



BOARD OF SUPERVISORS

ALPINE COUNTY
Board Chambers County
Administration Building
Markleeville, CA 96120
Telephone (530) 694-2281

MINUTES September 17, 2024

1. CALL TO ORDER REGULAR MEETING

Chair Woodrow called the Regular Meeting to order at 9:00 AM with Supervisors Ron Hames, Terry Woodrow, Charles Dobson, David Griffith, and Irvin Jim (via Zoom) present.

JUSTIFICATION FOR THE NECESSITY FOR THE BOARD OF SUPERVISORS TO TAKE ACTION ON MATTERS NOT ON THE POSTED AGENDA.

CAO Nichole Williamson submitted an urgency item: Update and discussion of Rite of Passage Short-Term Residential Treatment Program issues; the reason the item was not posted on the agenda was because Supervisor Griffith requested an update after multiple incidents in the past few weeks; Cal. Gov. Code §54954.2(b)(2) allowed the Board of Supervisors to discuss the issues.

MOTION David Griffith / SECOND Ron Hames approving urgency item: Update and discussion of Rite of Passage Short-Term Residential Treatment Program issues. - CAO

AYES: Charles Dobson, Ron Hames, Irvin Jim, Terry Woodrow, David Griffith; MOTION PASSED.

See Item 5.4.

2. OPEN SESSION - PLEDGE OF ALLEGIANCE

3. ORAL COMMUNICATION - GENERAL PUBLIC COMMENT

Alpine Watershed Group Executive Director Kimra McAfee reported that Creek Day was scheduled for Saturday, September 21, 2024 at 9AM at Markleeville Library Park.

Arts and Culture Alpine County Executive Director January Riddle reported that Art in the Park was scheduled for Saturday, September 28, 2024 from 10AM-4PM; distributed event flyers.

4. DEPARTMENT ANNOUNCEMENTS

Economic Development Director JT Chevallier reported on developments regarding the proposed disc golf course on Hot Springs Road; Congressman Kevin Kiley's district director had agreed to help the County acquire the necessary special-use permit; was told by US Forest Service that the proposal was still under consideration but fire-safety efforts held precedence.

Chevallier reported that the Market at Markleeville would return on Saturday, September 21, 2024 from 10AM-2PM in downtown Markleeville.

Eastern Alpine Fire and Rescue Chief Paul Washam updated the Board on recent activities; awarded a grant from Cal-Fire for purchase of new radios.

Library/Museum/Archives Director Rita Lovell reported on the prior week's event, Storywalk in the Park; announced the penultimate Music in the Park event would take place Saturday, September 21, 2024.

Director of Finance Klaus Leitenbauer announced having had a call with Golden State Finance Authority regarding the Downpayment Assistance Program; Item 9.1 would allow for discussion on a \$50,000 County incentive for the program; County Counsel Charles McKee confirmed that would be appropriate. Leitenbauer updated the Board on the progress of closing the June 2023 financial statements; June 2024 financial statements were also progressing.

Community Development Deputy Director Ethan Gray updated the Board about ongoing road construction projects. In response to Supervisor Griffith, Gray indicated that the Hot Springs Road project was projected to be completed by year-end but there were ongoing discussions on the subject.

5. (10:00 AM) ADMINISTRATIVE ANNOUNCEMENTS

5.4. Urgency Item — Update and Discussion of Rite of Passage

CAO Nichole Williamson reported that myriad issues had been occurring at Rite of Passage in recent weeks, rose to the point where residents were contacting the County. Williamson was aware of 5 calls concerning Rite of Passage that required a response from law enforcement since September 1, 2024.

Sheriff Tom Minder confirmed responding to numerous calls at Rite of Passage; counselors were having ongoing issues with the minors. Undersheriff Chris Harootunian described the nature of the most recent call to service, which involved a heavy law enforcement response and prompted Supervisor Griffith to bring the urgency item.

Williamson commented that it was the behavior of the staff, not the youth; indicated that the County had already filed multiple complaints against Rite of Passage with the State based on these recurring issues. Minder confirmed that considerable resources were being used by the Sheriff's Department responding to Rite of Passage.

Markleeville resident Kris Hartnett reported having experienced issues with Rite of Passage over years; asked whether the County would expel the organization. Williamson clarified that the County did not have the authority to do so except under very specific circumstances; such facilities were protected by state statute. In response to Supervisor Griffith, Williamson reported filing 5-10 complaints with the State against Rite of Passage annually.

