

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

**DATE:** Tuesday, April 14, 2015  
**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:**

Brian Oneto, Chairman, District V  
Richard M. Forster, Supervisor, District II  
Louis D. Boitano, Supervisor, District IV  
John Plasse, Vice-Chairman, District I  
Lynn A. Morgan, Supervisor, District III

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

**Absent:** None

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.

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

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

**Conference with Real Property Negotiators:**

APN 044-010-116-000 (Terms and Conditions) Negotiating Parties: Brad Stahl, 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, and Darrell P. Murray, IEDA. Employee Organization: All Units

**ACTION:** Update given.

**Conference with County Counsel - Existing Litigation [Government Code 54956.9(d)(1)]:** Pine Grove Business Alliance v. County of Amador, et al; Del Rapini Construction, Inc., et al; Superior Court of the State of California in and for the County of Amador, Case No. 14CV9062.

**ACTION:** Update given.

**Conference with County Counsel – Anticipated Litigation [Government Code 54956.9(d)(2)]:** Claim of Dakota Jones, Kirra Jones, Donna Aponte and the Estate of Patrick Derrick Jones (Deceased)

**ACTION:** Claim denied pursuant to the following motion.

**MOTION:** It was moved by Supervisor Forster, seconded by Supervisor Boitano and unanimously carried to deny the subject claim due to liabilities and damages of the County being disputed.

Claim of Paula Shepard, Brianne Hughes and Ian Shepard, a minor

**ACTION:** Claim denied pursuant to the following motion.

**MOTION:** It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to deny the subject claim due to liabilities and damages of the County being disputed.

**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 Forster, seconded by Supervisor Plasse and unanimously carried to approve the agenda as amended above.

**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.

**Community Development Agency:** Mr. Aaron Brusatori, Community Development Director, addressed the Board and reported due to some planned and unplanned leaves within the Building Department he has requested service from an on call plan checking consulting service to assist in processing a backlog of building permit applications.

**Up-Country Community Council:** Ms. Sherry Curtis, District III resident, addressed the Board and stated due to recent amendment to AB142 the Council is requesting the Board reconsider their support of the legislation.

**Limited Density Rural Dwelling (LDRD):** Supervisor Morgan took this time to bring to the Boards attention Section 15.1.190 of the subject ordinance that states the Building Department shall render a monthly report to the Board concerning transactions relative to the LDRD Ordinance. She requested a report be prepared by staff including, but not limited to, details relative to square footage, location and number of LDRD permits vs. regular permits and presented to the Board at their next regularly scheduled meeting.

**Community Cleanup Day at the Fairgrounds:** Supervisor Oneto took this time to report that the Community Cleanup Day at the Amador County Fairgrounds was a success. He stated several youth organizations attended as well as various volunteers. He stressed the importance of the fairgrounds as a venue and appreciated all of the community support to keep the grounds clean and assist with the deferred maintenance that is required. He also noted additional cleanup opportunities will be held in the future and he will keep the Board apprized as they come up.

**Deep Pit BBQ:** Supervisor Plasse advised the annual Kennedy Mine Deep Pit BBQ will take place on May 14<sup>th</sup> at the Kennedy Mine in Jackson. He stated the Amador County hosts this annual fundraiser in the shadow of the great headframe of the Kennedy Mine in Jackson. In addition to BBQ guests will enjoy live music, mine tours and raffle prizes. Please see Supervisor Plasse for tickets.

**Town Hall Meeting:** Supervisor Morgan announced she will be hosting an event tonight at the Veteran's Memorial Hall in Pioneer entitled "Where There Is Smoke There is Fire". The event will begin at 7:00 p.m. Supervisor Morgan advised this event came about as she has received complaints from constituents who are displeased about the lack of acceptable "burn days" for burning yard waste and alternatively from those who feel the burning is compromising their respiratory health. She stated Dr. Rita Kerr, Amador Fire Protection District and Forest Service representatives and Mr. Jim McHargue, Air Pollution Control Officer will be on hand to provide information and answer questions. She encouraged everyone to attend.

**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 Oneto advised the following items have been pulled from the Consent Agenda for today's date.

