

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, October 7, 2014
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:

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

Staff:

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

Absent: Louis D. Boitano, Supervisor, District IV

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 Novelli 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 Novelli reported the following issues were reviewed in closed session:

Conference with Property Negotiators:

APN's 020-243-001, 020-243-002, 020-243-003, 020-243-004, 020-243-005, 020-243-009- County owned property and undeveloped property located in Jackson known as the Court House Properties: Negotiating Parties-Court Street Place (Terms and Conditions) County Negotiators: Jon Hopkins and Chuck Iley

ACTION: Direction given to staff.

APN 042-171-001-Dann (formerly Pincus) (Terms and Conditions-Right of Way Negotiation) County Negotiators: Jon Hopkins and Chuck Iley

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, Scott Kasper, Human Resource Director and Diana Doughtie, IEDA. Employee Organization: All Units

ACTION: Nothing to report.

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: 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.

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

ACTION: Nothing to report.

Confidential Minutes: Review and approval of the confidential minutes of September 23, 2014.

ACTION: The confidential minutes of September 23, 2014 will be held over for approval at a future meeting.

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 Forster and unanimously carried to approve the agenda as amended.

Absent: Supervisor Boitano

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.

Amador County Health Officer: Mr. Jim Foley, Health and Human Services Director, took this time to formally introduce Dr. Rita Huspen Kerr, who will be serving as the Amador County Health Officer as Dr. Robert Hartmann's successor.

Upcountry Corridor Vision Meeting Follow-up: Mr. John Heissenbittel, District V resident took this time to provide the Board with a summary of the Upcountry Corridor Vision Meeting held on September 24, 2014. He stated the goal of the meeting was to solicit input from businesses and other stakeholders along the corridor as to their vision of what the corridor should emulate as well as brainstorm ideas on how to improve the corridor. Mr. Heissenbittel stated a key component of the evening seemed to be that residents enjoyed the rural character of the area and would like to see it sustained, however improvement in the aesthetics of the area as well as more signage that would divert motorists to local attractions such as the Chaw Se' Indian Grinding Rock State Park or the Mokelumne River needed to be a priority. In addition, it was discussed that more lodging was needed along the corridor. Mr. Heissenbittel stated the Upcountry Corridor group would like to work with the Board of Supervisors to constructively reach some of the goals and satisfy concerns of the Upcountry residents.

Inflammatory Statements Rebuttal: Supervisor Oneto took this time to state he recently took exception to a letter to the editor in the Amador Ledger Dispatch. The letter in question was from a gentleman from Ione who alleged the Board of Supervisors mistreated a woman who came before them to speak by allowing her only three minutes to speak on a very controversial issue and then cut her off mid-sentence when she tried to continue. Supervisor Oneto stated for the record that Ms. Sondra West-Moore was in fact allowed twelve (12) minutes and forty-five (45) seconds to speak. Supervisor Oneto stated he realizes it is an election year, however, all of the inflammatory statements that are not factually correct need to be brought forward.

Supervisor Oneto also stated, although he cannot speak for the Chairman, he feels quite confident that had Ms. West-Moore asked the Chairman for additional time to speak after her three minutes had elapsed and all others had been given the opportunity to speak, he probably would have obliged. Supervisors Forster and Plasse concurred with Supervisor Onetos comments and stated they felt the Chairman behaved in a very professional manner and was more than obliging to Ms. West-Moore.

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 Novelli advised the following item will be pulled from the Consent Agenda for today's date at the request of the Department Head.

Item 3d-Planning Department: Approval of a resolution acknowledging receipt of Notice of Non-renewal for a 189-acre portion of California Land Conservation Act Contract No. 105, submitted by Robert A. Bachich and Suzanne M. Bachich, Trustees of the Bachich Family Revocable Trust.

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

Absent: Supervisor Boitano

REGULAR AGENDA

Economic Development Partnership Agenda: Discussion and possible action relative to the subject topic. Mr. Jim Conklin will be present to discuss this matter with the Board.

Mr. Jim Conklin, Mr. Jim Gullett and Ms. Anne Platte spoke relative to this matter.

