

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

Date	Time	Location
Tuesday, January 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

Roll Call:

The following Supervisors present:

Heidi Hall, 1st District

Ed Scofield, 2nd District

Dan Miller, 3rd District

Sue Hoek, 4th District

The following Supervisor attended by remote:

Hardy Bullock, 5th District

STANDING ORDERS:

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

Pledge of Allegiance was held.

Corrections and/or deletions to agenda:

ACTION TAKEN: The Board discussed adding a proposed Emergency Proclamation resolution (SR 23-0105) to the agenda for consideration. Clerk Patterson Hunter noted that Supervisor Bullock was attending remotely.

[SR 23-0009](#)

Moment of Silence in memory of the twenty-second anniversary of the January 10, 2001 tragic incident at the Behavioral Health Department, HEW Building and Lyons Restaurant. In memory of Laura Wilcox, Michael Markle, and Pearlle Mae Feldman.

Acknowledged.

ACTION TAKEN: A moment of silence was held.

DEPARTMENT HEAD MATTER:

Director of Office of Emergency Services: Craig Griesbach

[SR 23-0105](#)

Resolution proclaiming a local emergency in Nevada County due to the 2022-2023 winter storms.

Adopted.

Enactment No: RES 23-001

MOTION: Motion made by Supervisor Scofield and seconded by Supervisor Hall to add the request to proclaim a local emergency to the agenda. On a roll call vote the motion passed unanimously.

ACTION TAKEN: Craig Griesbach, OES Director, reported on the need to declare a local emergency due to the winter storms of 2022/2023. Craig requested the Board adopt the Resolution declaring a local emergency.

Board members thanked first responders.

Chair Hoek offered the opportunity for public comment and no comments were received.

MOTION: Motion made by Supervisor Scofield and seconded by Supervisor Hall to adopt Resolution 23-001 proclaiming a local emergency. On a roll call vote the motion passed unanimously.

BOARD MEMBER ITEMS:

1. [SR 23-0010](#) Selection of Chair and Vice Chair for 2023.
Appointed.

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Swarthout to nominate Supervisor Ed Scofield as the Board of Supervisors' Chair for 2023. On a roll call vote the motion passed unanimously.

MOTION: Motion made by Supervisor Scofield and seconded by Supervisor Hall to nominate Supervisor Hardy Bullock as the Board of Supervisors' Vice Chair for 2023. On a roll call vote the motion passed unanimously.

2. [SR 23-0011](#) Recognition of Chair Sue Hoek.
Recognized.

ACTION TAKEN: Following a short break, Chair Scofield called the meeting back into order. Chair Scofield and Board members thanked Supervisor Hoek for her leadership as Chair in 2022.

Supervisor Hoek provided words in thanks to the community and the Board members for their support.

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

PUBLIC COMMENT:

- [SR 23-0097](#) Public comment received.

ACTION TAKEN: Chair Scofield introduced public comment, and comments were received. Chair Scofield closed public comment.

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

3. [SR 23-0001](#) Resolution approving Modification 1 to the Behavioral Health Continuum Infrastructure Program (BHCIP) Behavioral Health County and Tribal Planning grant subcontract 7469-BHCIP-County of Nevada-01G (Res. 22-364), authorizing an amended base performance period of April 19, 2022 to March 31, 2023, and modifying Attachment D, Attachment E and Invoicing terms to reflect the modified period.
Adopted.
Enactment No: RES 23-002
4. [SR 22-1662](#) Resolution approving Amendment 2 to the Participation Agreement between the County of Nevada and the California Mental Health Services Authority (CalMHSA) for the multi-county Early Psychosis Intervention Project (Res. 22-061), to include a modified Exhibit B and C, the inclusion of Attachment A-UCD Approved Budget, and adjust the total budget amount from \$1,864,145 to \$1,515,067, for the period September 1, 2021 through June 30, 2025, and authorizing the Chair of the Board of Supervisors to execute the amendment.
Adopted.
Enactment No: RES 23-003
5. [SR 23-0016](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada and Blue Cross of California Partnership Plan, Inc. (Anthem) in order for Nevada County to receive payment through the CalAIM Incentive Program for services including infrastructure and startup support for the Enhanced Care Management Program, in the maximum amount of \$69,234, for the period October 25, 2022 through December 31, 2023, and authorizing the Nevada County Behavioral Health Director to execute the MOU.
Adopted.
Enactment No: RES 23-004

