

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, May 26, 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:

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

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

Absent: Brian Oneto, Chairman, District V

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. Vice-Chairman Plasse reported the following issues were reviewed in closed session:**

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 only.

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.

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: Nothing to report.

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.)

Vice-Chairman Plasse advised the following matters have been added as Addendum's to the Agenda for today's date:

CalFire Fuels Reduction Grant: Discussion and possible action relative to an update regarding the content of the application and direction as to whether the county should pursue the subject grant.

Environmental Health Department-Abatement Action APN 008-080-016-Belva

Wilson: Discussion and possible action relative to progress towards compliance and the stay of abatement sunset date of May 31, 2015 for the subject parcel.

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Morgan and unanimously carried to approve the agenda as amended.

Absent: Supervisor Oneto

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.

Moment of Silence: Vice-Chairman Plasse requested a moment of silence be taken in remembrance of Julie Fisher, employee in the Treasurer/Tax Collector's Office, who unexpectedly passed away last night.

Amador County Farm Bureau: Vice-Chairman Plasse took this time to clarify some misinformation regarding the Amador County Farm Bureau opposing the Newman Minerals Project in the Ione area. He noted there has been no evidence of this opinion or its accuracy and after several attempts and repeated inquiries the Board was presented with a letter drafted October 24, 2015 from the Farm Bureau that does in fact indicate they are not opposed to the Newman Mineral Project that is currently be challenged by referendum.

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).

Vice-Chairman Plasse advised the following item has been added to the Consent Agenda for today's date:

Amador City Centennial Celebration: Adoption of a Resolution recognizing the Centennial Anniversary of Amador City.

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 Consent Agenda as amended.

Absent: Supervisor Oneto

REGULAR AGENDA

CalFire Fuels Reduction Grant (ADDENDUM): Discussion and possible action relative to an update regarding the content of the application and direction as to whether the county should pursue the subject grant.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Morgan, seconded by Supervisor Forster and unanimously carried to authorize the grant application to move forward.

Absent: Supervisor Oneto

Environmental Health Department-Abatement Action APN 008-080-016-Belva Wilson (ADDENDUM): Discussion and possible action relative to progress towards compliance and the stay of abatement sunset date of May 31, 2015 for the subject parcel.

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 Morgan and unanimously carried to authorize a sixty day extension and automatic extensions if substantial work has progressed.

Absent: Supervisor Oneto

Building Permit Fee Waiver or Reduction: Discussion and possible action relative to a request by Canh and Jennifer Nguyen for a waiver or reduction in one time fees associated with a proposed home to be built on property located in Willow Creek Ranch Estates, 15235 Muller Road in Plymouth, California.

Lengthy 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 Forster and carried to deny the subject request but inform the applicants of the Limited Density Rural Dwelling option offered by the County as well as establish a payment plan for fees if the applicant so desires.

Absent: Supervisor Oneto

Abstain: Supervisor Morgan

Director of Health and Human Services Agency Job Description: Discussion and possible action relative to proposed revisions to the job description for the subject position.

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 Forster and unanimously carried to adopt the job description as presented and instruct the County Administrative Officer to bring the salary range for the Health and Human Services Director back to the Board for review at a future meeting.

Absent: Supervisor Oneto

General Services Administration: Discussion and possible action regarding parking at the Pine Grove Town Hall.

Mr. Jon Hopkins, General Services Director, addressed the Board and summarized a memorandum relative to this matter which is hereby incorporated into these minutes as though set forth in full. Mr. Hopkins stated he met with Supervisors Morgan and Boitano relative to this issue and discussed the possibility of the County providing the legal no parking signs for Mr. Novaky. The signs require compliance with Vehicle Code Section 22658(a)(1) and the current signs do not meet the code (missing the tow company name and telephone number and the law enforcement agency name and telephone number). Costs for each sign would be approximately \$50.00 and there are currently two signs located on site.

Discussion ensued with the following action being taken.

ACTION: Direction given to staff to provide the property owner with a letter outlining the findings of the committee and encourage Mr. Novaky to develop a relationship with the tow company as well as the civic improvement club if possible.

