

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

**DATE:** Tuesday, May 10, 2016  
**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:**

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

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

**Absent:** Brian Oneto, Supervisor District V (due to illness)

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

**Conference with Real Property Negotiators:** APN 044-100-027-Wicklow Way Property; (Terms and Conditions) Negotiating Parties: Lens Education Group; County negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkinis, General Services Director.

**ACTION: Direction given to staff.**

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

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

**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.**

**Fire Awareness Day:** Supervisor Boitano took this time to announce “Fire Safe Awareness Day” will take place on Saturday, May 14, 2016 from 1:00-4:00 p.m. at Pine Grove Park. He stated he will be partnering with KVGC Radio, Amador County Office of Emergency Services, Amador Sheriff’s Office, Cal-Fire and Battalion 10, Amador Fire Safe Council, ACART, A-Pal, Amador Public Health Department, Amador County Air District, Senior Services and others to provide information to the public to prepare for the upcoming wild land fire season and learn more about fire prevention.

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

**MOTION #1: It was moved by Supervisor Forster, seconded by Supervisor Boitano and unanimously carried to approve the Consent Agenda as presented above.**

**Absent: Supervisor Oneto**

**REGULAR AGENDA**

**California's Road Charge Pilot Program:** Presentation by Mr. Mitch Weiss, California Transportation Commission, Deputy Director, relative to the subject Program.

Mr. Mitch Weiss, California Transportation Commission, Deputy Director, provided a Power Point presentation relative to the background and establishment of subject Program. A copy of the presentation is incorporated in full in the Board packet for today's date. Mr. Weiss stated the success of the Road Charge Pilot Program is contingent upon the public. To effectively evaluate the pilot program 5,000 volunteers need to be recruited to participate in the 9 month study. He stated the recruiting process has already started to ensure the pilot represents a broad cross-section of the population of California. He continued by noting that the Road Charge Pilot Program is scheduled to commence in the summer of 2016. He encouraged anyone interested to visit [www.CaliforniaRoadChargePilot.com](http://www.CaliforniaRoadChargePilot.com) for further information or to volunteer to participate in the Program.

**ACTION: None. Presentation only.**

**Veteran's Services:** Discussion and possible action relative to an update by Mr. Terry Sanders, Veterans Service Officer, regarding the California Association of County Veterans Service Officers 2016 Annual Report as well as topics related to permanent and subvention funding.

**ACTION: None. Presentation only.**

**Supervisor Plasse recused himself from the following matter to avoid any perceived conflict of interest issues as he has a close family member who is an employee of ACES Waste Services. Due to the Absence of Supervisor Oneto, Vice-Chairman Boitano assumed the seat of acting Chairman at this time.**

**Waste Management:** Approval of the 2016 recommended Refuse Rate Adjustments as follows: (Moved from May 10, 2016 Consent Agenda)

Mr. Jim McHargue, Air Pollution Control Officer/Director of Solid Waste, reviewed the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary he stated on April 29, 2016 the Amador County Public Works Committee discussed the 2016 Refuse Rate Adjustments and recommendations from the

County's refuse rate setting consultant, R3 Consulting Group. The Committee referred to the Board of Supervisors approval of the following adjustments:

Area 1:	-2.34%
Area 2:	-2.04%
Area 3:	-0.48%
Buena Vista Transfer Station:	0.87%
Pine Grove Transfer Station:	0.52%

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

**MOTION:** It was moved by Supervisor Morgan, seconded by Supervisor Forster and unanimously carried to approve the Refuse Rate Adjustments as presented and outlined above.

**Ayes:** Supervisors Morgan, Forster and Boitano  
**Noes:** None  
**Recused:** Supervisor Plasse  
**Absent:** Supervisor Oneto

**Supervisor Plasse returned to the meeting at this time and was present for the remainder of items discussed.**

**Administrative Agency:** Discussion and possible action regarding an MOU with Calaveras County which is required by CalOES & FEMA as a condition of Calaveras County receiving a Fire Management Assistance Grant ("FMAG") for remedial work in the Mokelumne Watershed following the Butte Fire. (Added after original agenda was posted)

Mr. Greg Gillott, County Counsel, addressed the Board and summarized the draft MOU that was drafted by County Counsel in Calaveras County. He explained that Calaveras County is going to take the responsibility for mulching on both sides of the river, except for the Ponderosa Road area of the project. Therefore, Amador County will be responsible for the funding, CEQA costs and implementation of that project. The question has come up as to if the grant will provide enough funding to do the work that Amador County will be committed to do under the current Memorandum of Understanding. In addition, Mr. Aaron Brusatori, Public Works Director, noted when the grant opportunity came up he contacted several registered contractors to provide estimates for installing either rolling dips or water bars on Ponderosa Road. He stated the estimates for rolling dips came in at approximately \$36,000 which is significantly more than the amount provided in the grant. He stated he did not receive estimates for water bars but he can go back to the contractors and ask for estimates.