Harootunian reported that there had been 47 calls to Rite of Passage in the prior 3 1/2 years. Responding to Supervisor Woodrow, Williamson added that the County bore the associated costs; not the responsibility of the youth's home counties. Chief Probation Officer Brian Lowry commented that the County had never been reimbursed by any other home county; placed a burden on Probation's budget.

Supervisor Hames asked whether the County could adopt an ordinance charging for excessive 911 calls. Sheriff Minder responded that the State would not react positively to such a proposal.

5.1. Update by CAO and Human Services Director regarding opioid/fentanyl situation.

CAO Nichole Williamson provided an update on the proposed emergency declaration regarding fentanyl in Alpine County; reported meeting with Cal-OES, which encouraged the County to delay the declaration on the basis that the Woodfords Community Council might declare one first; Williamson was unaware of the Council having done so.

Supervisor Jim commented that the topic had been discussed by the Tribal Council; any such action would need Tribal Council approval; Tribal Council had not demonstrated a willingness or desire to make an emergency declaration.

Williamson recommended the Board make the declaration without the Council having done so in advance; relayed that State guidance was that a Board declaration would be stronger than a declaration made by Public Health Officer Dr. Rick Johnson and ratified by the Board thereafter; both options were available.

Director of Human Services Suzanne Garcia commented that this was a top priority; working with all stakeholders including Dr. Art Martinez.

Deputy Director of Behavioral Services Kimball Pier reported that a substance abuse counselor was scheduled at the firehouse 2 days/week; Williamson added staff was there 5 days/week.

Supervisor Griffith said the Board should follow the State's direction and pass an emergency declaration at the next Board meeting; doing so would encourage Woodfords Community Council to follow.

Supervisor Hames and Supervisor Woodrow agreed that time was of the essence. Williamson clarified that the Board could disregard the State's guidance on Board action and instead have Dr. Johnson declare an emergency immediately. The Board agreed by consensus to direct Dr. Rick Johnson to declare an emergency, to be ratified at the next Board meeting.

Williamson gave an update on the Wellness Center at Diamond Valley School; was told that the School had secured its own grant funding, did not need County assistance; would allow County to utilize funding elsewhere, e.g., Woodfords Indian Education Center and Firehouse.

In response to Supervisor Jim, Williamson reported that Laura Fillmore had been invited to participate in the stakeholder group, after which the School opted to proceed on its own.

School Trustee-elect Clint Celio commented that the Board's update regarding the Wellness Center differed from what was said at a recent School Board meeting; requested to meet with Williamson to discuss. Williamson agreed.

School Trustee Beverly Crawford seconded Celio's comments and concerns.

5.2. Update on September 4, 2024 hearing in Alpine County Superior Court regarding Case No. C-24-0589 The Historical Society of Alpine County v Alpine County.

County Counsel Charles McKee provided an update on the County's litigation with the Historical Society. McKee explained that prior to the hearing on September 4, 2024, the Historical Society had filed a motion for preliminary injunction; the County subsequently moved for a change of venue. McKee explained that the venue motion took precedence so it was considered first. Superior Court District Judge Scott Souers denied the motion for venue change but recused himself in the matter, in favor of appointing a visiting judge to hear the case, which was an alternative request made by the County. Judge Souers scheduled a settlement conference for September 24, 2024.

5.3. Consider request from County residents to rescind the notice of termination of the contract for services by the Historical Society at the County Museum.

CAO Nichole Williamson reported that this agenda item came at the request of local resident petitioners.

Alpine County resident Clint Celio read from a prepared statement; requested that the Board rescind the notice of termination; cited need to preserve artifacts in place.

Alpine County residents Jerry and Janine Sprout submitted a statement (read by Celio) asking for the Board to rescind the notice.

Alpine County resident Jim Lamb commented in favor of rescinding the notice to terminate.

Alpine County resident Brenda Hernandez commented in support of rescinding the notice to terminate.

Alpine County resident Angela Franklin commented in support of rescinding the notice to terminate.

Supervisor Woodrow stated that the notice to terminate provided that the County was willing to negotiate the timeline by which the artifacts had to be removed.

Supervisor Griffith reported having never seen a local petition with as many signatures (163) as the one that circulated; the issue was clearly important to the community but the Historical Society leadership had not demonstrated a desire or willingness to find an amicable solution. Celio responded that one shouldn't extend an olive branch expecting something in return. Franklin agreed.

In response to Supervisor Griffith, Hernandez commented that the petitioners' group had also approached the Historical Society with the same concerns.

