

**Amador County Board of Supervisors**  
**ACTION MINUTES**  
**REGULAR MEETING**

**DATE:** Tuesday, July 9, 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:**

Richard M. Forster, Vice-Chairman, District II  
Theodore F. Novelli, Supervisor, District III  
Louis D. Boitano, District IV  
Brian Oneto, District V  
John Plasse, District 1

**Absent:** Charles T. Iley, County Administrative Officer  
Gregory Gillott, County Counsel

**Staff:** Jennifer Magee, Deputy 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.

**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 Forster reported the following issues were reviewed in closed session:

**Conference with Real Property Negotiators:**

APN: 040-030-099-000 Keith & Wendy Jarrett (Terms & Conditions) County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director

**ACTION: Direction given to staff.**

**Conference with Labor Negotiators:** Pursuant to Government Code Section 54957.6. County Negotiator: Greg Gillott, 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 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)

**ACTION: Nothing to report.**

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.**

Norman Kolstad, Susan Kolstad v. County of Amador; Martha Sherwin, et al United States District Court for the Eastern District of California

**ACTION: Direction given to staff.**

**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 June 25, 2013.

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

**MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Novelli and unanimously carried to approve the confidential minutes of June 25, 2013.**

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

**At this time Chairman Forster requested a moment of silence be taken for the following:**

- Victims, passenger and crew of Asiana Airlines Flight 214
- Nineteen members of Prescott Arizona's Granite Mountain Hotshot Team who were killed battling the Yarnell Hill Fire.
- Mr. Sam Kostich, retired Amador County Employee who recently passed.

**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 Boitano seconded by Supervisor Novelli and unanimously carried to approve the Regular 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.

**Mountain-Valley Emergency Medical Services Agency:** Mr. Richard Murdock, Executive Director, Mountain-Valley Emergency Medical Services Agency, addressed the Board and introduced Mr. Patrick Murphy, EMSA Amador County Field Liaison. Mr. Murdock stated the EMSA is currently negotiating with American Legion Ambulance as their contract nears expiration later this year. Mr. Murdock and Mr. Murphy outlined for the Board the responsibilities of EMSA and encouraged the Board to contact them with any questions, concerns and projects. Supervisor Plasse requested Mr. Murdock research the possibility of the three air ambulance providers working out a reciprocal agreement that would ensure citizens are covered without regard to which ambulance card they purchase.

**Senate Bill 296:** Mr. Terry Sanders, Veterans Service Officer, addressed the Board and stated SB296 as it was originally written was not approved, however was amended to appropriate \$9,000,000 from the General Fund to the Department of Veterans Affairs for the disbursement to counties to fund the activities of county veterans service. Mr. Sanders stated he would expect the monies to be released within the next 2-3 months and is earmarked to be used specifically for veteran's service for outreach and new hires. Mr. Sanders stated if his position transitions to full time it is his vision to close the veterans service office on Friday's and use that day to travel to surrounding areas and reach out to veterans in their own communities which would comply with the requirements of the Bill.

**Amador County Historical Society:** Supervisor Plasse took this time to commend the Amador County Historical Society members and volunteers for their hard work in dedication in restoring the Amador County Museum.

**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).

Chairman Forster advised the following item has been added as an addendum to the Consent Agenda for today's date:

**Health and Human Services/Social Services:** Approval of a request to fill the following two positions:

- **Eligibility Worker I**
- **Employment and Training Worker I**

Supervisor Plasse requested the following item be pulled for discussion following the approval of the Consent Agenda:

**Item 7F: General Services Administration:** Approval to dispense with the RFP process and authorize the GSA Director, CAO and Sheriff to negotiate a contract not to exceed \$50K with the firm that provides the best value to evaluate jail construction options and costs utilizing the scope of work attached and; 2) Approve increase of \$50,000.00 to 1810 County Improvement line item 56185 from account number 101184 for the Sheriff's Detention Facility.

**ACTION:** **Approved pursuant to the following motion.**

**MOTION:** **It was moved by Supervisor Novelli, seconded by Supervisor Oneto and unanimously carried to approve the consent agenda as amended.**

Supervisor Plasse stated the impetus for pulling the above mentioned item for discussion stemmed from Property Committee meetings wherein discussion was had relative to the current 20 year lease the County has for the Health and Human Services building. The owner of the property that houses the Health and Human Service Agency would like to sell the building and due to the property being in close proximity of proposed jail sites the idea was launched to perhaps research utilizing AB900 grant funds to purchase and retrofit the building to potentially be used as a jail. Supervisor Plasse continued to state that this approach would take advantage of existing water and wastewater infrastructure thereby eliminating the cost to bring those services to the other proposed sites. Supervisor Plasse requested the Board allow this proposal to be included in the evaluation of jail construction options.