Discussion ensued with the following individuals wishing to speak relative to this matter.  
Ms. Jan Bray  
Ms. Carol Marz  
Mr. John Hofmann  
Ms. Sherry Curtis  
Mr. John Heissenbuttel

**ACTION:** Direction given to staff to seek further clarification on the length of obligation for maintenance, what the ability is for the County to amend procedures to compensate for allotted grant budget and identify what the potential commitment may be from EBMUD for culvert cleaning, and research a change in scope of work from rolling dips to water bars and determine what a cost estimate for this amendment would be. This matter will be placed on a Special Meeting Agenda for Thursday, May 12, 2016 at 8:00 a.m.

**Onsite Wastewater Treatment Systems-Local Agency Management Plan:** Discussion and possible action relative to a proposed Local Agency Management Plan consisting of a draft ordinance and regulations to be submitted to the Central Valley Regional Water control Board for review and approval prior to adoption by the Board.

Mr. Mike Israel, Environmental Health Director, reviewed the staff report 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 Boitano and unanimously carried approve submittal of the Local Agency Management Plan (LAMP) to the Central Valley Regional Water Control Board as proposed to meet the May 13, 2016 deadline; and place this matter on the agenda for June 14, 2016 for further discussion and possible suggested revisions to be presented by the Board.

**Ayes:** Supervisors Forster, Boitano, Morgan and Plasse

**Noes:** None

**Absent:** Supervisor Oneto

**Camp Silverado-Decision Notice Finding Of No Significant Impact (FONSI):** Discussion and possible action relative to the subject project and direction as to further objection comments being submitted.

**ACTION:** Direction given to Mr. John Hofmann to compose a letter combining the points set forth by Mr. Aaron Brusatori, Community Development Director and Mr. Mike Israel, Environmental Health Director and present to the Board on May 24, 2016 for approval of the signature of Mr. Chuck Iley, County Administrative Director.

**Deer Valley Trail:** Discussion and possible action relative to the Chairman's signature on a letter to the Department of Fish and Wildlife encouraging reopening of Deer Valley Trail.

**ACTION:** Direction given to hold this matter over for discussion on a future agenda to allow Supervisor Oneto to be present and provide staff the opportunity to contact the Alpine County Board of Supervisors to determine their position relative to this matter.

**Minutes:** Review and possible approval of the April 12, 2016 and April 26, 2016 Board of Supervisors Meeting Minutes.

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

**MOTION:** It was moved by Supervisor Boitano, seconded by Supervisor Forster and unanimously carried to approve the April 12, 2016 and April 26, 2016 Board of Supervisors Meeting minutes.

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

**PUBLIC HEARINGS:**

**Surveying Department:** Discussion and possible action relative to a public hearing to consider a request by Starch Brother Inc. for a Certificate of Merger. The subject property is located on the northwesterly corner of the junction of Martell Road with State Route 49, in the Martell area. APN 044-030-004 and 044-030-005.

Mr. Steve Zanetta, County Surveyor, reviewed this matter with the Board.

Chairman Plasse opened the public hearing at this time. Hearing no comment the following actions were taken.

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

**MOTION #1:** It was moved by Supervisor Boitano, seconded by Supervisor Morgan 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 Boitano and unanimously carried to approve the Resolution issuing a Certificate of Merger to Strauch Brother Inc.

**Absent:** Supervisor Oneto

**RESOLUTION NO. 16-057**

Resolution issuing a Certificate of Merger to Strauch Brother Inc.

**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.**

**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. The United States Department of the Interior; United States District Court for the Eastern District of California. Case No. 2:12-CV-01710-JAM-CKD

**ACTION: Nothing to report.**

Christopher Elia v. Department of Corrections and Rehabilitation; State of California; County of Amador, et al, Superior Court of California, County of Amador; Case No. 15CV9524

**ACTION: Direction given 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 by the County being disputed.**

**Absent: Supervisor Oneto**

**Conference with Labor Negotiators:** Pursuant to Government Code Section 54957.6. County Negotiator: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Judy Dias, Human Resources Director and Darrell P. Murray, IEDA. Employee Organization: All Units

**ACTION: Update given.**

**Confer with County Counsel-Aniticipated Litigation - {Government Code 54956.9 (d)(4)}:**  
One Case

**ACTION: Update given.**

**REGULAR SESSION: At 1:15 p.m., the Board reconvened into regular session. Chairman Plasse reported the following above were reviewed in closed session:**

