

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, July 26, 2016
TIME: 8:15 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, Vice-Chairman, District IV
Brian Oneto, Supervisor, District V
Richard M. Forster, Supervisor, District II

Absent: Lynn A. Morgan, Supervisor, District III (Planned Vacation)
John Plasse, Chairman, District I (Jury Duty)

Staff: Gregory Gillott, County Counsel
Sharon Murphy, Deputy 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 8:15 a.m., the Board convened into closed session.**

REGULAR SESSION: At 9:00 a.m., the Board reconvened into regular session. Vice-Chairman Boitano 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, Judy Dias, Human Resources Director and Darrell P. Murray, IEDA. Employee Organization: All Units

ACTION: Direction given to staff.

Conference with County Counsel - Existing Litigation {Government Code 54956.9(d)(1)}: Citizens for Smart Development in Amador County, et al v County of Amador, et al; Amador County Superior Court, Case No. 15CV9374

ACTION: Nothing to report.

PLEDGE OF ALLEGIANCE: Vice-Chairman Boitano led the Board and the public in the *Pledge of Allegiance*

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 Boitano advised the following Addendum added to the agenda for today's date will be pulled at this time:

Board of Supervisors: Discussion and possible action relative to the County's response to the 2015-2016 Amador County Grand Jury Special Report.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to approve the agenda as revised above.

Absent: Supervisor Morgan, Supervisor Plasse

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.

California Redemption Value (CRV). Kevin Rasmussen, owner, Shenandoah Station, in Plymouth, stated that he had received a letter from the State advising him that he must now become a recycling station. He is not set up for this and it creates a hardship for him. Greg Gillott, County Counsel, advised that this item is on the agenda and will be discussed later this morning. Because he could not wait, Mr. Rasmussen was allowed to finish addressing the Board. He feels that since it's a State mandated program the State should not put the responsibility of managing the program on the retailers.

Building Department Inspections. Supervisor Oneto commended Steve Stokes, Building Official and Aaron Brusatori, Community Development Agency Director, for their efforts to streamline the inspection process and relieve the back-up created from recent retirements and vacations.

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 Boitano announced that the following item (6A) will be pulled from the agenda at this time and brought back to a future meeting for discussion and possible action.

Amador County Transportation Commission: Approval to appoint the following individuals to serve on the ACTC Pedestrian and Bicycle Update Ad-Hoc Committee:

- Ms. Brenda Walker (Upcountry)
- Mr. William Tanner (Foothill Representative)

Mr. Gary Reinhoehl stated that he had come to comment relative to this item, but will hold his comments until the matter is brought back.

Supervisor Forster had some questions regarding the following items (4b,c,d,and e) Mr. Jim Foley, Health and Human Services Director, was present and able to satisfy Supervisor Forster's concerns allowing these items to be approved with the remainder of the Consent Agenda for today's date.

- B. **Behavioral Health:** Approval of an agreement with Mental Health America of Northern California for a Patient's Rights Advocate for FY 16-17.
- C. **Behavioral Health:** Approval of an agreement with Mental Health America of Northern California for Prevention and Early Intervention efforts for FY 16-17.
- D. **Behavioral Health:** Approval of an agreement with Mental Health America of Northern California for the operation of Sierra Wind Wellness and Recovery Center for FY 16-17.
- E. **Behavioral Health:** Approval of an agreement with Mental Health America of Northern California for two Consumer Advocates for FY 16-17.

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

MOTION #1: It was moved by Supervisor Oneto, seconded by Supervisor Forster and unanimously carried to approve the Consent Agenda with the item #6a being pulled and brought back to a future meeting.

Absent: Supervisor Morgan, Supervisor Plasse

REGULAR AGENDA

Behavioral Health Department: Presentation of a resolution to Mr. Tim Gunn, Rehabilitation Specialist, upon his retirement from the County of Amador.

Vice-Chairman Boitano presented Resolution No. 16-073 to Mr. Tim Gunn at this time.

ACTION: None taken. Presentation only.