The proposed agreement between Dr. Robert Fountain, DBA Regional Economics Consulting, and the Amador Business Council concerns the constructions of a model of the Amador County economy and the performance of economic analyses of economic development projects. This agreement is for Part 1 of the Revised Draft Memorandum of Understanding between the two parties dated January 30, 2014. An agreement for Part 2 will be proposed at a later time.

Mr. Gary Reinoehl, District V resident, expressed concern that the Amador Business Council is requesting public funds for an economic analysis that influences priorities for expenditure of public transportation funds for the benefit of one segment of the Community, in this case being the business Community. Mr. Reinoehl respectfully requested that the Board not authorize expenditure of public funds for this alliance.

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 carried to authorize allocation and expenditure of the budgeted amount of \$10,000.00 for Economic Development and direct staff to draft an agreement memorializing this motion including language specific to reimbursement payments for invoices presented for the economic development study conducted by Dr. Robert Fountain, DBA Regional Economic Consulting.

Ayes: Supervisor Plasse, Forster and Oneto

Noes: Supervisor Novelli

Absent: Supervisor Boitano

Supervisor Novelli substantiated his opposition by stating he does not feel comfortable allocating the entire \$10,000.00 at this time due to the current fiscal climate and would also like information on how the Cities feel about this project and whether or not they will be allocating funds towards the Study.

Waters of the United States: Discussion and possible action relative to the definition of "Waters of the United States" Under the Clean Water Act. Mr. John Hofmann, County Consultant, will be present to discuss this matter with the Board.

ACTION: None. This matter will be held over for discussion at a future meeting.

General Services Administration: Discussion and possible action relative to the award of Bid No. ITB 14-20 to RTR Investments, Inc., DBA: Court Street Place and accept the offer of \$350,000.00 for the courthouse properties and; Authorize the preparation of escrow and closing documents by Coldwell Banker Award Realtors in conjunction with County Counsel and the General Services Director and; adopt the Resolution selling the old courthouse properties as surplus in Jackson, California.

Mr. Jon Hopkins, General Services Director, addressed the Board and summarized this matter for the Board.

Mr. Gary Reinoehl, District V resident, addressed the Board and expressed his disappointment in the Board's decision to sell the Courthouse and although he is not supportive of the Board's decision, he is encouraged to hear the new owners are considering preserving the historic value of the building.

Supervisor Oneto stated the Board has a great interest and respect for history, however they also have a fiduciary responsibility to their constituents and quite simply the County does not have the funds at this time that it takes to maintain the courthouse or refurbish it in any way. The property is currently a blight situation and perhaps a private enterprise purchasing the property will allow for refurbishing and restoration of the property in some fashion.

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 Plasse and unanimously carried to award Bid No. ITB 14-20 to RTR Investments, Inc., DBA: Court Street Place and accept the offer of \$350,000.00 for the courthouse properties and; authorize the preparation of escrow and closing documents by Coldwell Banker Award Realtors in conjunction with County Counsel and the General Services Director and; adopt the Resolution selling the old courthouse properties as surplus in Jackson, California.

Ayes: Supervisors Forster, Plasse, Novelli and Oneto

Absent: Supervisor Boitano

RESOLUTION NO. 14-106

Resolution selling Old Courthouse properties as surplus in Jackson, California.

Agricultural Commissioner and Sealer of Weights and Measures: Discussion and possible action relative to adoption of a Resolution approving the appointment of Ms. Patricia M. Lesky to a four year term as the Amador County Agricultural Commissioner and Sealer of Weights and Measures.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Plasse and unanimously carried to approve the appointment of Patricia M. Lesky to a four year term as Agricultural Commissioner and Sealer of Weights and Measures.

Absent: Supervisor Boitano

RESOLUTION NO. 14-107

Resolution approving the appointment of Patricia M. Lesky to a four year term as Agricultural Commissioner and Sealer of Weights and Measures.

Minutes: Discussion and possible action relative to review and approval of the September 23, 2014 Board of Supervisors Meeting Minutes.

ACTION: The September 23, 2014 Board of Supervisors Meeting Minutes will be held over for approval at a future meeting.