**Agricultural Department:** Approval of Work and Financial Plan between Amador County and United States Department of Agriculture *Animal and Plant Health Inspection Service Wildlife Services* (APHIS-WS) to protect residents, property, livestock, crops, and natural resources from damage caused by predators and other nuisance wildlife to be conducted through June 30, 2016.

**Pulled due to the Department Head being unable to attend today's meeting.**

**General Services Administration:** Approval of an Invitation to Bid No. 14-34 received for the purchase of one (1) four wheel drive mid-size extended cab truck for the Environmental Health Department.

**Pulled as this item was agendized incorrectly and should reflect rejection of the invitation to bid. This matter will come back on the next agenda.**

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

**MOTION:** It was moved by Supervisor Plasse, seconded by Supervisor Boitano and unanimously carried to approve the Consent Agenda as amended above.

### **REGULAR AGENDA**

**Rabbit Creek Causeway Culvert Replacement:** Discussion and possible action relative to Board direction regarding closing out the Settlement Agreement with EMBUD.

Mr. Aaron Brusatori, Community Service Director, addressed the Board and stated as of January 15, 2015, all mitigation under the 2009 Settlement Agreement with East Bay Municipal Utility District (EBMUD) is complete, and all financial obligations for both parties are complete.

Discussion ensued with the following action being taken.

**ACTION:** Direction given to Mr. Aaron Brusatori, Community Development Director, to draft a letter to be sent to EBMUD indicating all requirements and obligations relative to this project have been satisfied.

**Assembly Bill 1347:** Discussion and possible action relative to the Chairman's signature on a letter of opposition regarding the subject legislation as it relates to the Public Contracts Claim Process.

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

**MOTION:** It was moved by Supervisor Forster, seconded by Supervisor Morgan and unanimously carried to approve the Chairman's signature on a letter of opposition regarding Assembly Bill 1347.

**Golden State Finance Authority:** Discussion and possible action relative to adoption of a resolution and approval of the Chairman's signature on the revised Golden State Finance Authority Joint Powers Authority Agreement.

Discussion ensued with the following action being taken.

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

**MOTION:** It was moved by Supervisor Forster, seconded by Supervisor Boitano and unanimously carried to approve the following resolution and authorize the Chairman's signature on the revised Golden State Finance Authority Joint Powers Authority Agreement.

**RESOLUTION NO. 15-029**

**Resolution of the Board of Supervisors of the County of Amador approving proposed revisions to the California Home Finance Authority (Formal name change to Golden State Finance Authority Pending) Joint Powers Agreement**

**Refunding 2005 Certificates of Participation:** Discussion and possible action relative to adoption of a Resolution approving the form and authorizing the execution of certain lease financing documents in connection with refunding the County's outstanding 2005 Certificates of Participation and authorizing and directing certain actions with respect thereto.

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

**MOTION:** It was moved by Supervisor Boitano, seconded by Supervisor Morgan and unanimously carried to approve the form and authorize the execution of certain lease financing documents in connection with refunding the County's outstanding 2005 Certificates of Participation and authorizing and directing certain actions with respect thereto.

**RESOLUTION NO. 15-030**

**Resolution approving the form and authorizing the execution of certain lease financing documents in connection with the refunding of the County of Amador's outstanding 2005 Certificates of Participation and authorizing and directing certain action with respect thereto.**

**Minutes:** Review and possible approval of the March 10, 2015 and March 24, 2015 Board of Supervisors Meeting Minutes.

Discussion ensued with the following action being taken.

**ACTION #1:** Direction given pursuant to the following motion.

**MOTION #1:** It was moved by Supervisor Plasse, seconded by Supervisor Forster and unanimously carried to approve the March 10, 2015 Board of Supervisors meeting minutes.

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

**MOTION #2:** It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to approve the March 24, 2015 Board of Supervisors meeting minutes with minor corrections.

**\*\*10:30 A.M.\*\***

**AT THIS TIME THE AMADOR COUNTY BOARD OF SUPERVISORS WILL CONVENE AS THE AMADOR COUNTY PUBLIC FACILITIES FINANCING AUTHORITY AND THE FOLLOWING MATTER WILL BE HEARD:**

**Refunding 2005 Certificates of Participation:** Discussion and possible action relative to adoption of a Resolution approving the form and authorizing the execution of certain lease financing documents in connection with refunding the County's outstanding 2005 Certificates of Participation and authorizing and directing certain actions with respect thereto.