AEU 2016 Partnership Award: Presentation of the AEU 2016 Partnership Award to the Amador Sheriff's Office by CALFIRE Amador-El Dorado Unit for their efforts during the Butte Fire Incident as well as on-going excellent cooperative working relationships.

ACTION: None taken. Presentation only.

Proposition 57 – The Governor's Public Safety & Rehabilitation Act: Discussion and possible action relative to a presentation of law enforcement's concerns regarding the likely impact of Proposition 57 upon counties and public safety and a request for the Board to formally oppose Proposition 57.

Todd Reibe, District Attorney, and Sheriff Martin Ryan presented background and historical information leading up to the creation of Proposition 57, which will come before the voters in the November election, then summarized the proposition. They believe, along with their colleagues across the State, that Proposition 57 is flawed and cannot work as it is written. They also believe that there are other avenues available to rehabilitate inmates and reduce recidivism that will keep the public safe.

Mark Bonini, Probation, spoke in support of the proposition.

Jon Hopkins, General Services Administrator, advised the Board to remember the economic piece that would affect the County.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Forster and unanimously carried to send a letter of opposition regarding Proposition 57 to the

Governor with copies sent to State Legislators and Representatives, California State Association of Counties, Rural County Representatives of California and other parties as deemed appropriate by the Chairman.

Absent: Supervisor Morgan, Supervisor Plasse

At this time Vice-Chairman Boitano stated that some copies of the agenda had an item regarding Thomas A. Newcomer dba Hams Station. This item was requested to be pulled and placed on a later agenda. All parties were notified.

ACTION: It was moved by Supervisor Oneto, seconded by Supervisor Forster and unanimously carried to pull this item from the agenda.

Absent: Supervisor Morgan, Supervisor Plasse

Mountain-Valley Emergency Medical Services Agency: A presentation by EMS Agency's Medical Director, Dr. Kevin Mackey relative to an update on the 2015 cardiac arrest rate, survival rate, and bystander CPR rate.

ACTION: None. Presentation only.

\$9 for 9 Lives Program: Discussion and possible action relative to a presentation by Ms. Susan Manning relative to the subject program.

Jon Hopkins, General Services Administration Director, and Kelly Reason, Animal Control Director, discussed this promotional program designed to increase adoptions of cats/kittens at the animal shelter. The program reduces the fee of \$20.00 to \$9.00 for a nine day period. It has been successful in the past two years to reduce the surge in population that typically occurs this time each year. A-PAL has offered to pay the difference of \$11.00 for each cat/kitten adopted during this set time period.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto to authorize the \$9 for 9 Lives Program again for this year.

Absent: Supervisor Morgan, Supervisor Plasse

PUBLIC HEARING:

Code Enforcement: Discussion and possible action relative to a public hearing to consider a special assessment against the property located at 8521 Sutter Ione Road, Ione, California, (APN 011-260-042-000) to recoup the costs in the amount of \$3,791.77 for abatement of public nuisance and to record a Notice of Abatement Lien against the property.

Supervisor Forster questioned whether he should abstain since he lives close to the property in question. County Counsel advised that the limit was 500 feet, so Supervisor Forster

did not need to recuse himself.

Garth Hohn reported that this was the last step of the abatement process and recommended the lien.

Vice-Chairman Boitano opened the public hearing at this time. Hearing no public comment the following actions resulted.

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 Morgan, Supervisor Plasse

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

MOTION #2: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to move forward with placing the charges for non-payment of costs of abatement of public nuisance on fiscal year 2016-2017 tax roll and the recording of a Notice of Abatement Lien against the subject property.

Absent: Supervisor Morgan, Supervisor Plasse

RESOLUTION NO. 16-088

Resolution placing charges for non-payment of costs of Abatement of Public Nuisance on fiscal year 2016-2017 tax roll and authorizing recordation of Notice of Abatement Lien with County Recorder.

California Redemption Value (CRV) on Bottles and Cans: Discussion and possible action relative to approval of the Chairman's signature on a letter to the Legislature, the Brown Administration and CalRecycle expressing the negative impact of recycling center closures on Amador County residents.