Discussion ensued with the following action being taken.

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

**MOTION:** It was moved by Supervisor Plasse, seconded by Supervisor Forster and unanimously carried to dispense with the Request for Proposal (RFP) process and allow the General Services Director, the County Administrative Officer and the Sheriff to negotiate a contract not to exceed \$60K with the firm that provides the best value to evaluate jail construction options and costs and includes the Health and Human Service buildings as a potential jail site.

## **REGULAR AGENDA**

**Jackson Valley Irrigation District (JVID):** Discussion and possible action relative to an amendment to the revolving line of credit agreement between the County and JVID.

Mr. Steve Fredrick, JVID General Manager, addressed the Board and summarized this matter as follows. In February of 2012 JVID requested a \$500,000 Revolving Line of Credit to be created using the Amador County Water Development Fund. The purpose of this revolving line of credit was to be able to pay the contractors working on the Prop. 50 Treated Water Project within a reasonable amount of time (30-60 days) during construction. This was because the reimbursement process through the California Prop. 50 Grant funding takes on average 90 days for repayment and to avoid delays in the project a Bridge Loan was needed. He continued by stating that the relationship between JVID and the County has worked seamlessly to complete the task that it was intended for. Mr. Fredrick stated JVID has been diligently working on Phase #1 of the Prop. 50 Treated Water Project for the past year and is starting to get close to the end of this portion of the project. Currently, JVID is conducting primary testing on the newly installed treatment plant and is expected to be able to deliver water to the Lake Amador Recreation Area by possibly the end of July. As this project nears completion, many soft costs that are not associated with construction (Prop. 50 grant was only eligible for Construction) or reimbursable through the grant funding are surfacing. For example: Operation and Maintenance costs of electricity, communication, chemicals, and misc. plant equipment and supplies needed for operation need to be purchased. Mr. Fredrick stated the JVID Board has recently made a clear distinction between the Domestic and Irrigation sides of the District, deciding not to co-mingle funds. It has been formally decided through the act of a resolution to keep all finances separate between these two systems. He stated the JVID Board requested staff to possibly find additional funding for the start-up funds and initial operation costs of running the plant until an actual income can be made from the system. This is projected to be possibly at the earliest a year from now until the Phase # 2 portion of the project can be completed (the construction of additional pipeline to customers into Jackson Valley including the Oaks Mobile Home Community). The initial monthly expenses are expected to be around \$2,000 – \$3,000 a month for supplies and labor. In the next year the Lake Amador Recreation Area will be the primary customer but their rate is currently not expected to cover all operation costs of running the plant. JVID is working with a rate consultant to specify a rate to the one customer during this transition phase and this study is not expected to be completed until the end of July. JVID would like to request to amend the \$500,000 Bridge Loan to include these above expenses associated with initial start-up and operation until more users are added to the system. In addition, he explained, JVID is working on the on the Phase # 2 planning and design. JVID has been accepted into a \$500,000 grant program through the California State Revolving Fund for getting the Phase # 2 portion of the project shovel ready to go out to bid for construction by

completing environmental, creating plans and specs etc. This program is identical to the Prop. 50 grant program in where JVID has to pay for the initial costs of labor and expenses and then submits a claim with the state for reimbursement. Mr. Fredrick stated at the beginning of the Prop. 50 Phase # 1 portion of the project a similar request was made for a \$200,000 loan to cover these expenses until reimbursement was available, which was customarily around 90 days. JVID would also like to request to amend the \$500,000 Bridge Loan to include the above described expenses associated with Phase # 2 Planning and Design. Mr. Fredrick stated it is the desire of the JVID Board to request an extension and amend the current \$500,000 Bridge Loan through the Amador County Water Development Fund to include initial start-up and operation costs of the newly installed treatment plant and act as a bridge loan for expenses incurred in the design phase of Phase # 2. The loan requests for withdrawals would be on a as needed monthly basis and to be paid back within a reasonable amount of time.

Lengthy discussion ensued with Supervisors Oneto, Plasse and Boitano expressing concern relative to assurance that the loan will be paid back by Jackson Valley Irrigation District and not by the Domestic side of the District. Supervisors requested Mr. Fredrick take a strong message back to the JVID Board expressing their concerns and making it clear that the Irrigation District will be solely responsible and held to repayment by contract.

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 Novelli and unanimously carried to approve amendment to the revolving line of credit agreement between the County and JVID.**

**Level II Infill Correctional Facilities Project:** Discussion and possible action relative to an update by Mr. Bob Sleppy, California Department of Corrections and Rehabilitation (CDCR), regarding a Notice of Availability of a Draft Environmental Impact Report for the proposed subject project.

