor Miller recused himself from Agenda Item #21)

STANDING ORDERS:

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

Pledge of Allegiance led by Mr. Seth Schapiro, Director of Human Resources.

Corrections and/or deletions to agenda.

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

SCHEDULED ITEM: 9:01 A.M.

Interim County Librarian: Yolande Wilburn

1. [SR 18-0259](#) Presentation of Certificates of Recognition for Nevada County Community Library Card Design Contest 2018 Winners:

Age 10 and Under: Quinn Wees, Truckee

11-17: Lily A. Neiser, Grass Valley

Adult: Janet Jensen, Nevada City

Poet Laureate's Choice: Anita Lincoln Pearson, Penn Valley

ACTION TAKEN: Ms. Yolande Wilburn, Interim County Librarian, reported on the Library Card Design Contest process for 2018. She reported that the artwork was required to have a poetry theme and include the words Nevada County Community Library. She thanked all of the participants, and announced the winners.

The Board members presented Certificates of Appreciation for the winners, Mr. Quinn Wees, Age 10 and Under category; Ms. Lily Neiser, Ages 11 to 17 category; Ms. Janet Jensen, Adult category; and Ms. Anita Lincoln Pearson, Poet Laureate's Choice category.

PUBLIC COMMENT: 9:10 A.M.

ACTION TAKEN: No public comment received.

CONSENT CALENDAR:

Acting Behavioral Health Director: Phebe Bell

2. [SR 18-0238](#) Resolution approving Amendment 1 to the Memorandum of Understanding (MOU) between the County of Nevada and the California Health and Wellness Plan (CHWP) for the coordination of services in the delivery of specialty mental health services and alcohol and other drug treatment services to CHWP members served by both parties under the Department of Health Care Services Medi-Cal Managed Care Program (Res. 15-094), extending the term of the MOU for an additional three years through June 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Adopted.

Enactment No: RES 18-126

3. [SR 18-0277](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Sierra Mental Wellness Group for the provision of crisis intervention and community client services (Res. 17-295), revising the requirements of Crisis Workers and increasing the maximum contract price from \$927,432 to \$972,108, for the period July 1, 2017 through June 30, 2018, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Behavioral Health Department's budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 18-127

Clerk-Recorder/Registrar of Voters: Gregory Diaz

4. [SR 18-0272](#) Resolution accepting the State of California, Secretary of State's grant award known as "The Voters Choice Act Voter Education and Outreach Program" for the purpose of conducting an all-mailed ballot election in 2018, and authorizing the Nevada County Clerk-Recorder/Registrar of Voters to execute Standard Agreement 17S10063, in the maximum amount of \$15,000, for the period March 1, 2018 through September 1, 2018. (Elections)

Adopted.

Enactment No: RES 18-128

District Attorney: Clifford Newell

5. [SR 18-0267](#) Resolution accepting the California Governor's Office of Emergency Services (Cal OES) Grant XC16010290 Amendment 1 for the Nevada County Victim Services Program (Res. 16-516), awarding additional Federal Victim of Crime Act (VOCA) funds in the amount of \$143,809, and extending the term to December 31, 2019.

Adopted.

Enactment No: RES 18-129

Director of Public Works: Trisha Tillotson

6. [SR 18-0270](#) Resolution adopting a list of projects for Fiscal Year 2018/19 funded by Senate Bill (SB) 1: The Road Repair and Accountability Act of 2017, to include the 2019 Road Maintenance and Rehabilitation Program and the Rough and Ready Highway at Squirrel Creek Culvert Project.

Adopted.

Enactment No: RES 18-130

7. [SR 18-0257](#) Resolution approving the plans, specifications and cost estimate for the McCourtney Road Landfill Gas Extraction Well Installation Project, authorizing the Chair of the Board of Supervisors to execute the documents, authorizing the District Engineer/Public Works Director to incorporate any final changes into the bid documents before advertising for bids, and instructing the Purchasing Division to advertise for bids with the bid opening date to be determined by the Purchasing Agent. (Sanitation)

Adopted.

Enactment No: RES 18-131

8. [SR 18-0269](#) Resolution approving submittal of the Fiscal Year 2017/18 application to the Low Carbon Transit Operations Program (LCTOP), administered by the California Department of Transportation, for funding in the amount of \$101,734, pertaining to a fare incentive project to offer enhanced and alternate transportation mobility options on Gold Country Stage (\$27,000) and for the purchase of an ADA accessible transit van for rural services (\$74,734), and authorizing the appointment of the Director of Public Works to execute the application(s) and all required documents of the LCTOP. (Transit)

Adopted.