Jim McHargue, Solid Waste Director, reminded the Board that four of the five recycling centers in the County closed abruptly at the beginning of this year. This caused much inconvenience and frustration to County residents trying to get back their deposits. But this is only the local problem of a much bigger issue. He also produced a hand-out outlining the structural deficit of the Beverage Container Recycling Fund. Jim, along with Mary Pitto, Rural County Representatives of California, reported that as recycling of beverage containers increases and CRV's are redeemed, the fund has less revenue to operate all of its programs. Mary Pitto reported that reforms to the CRV fund have been discussed for several years and there have been many proposals. Next week a stake holders meeting is scheduled. There is talk that a major shake up of the program creating long term solution will be discussed. In response to all this, it is recommended that a letter be drafted and sent addressing the situation. The Board suggested that Mr. McHargue add a petition at the Used Oil Recycling booth at the Fair this weekend.

Mr. Gary Reinoehl spoke in support of sending a letter that might help to re-open

recycling centers.

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

MOTION: **It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to authorize a letter to be drafted and sent to the Legislature, Brown Administration and CalRecycle expressing the frustration of our residents and the need for collection center outlets, and add any other information that might be helpful to persuade them to re-open recycling centers in Amador County.**

Absent: Supervisor Morgan, Supervisor Plasse

Minutes: Review and possible approval of the July 12, 2016 Board of Supervisors Meeting Minutes.

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

MOTION: **It was moved by Supervisor Oneto, seconded by Supervisor Forster and unanimously carried to approve the July 12, 2016 Board of Supervisors Meeting Minutes with minor corrections.**

Absent: Supervisor Morgan, Supervisor Plasse

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 12:40 p.m., the Board convened into closed session.**

Conference with Real Property Negotiators:

APN 044-010-116; (Airport Property) Terms and Conditions; Negotiating Parties: Mr. Craig Catto, Catto Propellers; County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director.

ACTION: **Direction given to staff.**

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.**

Citizens for Smart Development in Amador County, et al v County of Amador, et al; Amador

County Superior Court, Case No. 15CV9374

ACTION: Update given.

Allan Ament v County of Amador, Workers Compensation Claim No. CAMA-555841

ACTION: Direction given to staff.

Dolores LaDesma v County of Amador, Workers Compensation Claim No. CAMA-431928

ACTION: Direction given to staff.

Thomas Stephens v County of Amador, Workers Compensation Claim No. CAMA-555835

ACTION: Direction given to staff.

Michael Datema v County of Amador, Workers Compensation Claim No. 20142000333

ACTION: Direction given to staff.

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 for July 12, 2016.

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Forster and unanimously carried to approve the confidential minutes for July 12, 2016.

Ayes: Supervisors Oneto, Forster, and Boitano

Noes: None

Abstain: None

Absent: Supervisor Morgan, Supervisor Plasse

REGULAR SESSION: At 1:15 p.m., the Board reconvened into regular session. Vice-Chairman Boitano reported the above were reviewed in closed session.

ADJOURNMENT: Until Tuesday, August 9, 2016, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS
CONSENT MINUTES**

July 26, 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**

- A. **Code Enforcement:** Approval of a request for a budget transfer of \$11,325.70 from the Contingency Fund to the Code Enforcement budget for junk and/or solid waste removal and disposal services at APN 032-380-041-000 located at 20120 Oak Drive, Pioneer, CA.

