

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, January 8, 2013
TIME: 8:30 a.m.
LOCATION: County Administration Center, 810 Court Street, Jackson, California

The Board of Supervisors of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California, on the above date pursuant to adjournment, and the following proceedings were had, to wit:

Present on Roll Call:

Louis D. Boitano, Chairman District IV
Theodore F. Novelli, Supervisor, District III
Richard M. Forster, Vice-Chairman, District II
Brian Oneto, Supervisor District V
John Plasse, Supervisor, District I

Absent: None

Staff: Charles T. Iley, County Administrative Officer
Gregory Gillott, County Counsel
Jennifer Burns, Clerk of the Board

NOTE: These minutes remain in *Draft* form until approved by Minute Order at the next regular meeting of the Board of Supervisors. Any packets prepared by County Staff are hereby incorporated into these minutes by reference as though set forth in full. Any staff report, recommended findings, mitigation measures, conditions, or recommendations which are referred to by Board members in their decisions which are contained in the staff reports are part of these minutes by reference only. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes by reference.

REGULAR SESSION: At 8:15 a.m., the Board convened into regular session.

PLEDGE OF ALLEGIANCE: Chairman Boitano led the Board and the public in the *Pledge of Allegiance*

****8:15** a.m.****

PUBLIC HEARING

CRHMFA Homebuyers Fund: Discussion and possible action relative to a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the “Code”) will be held by the CRHMFA Homebuyers Fund, a joint exercise of powers authority organized and existing under and by virtue of California Government Code Section 6500 et seq. (the “Authority”) on behalf of itself as the issuer of the Bonds and the County of Amador (the “County”) as representative of the Authority to consider the proposed issuance by the Authority of its single-family housing bonds.

Mr. Peter Trinh, CRHMFA Homebuyers Fund, summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

Chairman Boitano opened the public hearing at this time. The following individual wished to speak relative to this matter.

Ms. Sherry Curtis, District III resident

ACTION #1: Public Hearing closed pursuant to the following motion.

MOTION #1: It was moved by Supervisor Forster, seconded by Supervisor Plasse, and unanimously carried to close the public hearing.

ACTION #2: Direction given pursuant to the following motion.

MOTION #2: It was moved by Supervisor Forster, seconded by Supervisor Plasse and unanimously carried to adopt the resolution approving the issuance of qualified mortgage bonds by the CRHMFA Homebuyers.

RESOLUTION NO. 13-004

Resolution approving the issuance of qualified mortgage bonds by the CRHMFA Homebuyers.

CLOSED SESSION may be called for labor negotiations (pursuant to Government Code §54957.6), personnel matters (pursuant to Government Code §54957), real estate negotiations/acquisitions (pursuant to Government Code §54956.8), and/or pending or potential litigation (pursuant to Government Code §54956.9). **At 8:30 a.m., the Board convened into closed session.**

REGULAR SESSION: At 9:00 a.m., the Board reconvened into regular session. Chairman Boitano reported no items were taken up in Closed Session due to lack of adequate time.

AGENDA: Approval of agenda for this date; any and all off-agenda items must be approved by the Board (pursuant to §54954.2 of the Government Code.)

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse seconded by Supervisor Novelli and unanimously carried to approve the agenda as presented.

PUBLIC MATTERS NOT ON THE AGENDA: Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Amador County Board of Supervisors; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent Board meeting. Please note - there is a three (3) minute limit per person.

Congressman Thomas McClintock: Mr. Norman Gonzales, Community Outreach Director, representing Congressman Thomas McClintock, addressed the Board and stated due to recent redistricting Congressman McClintock will be the federal representative to Amador County. He encouraged Board members to relay to their constituents to contact his office with concerns relative to a federal nature. Mr. Gonzales explained that due to budget constraints the Congressman will not have a satellite office in the area, however plans to utilize free space in the County Administration Center or other County buildings is being considered and hopefully will come to fruition in the near future. Mr. Gonzales continued to explain the United States Service Academy Nomination program wherein Congressman McClintock can nominate a limited number of individuals between the ages of 17-23 to four of the five service academies. He encouraged the Board to contact him if they have any individuals in mind for nomination or if they would like more information regarding the program. Mr. Gonzales also stated it is the plan of the Congressman to hold town hall meetings in the area to hear citizen's concerns.

Supervisor Plasse suggested the Mr. Gonzales consider utilizing the recently completed full video conference facility located at the Amador County Transportation Office for town hall meetings or any other type of live outreach the Congressman would be willing to conduct while still in Washington D.C.

Supervisor Novelli advised Mr. Gonzales that in the past he has had difficulty in getting a Congressional representative to attend meetings and other activities associated with veterans affairs. He specifically referred to an upcoming Veteran's medical clinic that will be held at the American Legion Hall. Mr. Gonzales advised the Congressman has a dedicated case worker assigned to veteran's affairs and he will contact him regarding the upcoming event.