**ADJOURNMENT: Until Thursday, May 12, 2016, at 8:00 a.m.-SPECIAL MEETING**

**AMADOR COUNTY  
BOARD OF SUPERVISORS  
\*\*AMENDED\*\*  
C O N S E N T   A G E N D A**

**May 10, 2016**

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.     **Tree Mortality:** Approval of a Resolution declaring Local State of Emergency in Amador County due to pervasive Tree Mortality. Pursuant to a requirement by the California Emergency Services Act, Article 148630 (c) renewal of said resolution is required every 30 days. (Original Resolution was adopted on February 23, 2016)

B.     **Treasurer/Tax Collector:** Approval of a Resolution discharging Tax Collector Michael E. Ryan from further accountability for the collection of amounts on unsecured tax roll(s) where the amounts are so small as to not justify the cost of collection or collection enforcement is impractical.

C.     **Waste Management:** Approval of a Resolution authorizing submittal of application for payment programs and related authorizations.

D.     **Human Resources:** Approval of a Resolution regarding salaries and benefits for mid-management employees and establishing the wage for the classification of Behavioral Health Director approved by the Board of Supervisors on March 22, 2016. (\*\*ADDED AFTER ORIGINAL AGENDA WAS POSTED)

4.     **AGREEMENTS**

A.     **Agriculture Department:** Approval of an agreement with the California Department of Food and Agriculture for the GWSS Program for fiscal years July 1, 2016 through June 30, 2018.

B.     **Building Department:** Approval of an agreement with Timothy C. Howard for construction of a Limited Density Owner-Built Rural Dwelling located in the unincorporated area of Amador County in the vicinity of Kirkwood, Ca.



- C. **Transportation and Public Works:** Approval of an agreement and release of claims between the County of Amador and Groundworks Construction, Inc.; and accept the project as complete by adoption of a Resolution.
- D. **Transportation and Public Works:** Approval of the First Amendment to Master On-Call Contract 14-03 with KASL Consulting Engineers for Task Order 14-03G-Construction Surveying and Staking.
  
- E. **Planning Department:** Approval of the seventeenth amendment to the consulting services agreement between the County of Amador and AECOM Technical Services, Inc., for work associated with the General Plan update; and approval of an increase in budget line item #2780-52300 in the amount of \$35,200 from contingencies.
- F. **Sheriff's Office Association (SOA):** Approval of the Employee Bargaining Agreement for the period of October 1, 2015 through September 30, 2017 between the County of Amador and the Sheriff's Office Association (SOA).

5. **ORDINANCES**

- A. **Elected Official Ordinance:** Adoption of an Ordinance amending Sections 2.68.020, Section 2.68.025, and Section 2.68.030 of Chapter 2.68 of the Amador County Code as it relates to salaries and benefits of the Amador County Elected Officials. (Reading waived on April 26, 2016)

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

- A. **Amador-Tuolumne Community Action Agency (A-TCAA):** Approval of the appointment of Linda Rianda, City of Sutter Creek Council member to the Public Sector Board Seat for A-TCAA.
- B. **Juvenile Justice Commission:** Approval of the re-appointment of Mr. Dale Haney to the subject Commission for a four year term ending in March, 2020.
- C. **Township 2 Cemetery Board:** Approval of the re-appointment of Mr. Donald E. Smith to the subject Board for a four year term ending on May 20, 2020.

7. **MISCELLANEOUS**

- A. **General Services Administration:** Approval to dispense with the formal bid process for pavement rehabilitation on the runway and associated taxiways; and authorize the Purchasing Agent to conduct this procurement using the procurement and contracting procedures in accordance with Title 41 U.S.C. 403 (11) and FAA rules.

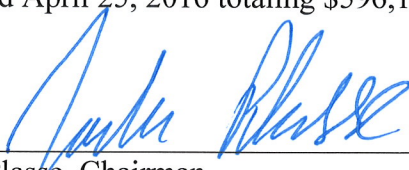
B. ~~**Waste Management:** Approval of the 2016 recommended Refuse Rate Adjustments as follows:\*\*\*~~ **(MOVED TO REGULAR AGENDA FOR MAY 10, 2016)\*\*\***

Area 1:	2.34%
Area 2:	2.04%
Area 3:	0.48%

~~Buena Vista Transfer Station: 0.87%~~  
~~Pine Grove Transfer Station: 0.52%~~

8. **GENERAL CORRESPONDENCE**

- A. Amador County Building Department: Recap of the activity in the Building Department year to date.
- B. Environmental Health Department: Recap of activity in the Environmental Health Department during April 2016.
- C. Auditor's check register dated April 25, 2016 totaling \$596,107.44.

  
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John Plasse, Chairman  
Board of Supervisors

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

  
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**Staff Contacts: Chuck Iley, County Administrative Officer  
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