Alpine County resident Kris Hartnett commented that the ongoing conflict was having a negative effect on the County's volunteers.

Alpine County resident Beverly Crawford commented on the petition having been submitted as evidence in the County's motion for venue change; petitioners were not prejudiced or biased against either party in litigation.

Supervisor Dobson commented that the Board could extend the termination date instead of rescinding the notice completely. County Counsel Charles McKee clarified that, subsequent to the September 4, 2024 hearing, counsel for both parties agreed to extend the termination date to October 31, 2024; also, that the term 'prejudiced' was used in legal filings only as it related to the perception of Judge Souers' ability to rule on the case in an independent, unbiased way.

Franklin commented that documenting and removing artifacts would be a massive project; best to leave artifacts intact until conflict was settled. Williamson confirmed authorization of the extension without Board approval; further negotiation could extend the date by which artifacts needed to be removed.

Supervisor Dobson commented that, if the Board rescinded the notice, it could be reissued at a future time. Supervisor Griffith commented that it would be best for the County to rescind the notice, rather than provide an additional extension, because the Historical Society would use the extra time to remove the artifacts from the Museum.

Supervisor Hames commented that the Board should not take any action until after the upcoming settlement conference.

Supervisor Woodrow commented that rescinding the notice would constitute a good show of faith from the County.

Supervisor Griffith requested an agenda item for the next Board meeting for possible rescission of the termination notice; the Board agreed by consensus.

6. BOARD MEMBER ANNOUNCEMENTS OR REPORTS

Supervisor District 1 Charles Dobson announced that a public meeting had been scheduled for 5PM on September 25, 2024 at Turtle Rock Park regarding the Park Ranch conservancy proposal.

Supervisor District 2 Ron Hames did not provide any updates or announcements due to time constraints.

Supervisor District 3 Irvin Jim reported that a special election would take place on Saturday, September 21 to elect the fifth member of the Woodfords Community Council; announced that the Inter-tribal Council of California would be having a General Session at the Hard Rock Casino in Wheatland, CA on October 17, 2024.

Supervisor District 4 Terry Woodrow did not provide any updates or announcements due to time constraints.

Supervisor District 5 David Griffith reported having attended the funeral of Elaine Christensen on September 8, 2024; announced that a California Department of Transportation meeting would be held on September 26, 2024 in Bishop, where Griffith and Economic Development Director JT Chevallier planned to give a presentation about keeping Monitor Pass open during periods of good winter weather; the trip would also provide for meetings with representatives of Mono and Inyo Counties to discuss possible project synergies leveraging Sierra Jobs First Catalyst Funds.

7. CONSENT AGENDA

Supervisor Griffith requested to pull Items 7.9 and 7.12 for separate action.

MOTION David Griffith / SECOND Charles Dobson approving the Consent Agenda as follows: AYES: Charles Dobson, Ron Hames, Irvin Jim, Terry Woodrow, David Griffith; MOTION PASSED.

- 7.1. Regular meeting minutes of 09-03-2024. - County Clerk
- 7.2. Special meeting minutes of 09-03-2024. - County Clerk
- 7.3. Special budget hearing minutes of 09-03-2024. - County Clerk
- 7.4. County Claims. - Director of Finance
- 7.5. A) Notice of change in Board of Supervisors' compensation and B) Subsequent amendment of the County Salary Schedule as required by California Code of Regulations (CCR) section 570.5.
- 7.6. Lease agreement **Contract No. CC2024-45** between Alpine County Office of Education and Alpine County Probation Department for lease of the property located at 100 Foothill Road, Markleeville, CA 96120 for the term 10/01/2024–09/30/2026 in the amount of \$43,200.00 plus utilities \$16,800 over two years not to exceed \$60,000.00. - Acting Chief Probation Officer
- 7.7. **Contract No. CC2024-46** with California Department of Social Services (CDSS) for the purpose of establishing the responsibilities of the CDSS and the County in the provision and receipt of Complaint investigation services with respect to the Resource Family Approval (RFA) program, for the term 07/01/2024 to 06/30/2026 in the amount of \$3,518.00, and authorizing Suzanne Garcia, Alpine County Human Services Director to sign the agreement - HHS Deputy Director-Social Services
- 7.8. **Contract No. CC2024-47** with California Department of Social Services (CDSS) for the purpose of establishing the responsibilities of the CDSS and the County in the provision and receipt of legal consultation and legal representation in administrative appeals associated with the Resource Family Approval (RFA) program, for the term 07/01/2024 to 06/30/2027 at no cost to the County (\$0.00), and authorize Suzanne Garcia, Alpine County Human Services Director to sign the agreement - HHS Deputy Director-Social Services