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 approve adoption of a resolution approving the form and authorizing the execution of certain lease financing documents in connection with refunding the County's outstanding 2005 Certificates of Participation and authorizing and directing certain actions with respect thereto.

**RESOLUTION NO. 15-ACPFFA-01**

**Resolution approving the form and authorizing the execution of certain lease financing documents in connection with the refunding of the County of Amador's outstanding 2005 Certificates of Participation and authorizing and directing certain actions with respect thereto.**

**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 12:30 p.m., the Board convened into closed session.**

**REGULAR SESSION:** At 12:55 p.m., the Board reconvened into regular session. Vice-Chairman Plasse reported the following issues were reviewed in closed session:

**Conference with County Counsel - Existing Litigation [Government Code 54956.9(d)(1)]:**  
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:** Update only.

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:** Update only.

**Conference with County Counsel – Anticipated Litigation [Government Code 54956.9(d)(2)]:**  
Buena Vista Rancheria

**ACTION:** Update only.

**ADJOURNMENT:** Until Tuesday, April 28, 2015, at 8:30 a.m.

**AMADOR COUNTY  
BOARD OF SUPERVISORS**

**CONSENT AGENDA**

**April 14, 2015**

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**

- A. **Probation Department:** Approval of a Budget Transfer for SB678 Grant Expenditures that will pay for ammunition, targets, inert taser cartridges, and a computer server, which will be reimbursed by the SB678 Grant.

2. **TAX MATTERS** None

3. **RESOLUTIONS**

- A. **Surveying & Engineering:** Approval of a resolution approving a *Boundary Line Adjustment #2013-022* application extension for *Sierra Pacific Industries*, a California Corporation, *Sierra Pacific Industries*, A California Limited Liability Company, and *Sierrapine*, A California Limited Partnership. This property is located southerly and westerly of the junction of Industry Boulevard and Ampine Fibreform Road, in the Martell area (APN 44-010-125, 44-480-011, and 44-480-027).
- B. **Surveying & Engineering:** Approval of a resolution approving the Final Subdivision Map and accepting and rejecting offers of dedication appearing on Final Subdivision Map No. 180, Phase 1, *Timber Creek Townhomes*. The property is located southwesterly of the junction of Kirkwood Meadows Drive with Sentinels Way, in the Kirkwood Meadows area (APN 26-270-033).
- C. **Surveying & Engineering:** Approval of a resolution issuing two (2) Certificates of Compliance to *Roy E. Hoffee and Arlene M. Hoffee*. This property is located on the southerly side of Meath Road and the northerly side of Cook Ranch Road, approximately eight hundred (800 ft.) from the junction of said roads, in the Ridgeview Estates area (110-049 and 15-110-051).
- D. **Treasurer/Tax Collector:** Approval of a resolution authorizing distribution of Excess Proceeds from March 12, 2014, Public Auction Sale.
- E. **Building Department:** Approval of a resolution authorizing recordation of an agreement to construct a *Limited Density Owner-Built Rural Dwelling* (APN 014-220-008-000/Building Permit #LD01005) for The Craig L. Parker and Kathleen L. Parker Revocable Trust, as restated 01-10-2008, Craig L. Parker and Kathleen L. Parker, Trustees.
- F. **Planning Department:** Approval of a resolution authorizing recordation of a *Notice of Reclamation Plan Approval* pursuant to the Surface Mining and Reclamation Act, Public Resources Code Section 2772.7 for the Newman Ridge Quarry which supersedes previously adopted Resolution No. 12-116 and Notice of Reclamation Plan approval recorded as Document 2012-0011009-00 in the office of the Amador County Recorder.