Interim Public Health Director: Erin Mettler

6. [SR 23-0014](#) Resolution approving the Participation Agreement between the County of Nevada and the California Department of Health Care Services to perform local Medi-Cal Administrative Activities for Medi-Cal eligible and potentially eligible members of the community, effective July 1, 2020 and ongoing until terminated by either party, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 23-005

7. [SR 22-1658](#) Resolution approving an agreement between the County of Nevada and the County of Santa Cruz for payment of participation fees for the County-based Medi-Cal Administrative Activities/Targeted Case Management Local Governmental Agency Consortium, in the maximum amount of \$49,999, for the period July 1, 2022 through June 30, 2025, and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 23-006

Director of Social Services: Rachel Peña

8. [SR 23-0008](#) Resolution authorizing the application for and acceptance of the County Joint Allocation award under the Transitional Housing Program (THP) Round 3 (\$12,193), and Housing Navigation and Maintenance Program (HNMP) Round 1 (\$53,136), and authorizing the Health and Human Services Director to execute any and all documents required to participate in the THP Program.

Adopted.

Enactment No: RES 23-007

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

9. [SR 23-0037](#) Resolution approving Amendment 1 to the Subrecipient Agreement between the County of Nevada and Interfaith Food Ministry to provide nutritional support for low-income individuals and families (Res. 21-414), reallocating \$10,400 from personnel expenditures to program funding and extending the expiration date through December 31, 2023, and authorizing the Director of Housing and Community Services to execute the amendment. (Housing)

Adopted.

Enactment No: RES 23-008

10. [SR 23-0036](#) Resolution approving Amendment 1 of the Subrecipient Agreement between the County of Nevada and Gold Country Community Services to reduce senior hunger and food insecurity (Res. 21-415), reallocating \$37,000 from personnel expenditures to program funding, extending the expiration date through September 30, 2023, and authorizing the Director of Housing and Community Services to execute the amendment. (Housing)
Adopted.
Enactment No: RES 23-009
11. [SR 23-0019](#) Resolution approving Amendment 1 to the Sub-Recipient Agreement between the County of Nevada and Nevada County Housing Development Corporation as awarded through the CoronaVirus-Program Community Development Block Grant Standard Agreement 20-CDBG-CV2-3-00270 and 20-CDBG-CV2-3-00272 (Res. 22-179), in the maximum amount of \$1,108,450 for the period January 1, 2022, through June 30, 2023 (an increase of \$484,450), authorizing the Director of Housing and Community Services to execute the amendment, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 Housing and Community Services budget. (4/5 affirmative vote required) (Housing)
Adopted.
Enactment No: RES 23-010
12. [SR 23-0005](#) Resolution approving renewal Standard Agreement 23F-4029 between the County of Nevada and the State Department of Community Services and Development (CSD) for funding of 2023 Community Services Block Grant (CSBG) Programs, and authorizing the Health and Human Services Agency Director to sign any required documents associated with CSD notifications of availability of CSBG funds up to the maximum amount of \$292,893, for the period January 1, 2023 through May 31, 2024. (Housing)
Adopted.
Enactment No: RES 23-011

Chief Probation Officer: Jeff Goldman

13. [SR 22-1619](#) Resolution approving Amendment 1 to the contract between the County of Nevada and Project H.E.A.R.T. Inc. to provide additional cognitive behavioral therapy-based services for adult and juvenile probation clients (PESQ4514), increasing the maximum amount from \$50,000 to \$100,000, for the period July 1, 2022 through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the amendment.
Adopted.
Enactment No: RES 23-012

District Attorney: Jesse Wilson

14. [SR 22-1647](#) Resolution accepting the California Office of Emergency Services Grant Award VW22360290 for the Nevada County Victim Witness Assistance Program, in the amount of \$287,913, for the period October 1, 2022 through September 30, 2023, and authorizing the District Attorney to execute the grant agreement and all additional documents to fulfill the grant requirements.
Adopted.
Enactment No: RES 23-013

Public Defender: Keri Klein

15. [SR 22-1557](#) Resolution approving a contract between the County of Nevada and Viatron Systems, Inc. pertaining to implementation of the Public Defense Pilot Project for document imaging, conversion, and indexing services (Res. 22-261), in the total maximum amount of \$112,480, for the period December 15, 2022 through June 30, 2023, and authorizing the Nevada County Public Defender to execute the contract.
Adopted.
Enactment No: RES 23-014