- 7.9. This item was pulled for separate action.
- 7.10. **Contract No. CC2024-49** with Modesto Residential Living Center for Residential Skilled Nursing Care for the term 07/01/2023 - 06/30/26 in the amount of \$99,867.52 - Deputy Director of Behavioral Health
- 7.11. **Contract No. CC2024-50** for Hawkins Peak Telecommunication Site Lease Agreement & California Highway Patrol (CHP) for the term 09/01/2024 - 08/31/2034 in the amount of \$664/month for equipment and authorize the Sheriff to sign. - Sheriff
- 7.12. This item was pulled for separate action.
- 7.13. Approve waiver of Special Event Permit fees in the amount of \$125 and a waiver of the \$500 deposit fee for the Arts and Culture Alpine County organization's Art in the Park event on September 28, 2024. - Community Development Director

ITEMS PULLED FOR SEPARATE ACTION:

- 7.9. **Approve Contract with Granite Wellness Centers for Intensive Outpatient, Detoxification, and Residential Treatment Services for the term 07/01/2024 - 06/30/2026 in the amount of \$300,000.00 - Deputy Director of Behavioral Health.**

Supervisor Griffith asked whether it was appropriate to include a performance deadline in a contract contemplating treatment and rehabilitation; CAO Nichole Williamson responded that nobody would ever be discharged from a facility if treatment weren't completed; agreement would either be amended or take a month-to-month form thereafter. County Counsel Charles McKee clarified that a termination clause could take the place of a performance date in certain contracts; including a performance date was usually best practice.

MOTION David Griffith / SECOND Ron Hames approving Contract No. CC2024-48 with Granite Wellness Centers for Intensive Outpatient, Detoxification, and Residential Treatment Services for the term 07/01/2024 -06/30/2026 in the amount of \$300,000.00 - Deputy Director of Behavioral Health.

AYES: Charles Dobson, Ron Hames, Irvin Jim, Terry Woodrow, David Griffith; MOTION PASSED.

- 7.12. **Adopt a resolution amending the Alpine County Conflict of Interest Code appendix of Designated Officials and Employees and Disclosure Categories pursuant to the Political Reform Act of 1974. - County Clerk**

Supervisor Griffith identified a spelling error that required correction in the proposed resolution.

MOTION David Griffith / SECOND Ron Hames adopting Resolution No. R2024-55 amending the Alpine County Conflict of Interest Code appendix of Designated Officials and Employees and Disclosure Categories pursuant to

the Political Reform Act of 1974.

**AYES: Charles Dobson, Ron Hames, Irvin Jim, Terry Woodrow, David Griffith;
MOTION Passed.**

8. PUBLIC HEARINGS

None

9. REGULAR AGENDA - UNFINISHED BUSINESS

9.1. Adopt a resolution approving the Fiscal Year 2024-2025 Final Budget, as reviewed and amended, and authorizing certain actions to implement the budget. - Director of Budget and Procurement

Director of Budget and Procurement Matt McSorley gave a PowerPoint presentation outlining the proposed FY24-25 final budget and reviewing changes made.

In response to Supervisor Griffith, McSorley commented that it was fair to say the County had no reserves, as budgeted. Regarding the \$21,000 that was requested to be spent on employees who earned 10% less than average, CAO Nichole Williamson commented that the budget did not accommodate that request; item could be brought back for action at a future Board meeting.

Director of Finance Klaus Leitenbauer clarified that the County would be out of reserves by the end of FY24-25 based on the budget; said that a reserve policy was being discussed by County administrators.

In response to Supervisor Dobson, McSorley confirmed that the County's contingency fund contained about \$300,000.

**MOTION David Griffith / SECOND Ron Hames adopting Resolution No. R2024-56 approving the Fiscal Year 2024-2025 Final Budget, as reviewed and amended, and authorizing certain actions to implement the budget.
AYES: Charles Dobson, Ron Hames, Irvin Jim, Terry Woodrow, David Griffith;
MOTION PASSED.**

10. REGULAR AGENDA - NEW BUSINESS

10.1. (9:45 AM) Continued update and presentation by USDA Forest Service regarding issues affecting Alpine County. (Ref. 04/18/2023 and continuing the second meeting of each month). - County Clerk

Forest Service Deputy District Ranger Kalie Crews reported on Forest Service activities in Alpine County; announced that campgrounds would be closing on Sunday, September 22, 2024 and Sunday, September 29, 2024. In response to Supervisor Woodrow, Crews specified that the Hope Valley, Markleeville, and Silver Creek Campgrounds would be closing on September 22, 2024; the Crystal Springs and Kit Carson Campgrounds would be closing on September 29, 2024. Supervisor Griffith commented that the Hot Springs Disc Golf course remained a priority, and anything that Crews could do to expedite the permitting process would be greatly

appreciated.