4. **AGREEMENTS**

- A. **Health and Human Services:** Approval of an Amendment to the *Medi-Cal Targeted Case Management Provider Participation Agreement* for fiscal year 2013-2018. The State has requested the Agreement to be amended to include:
- 1) Updated Medi-Cal Targeted Case Management Provider Participation Agreement
  - 2) Updated Certification (CCC-307)
  - 3) Exhibit A/HIPAA Business Associate Addendum
  - 4) Exhibit D (F) Special Terms and Conditions
  - 5) DUNS number for Amador County
- B. **Health and Human Services:** Approval of a Services Agreement with *Aurora Behavioral Healthcare – Santa Rosa, LLC* that will provide inpatient psychiatric services to residents of Amador County referred by the Director of Health Services.
- C. **General Services Administration:** Approval to dispense with the formal bidding procedures and approve a Professional Services Agreement with *R3 Consulting Group, Inc.* to perform all of the services required to Conduct Rate Year Review 8 Detailed Rate Review of ACES Waste Services in the amount of \$31,050.00 for the Amador County Transportation and Public Works Department.
- D. **General Services Administration:** Approval of an Assignment and Assumption of Lease by and between Chris and Colleen McKeage and Ross Butler for Airport Lot #190.
- E. **General Services Administration:** Approval to award RFP 15-03 to *Forensic Consultant's Medical Group, Inc.* and authorize the Sheriff and County Counsel to negotiate final terms and conditions based upon the Draft Contract for a period of five (5) years and approve the Board Chairman to sign said contract.
- F. ~~**Agricultural Department:** Approval of Work and Financial Plan between Amador County and United States Department of Agriculture *Animal and Plant Health Inspection Service Wildlife Services (APHIS WS)* to protect residents, property, livestock, crops, and natural resources from damage caused by predators and other nuisance wildlife to be conducted through June 30, 2016.~~
- G. **Transportation and Public Works:** Approval of Right of Way Acceptance for the *Bunker Hill Bridge Replacement Project* from Joseph and Shirley Sinai (APN 008-230-020-501) and William and Martha Engel, Nancy Engel Slenger (APN 008-230-001-000).

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

- A. **Commission on Aging:** Approval of the appointment of Ms. Lynne Standard Nightengale to the subject commission for a three (3) year term.
- B. **Area 12 Agency on Aging Advisory Council:** Approval of the re-appointment of Ms. Floy Goulart to the subject council for a three (3) year term.

7. **MISCELLANEOUS**

- A. **Health and Human Services:** Approval of a request to backfill one (1) Eligibility Worker I/II position due to employee resignation. This is a Merit Systems position and must be hired through the Merit Systems process.
- B. **Transportation and Public Works:** Approval of an Invitation to Bid No. 15-01 *Countywide Shoulder/Turnout Project* that will construct paved vehicle turnout areas at fourteen (14) locations along Shenandoah Road, Fiddletown Road and Shakeridge Road. Each turnout will be constructed 12 feet wide and 250 feet long. Estimated construction cost for this project is \$424,000.00.
- C. ~~**General Services Administration:** Approval of an Invitation to Bid No. 14-34 received for the purchase of one (1) four wheel drive mid-size extended cab truck for the Environmental Health Department.~~

8. **GENERAL CORRESPONDENCE**

- A. Notice of Public Meeting from State of California Central Valley Regional Water Quality Control Board scheduled on Thursday, April 16, 2015 at 9 a.m. in Fresno.
- B. Application for Alcoholic Beverage License for *Dollar General #15506*, located at SWC Ridge Road and Hwy. 88, Pine Grove, CA 95665.
- C. Application for Alcoholic Beverage License for *Bulbous Bow Brewing Co @ CFM*, located at Pine Grove Community Park, Pine Grove, CA 95665.
- D. Application for Alcoholic Beverage License for *Mabera, LLC*, located at 10601 Valley Drive, Plymouth, CA 95669.
- E. Application for Alcoholic Beverage License for *Giannini's Italian Dinners*, located at 19845 State Hwy. 88, Pine Grove, CA 95665.
- F. Memorandum from the *Environmental Health Department* relative to the recap of activity during the month of March, 2015 totaling \$490,996.64.
- G. Auditor's check register dated March 17, 2015 totaling \$300,264.55.
- H. Auditor's check register dated March 24, 2015 totaling \$361,025.04.
- I. Auditor's check register dated March 30, 2015 totaling \$181,027.05.
- J. Auditor's check register dated April 3, 2015 totaling \$83,924.69.

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Brian Oneto, Chairman  
Board of Supervisors

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

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