Interim Director of Public Works: Trisha Tillotson

16. [SR 23-0023](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Bay Area Tree Specialists for the River Fire Tree Removal Safety Project - County Project No. 440830 (Res. 22-231), with contract costs totaling \$27,800, and directing the Clerk of the Board of Supervisors to record this notice with the Nevada County Clerk-Recorder's office in accordance with Civil Code section 9208.
Adopted.
Enactment No: RES 23-015
17. [SR 22-1576](#) Resolution approving the Notice of Acceptance and Completion for the Guardrail Safety Audit Project - Caltrans Project No. HSIPL-5917(102), County Project No. 225035 (Res. 22-383), with contract costs totaling \$413,298.10, and directing the Clerk of the Board of Supervisors to record this notice in accordance with Civil Code section 9208.
Adopted.
Enactment No: RES 23-016

18. [SR 23-0020](#) Resolution authorizing environmental clearance for the 2023 Road Rehabilitation Project, and authorizing the Director of the Nevada County Department of Public Works to file a Notice of Exemption with the Nevada County Clerk-Recorder's office. (Dists. II and IV)
Adopted.
Enactment No: RES 23-017
19. [SR 23-0022](#) Resolution approving an amendment to finance letter, accepting additional funding in the amount of \$150,000, for a new total amount of \$880,000, for the Hirschdale Road over the Truckee River Bridge Replacement Project, Federal Contract No. BRLO-5917 5917(092). (Dist. V)
Adopted.
Enactment No: RES 23-018
20. [SR 23-0032](#) Resolution approving Standard Agreement 64T021-01845 between the County of Nevada and the State of California Department of Transportation (Caltrans) for operation of rural transit service in Western Nevada County, accepting Federal Transit Administration (FTA) Section 5311 (49 U.S.C. Section 5311) American Rescue Plan Act (ARPA) operating grant funds in the amount of \$476,000, for Federal Fiscal Year 2021, and authorizing the Chair of the Board of Supervisors to execute the agreement. (Transit Services)
Adopted.
Enactment No: RES 23-019

Chief Information Officer: Stephen Monaghan

21. [SR 23-0021](#) Resolution authorizing the capital asset purchase of two (2) Battery Backup Systems (UPS), and directing the Auditor-Controller to amend the Fiscal Year 2022/23 Information Systems budget in the amount of \$49,685. (4/5 affirmative vote required)
Adopted.
Enactment No: RES 23-020
22. [SR 23-0039](#) Resolution authorizing the capital asset purchase of an air conditioning unit in the amount of \$6,846 for the Eric Rood Administrative Center Board Chamber Broadcast Room, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 Facilities budget. (4/5 affirmative vote required) (Facilities)
Adopted.
Enactment No: RES 23-021

23. [SR 22-1616](#) Resolution authorizing the capital asset purchase of a gas furnace in the amount of \$5,826 for the Nevada City Veterans Hall, and directing the Auditor-Controller to amend the Fiscal Year 2022/23 Facilities budget. (4/5 affirmative vote required) (Facilities)

Adopted.

Enactment No: RES 23-022

Director of Office of Emergency Services: Craig Griesbach

24. [SR 22-1654](#) Resolution approving Amendment 1 to the Memorandum of Understanding (MOU) between the County of Nevada and the Nevada County Sheriff's Search and Rescue to upgrade their communication devices and systems (Res. 21-410), extending the termination date to December 31, 2023, and authorizing the Chair of the Board of Supervisors to execute the amendment.

Adopted.

Enactment No: RES 23-023

25. [SR 23-0024](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Fire Safe Council of Nevada County for HMGP DR-4344-703-150R, Nevada County Access and Functional Needs Program Phase I, increasing the contract performance period from December 31, 2022 to February 28, 2023, increasing the maximum amount from \$315,124.32 to \$339,124.32 with the match requirement remaining the same at \$99,506, authorizing the Chair of the Board of Supervisors to execute the amendment, and directing the Auditor-Controllers to amend the Fiscal Year 2022/23 Office of Emergency Services budget. (4/5 affirmative vote required) (Pulled from consent by Supervisor Bullock)

Adopted.

Enactment No: RES 23-028

26. [SR 23-0025](#) Resolution approving Amendment 2 to the contract between the County of Nevada and Fire Safe Council of Nevada County for HMGP DR-4353-023-033R, "Nevada County Access and Functional Needs Program, Phase 1, increasing the contract performance period from December 31, 2022 to February 28, 2023, and authorizing the Chair of the Board to execute the amendment.

Adopted.

Enactment No: RES 23-024

27. [SR 23-0026](#) Resolution accepting United Way of Nevada County Grant funding in the amount of \$24,000 for the Nevada County Access and Functional Needs Program, Phase I, for use during the period of December 15, 2022 through April 2, 2023, authorizing execution of the agreement signed December 15, 2022 by the Director of Emergency Services, and authorizing the Director of Emergency Services to execute all additional documents required to fulfill the requirements of the grant.