2. **TAX MATTERS** **None**

3. **RESOLUTIONS**

- A. **Sheriff's Office:** Approval of a resolution designating certain individuals as authorized agents to execute applications and documents for grant funding through the Federal Department of Homeland Security. **(Resolution #16-085)**
- B. **Surveyor:** Approval of a resolution granting one year extension of time for boundary line adjustment #2015-002 Trevaskis/Cazadd for APNs 020-471-011 and 020-482-001 in the Running Gold area of Sutter Creek. **(Resolution #16-086)**

4. **AGREEMENTS**

- A. **Auditor:** Approval of contract option renewals with MGT of America, Inc. for both the State mandated cost claims and cost allocation plan services.
- B. **Behavioral Health:** Approval of an agreement with Mental Health America of Northern California for a Patient's Rights Advocate for FY 16-17.
- C. **Behavioral Health:** Approval of an agreement with Mental Health America of Northern California for Prevention and Early Intervention efforts for FY 16-17.
- D. **Behavioral Health:** Approval of an agreement with Mental Health America of Northern California for the operation of Sierra Wind Wellness and Recovery Center for FY 16-17.
- E. **Behavioral Health:** Approval of an agreement with Mental Health America of Northern California for two Consumer Advocates for FY 16-17.
- F. **Behavioral Health:** Approval of an amendment to agreement #14-90049 State Department of Health Care Services to provide alcohol and drug services through June 30, 2017 and approve a resolution for same. **(Resolution #16-087)**
- G. **General Services Administration:** Approval of Assignment and Assumption of Lease for Airport Lot #52 by and between Christopher Floyd ("Original Lessees") and Adam

Fineberg (collectively "Successor Lessee").

- H. **Social Services:** Approval of a revised agreement with the CA Department of Social Services to provide agency adoption services for an additional two years.

5. **ORDINANCES** **None**

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

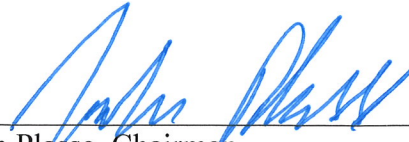
- A. ~~**Amador County Transportation Commission:** Approval to appoint the following individuals to serve on the ACTC Pedestrian and Bicycle Update Ad Hoc Committee:~~
- ~~Ms. Brenda Walker (Upecountry)~~
 - ~~Mr. William Tanner (Foothill Representative) (Item pulled to be heard at a later date)~~

7. **MISCELLANEOUS**

- A. **Fiddletown Cemetery Advisory Committee:** Approval of the amended Fiddletown Cemetery Advisory Committee bylaws dated June 8, 2016.
- B. **General Services Administration:** Approval to award RFP 16-08 to AVS Engineers, Inc.; authorize General Services Director and County Counsel to negotiate final agreement; and, authorize Chairman to sign said agreement for Design Services for the Jail Control Panel Replacement Project upon agreeable terms.
- C. **Human Resources:** Approval to reclassify an Information Systems Specialist to an Information Systems Analyst.
- D. **Sheriff's Office:** Approval of the annual report of expenditures associated with the Inmate Welfare Fund.

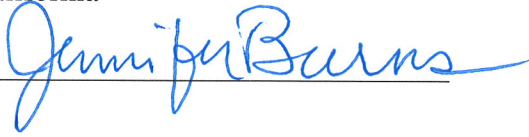
8. **GENERAL CORRESPONDENCE**

- A. Memorandum from the Building Department relative to a recap of Commercial activity for the period of June 14-27, 2016.
- B. Memorandum from the Building Department relative to a recap of Commercial activity for the period June 28-July 11, 2016.
- C. Memorandum from the Planning Department relative to a recap of activity for the period of June 14-27, 2016.
- D. Memorandum from the Planning Department relative to a recap of activity for the period of June 28-July 11, 2016.
- E. Auditor's check register dated July 11, 2016 totaling \$1,201,329.92
- F. Application for Alcoholic Beverage License for Harebrained Schemes, LLC, located at 28355 Hwy 88 in Pioneer, CA.
- G. Commendation to Transportation and Public Works from Chuck Ray for patching done in Crestview Estates.
- H. Amador Senior Center July 2016 newsletter.



John Plasse, Chairman
Board of Supervisors

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



**Staff Contacts: Chuck Iley, County Administrative Officer
Jennifer Burns, Clerk of the Board
Sharon Murphy, Deputy Board Clerk II
810 Court Street, Jackson, California 95642
Telephone (209) 223-6470
FAX# (209) 257-0619
www.amadorgov.org**