Probation Office Employee of the Year: Supervisor Novelli took this time to congratulate Ms. Teresa Sheridan upon her recognition as Amador County Probation Office employee of the year. He stated Ms. Sheridan has been employed by the Probation Department since the year 2000 and first received recognition as employee of the year in 2002. She was promoted to the position of senior legal secretary in 2010.

The Honorable Judge Richmond: Supervisor Novelli announced a retirement party will be held for Judge Richmond on January 5, 2013 in Ione.

Veteran's Service Officer: Supervisor Novelli advised a retirement party was held for Mr. Floyd Martin, outgoing VSO and was enjoyed by all in attendance. He also updated the Board relative to Mr. Martin's recent surgery by stating he is doing well and recovering at home.

Veteran's Medical Clinic: Supervisor Novelli reminded the Board and those present of an upcoming medical clinic to be held on January 10, 2013 at the American Legion Hall and is open to all Veteran's in need of medical care.

Local Representation: Supervisor Plasse took this time to advise the Board and those present that Mr. Dana Jorgenson, former Senator Gaines representative, is now serving a dual role as a local representative for Assemblyman Frank Bigelow and Senator Tom Berryhill, Supervisor Plasse advised Mr. Jorgenson is available to speak with citizens at his office located near the Jackson City Hall Monday thru Friday.

CONSENT AGENDA: Items listed on the consent agenda (see attached) are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Forster and unanimously carried to approve the consent agenda as presented.

REGULAR AGENDA

2013 Chairman and Vice Chairman: Discussion and possible action relative to the election of the 2013 Chairman and Vice-Chairman for the Amador County Board of Supervisors.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Oneto and unanimously carried to nominate Supervisor Richard Forster as Chairman of the Board of Supervisors for 2013 and Supervisor Theodore Novelli as the Vice Chairman.

Passing of the Gavel and Presentation: Discussion and possible action relative to the passing of the gavel to the incoming 2013 Chairman of the Board and presentation of a plaque honoring outgoing 2012 Chairman, Louis Boitano.

Chairman Boitano passed the gavel to incoming Chairman Forster at this time.

Supervisor Plasse presented outgoing Chairman Boitano with a handcrafted gavel made from Sutter Creek locust tree wood. Supervisor Plasse stated he crafted the gavel and is happy to present it on behalf of the Board.

Supervisor Boitano presented Chairman Forster with a Monopoly Chance card stating, "You have been elected Chairman of the Board, pay each player \$50.00."

ACTION: None. Presentation only.

Supervisor Forster assumed the seat of Chairman at this time and presided over the remaining agenda items.

Sheriff's Office: Discussion and possible action relative to adoption and presentation of resolutions honoring Captain Ron Rockett, Captain, Drew Stidger and Detective Tom Rayzor upon their retirement from the Amador County Sherriff's Office.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Novelli, seconded by Supervisor Plasse and unanimously carried to approve the resolutions recognizing and honoring Captain Ron Rockett, Captain Drew Stidger and Detective Tom Rayzor upon their retirement from the County of Amador.

RESOLUTION NO. 13-001

Resolution honoring Ronald "Ron" Rockett upon his retirement after 25 years of service with Amador County.

RESOLUTION NO. 13-002

Resolution honoring Drew O'Dell Stidger upon his retirement after 19 years of service with Amador County.

RESOLUTION NO. 13-003

Resolution honoring Thomas Rayzor, Jr. upon his retirement after 15 years of service with Amador County.

Chairman Forster presented the resolutions to Captain Ron Rockett, Captain Drew Stidger and Detective Tom Rayzor at this time.

Amador County Transportation Commission: Discussion and possible action relative to a proposal by Caltrans to relinquish State Route 16 to the City of Rancho Cordova and the City and County of Sacramento.

Mr. Charles Field, Executive Director, ACTC, introduced this matter by summarizing the staff report as incorporated in full in the Board packet for today's date. He stated the ACTC has been advised that Caltrans is considering the possible relinquishment of State Route 16 to the City of Rancho Cordova and the City and County of Sacramento. He continued by stating Caltrans has asked if Amador and Calaveras Counties have any concerns regarding this matter. Furthermore, he stated ACTC has responded to Caltrans expressing that the Amador region may likely have concerns. The ACTC discussed this matter at their December meeting and directed Mr. Fields to draft a letter of opposition stating that proposed area of highway be maintained by Caltrans and improved to serve as an expressway with controlled access so that it maintains interregional function so that Amador and other foothill Counties, Cities and Communities will be able to get to the Sacramento area in an efficient, effective and timely manner. He stated his letter will also touch on concerns relative to trucking and commerce travel on the roadway as well as requesting to remain informed and invited to actively participate as this moves forward. Mr. Field also noted the ACTC has receive correspondence from the City of Plymouth which indicates their extreme concern and requesting to be actively involved and informed as this process moves forward.

