

COUNTY OF NEVADA

STATE OF CALIFORNIA

Supervisor Heidi Hall, District I

Chair Ed Scofield, District II

Supervisor Lisa Swarthout, District III

Supervisor Susan Hoek, District IV

Vice-Chair Hardy Bullock, District V

Julie Patterson Hunter, Clerk of the Board

Alison Lehman, County Executive Officer

Katharine L. Elliott, County Counsel



BOARD OF SUPERVISORS

950 Maidu Avenue, Suite 200

Nevada City, CA 95959-8617

(530) 265-1480

Fax: (530) 265-9836

bdofsupervisors@nevadacountyca.gov

SUMMARY MINUTES

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, October 10, 2023	9:00 AM	Board Chamber, First Floor Eric Rood Administrative Center 950 Maidu Avenue, Suite 200 Nevada City, California

REGULAR MEETING: 9:00 AM

Rollcall

The following Supervisors present:

Heidi Hall, 1st District

Ed Scofield, 2nd District

Lisa Swarthout, 3rd District

Susan Hoek, 4th District

Hardy Bullock, 5th District

STANDING ORDERS:

Chair Scofield called the meeting to order at 9:00 a.m.

The Pledge of Allegiance was held.

No corrections or deletions to the agenda were noted.

PUBLIC COMMENT:

[SR 23-4619](#) Public comment received.

ACTION TAKEN: Chair Scofield introduced the opportunity for general public comment and comments were received. Chair Scofield closed public comment.

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

1. [SR 23-4558](#) Resolution approving a contract between the County of Nevada and Community Beyond Violence for services including outreach, education, advocacy, and training in the North San Juan area, in the maximum amount of \$60,000, for the period October 1, 2023 through June 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: RES 23-513

2. [SR 23-4553](#) Resolution approving a renewal revenue Contract for Services between the County of Nevada and the County of Placer for Nevada County to provide Crisis Stabilization Unit services for Placer County referred clients, for the period July 1, 2023 through June 30, 2025, in the maximum contract amount of \$75,000, and authorizing the Chair of the Board of Supervisors to execute the contract.

Adopted.

Enactment No: RES 23-514

Public Health Director: Kathy Cahill

3. [SR 23-4613](#) Resolution approving a renewal agreement between the County of Nevada and the Tahoe Forest Hospital District for distribution of ELC Enhancing Detection Expansion funds to community hospitals to enhance capacity for infection control and prevention in high-risk settings, in the maximum amount of \$105,716, for the period September 1, 2023 through April 30, 2024, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 23-515

Office of Emergency Services Director: Craig Griesbach

4. [SR 23-4568](#) Resolution approving environmental clearance for the Direct Community Support Task of the CAL FIRE 5GA21159 Winter Storm Hazardous Vegetation Clean-Up Project, and authorizing the Director of the Nevada County Office of Emergency Services to sign and file a Notice of Exemption with the Nevada County Clerk-Recorder's Office and the Office of Planning and Research for the Direct Community Support Task of the Project.

Adopted.

Enactment No: RES 23-516

Facilities Management Director: Justin Drinkwater

5. [SR 23-4438](#) Resolution approving Amendment 1 to the Public Works Contract between the County of Nevada and Buskirk Construction, Inc. for the Nevada County Bear River Library Tenant Improvement Project (Res. 22-631), increasing the base contract amount of \$720,000 by \$47,357 for a revised contract amount of \$839,357 which includes contingency of \$72,000, authorizing the Chair of the Board of Supervisors to execute the amendment, and directing the Auditor-Controller to amend the Fiscal Year 2023/24 Capital Facilities and Library budgets. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 23-517

County Counsel: Katharine L. Elliott

6. [SR 23-4547](#) (Introduce/Waive further reading) An Ordinance revising sections of the Nevada County General Code.
First reading held.
7. [SR 23-4548](#) (Introduce/Waive further reading) An Ordinance revising sections of the Nevada County Land Use Code.
First reading held.

Clerk of the Board: Julie Patterson Hunter

8. [SR 23-4706](#) Resolution making findings, accepting the appeal filed by Glenn Christ regarding the Planning Department's determination that the appellant's Final Map application (FM07-010) does not qualify for an automatic extension provided by AB1561, and scheduling the appeal for public hearing on November 7, 2023 at 1:30 p.m.
Adopted.
Enactment No: RES 23-518
9. [SR 23-4620](#) Acceptance of Board of Supervisors Summary Minutes for September 26, 2023.
Accepted.

*Approval of the Consent Agenda***Adopted.**

ACTION TAKEN: Chair Scofield provided an opportunity for public comment on the consent calendar; no comments were received. Chair Scofield closed public comment.

MOTION: Motion made by Supervisor Swarthout, and seconded by Supervisor Bullock, to adopt the consent calendar. On a roll call vote the motion passed unanimously.

***DEPARTMENT HEAD MATTERS:**

Agricultural Commissioner: Chris de Nijs

10. [SR 23-4704](#) Acceptance of the 2022 Nevada County Crop and Livestock Report.
Accepted.

ACTION TAKEN: Chris de Nijs, Agricultural Commissioner, and Luci Wilson, Agricultural Biologist, provided an overview of the annual report. Staff reported on crop value shifts (including the impact of occurrences such as wine grape double freeze events) as well as the value of nursery products and livestock production. A 10-year summary was provided, including a presentation of overall trends in values. Issues of note for the department included the surge of oriental fruit fly in California, invasive weed control, sustainable agricultural activities, and environmental protection programs. Staff also provided an overview of the Cannabis Supplemental Report. Finally, Commissioner de Nijs thanked local producers for responding to their survey, from which the department was able to gather data for the report.