Adopted.

Enactment No: RES 23-025

County Executive Officer: Alison Lehman

28. [SR 23-0038](#) Resolution approving a Grant Award Agreement between the County of Nevada and Bear River Recreation and Park District in the amount of \$100,000 for the “Community Resiliency Grant” funded by the American Rescue Plan Act (ARPA), and authorizing the Chair of the Board of Supervisors to execute the agreement.

Adopted.

Enactment No: RES 23-026

Clerk of the Board: Julie Patterson Hunter

29. [SR 23-0083](#) Review and adoption of the Board of Supervisors Meeting Schedule for 2023.

Adopted.

30. [SR 23-0082](#) Resolution authorizing an option to conduct remote teleconference meetings of the Board of Supervisors and its legislative bodies, when necessary, to allow for flexibility in order to comply with social distancing pursuant to the Ralph M. Brown Act.

Adopted.

Enactment No: RES 23-027

31. [SR 23-0015](#) Approve the appointment of Jon Katis as representative to the Area 4 Agency on Aging Advisory Council, for an unexpired three-year term ending June 30, 2025.

Appointed.

32. [SR 23-0092](#) Acceptance of Board of Supervisors Summary Minutes for December 6 and 13, 2022.

Accepted.

Approval of the Consent Agenda

Adopted.

ACTION TAKEN: Chair Scofield provided an opportunity for public comment on consent and public comment was received.

Regarding agenda item no. 25 (SR 23-0024), Supervisor Bullock shared his concerns regarding the Nevada County Fire Safe Council and their ability to assist residents of District V. Supervisor Bullock asked for a better understanding of the difficulties in sharing the funding countywide.

Craig Griesbach, Director of the Office of Emergency Services, responded to Supervisor Bullock's concerns, which in many cases are related to income, timing, and priority.

Board questioning and discussion ensued.

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

***DEPARTMENT HEAD MATTERS:**

County Executive Officer: Alison Lehman

33. [SR 22-1642](#) Resolution adopting the County of Nevada 2023 Legislative Platform.

Adopted.

Enactment No: RES 23-029

ACTION TAKEN: Alison Lehman, CEO, introduced Jeffrey Thorsby, Senior Management Analyst, and Ariel Lovett, Project Administrator, to present the 2023 Legislative Platform. Staff recognized each Board member for their work at the State and Federal level through committee representation.

Ariel and Jeffrey reviewed the purpose and of the Legislative Platform as well as the development process. Staff would be requesting the Board adopt the Legislative Platform, which would then return to the Board's Workshop later that month for additional input and revisions as requested by the Board.

Board questioning and discussion ensued.

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

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Bullock to adopt Resolution 23-029, adopting the County of Nevada 2023 Legislative Platform. On a roll call vote the motion passed unanimously.

34. [SR 23-0040](#) Informational presentation on Community Resiliency Grant Awards funded by the American Rescue Plan Act (ARPA).
Accepted.

ACTION TAKEN: Alison Lehman, County Executive Officer, introduced the agenda item.

Ariel Lovett, Project Administrator, and Kimberly Parker, Recreation Program Manager, provided a presentation regarding the Community Resiliency Grant awards. The County allocated \$19.4 million in ARPA funds. A total of 32 grants, totaling \$2,032,710, were awarded to eligible entities.

Recipients provided comments in appreciation for the funding that was received from the County, and reported out on the use of the grant awards.

Board questioning and discussion ensued. Chair Scofield provided the opportunity for public comment.

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Swarthout to accept the informational presentation. On a voice vote the motion passed unanimously.

Director of Human Resources: Steven Rose

35. [SR 23-0045](#) Resolution appointing Gina Will as Auditor-Controller to fill the vacancy due to the Court's ruling disqualifying the Elected Auditor-Controller, effective January 11, 2023, and through the term ending January 2027.
Adopted.
Enactment No: RES 23-030

ACTION TAKEN: Following a short break, Chair Scofield called the meeting back into order and introduced the item to appoint Gina Will as Auditor-Controller. Steven Rose, Human Resources Director, provided the report.

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

Marcia Salter, current Auditor-Controller, provided the swearing-in of Gina Will. Appointed Auditor-Controller Will thanked her family, the Auditor-Controller's Team, and Marcia Salter for the support.