Further discussion ensued with the following individuals representing Caltrans, the City of Sacramento and the City of Rancho Cordova, addressed the Board and summarized the proposed relinquishment plan and fielded questions from the Board.

David Van Dyken, Caltrans District 3
Dean Blank, Principal Civil Engineer, County of Sacramento
John Gedney, Caltrans District 10 Office of Rural Planning
Mr. Mark Thomas, City of Rancho Cordova

The following individuals representing the City of Plymouth and the City of Sutter Creek addressed the Board and expressed great concern relative to the proposed relinquishment and the impacts on their respective Cities. They requested to be included in all future meetings and discussions relative to this matter.

Mr. Jeff Gardner, City of Plymouth Manager
Mr. Jon Colburn, Plymouth City Councilmember
Mr. Greg Baldwin, Plymouth City Councilmember
Ms. Linda Rianda, City of Sutter Creek Councilmember

ACTION: **Direction given pursuant to the following motion.**

MOTION: **It was moved by Supervisor Plasse, seconded by Supervisor Novelli and carried to draft a letter of opposition largely touching on the same points that have been proposed in the opposition letter drafted by the ACTC, strongly opposing relinquishment of a portion of State Highway 16 and requesting Caltrans uphold the responsibility of providing full interconnectivity of the State of California and not in any**

way negatively impacting any region of the State that relies on the highway system.

Ayes: Supervisors Plasse, Novelli, Boitano and Oneto

Noes: Supervisor Forster

Supervisor Forster substantiated his vote by stating he feels a letter of opposition is too strong of an approach at this time, but rather a strongly worded letter of concern would be more appropriate.

Sutter Gold Mine: Discussion and possible action relative to a presentation by Mr. David Cochran regarding recent noise complaints from area residents and proposed monitoring plan to minimize future noise related issues.

Supervisor Boitano recused himself at this time to prevent any conflict of interest issues due to family members being employed by the Sutter Gold Mine.

Mr. David Cochran, Sutter Gold Mine, provided an informative Power Point presentation which is incorporated in full in the Board packet for today's date and also posted on the County website for viewing by the public. The presentation included points specifically but not entirely related to the following:

- What, where, why & when is Sutter Gold blasting?
- How and where does Sutter Gold monitor the blasting effects?
- What are the results of the blast monitoring?
- How does the blasting monitoring results compare with prior blast activities & allowable thresholds for the project?
- How do the project thresholds & monitoring results compare with established thresholds for damage and perception?
- Why are some residents reporting blast effects in Amador City?
- What should residents expect in the future as Sutter Gold advances to production.

At this time Supervisors Forster and Oneto disclosed for the record that they were at the mine yesterday and observed a blasting event.

Lengthy discussion ensued with Mr. Cochran fielding questions from the Board and the public.

Chairman Forster opened the public hearing at this time the following members of the public addressed the Board focusing mainly on concerns of noise, reduced water flow in natural springs and potential damage to their residences.

Ms. Susan Bragstad, Amador City resident
Ms. Hope Luxumberg, Amador City resident
Mr. Les Brusatori, Amador City resident
Ms. Joy Sandau, Amador City resident
Ms. Frances Farmer, Amador City resident

Lengthy discussion ensued with Mr. David Cochran stating he and his staff would be

more than willing to work with neighbors and the City of Amador City to mitigate the issues brought up today. He also encouraged those present to visit the Sutter Gold Mine Office located at 78 Main Street in Sutter Creek at any time to present any concerns. In addition Chairman Forster directed concerned neighbors to contact Mr. Aaron Brusatori, Community Development Agency Director, and/or Ms. Susan Grijalva Planning Director at 209-223-6380 to report any incidents related to those described today. He also directed the Planning Department and the Community Development Agency to work with Sutter Gold towards identifying mitigation measures and adopt monitoring procedures that would eliminate negative effects. Additional monitoring devices will be placed at the residences of some neighbors that spoke today and will be activated before, during and after a blasting event at a level of 1200-1300.

ACTION: Direction given to staff.

Supervisor Boitano returned to the meeting at this time and was present for the remainder of items heard.

Kaiser Permanente: Discussion and possible action relative to approval of the Chairman's signature on a letter of support for Kaiser Permanente to expand its Medi-Cal managed care participation into Amador County.

The Board reviewed the draft letter provided by Kaiser Permanente and heard comment from Ms. Carol Almanza, from Anthem Blue Shield, who requested a similar letter be drafted. Because Anthem Blue Shield was not on the agenda for today, no action could be taken relevant to her request.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to schedule a special board meeting for January 15, 2013 at 8:30 a.m. to hear this matter in addition to consideration of a similar letter for Anthem Blue Cross.