General Services Administration: Discussion and possible action relative to funding needed to repair vandalized facilities at Pioneer Park.

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 Morgan and unanimously carried to authorize staff to cut off the basketball hoop pole, ascertain temporary portable bathrooms, investigate the cost of security cameras, order new doors for the restrooms, but secure doors temporarily so no further destruction can take place and develop a cost estimate for repairs and work with CAO Iley and Supervisor Morgan to develop a plan to fund the necessary repairs.

Absent: Supervisor Oneto

General Services Administration: Discussion and possible action relative to the disposition of Rabb-Collins personal property, an accounting of items sold to date and a summary explanation by staff.

Mr. Jon Hopkins General Services Director, reviewed the memorandum relative to this item which is hereby incorporated into these minutes as though set forth in full.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Morgan and unanimously carried to allocate the proceeds from the sale of the property to cover Personal Property Appraisal Report-\$3,000; Packing Supplies \$201.95; Transport of Estate \$1910.88; Relocation of items from warehouse to print shop \$520.32. 6); Attorney Fees \$30,423.14; and Transport of Estate \$153.07. The remainder of funding to go towards the museum to offset costs discussed earlier in today's meeting (tree removal, siding) and to lower the price on the remaining items by 25% to encourage sale.

Absent: Supervisor Oneto

General Services Administration: Discussion and possible action relative to repairs to the Scout Hut septic system at Pioneer Park.

Discussion ensued with the following action being taken.

ACTION: Direction given staff to staff.

General Services: Discussion and possible action relative to improvement projects for the Museum Property.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Morgan, seconded by Supervisor Forster and unanimously carried to move forward with removal of the large tree immediately adjacent to the new bathroom and investigate the removal of other potentially hazardous trees; and waive all permit fees and heat/air calculation and engineering requirement be waived for the residing of the south and west side of the Mine Model building.

Absent: Supervisor Oneto

Community Development Agency: Discussion and possible action relative to the Chairman's signature on a letter of support to gain TIGER grant funding for the Hwy. 88 Pine Grove Corridor Improvement Project.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Morgan and unanimously carried to authorize the Chairman's signature on a letter of support to

gain TIGER grant funding for the Hwy. 88 Pine Grove Corridor Improvement Project.

Absent: Supervisor Oneto

Administrative Agency: Discussion and possible action relative to disposition of one-time funds for 2014-2015 and 2015-2016.

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 authorize the following expenditures of 2014/15 One-time Funds:

Absent: Supervisor Oneto

Increase Contingency:	\$638,000.00
Outside Legal Counsel:	\$100,000.00
Public Works:	\$200,000.00
Assessor/Megabyte:	\$5,000.00
Pioneer Park (doors)	\$5,700.00

Board of Supervisors: Discussion and possible action relative to an Ordinance postponing the Boards salary increase until July 1, 2016, keeping the salaries of the Supervisors as they have been since 2008. (Waive reading and schedule for adoption on June 9, 2015)

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 Morgan and unanimously carried to waive the reading of the proposed ordinance and schedule for adoption on July 1, 206 contingent upon postponing implementation until a new ordinance can be drafted and approved.

Absent: Supervisor Oneto

Minutes: Review and possible approval of the April 28, 2015 Board of Supervisors Meeting Minutes.

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 April 28, 2015 Board of Supervisor Meeting Minutes with minor corrections.

Absent: Supervisor Oneto

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

PUBLIC HEARING

Planning Department-Energy Action Plan: Discussion and possible action relative to a public hearing to consider the following:

- **Draft Energy Action Plan** – Consideration of the Planning Commission’s recommendation to implement the Draft Energy Action Plan. The Plan recommends strategies for reducing Greenhouse Gas (GHG) emissions through energy conservation measures that can be implemented at County-owned facilities and by making energy reduction programs available Countywide. The Plan was prepared by the Sierra Business Council through a grant funded by Pacific Gas & Electric Co.

Mr. Chuck Beatty, Planning Department, reviewed the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

Vic-Chairman Plasse opened the public hearing at this time, hearing no comment the following action was taken.

