

# COUNTY OF NEVADA

## STATE OF CALIFORNIA

*Heidi Hall, 1st District (Chair)*

*Ed Scofield, 2nd District*

*Dan Miller, 3rd District (Vice-Chair)*

*Susan Hoek, 4th District*

*Richard Anderson, 5th District*

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*Julie Patterson Hunter, Clerk of the Board*

*Alison Lehman, County Executive Officer*

*Katharine L. Elliott, County Counsel*



## BOARD OF SUPERVISORS

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## Summary of Proceedings

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, November 17, 2020	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

- UNLESS INDICATED, THE VOTE WAS UNANIMOUS -

### REGULAR MEETING: 9:00 AM

*Rollcall*

*The following Supervisors attended by remote:*

*Heidi Hall, 1st District*

*Ed Scofield, 2nd District*

*Dan Miller, 3rd District*

*Susan Hoek, 4th District*

*Richard Anderson, 5th District*

### STANDING ORDERS:

Call the meeting to order.

*Meeting called to order at 9:00 A.M.*

Pledge of Allegiance.

*Pledge of Allegiance held.*

Corrections and/or deletions to agenda.

*Ms. Julie Patterson Hunter, Clerk of the Board, noted that an Errata Agenda posted on Thursday, November 12, 2020 to clarify the options for public comment and an Addendum Agenda was posted November 12, 2020 to add one closed session item.*

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

1. [SR 20-3565](#) Resolution approving Amendment 4 to the contract between the County of Nevada and Restpadd Health Corp. for the provision of 24-hour locked acute psychiatric services for residents of Nevada County who meet criteria for 5150 placement (PESN3883; Res. 19-559), increasing the maximum contract price from \$404,180 to \$589,180 due to an increase in services, for the period July 1, 2019 through June 30, 2021, and authorizing the Chair of the Board of Supervisors execute the Amendment.

**Adopted.**

Enactment No: RES 20-488

**Director of Public Works: Trisha Tillotson**

2. [SR 20-3575](#) Resolution approving a contract between the County of Nevada and Mark Thomas & Company, Inc., for engineering and design services for the Guardrail Safety Audit Project - County Project No. 225035, in the amount of \$216,689.01, for the period November 17, 2020 through November 30, 2021, and authorizing the Chair of the Board of Supervisors to execute the contract. (Dists. I, II, III and IV)

**Adopted.**

Enactment No: RES 20-489

3. [SR 20-3574](#) Resolution approving bidding documents for the Egress/Ingress Fire Safety Project-County Contract 715001, authorizing the Chair of the Board of Supervisors to sign the documents, and instructing the Purchasing Division to advertise for bids in accordance with the applicable regulations with the bid opening date to be set by the Director of Public Works. (Dists. I, II, III, IV, V)

**Adopted.**

Enactment No: RES 20-490

**Chief Probation Officer: Michael Ertola**

4. [SR 20-3563](#) Resolution approving an agreement between the County of Nevada and the County of El Dorado to house youth from Nevada County at the El Dorado County Juvenile Treatment Center upon closure of the Nevada County Youth Center, at a rate of \$125 per bed day for non-reserved bed and \$150 per day for JTC Challenge commitments, for the period beginning November 1, 2020 with a term of three years, and authorizing the Chair of the Board of Supervisors to execute the agreement.

**Adopted.**

Enactment No: RES 20-491

Director of Human Resources : Steven Rose

5. [SR 20-3568](#) Resolution approving Amendment 1 to the agreement between the County of Nevada and ReliaStar Life Insurance Company pertaining to Basic and Supplemental Life insurance for employees and their dependents (Res. 20-337), increasing the maximum Basic Life and AD&D insurance policy coverage for Class 1 employees to \$500,000, increasing the Basic Life only premium rate for all employees covered under the Basic Life plan effective November 1, 2020 from \$.07 to \$.095 per \$1,000 of coverage, for an annual premium increase of \$6,723, authorizing the Chair of the Board of Supervisors to execute the Amendment, and authorizing the Human Resources Director to execute annual renewal documents.

**Adopted.**

Enactment No: RES 20-492

Chief Information Officer: Stephen Monaghan

6. [SR 20-3566](#) Resolution approving the bid construction documents and specifications for the Nevada County Dispatch Remodel Project located at the Carl F. Bryan II Juvenile Hall, 15434 Highway 49, Nevada City, CA, authorizing the Chair of the Board of Supervisors to sign the documents, and directing the Purchasing Agent to solicit bids for this Project. (Facilities)

**Adopted.**

Enactment No: RES 20-493

Clerk of the Board: Julie Patterson Hunter

7. [SR 20-3594](#) Resolution proclaiming December 12, 2020 as "Nevada County Food and Toy Run" Day.

**Adopted.**

Enactment No: RES 20-494

8. [SR 20-3560](#) Selection of representative-elect, Amador County Supervisor Richard Forster, as Group 1 Supervisor Representative to the County Medical Services Program Governing Board, for a term beginning January 1, 2021 and ending December 31, 2023, and direction to the Clerk of the Board of Supervisors to complete the ballot.

**Approved.**

9. [SR 20-3569](#) Resolution appointing members to the Special District Boards with Insufficient Candidates: Mr. Richard Thickens, Higgins Area Fire Protection District; Mr. Michael Covert and Ms. Michele Roush Rowe, San Juan Ridge County Water District; and Ms. Amy Boyle and Ms. Alyssa Wittler, Washington County Water District.