ADJOURNMENT: Until Tuesday, October 21, 2014, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

October 7, 2014

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. **Waste Management:** Approval of Budget revisions related to additional duties as Air Pollution Control Officer assigned to Jim McHargue. A new revenue line item needs to be added to the Waste Management budget, 46009, which will amount to approximately \$50,000.00 for the 2014-2015 fiscal year. Additionally, the Waste Management expense lines will reflect appropriation of the revenue, including the addition of a general fund loan repayment line.

2. **TAX MATTERS**

- A. **Assessor's Office:** Approval of the following: APN 003-681-019-000 (Prefling, Richard & Tami); APN 018-270-010-501 (Bryson, Kirk L. & Bryson, Kirk R.V and Fuller Real Estate) APN 021-100-077-000 (Hui, Vivian).

3. **RESOLUTIONS**

- A. **Treasurer/Tax Collector:** Approval of a resolution authorizing Sale of Tax-Defaulted Property at Public Auction for non-payment of secured property taxes, pursuant to State Law (Section 3691, et seq, Revenue and Taxation Code).
- B. **Auditor-Controller:** Approval of a resolution establishing the 2014-2015 Fiscal Year Appropriations Limit.
- C. **Administrative Agency:** Approval of two resolutions: #1) Request approval of 2014-2015 Fiscal Year County Final Budget for Governmental Funds in the amount of \$68,472,625.00 and #2) Request approval of 2014-2015 Fiscal Year County Final Budget for Other Funds in the amount of \$6,028,584.00.
- D. ~~**Planning Department:** Approval of a resolution acknowledging receipt of Notice of Non-renewal for a 189-acre portion of California Land Conservation Act Contract No. 105, submitted by Robert A. Bachich and Suzanne M. Bachich, Trustees of the Bachich Family Revocable Trust.~~ (Pulled per the request of the Department Head)

- E. **Agricultural Department:** Approval of a resolution approving the agreement with the California Department of Food and Agriculture relative to the Statewide Exotic Pest Detection Program for the 2014-2015 Fiscal Year Contract No. 14-0144.

4. **AGREEMENTS**

- A. **Health and Human Services:** Approval of a Second Amendment to original agreement (7/10/12) between County of Amador and *Staff Care, Inc.* to provide services for temporary Psychiatry Locum Tenens coverage for Amador County Behavioral Health clients. The Second Amendment changes the termination date to June 30, 2015.
- B. **Transportation and Public Works:** Approval to authorize the Board Chairman to sign all closing documents relating to Right-of-Way Acquisitions, upon review and approval by County Counsel, for the Ridge Road/Countywide Turnout Project.
- C. **General Services Administration:** Approval to award RFP No. 14-15 Site Connectivity Services to *Volcano Vision, Inc.* in an amount not to exceed \$6,755.00 per month, and approve the services agreement.
- D. **General Services Administration:** Approval of a Construction Contract with *Ford Construction Company*, for the *Landfill Leachate Line Improvements* in the amount of \$31,375.00.

5. **ORDINANCES**

- A. **Treasurer/Tax Collector:** Approval of adoption and reading waiver of an Ordinance Amending Chapter 3.32 of the Amador County Code as it relates to installment payments by increasing the fee for payment of delinquent taxes in installments from \$80.00 to \$100.00.

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

- A. **Commission on Aging:** Approval of the re-appointment of Ms. Floy Goulart to the subject Commission for a three year term.
- B. **Commission on Aging:** Approval of the re-appointment of Mr. Chester Schaufel to the subject Commission for a three year term.

7. **MISCELLANEOUS**

- A. **Amador Water Agency:** Approval of a request by the subject Agency in the amount of \$57,571.96 from the \$150,000.00 grant for the Lake Camanche Water System.

8. **GENERAL CORRESPONDENCE**

- A. Notice of Public Meeting at Central Valley Regional Water Quality Control Board on October 9 & 10, 2014 at the Rancho Cordova Office. Live video broadcast of this meeting will be available at: <http://www.calepa.ca.gov/Broadcast/>
- B. Auditor's check register dated September 19, 2014, totaling \$ 290,467.35.

THEODORE F. NOVELLI, Chairman
Board of Supervisors

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

Deputy