**Supervisor Oneto recused himself from discussion relative to this matter to avoid any potential conflict of interest issues due to family members owning property in the vicinity of the project.**

Mr. Bob Sleppy, CDCR, provided an informative Power Point presentation relative to this project which is incorporated in full in the Board packet for today's date. He summarized the proposed 1,584-bed Level II infill facility planned for the grounds of Mule Creek State Prison. He stated the project is authorized by Senate Bill 1022 of 2012. Mr. Sleppy also summarized the Draft EIR and referred interested parties to [www.cdcr.ca.gov/FPCM/Environmental.html](http://www.cdcr.ca.gov/FPCM/Environmental.html) to review the document in full.

Discussion ensued with the following action being taken.

**ACTION: None. Presentation only.**

**Preston Correctional Facility:** Discussion and possible action relative to a proposal by Dr. Oral Custer relative to utilizing the subject facility for potential future educational opportunities.

Dr. Oral M. Custer, addressed the Board and summarized his vision relative to potential repurposing of the Preston School of Industry located in Ione. Dr. Custer provided the following suggestions to accomplish that goal:

**Plan A:**

- Historic Preston School of Industry with 300 acres to be received from the state with funding sufficient for retrofitting historic resources and mitigation of pre-closure systems deterioration.
- Place three plebiscite measures on the November ballot supported by letters to the governor and legislature for transfer and funding.
- Contract staff will develop a comprehensive feasibility study based on the residential college concept for repurposing Preston School of Industry and contact educators about the plan.
- Supervisors request for contract staff to take offices in the Palm Drive Superintendents residence to manage the 15 acres now being prepared for surplus property sale in January 2014.
- Proceeds of state housing management income to become ancillary revenue to the City of Ione during the interim prior to approval of the plan for residential college acquisition and development.

Dr. Custer also suggested the Board could decide to develop the Fire Training Center as a new adult detention center for regional juvenile hall. Funding already authorized for these functions in about \$23 million. He also noted one of the three plebiscite measures on the November ballot would ask for fractional tax override to support a county historic park district similar to Measure M that passed for fire safety in 2008.

Dr. Custer presented the following potential language for the potential ballot measures:

- Shall Amador County receive all the state property associated with historic Preston School of Industry in transfer with sufficient funding for retrofitting historic resources and mitigation of systemic damage from prior to the closure of the institution in June 2011?
- Shall Amador County approve the expansion of Mule Creek Prison only provided state funding is included for the mitigation of systemic damage and structures at the historic former Preston School of Industry prior to closure of the institution in June 2011?
- Shall Amador County approve the expansion of Mule Creek Prison only provided sufficient state funding is included for a regional secondary wastewater treatment facility in the City of Ione such that rate payers receive no more than a four percent increase?

Dr. Custer continued by providing the following alternative language for a ballot measure:

- Shall Amador County initiate a half cent property tax override for sufficient revenue dedicated to operation of Historic Preston School of Industry as a residential college and/or municipal

Historic Park District and museum?

Dr. Custer also stated that in his opinion, leaving the property status quo becomes a decision of benign neglect. State departments have now clarified that only the open areas outside the perimeter are of interest.

Upon conclusion of the presentation by Dr. Custer, the Board thanked him for his interest and suggestions, however at this time the Board is not prepared to move forward with formal support of a ballot measure because there are a number of unknowns that need to be vetted out before any decision can be made. Chairman Forster stated in his opinion, first and foremost an unbiased feasibility study and secure backing from a college willing to locate at the site is needed. Chairman Forster appointed an ad-hoc committee at this time to research this concept further. He appointed Supervisor Plasse to serve on the committee along with himself and Mr. Chuck Iley, County Administrative Officer. He stated the ad-hoc committee will meet in the near future and discuss this further with Dr. Custer.

**ACTION: None. Presentation only.**

**Minutes:** Review and approval of the May 28, 2013 and June 11, 2013 Board of Supervisors meeting minutes.

**ACTION: Approved pursuant to the following motion.**

**MOTION: It was moved by Supervisor Novelli, seconded by Supervisor Boitano and unanimously carried to approve the May 28, 2013 Board of Supervisors meeting minutes and hold the June 11, 2013 Board of Supervisors meeting minutes over for approval at a future Board meeting.**