Minutes: Discussion and possible action relative to approval of the December 4, 2012 and December 18, 2012 Board of Supervisor Meeting Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Novelli, seconded by Supervisor Plasse and unanimously carried to approve the Board of Supervisors Meeting Minutes for December 4, 2012 with corrections and hold the December 18, 2012 Board Meeting Minutes over for approval at a future meeting.

CLOSED SESSION may be called for labor negotiations (pursuant to Government Code §54957.6), personnel matters (pursuant to Government Code §54957), real estate negotiations/acquisitions (pursuant to Government Code §54956.8), and/or pending or potential litigation (pursuant to Government Code §54956.9). **At 2:35 p.m., the Board convened into closed session.**

REGULAR SESSION: At 3:15 p.m., the Board reconvened into regular session. Chairman Boitano reported the following issues were reviewed in closed session:

Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6. County Negotiator: Greg Gillott, Deputy County Counsel, Chuck Iley, County Administrative Officer, Diane Blanc, Human Resource Director and Diana Doughtie, IEDA. Employee Organization: All Units

ACTION: Update only.

Conference with Real Property Negotiators:

APN: 044-010-122 (Amador Community College Foundation) (Terms & Conditions) County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director

ACTION: Direction given to staff.

APN: 044-290-003-000 and APN: 004-290-006-000 (California Department of Corrections & Rehabilitation) (Terms & Conditions) County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director

ACTION: Direction given to staff.

Conference with County Counsel - Existing Litigation [Government Code 54956.9(a):
County of Amador v. Kenneth L. Salazar, Secretary of the Interior; et al: In the United States District Court for the District of Columbia, Case No. 1:05-CV-00658 (RWR)

County of Amador v. Department of the Interior, Ken Salazar, Secretary of the Interior; et al, In the United States District Court for the Eastern District of California. Case No. 2:12-CV-01710-JAM-CKD

ACTION: Nothing to report.

SEIU Local 1021 v. County of Amador; State of California Public Employment Relations Board, Case No. SA-CE-809-M

ACTION: Nothing to report.

Conference with County Counsel – Potential Litigation [Government Code 54956.9(b):
Buena Vista Rancheria [Government Code 54956.9 (b)]

ACTION: Update only.

Confidential Minutes: Review and approval of the confidential minutes of December 4, 2012 and December 18, 2012.

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Oneto and unanimously carried to approve the confidential minutes of December 4, 2012 and hold the December 18, 2012 minutes over for approval at a future meeting.

ADJOURNMENT: Until Tuesday, January 22, 2013, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

January 8, 2013

NOTE: Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion and possible action, and made a part of the regular agenda at the request of a Board member(s).

1. **BUDGET MATTERS** None

2. **TAX MATTERS** None

3. **RESOLUTIONS** None

4. **AGREEMENTS** None

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS** None

7. **MISCELLANEOUS**
 - A. **Transportation and Public Works:** Approval to advertise for the position of Senior Civil Engineer due to an anticipated retirement within the subject department and allow filling the position by March/April 2013.
 - B. **Transportation and Public Works:** Approval to advertise internally for Public Works Maintenance Lead Worker to fill the position as soon as possible.

- C. **Transportation and Public Works:** Approval to advertise for Temporary Extra Help Public Works Maintenance Worker II position to assist the crews during storm related events and to cover during the absence of full time crew members.
- D. **Auditor's Office:** Approval to hire replacement for Assistant Auditor-Controller due to retirement of Becky Podesta on December 11, 2012.
- E. **Amador County Transportation Commission (ACTC):** Approval of the Amador County Transportation Commission's Conflict of Interest Code.
- F. **Recorder's Office:** Approval of a request to separate and change the title of the current combined position of Chief Deputy Clerk/Recorder-Registrar of Voters/County Surveyor to the following two (2) titles:
 - 1. Chief Deputy Clerk/Recorder/Local Registrar of Births and Deaths
 - 2. Chief Deputy Registrar of Voters, leaving County Surveyor on its own.

8. **GENERAL CORRESPONDENCE**

- A. Notice of Proposed Regulatory Action dated December 14, 2012, from the State Fish and Game Commission relative to Amending Section 670; and Repealing Section 678, Title 14, California Code of Regulations, relating to the *Practice of Falconry*, which is published in the California Regulatory Notice Register dated December 14, 2012. Additional information and all associated documents may be found on the Fish and Game Commission website at www.fgc.ca.gov.
- B. Auditor's check register dated December 14, 2012 totaling \$ 543,743.93.

RICHARD M. FORSTER, Chairman
Board of Supervisors

ATTEST:
JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

Deputy