Enactment No: RES 18-132

Human Resources Director: Seth Schapiro

9. [SR 18-0275](#) Resolution approving an amendment to the contract between the County of Nevada and Van Dermeyden Maddux Law Corporation pertaining to administrative investigative services (PESL3499), increasing the contract amount from \$15,000 to \$65,000 effective as of January 1, 2018, authorizing the Chair of the Board of Supervisors to execute the amendment, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Human Resources budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 18-133

10. [SR 18-0284](#) Resolution approving a renewal agreement between the County of Nevada and the California State Association of Counties-Excess Insurance Authority for Employee Assistance Program benefits through Managed Health Network, in the amount of \$3.62 per employee/per month, for the period July 1, 2018 through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 18-134

Chief Probation Officer: Michael Ertola

11. [SR 18-0273](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Victor Community Support Services, Inc. to provide clinical and evidence based services for eligible youth (Res. 17-355), increasing the contract amount by \$85,000 for a maximum amount of \$335,000, for the period July 1, 2017 through June 30, 2018, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Probation Department's budget. (4/5 affirmative vote required)

Adopted.

Enactment No: RES 18-135

Chief Information Officer: Stephen Monaghan

12. [SR 18-0245](#) Resolution approving the Ground Lease Reassignment of Lot 5 of the Nevada County Airport, releasing Neal Street Investments, LLC, of its rights, obligations and interest in and to the Ground Lease and assigning the Ground Lease to John Barleycorn Investments, LLC, and authorizing the Chair of the Board of Supervisors to execute the Lease Assignment. (Airport)

Adopted.

Enactment No: RES 18-136

13. [SR 18-0249](#) Resolution approving Amendment 2 to the Ground Lease Agreement between the County of Nevada and John Barleycorn Investments, LLC for a portion of Lot 5 at the Nevada County Airport (Res. 06-419), increasing the base rent from \$1,317.02 to \$1,405.54 per month effective April 1, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Airport)

Adopted.

Enactment No: RES 18-137

14. [SR 18-0268](#) Resolution authorizing and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Nevada County Airport budget as a result of the 2017 fire season, which lead to additional fuel revenues and expenses, as well as landing fee revenues. (Airport) (4/5 affirmative vote required)

Adopted.

Enactment No: RES 18-138

15. [SR 18-0290](#) Resolution authorizing the purchase of video equipment, including two capital assets in the amount of \$18,378, for the Board of Supervisors Chambers Video Production Upgrade Project, and directing the Auditor-Controller to release \$47,925 from 1190 Cable INET & PEG fund balance and amend the Fiscal Year 2017/18 Information Systems budget. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 18-139
16. [SR 18-0260](#) Resolution continuing the proclamation of a Local Emergency in Nevada County due to the Wind Complex Fires and related evacuations in the affected communities and requesting that the Governor of California continue to maintain a State of Emergency for the County of Nevada. (Emergency Services)
Adopted.
Enactment No: RES 18-140
17. [SR 18-0276](#) Resolution approving a contract between the County of Nevada and Treehenge Construction, Inc. for the Eric Rood Administrative Center Health and Human Services Agency Remodel and Adult Protective Services Relocation Project (Res. 18-059), in the amount of \$181,747 plus a 10 percent contingency of \$18,175 for a total contract amount of \$199,922, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2017/18 Capital Facilities budget. (Facilities) (4/5 Affirmative vote required)
Adopted.
Enactment No: RES 18-141

County Executive Officer: Richard Haffey

18. [SR 18-0220](#) Resolution approving Amendment 1 to the Memorandum of Understanding between the County of Nevada and the Nevada County Superior Court (Res. 16-330), pertaining to the addition of language to govern the Collection Bank Account for Criminal Fines, Penalties, and Forfeitures, estimated to be effective April 1, 2018, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
Adopted.
Enactment No: RES 18-142

Clerk of the Board: Julie Patterson Hunter

19. [SR 18-0271](#) Appointment of Mr. David Guerland as an alternate member to the Assessment Appeals Board, for an unexpired one-year term ending September 30, 2018.
Appointed.
20. [SR 18-0265](#) Acceptance of Board of Supervisors Summary Minutes for March 27, 2018.
Accepted.

ACTION TAKEN: Chairman Scofield introduced the consent calendar.

Approval of the Consent Agenda

Adopted.

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

DEPARTMENT HEAD MATTER:

Planning Director: Brian Foss

21. [SR 18-0282](#) Resolution denying the appeal filed by Andrew Cassano with Nevada City Engineering, Inc., on behalf of Susan Rideout, Claudia Baker and Patricia Fraga, regarding the Planning Director's January 19, 2018 Notice of Conditional Approval for a Boundary Line Adjustment (PLN17-0135; LLA17-0024) between two parcels to transfer one acre of property at 15144 Lake Lane (APN 38-500-01/02) and 15200 Lake Lane (APN 38-120-06) in Nevada City, and making modifications to Condition of Approval #3. (Dist. 1) (Supervisor Miller - Absent)
Adopted as amended.
Enactment No: RES 18-143

ACTION TAKEN: Chairman Scofield introduced the agenda item, and Supervisor Miller recused himself from discussion on the item.