MOTION: Motion made by Supervisor Hoek and seconded by Supervisor Hall to adopt Resolution 23-030, appointing Gina Will as Auditor-Controller. On a roll call vote the motion passed unanimously.

SCHEDULED ITEM: 11:15 A.M.

Community Development Agency Director/Interim Director of Public Works: Trisha Tillotson

36. [SR 23-0006](#) Presentation on Truckee Chamber of Commerce current activities. (Jessica Penman, President and CEO)
Accepted.

ACTION TAKEN: Trisha Tillotson, CDA Director, introduced Jessica Penman, President and CEO, Truckee Chamber of Commerce. President/COE Penman provided a presentation regarding the Chamber's benefits and programs designed to assist and promote its members.

Board questioning and discussion ensued.

***ANNOUNCEMENTS:**

ACTION TAKEN: Updates were provide by Board members.

Recess for lunch**AFTERNOON SESSION****SCHEDULED ITEM: 1:30 P.M.****Planning Director: Brian Foss**

37. [SR 23-0047](#) Public Hearing to consider the Nevada County Planning Commission's December 8, 2022, 3-1 (1 absent) recommendation that the Nevada County Board of Supervisors adopt the Addendum to the Certified Final Environmental Impact Report (SCH# 2018082023) and a 4-0 (1 absent) recommendation that the Nevada County Board of Supervisors approve a Zoning Ordinance amendment to Section L-II 3.30 of Chapter II Zoning Regulations to amend the County's Commercial Cannabis Cultivation Ordinance. The draft ordinance proposes the following general changes in addition to other minor changes, clarifications, and clean-up: 1) Allow adult use cultivation in addition to medical use cultivation. 2) Combine Commercial Cannabis Permit (CCP) and Administrative Development Permit (ADP) application/permitting process. 3) Add standards and requirements for additional license types for distribution, non-volatile manufacturing, microbusinesses, and retail sales. 4) Remove onsite residence requirement for adjacent parcels included in common ownership or control of overall Premises. 5) Allow a percentage of Support Area to be used for additional Canopy Area and/or manufacturing/distribution operations. 6) Allow aggregate parcel sizes of multiple parcels to be used to calculate allowed maximum canopy sizes. 7) Modification to setback requirements to increase setbacks for larger cultivation sites, modify setbacks to sensitive sites to be consistent with State requirements, and modify setbacks for shared property lines of a Premises. 8) Add parking requirements.

Public hearing held.

- 37a. [SR 23-0091](#) Resolution adopting an Addendum to the Certified Final Environmental Impact Report (EIR8-0001, SCH#2018082023) for amendments to section L-II 3.30 of the Zoning Ordinance for Commercial Cannabis Cultivation, and directing the Nevada County Planning Department to file a Notice of Determination with the Nevada County Clerk-Recorder's office pursuant to Public Resources Code section 21152(a) and section 15 of the State California Environmental Quality Act (CEQA) Guidelines..

Adopted.

Enactment No: RES 23-031

37b. [SR 23-0090](#) (Introduce/Waive further reading/Adopt) An Ordinance amending Chapter II of the Nevada County Land Use and Development Code Zoning Regulations section L-II 3.30 Commercial Cannabis Cultivation.

Adopted as amended.

Enactment No: ORD-2516

ACTION TAKEN: Chair Scofield called the meeting back into order at 1:30 p.m. and read the title of the agenda item into the record. Brian Foss, Planning Director along with Kimley-Horne representatives, provided a presentation. Director Foss reviewed the proposed amendments to the Ordinance and the Planning Commission's recommendations.

Board questioning and discussion ensued.

Chair Scofield opened the public hearing for public comment, and comments were received. Chair Scofield closed the public comment portion of the public hearing.

Board questioning and discussion ensued. The Board provided direction on requested changes to the proposed ordinance.

Chair Scofield called for a short recess to allow Planning staff and County Counsel to prepare requested changes to the documents, then called the meeting back into order.

Director Foss walked the Board through the suggested changes regarding light and canopy; retail sales; setbacks; and applicants' being in good standing. The Board was in agreement with the proposed changes.

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Bullock to adopt Resolution 23-0xx. On a roll call vote the motion passed unanimously.

MOTION: Motion made by Supervisor Hall and seconded by Supervisor Bullock to adopt Ordinance 2516, as amended. On a roll call vote the motion passed unanimously.

ADJOURNMENT:

ACTION TAKEN: Chair Scofield adjourned the meeting at 4:49 p.m.

Signature and Attestation

Ed Scofield, Chair

ATTEST:

By:

Tine Mathiasen, Deputy Clerk to the Board