**ADJOURNMENT: Until Tuesday, July 23, 2013, at 8:30 a.m.**

**AMADOR COUNTY  
BOARD OF SUPERVISORS**

**CONSENT AGENDA**

**July 9, 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**
  - A. **Surveying and Engineering (13-059):** Approval of a Resolution of Intention to vacate a public utility easement for Jeanette Geitz and Steven R. Geitz for property located on the southerly side of Antelope Drive, at the junction with Sky View Court, in the Buckhorn area (APN 33-450-013 and 33-450-007).
  - B. **Building Department (13-060):** Approval of a resolution authorizing recordation of an Agreement to Limit Uses of Agricultural Structure for Craig L. Parker and Kathleen L. Parker for property located at 15268 Fiddletown Road (APN 014-220-008-000).
  - C. **District Attorney (13-061):** Approval of a resolution approving and application relative to the *Life and Annuity Consumer Protection Program* for the 2013-2014 fiscal year.
  - D. **District Attorney (13-062):** Approval of a resolution approving an application relative to the *Automobile Insurance Fraud Program* for the 2013-2014 fiscal year.
  - E. **District Attorney (13-063):** Approval of a resolution approving an application relative to the *Workers' Compensation Insurance Fraud Program* for the 2013-2014 fiscal year.
  - F. **Health and Human Services (13-064):** Approval of a resolution approving the three-year master Agreement #13-20119 for *HIV/AIDS Surveillance Program* in the amount of \$17,322.00 payable at \$5,774 per year for three years beginning July 1, 2013.
  - G. **General Services Administration (13-065):** Approval of a resolution approving CALFIRE *Cooperative Fire Protection Reimbursement Agreement* for Fire Protection Services with Amador County in the amount of \$8,002,950.00 that will expire on June 30, 2016.

4. **AGREEMENTS**

- A. **Assessor's Office:** Approval of a *Megabyte Property Tax System Maintenance Agreement* and *SQL-Server Database Support Agreement* for 2013-2014 fiscal year.
- B. **General Services Administration:** Approval of Services Agreement with *CEC Eco Solutions, Inc.* (RFP No. 13-10) for Waste Management Household Hazardous Waste Program in the amount of \$73,336.00.
- C. **Transportation and Public Works:** Approval to authorize the Chairman to sign a Drainage Facilities Maintenance Agreement with the *Jackson Valley Fire Protection District* to maintain the free flow of run-off from the County culvert at property located at 2701 Quiver Drive, Ione, CA (APN 003-460-028-000).

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS** None

7. **MISCELLANEOUS**

- A. **Auditor/Controller:** Approval to hire a Finance Assistant II due to a retirement at the end of July 2013.
- B. **Administration:** Approval of the changes to the Water Supply Fund Administration, Eligibility and Criteria Policy and authorizing the Chairman to sign the amended policy.
- C. **Environmental Health:** Approval of a request for a full refund of the Chocolate Lady's annual permit fees in the amount of \$159.00.
- D. **Jackson Valley Fire Protection District:** Approval of a request for a waiver of building permit fees associated with the improvement project at Station 171 located at Quiver Drive in Ione.
- E. **General Services Administration:** Approval to dispense with the formal bid procedures and authorize the Purchasing Agent to issue a Purchase Order in the amount of \$41,612.40 to Big Valley Ford, Stockton, CA for the purchase of one (1) *2011 Ford Tarus SEL*, and one (1) *2012 Ford Fusion SEL*.
- F. **General Services Administration:** Approval to dispense with the RFP process and authorize the GSA Director, CAO and Sheriff to negotiate a contract not to exceed \$50K with the firm that provides the best value to evaluate jail construction options and costs utilizing the scope of work attached and; 2) Approve increase of \$50,000.00 to 1810 County Improvement line item 56185 from account number 101184 for the Sheriff's Detention Facility.

8. **GENERAL CORRESPONDENCE**

- A. Notice of Proposed Regulatory Action from the State Fish and Game Commission dated June 18, 2013 relative to the *commercial herring fishery*, which will be published in the California Regulatory Notice Register on June 21, 2013. Mr. Ryan Bartling, Maring Region, Department of Fish and Wildlife, has been designated to respond to questions on the substance of the proposed regulations (707-576-2877).

- B. Notice of Proposed Regulatory Action from the State Fish and Game Commission dated June 18, 2013 relative to the *waterfowl hunting*, which will be published in the California Regulatory Notice Register on June 21, 2013. Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Game, has been designated to respond to questions on the substance of the proposed regulations (916-445-3555).
- C. Notice of Proposed Regulatory Action from the State Fish and Game Commission dated June 18, 2013 relative to the *upland game bird hunting*, which will be published in the California Regulatory Notice Register on June 21, 2013. Dr. Eric Loft, Chief, Wildlife Branch, has been designated to respond to questions on the substance of the proposed regulations (916-445-3555).
- D. Memorandum from the Environmental Health Department relative to a recap of activity during June, 2013 totaling \$12,794.58.
- E. Auditor's check register dated June 24, 2013 totaling \$ 181,841.81.
- F. Letter of Commendation dated June 19, 2013 from Mr. Ralph Smith, acknowledging the great job done by the Public Works road crew for brushing Carson Road.

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RICHARD M. FORSTER, Chairman  
Board of Supervisors

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

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Deputy