Mr. Brian Foss, Planning Director, reviewed the staff report regarding the appeal filed by Andrew Cassano regarding a Notice of Conditional approval by the Planning Director for a lot line adjustment.

Mr. Foss explained that on March 27, 2018, the Board made a motion of intent to modify Condition No. 3, which would allow the lot line adjustment to record, and providing for 60 days to address the building permit issue, which would begin upon the approval of the lot line adjustment if the Board were to take final action today. That was the direction that was understood by staff; however, the Appellant believes the direction of the Board was to start the 60-day period for the unpermitted structures once the lot line adjustment records.

Mr. Foss reported that the approval of the lot line adjustment is good for up to three years, and if the Board so desires, changes could be made to the Condition of Approval to start the 60-day period upon recordation. Mr. Foss added that the Resolution presented to the Board does begin the 60-day clock at the time of approval, which would be revised if directed.

Supervisor Hall asked for further clarification on the proposed language change in the Resolution. Mr. Foss reviewed the potential changes to Exhibit "A", which would change the timing from 60-days from approval to 60-days from recordation of the lot line adjustment.

Supervisor Hall asked if this change would be made to the guidelines for future lot line adjustments. Mr. Foss responded that staff reviewed the application for lot line adjustments and drafted language to clarify that if there were any unpermitted structures that are affected by a proposed lot line adjustment, the applicant would have a number of options for addressing those structures.

Supervisor Weston asked if Nevada Irrigation District (NID) were to provide authorization to leave the buildings within the easement, would the property owners then only have to get the structures permitted. Mr. Foss explained that staff would work with NID and the Applicant; if the easement was after the building was permitted or needed adjustment, or if NID had no issues with the structure's location, staff would take that into consideration and issue the permit process.

Supervisor Anderson asked if there were any downsides with this new approach to lot line adjustments or to other administrative actions on the part of staff. Mr. Foss responded that while this is different than the County's normal process, it places a slightly different timeline on it than how other projects are normally conditioned. The recordation can occur after the Planning Department has signed off on the project. This will take an extra effort to track when the lot line adjustment records, but staff will incorporate the new process into the program. Mr. Foss added that the new process still provides flexibility to address immediate health and safety issues.

Chairman Scofield provided an opportunity for the public to provide comments.

Mr. Andy Cassano, Appellant, asked the Board to approve the amended language as proposed by staff. He believed if a party were able to record their lot line adjustment before addressing any permit issues, it would provide the opportunity to use any proceeds from the sale of the portion of their property to address those issues. He added that although he did not win the appeal, it was important that coming out of the process, his client is no worse off than before the process started. He appreciated that the Board's consideration and thanked them for their time.

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

MOTION: Motion made by Supervisor Hall, seconded by Supervisor Weston, to adopt Resolution 18-143 as amended, modifying Condition #3 to allow the lot line adjustment to move forward but require the unpermitted structures to be removed or for permits to be applied for to legalize the structures within 60 days of recordation or the matter would be referred to the Code Compliance Division. On a roll call vote, the motion passed as follows: Supervisors Hall, Scofield, Weston, and Anderson, aye; Supervisor Miller, absent.

***CLOSED SESSION:**

[SR 18-0283](#) Pursuant to Government Code Section 54957.6, a closed session of the Board of Supervisors will be held for the purpose of reviewing its position and instructing its designated labor negotiations representatives regarding employee salaries, salary schedules, fringe benefits, and all other matters within the statutory scope of representation. The designated labor negotiation representatives for Nevada County are: Alison Lehman, Assistant County Executive Officer, Seth Schapiro, Human Resources Director, Joseph Salivar, Undersheriff, and Donna Williamson, Labor Attorney. The labor negotiations concern the following bargaining units: Unrepresented Confidential Employees, Local 39 General Employees Unit, Local 39 Professional Employees Unit, Sheriff's Management Association, and Deputy District Attorney/Deputy Public Defenders Association.

ACTION TAKEN: Supervisor Miller returned to the meeting, and Ms. Alison Barratt-Green, County Counsel, read the title of the closed session into the record, and the Board members entered into closed session. Following the closed session, Ms. Barratt-Green reported that nothing occurred in closed session that was required to be reported out by law.

***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 the Board members.

ADJOURNMENT:

Meeting adjourned at 9:49 a.m.

Signature and Attestation

Edward C. Scofield, Chairman

ATTEST:

By:

Lelia Loomis, Deputy Clerk to the Board