Board discussion followed, and staff responded to Board questions. Chair Scofield provided an opportunity for public comment and comments were received.

MOTION: Motion made by Supervisor Hoek and seconded by Supervisor Hall to accept the 2022 Nevada County Crop and Livestock Report. On a voice vote, the motion passed unanimously.

Planning Director: Brian Foss

11. [SR 23-4707](#) Informational report regarding the new Nevada County Accessory Dwelling Unit (ADU) Guidebook, and acceptance of the Guidebook in substantially the form attached.
Accepted.

ACTION TAKEN: Brian Foss, Planning Director, introduced Marie Maniscalpo, Associate Planner, who provided a presentation. Marie outlined the four-county partnership that went into the Mother Lode ADU Guidebook project. The benefits of ADUs were then explained, including that they allow for multi-generational living, housing for local workers, sources of rental income, support aging in place, and improve property values. In order to support the public to more easily plan and construct ADUs, a guidebook was created. Benefits of the guidebook include that it saves interested parties money and time, and that it acts as a resource for both staff and residents. Mother Lode ADU resources include the PDF guidebook and a website with additional content and features. Highlights of the website include an ADU exercises feature, an ADU cost calculator, and floor plans inspiration.

Marie introduced Brandi Campbell Wood, Principal at Community Planning Collaborative and project manager who helped coordinate all four counties. Discussions of septic, affordability, and pre-approved master plans followed. Supervisor Swarthout requested that Planning report back to the Board in 6 to 12 months on how many people have applied for ADU permits.

Chair Scofield provided an opportunity for public comment and comments were received.

MOTION: Motion made by Supervisor Swarthout and seconded by Supervisor Hall to accept the informational report and accept the Nevada County Accessory Dwelling Unit (ADU) Guidebook. On a roll call vote, the motion passed unanimously.

County Executive Officer: Alison Lehman

12. [SR 23-4776](#) Acceptance of the presentation to inform the Board of Supervisors on results of the Impact Assessment Study for Pioneer Community Energy.
Accepted.

ACTION TAKEN: After a short break, the Board reconvened. Alison Lehman, County Executive Officer, introduced Caleb Dardick, Assistant CEO, and Mandy Stewart, Administrative Analyst. Also present were staff and board members of Pioneer Energy and representatives of Pacific Energy Advisors. Mandy introduced the unfavorable results of the Impact Assessment Study done with Pioneer Energy, then staff and representatives provided details on the background of the project and next steps. A roadmap overview of past and present actions and definitions of an impact assessment study were provided, as well as definitions of several major components in power supply such as energy, renewable energy credits, and resource adequacy. Then the factors considered in the study were explained, such as total eligible customer outlook, customer load comparison, key assumptions, and market prices.

Major conclusions from the study include projected negative fiscal impacts, negative operating margins resulting from expansion, and that market conditions could change in the future that would make expansion beneficial. One option for Nevada County is to end the process and revisit it again in the future, commissioning a new impact assessment study at that time. Another option is to maintain course, meaning that the County commits to absorbing possible rate differences (as Pioneer may still be the less expensive option relative to PG&E) and join the Pioneer board in Spring 2024. Representatives noted that they are looking for general direction from the Supervisors in order to guide Pioneer staff.

Board discussion followed, and staff and representatives responded to questions. Representatives clarified that Grass Valley and Nevada City joined the Pioneer JPA in 2023, but that unincorporated parts of the County will not receive Pioneer service when the other jurisdictions's begins in January 2024; rather service for the unincorporated area will only begin if and when the County joins the JPA. Chair Scofield offered the opportunity for the public to provide comments; no public comment was received.

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Swarthout to pause the Pioneer Community Energy effort and revisit it at a later date. On a roll call vote, the motion passed unanimously.

***ANNOUNCEMENTS:**

ACTION TAKEN: Updates were provided by members of the Board.

***CLOSED SESSIONS:**

[SR 23-4778](#) Pursuant to Government Code § 54956.9(d)(4), County Counsel is requesting a closed session to determine whether litigation should be initiated by the County in one matter.

Closed Session held.

[SR 23-4779](#) Pursuant to Government Code § 54956.9(d)(1), County Counsel is requesting a closed session to discuss the following existing litigation case: Willman Doleman vs. County of Nevada, Nevada County Superior Court, Case No. CU0000220.

Closed Session held.

[SR 23-4790](#) Pursuant to Government Code § 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss a matter in which there is a significant threat of litigation against the County.

Closed Session held.

ACTION TAKEN: Katharine Elliott, County Counsel, requested that the Board hold three closed sessions, which were read into the record. Chair Scofield opened the opportunity for public comment; no comments were received.

Following closed session, County Counsel reported out on the three matters. Regarding SR 23-4778, the Board voted unanimously to file a complaint with the CPUC related to the PG&E gas line as discussed recently regarding Hell's Half Acre. Regarding SR 23-4779 and SR 23-4790, direction was given to staff.

ADJOURNMENT:

ACTION TAKEN: Chair Scofield adjourned the meeting at 1:21 p.m.

Signature and Attestation

Edward C. Scofield, Chair

ATTEST:

By:

Tine Mathiasen, Deputy Clerk to the Board