In response to a question from Kris Hartnett of the Alpine Fire Safe Council regarding the log deck on Pleasant Valley Road, Crews stated that the contractor was not acting on a deadline but that pressure was being applied to get the work done.

10.2. Consider an application for Alpine County to join CalFire's Fire Risk Reduction Community List. - Supervisor District 5

Supervisor Griffith commented that participating in this program would make Alpine County more competitive in procuring Cal-Fire grants.

Wildfire Projects Coordinator Clint Celio gave a PowerPoint presentation regarding the Fire Risk Reduction Communities List; requested guidance from the Board to allow County staff to spend about 50 hours toward the application process. Celio explained that Cal-Fire utilized this list to designate localities that have been proactive in fire mitigation efforts and entities on the list would be prioritized in grant requests; the deadline to be placed on the list in 2024 had already passed but another opportunity to apply would come in 2026; application would be assessed based on 10 criteria, four of which were mandatory and two additional that Alpine County would need to complete. Celio noted that El Dorado County was placed on the list in 2024 and had offered some guidance on the process.

Supervisor Griffith clarified that this program would apply to all of Alpine County, not just the east side; the program would help the County, as well as the Alpine Fire Safe Council, in procuring Cal-Fire funds.

Supervisor Hames agreed that being placed on the list was crucial.

The Board agreed by consensus to direct County staff to pursue the application process.

10.3. Request approval to authorize the CAO to approve change orders to the Hot Springs Road Reconstruction Project Contract (CC2024-14), not to exceed 10% of the total contract price of \$5,225,007 and to approve the use of Fund 221-221-563950 (RMRA Projects) for additional change order expenses. - Community Development Director

Community Development Director Sam Booth reported that this item was brought as a result of Supervisor Dobson's request at the September 3, 2024 Board meeting; was meant to reduce the need for Board approval regarding certain changes to the Hot Springs Road Reconstruction Project agreement. As with previous change orders, Booth requested that future change orders rely on funding designated for RMRA projects in 221-221-563950.

Director of Finance Klaus Leitenbauer added that related adjustments for change orders would be reflected at midyear review.

In response to Supervisor Griffith, Booth stated that the Department would report back to the Board whenever change orders were authorized. Booth then updated the Board on the progress of the Hot Springs Road Reconstruction Project, noting uncertainty about whether the project would be completed this year.

MOTION David Griffith / SECOND Charles Dobson authorizing the CAO to approve change orders to the Hot Springs Road Reconstruction Project Contract (CC2024- 14), not to exceed 10% of the total contract price of \$5,225,007 and to approve the use of Fund 221-221-563950 (RMRA Projects) for additional change order expenses. - Community Development Director. AYES: Charles Dobson, Ron Hames, Irvin Jim, Terry Woodrow, David Griffith; MOTION PASSED.

11. ADJOURN TO ANY OF THE FOLLOWING AGENCIES FOR WHICH THE BOARD OF SUPERVISORS SITS AS OFFICERS: BOARD OF EQUALIZATION, LOCAL TRANSPORTATION COMMISSION, WATER AGENCY

None

12. CLOSED SESSION

12.1. Closed Session: CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: Alpine County Superior Court Case No. C-24-0589 The Historical Society of Alpine County v Alpine County. - County Counsel

No reportable action was taken.

13. ADJOURNMENT

The Board adjourned to the next regular meeting of October 1, 2024 at 9:00 AM at Alpine County Government Center, 99 Water Street, Markleeville, California.

ATTEST:

Daniel Honchariw

Terry Woodrow

Terry Woodrow (Oct 1, 2024 15:32 PDT)

Terry Woodrow, Chair, Board of Supervisors
County of Alpine, State of California

Teola L. Tremayne, County Clerk & ex officio Clerk of
the Board of Supervisors

By: Daniel Honchariw, Deputy County Clerk

A complete audio/video recording of this meeting is available on the County website
www.alpinecountyca.gov

BOS Approved minutes 09-17-2024

Final Audit Report

2024-10-01

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