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

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

Absent: Supervisor Oneto

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

MOTION #2: It was moved by Supervisor Forster, seconded by Supervisor Morgan and unanimously carried to adopt the Energy Action plan including the following findings:

Absent: Supervisor Oneto

1. The EAP is categorically exempt from the California Environmental Quality Act (CEQA) per section 15061 (b) (3) of the CEQA guideline, which states “The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
2. Adoption of the EAP is consistent with the policies mitigation measures of the Amador County Draft General Plan and Draft Environmental Impact Report.

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 2:30 p.m., the Board convened into closed session.**

REGULAR SESSION: At 3:00 p.m., the Board reconvened into regular session. Vice-Chairman Plasse reported the following issues were reviewed in closed session:

Ione Valley Land, Air and Water Defense Alliance, LLC v. County of Amador, Newman Mineral, LLC, et al Superior Court of the State of California for the County of Amador, Case No. 12CV8091

ACTION: Update only.

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

ACTION: Update only.

Conference with County Counsel – Initiation of Litigation [Government Code 54956.9(d)(4)]:
One Case

ACTION: Update only.

Confidential Minutes: Review and approval of the confidential minutes for April 28, 2015 and May 12, 2015.

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 confidential minutes for April 28, 2015.

Absent: Supervisor Oneto

ADJOURNMENT: Until Tuesday, June 9, 2015, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

C O N S E N T A G E N D A

May 26, 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** None

2. **TAX MATTERS**

- A. **Assessor's Office / Secured Roll Corrections:** Approval of the following: APN 026-270-027-000 (Heavenly Valley Limited Partnership); APN 026-270-027-000 (Heavenly Valley Limited Partnership); APN 026-270-030-000 (Heavenly Valley Limited Partnership); APN 026-270-030-000 (Heavenly Valley Limited Partnership).
- B. **Assessor's Office / Secured Roll Corrections:** Approval of the following: APN 040-030-103-501 (City of Sutter Creek); APN 040-030-103-501 (City of Sutter Creek); APN 040-030-103-501 (City of Sutter Creek).

3. **RESOLUTIONS**

- A. **Planning Department:** Approval of a resolution approving California Land Conservation Act Contract #427 pursuant to a Boundary Line Adjustment and Certificate of Compliance for *Kathleen Brownlie and Vera J. Payne* (APN 036-010-41 and 036-190-86).
- B. **Health and Human Services:** Approval of a resolution approving Standard Agreement #15-92082 with the California Department of Health Care Services and Amador County Behavioral Health as it relates to providing *Mental Health Services Act* (MHSA) programs through June 30, 2016.

4. **AGREEMENTS**

- A. **Agricultural Department:** Approval of a Work and Financial Plan between Amador County and *USDA Animal and Plant Health Inspection Service – Wildlife Services Agreement* (APHIS-WS) No. 15-73-06-0247-RA for services provided to Amador

County for the protection of people and their property due to damage from predatory animals. In addition, this program prevents wildlife from serving as a reservoir for the development and spread of animal-borne diseases, such as rabies, to the citizens and visitors of the County.

- B. **Health and Human Services:** Approval of a Second Amendment to Software License and Support Agreement with *McWilliams Mailliard Technology Group* (MMTG) to provide the software license and support for AACTS, the automated elder care and dependent adult services system for Adult Protective Services and In-Home Supportive Services.
- C. **Health and Human Services:** Approval of a Services Contract Agreement with the *California Department of Social Services* (CDSS) to provide to the County, Agency adoption services under the authority of Welfare and Institutions Code and in accordance with Title 22 California Code of Regulations (CCR).
- D. **General Services Administration:** Approval of a Fourth Amendment to original Radio System Diagnostic and Maintenance Service Agreement (4/13/10) with *Delta Wireless, Inc.* to provide professional diagnostic and maintenance services for the County public radio system in the amount of \$3,669.00 through June 30, 2016.

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS** None

7. **MISCELLANEOUS** None

8. **GENERAL CORRESPONDENCE**

A. Auditor's check register dated May 11, 2015 totaling \$ 249,218.01.

Brian Oneto, Chairman
Board of Supervisors

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

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