

**STATE OF CALIFORNIA, COUNTY OF SIERRA**

**BOARD OF SUPERVISORS**

**\* MINUTES \***

**SPECIAL TELECONFERENCE MEETING**

The Sierra County Board of Supervisors met in a special teleconference meeting commencing at 2:30 p.m. on Wednesday, June 30, 2010. Locations available to the public to attend the teleconference meeting were the Board of Supervisors Chambers, Courthouse, Downieville and the Sheriff's Substation, 61050 State Route 49, Loyalton, CA.

**3:10 P.M. – Call to Order, Roll Call.**

**ROLL CALL**

- Present:** Peter W. Huebner, Supervisor, District #2 (BOS Chambers)  
Dave Goicoechea, Chair, Supervisor, District #4 (Sheriff's Substation)  
Bill Nunes, District #3 (BOS Chambers)
- Absent:** Lee Adams, Supervisor, District #1  
Pat Whitley, Supervisor, District #5
- Staff:** Tim Beals, Public Works Director (BOS Chambers)  
Jim Curtis, County Counsel (BOS Chambers)  
Van Maddox, Auditor (BOS Chambers)  
Laura Marshall, Assessor/Solid Waste Administrator (BOS Chambers)

**APPROVAL OF REGULAR AGENDA**

The Board moved to approve the Regular Agenda.

**APPROVED.** Motion: Huebner/Nunes/Unanimous Roll Call Vote: 3/0/2 (Supervisors Adams and Whitley ABSENT)

**SOLID WASTE – Laura Marshall**

1. Resolution pertaining to Solid Waste Fees for the 2010/2011 Fiscal Year.

The Solid Waste Fee Administrator gave a brief summary of the schedule of fees to be imposed by the proposed resolution. She noted that the rate of \$13.59 per cubic yard of waste will apply to 2,271 properties within the County and that there will be no changes to the fees imposed by the previous fee schedule.

The Board moved to adopt the resolution pertaining to Solid Waste Fees for the 2010/2011 Fiscal Year.

County Counsel advised the Board that Mr. Wayne DeLisle was present in the Board Chambers in Downieville and was interested in commenting on the matter.

Mr. Wayne DeLisle of Pike stated that although the resolution didn't enact a change in fees, it did enact changes to the conditions in which the fee is to be collected which he believed would call for a protest vote.

The Solid Waste Fee Administrator stated that since there will be no change in fees, there is no rate change, therefore, there would be no need for a protest vote.

County Counsel clarified that Mr. DeLisle was referring to the "no use" change which, according to case law, does not affect the rate structure.

Mr. DeLisle stated that the case County Counsel was referencing did not apply since it was in regard to metered disposal and did not address inclining usage based rates. He cited proposition 218 and a number of court cases in his argument that the necessity of a fee should not exceed the proportional service to a parcel. He further argued that fees and charges should embody the will of the voters as determined by voter approval.

Chair Goicoechea thanked Mr. DeLisle for his comments and perspective, closing the public comment on the matter.

Mr. DeLisle interjected stating that he strongly objected to the limitation placed on his time allotment and that he took exception to the time limit.

County Counsel noted that the Board allowed Mr. DeLisle more than fifteen minutes to speak which was far greater than the three minute limit per person set on public comment.

Mr. DeLisle interjected again claiming that he had less than twenty-four hours notice of the special meeting; he didn't have sufficient time to prepare.

County Counsel explained that Mr. DeLisle could submit any documentation he wanted to the Board for review at any time.

**ADOPTED, Resolution 2010-119.** Motion: Nunes/Huebner/Unanimous 3/0/2  
(Supervisors Adams and Whitley ABSENT)

**PUBLIC WORKS – Tim Beals**

2. Resolution authorizing a grant application under Proposition 84 for the Nature Education Facilities Program for a proposed nature interpretive trail and support facility at the San Francisco State Field Campus.

Supervisor Nunes clarified that any grant obtained will need to be brought to the Board for approval.

The Board moved to adopt the resolution authorizing a grant application under Proposition 84 for the Nature Education Facilities Program for a proposed nature interpretive trail and support facility at the San Francisco State Field Campus.

**ADOPTED, Resolution 2010-120.** Motion: Nunes/Huebner/Unanimous 3/0/2  
(Supervisors Adams and Whitley ABSENT)

**ADJOURN**

**At 3:29 p.m., with no further business, Chair Goicoechea adjourned the meeting.**

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DAVE GOICOCHEA, CHAIR  
BOARD OF SUPERVISORS

ATTEST:

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HEATHER FOSTER  
CLERK TO THE BOARD