**Adopted.**

Enactment No: RES 20-495

10. [SR 20-3572](#) Approval of the Conflict of Interest Code for the Twin Ridges Home Study Charter School.  
**Approved.**
11. [SR 20-3570](#) Acceptance of resignation from Ms. Jennifer Morrill as a Private Sector Representative member on the Adult and Family Services Commission.  
**Accepted.**

*Approval of the Consent Agenda*

**Adopted.**

*Chair Hall 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.**

Meeting called to order. All Directors present.

**Consent:**

Director of Public Works: Trisha Tillotson

- 12a. [SR 20-3576](#) Resolution amending various Nevada County Sanitation District No. 1 budgets for Fiscal Year 2020/21. (4/5 affirmative vote required) (Dist. IV)  
**Adopted.**  
Enactment No: SD20-006

Clerk of the Board: Julie Patterson Hunter

- 12b. [SR 20-3585](#) Acceptance of Nevada County Sanitation District No. 1 Board of Directors Summary Minutes for October 27, 2020.  
**Accepted.**

*Approval of the NCSD#1 Consent Agenda.*

**Adopted.**

**Public comment:**

*None.*

**Adjournment:**

*Chair Hall adjourned as the Board of Directors of the Nevada County Sanitation District No. 1 and reconvened as the Nevada County Board of Supervisors.*

Following a short technical break, Chair Hall called the meeting to order and opened the opportunity for public comment. She read the following statement into the record:

*In the last few weeks, Nevada County has seen a rapid rise in COVID-19 cases, with over six times as many new cases in the second week of November as in the second week of October. Over this last weekend alone, we saw nearly 30 Nevada County residents per day test positive for COVID-19.*

*Yesterday, the State pulled the “emergency break” and announced that Nevada County’s COVID-19 data falls into the most restrictive Purple Tier, meaning that COVID-19 is considered “widespread” in our county. This jump from the Orange (“Moderate”) Tier to the Purple (“Widespread”) Tier, which became effective at noon yesterday, significantly impacts local businesses by increasing restrictions, reducing occupancy, and closing indoor operations for many businesses that are considered “non-essential.” The State’s tiered system connects these business sector restrictions to COVID-19 conditions on the ground.*

*As Nevada County residents, we each play a role in stopping the spread of COVID-19 and ensuring that our local businesses can get back to work. Wash your hands, wear a face covering if you can, maintain six feet of distance from anyone outside of your household, and cut out unnecessary risks like social gatherings. Even if you are mildly symptomatic, please stay home and don’t assume it is allergies or a cold. These are actions we can each take to minimize exposures and get back to less restrictive tiers.*

## **PUBLIC COMMENT:**

### **[SR 20-3583](#)**

Members of the public shall be allowed to address the Board on items not appearing on the Board of Supervisors agenda that are of interest to the public and are within the subject matter jurisdiction of the Board during the meeting by using one of the various options listed on pages #7 and #8.

*Public Comment held.*

## **\*DEPARTMENT HEAD MATTERS:**

### **Director of Public Works: Trisha Tillotson**

**13a. [SR 20-3573](#)** Resolution authorizing Environmental Clearance for an amendment to Section A-II 42.5.1 of Chapter II of the Nevada County Administrative Code, pertaining to Planning Commission Jurisdiction, Powers and Duties, removing the Planning Commission's authority to review the Capital Improvement Plan (CIP) and delegate it to the Planning Director as allowed under Government Code section 65403, and authorizing the Nevada County Department of Public Works to file Notice of Exemption with the Nevada County Clerk-Recorder's office. (All Dists.)

**Adopted.**

Enactment No: RES 20-496

**13b. [SR 20-3595](#)** (Introduce/Waive further reading) An Ordinance amending Section A-II 42.5.1 of Chapter II of the Nevada County Administrative Code, pertaining to Planning Commission Jurisdiction, Powers, and Duties.

**First reading held.**

**County Counsel: Katharine L. Elliott**

14. [SR 20-3586](#) (Introduce/Waive further reading) An Ordinance repealing Articles 22 and 23 of Chapter II of Title 1 of the Administrative Code of the County of Nevada regarding the County's Conflict of Interest Code and the Conflict of Interest Code for the Nevada County Board of Supervisors.  
**First reading held.**

**Chief Information Officer: Stephen Monaghan**

15. [SR 20-3457](#) Acceptance of the wildfire preparedness informational presentation to the Board of Supervisors by Office of Emergency Services and Stakeholders.  
**Accepted.**
16. [SR 20-3579](#) (Introduce/Waive further reading) An Ordinance amending Article 6 of Chapter XVI of the Nevada County Land Use And Development Code to extend the prohibition of outdoor burning during fire season in the Yuba River Corridor as a pilot program until the end of declared fire season in 2021. (4/5 affirmative vote required) (Emergency Services)  
**First reading held.**

**\*CLOSED SESSIONS:**

- [SR 20-3606](#) Pursuant to Government Code section 54956.9(d)(2), County Counsel is requesting a closed session with the Board of Supervisors to discuss one matter in which there is a significant threat of litigation against the County.

*Closed session held: the Board of Supervisors met in closed session to discuss the matter of TUCK'S RESTAURANT AND BAR, KENNETH R. PAIGE; CHAD PAIGE; BUCKMAN ENTERPRISES, LLC, ROBIN BUCKMAN; and THE NEVADA COUNTY RESTAURANT COALITION lawsuit against the State and the individual Supervisors in their official capacity, RICHARD JOHNSON, in his official capacity and AMY IRANI and KIT ELLIOTT in both their official capacity and personally; direction was given to staff.*

**\*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.*

*Not held.*

**ADJOURNMENT:**

*Meeting adjourned at 11:33 A.M.*