

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

**DATE:** Tuesday, October 27, 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  
John Plasse, Vice-Chairman, District I  
Richard M. Forster, Supervisor, District II  
Louis D. Boitano, Supervisor, District IV  
Lynn A. Morgan, Supervisor, District III

**Staff:** Charles T. Iley, County Administrative Officer  
Gregory Gillott, County Counsel  
Teresa Wagstaff, Deputy Clerk of the Board

**Absent:** Jennifer Burns, 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.

**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 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.**

**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.)

Chairman Oneto announced that Item #12 will be moved up to become Item #6.

**Code Enforcement:** Discussion and possible action relative to the Administrative Hearing Board recommendation to abate the solid waste existing on the property located at APN #032-380-041-000 (Jeff Bardin) located at 20120 Oak Drive, Pioneer, CA. 95666.

And, Item #6 will become Item 6a.

**Kirkwood Meadows Public Utility District and Kirkwood Community Update:** Discussion and possible action relative to a presentation by Mr. Michael Sharp, KMPUD General Manager, relative to a general update regarding KMPUD and the Kirkwood Community.

Also, Item #9 will be moved to Item #13a.

**General Services Administration:** Discussion and possible action relative to the Plymouth Rotary resurfacing the tennis court at Fiddletown Park as a donation.

**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 agenda as amended.**

**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.

The following individuals wished to speak relative to the upcoming negotiations between the SEIU 1021 bargaining unit and the County:

Anne Schuyler, Field Representative SEIU 1021  
Gwen Clayton, District IV resident and Administrative Assistant  
Donna Jackson, Public Health Outreach Specialist  
Mike Datema, Building Inspector

**Judy Jebian, Amador Historical Society**, gave an update on the progress of the Amador County Museum.

**Supervisor Brian Oneto** wished to remind county employees that county funds are limited, and the county is facing increases from CalPERS in the future, making it difficult to increase wages.

**Supervisor John Plasse** announced that the Jackson Lions Club raised \$23,000.00 at their recent event for the Butte Fire victims in Calaveras County.

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

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

### **REGULAR AGENDA**

**Code Enforcement:** Discussion and possible action relative to the Administrative Hearing Board recommendation to abate the solid waste existing on the property located at APN #032-380-041-000 (Jeff Bardin) located at 20120 Oak Drive, Pioneer, CA. 95666.

Mr. Garth Hohn, Code Enforcement Officer, summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

Elizabeth Bonneville, contractor for Mr. Bardin, reported that all of the waste will be removed by December 28, 2015.

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

**MOTION:** It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to adopt the Administrative Abatement order to be effective on December 28, 2015.

**Kirkwood Meadows Public Utility District and Kirkwood Community Update:** Discussion and possible action relative to a presentation by Mr. Michael Sharp, KMPUD

General Manager, relative to a general update regarding KMPUD and the Kirkwood Community.

**ACTION: None. Presentation only.**

**Request for Funding:** Discussion and possible action relative to a request for funding of a District wide school project utilizing funding from the education portion of the Fish and Wildlife Fees collected by Amador County. (Continued from October 13, 2015)

Ms. Toni Linde returned to summarize “The Salmon Project” with some of the lesson plans used to teach about salmon that she has been utilizing in her classroom at Plymouth Elementary School for the last ten (10) years. She stated she is seeking funding to assist in the expenses associated with coolers for each school that have been converted to hold a fish tank for raising the salmon from eggs to fingerlings and funding for the field trips each year to the Camanche Fish Hatchery for releasing the salmon.

Chuck Iley, County Administrative Officer, reported that most of the Fish and Game Funds are put into Reserves and are unavailable unless for an emergency, however, can be borrowed from and reimbursed in the next budget cycle.

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

**MOTION: It was moved by Supervisor Morgan, seconded by Supervisor Boitano and unanimously carried to approve funding of this salmon education program with \$1,000.00 coming from the Fish and Game fund (to be reimbursed during the next budget cycle) and the rest from the contingency fund.**

**USFS Foster Firs Project:** Discussion and possible action relative to requesting participation in the objection resolution process.

John Hofmann addressed the Board and outlined the process and reasoning behind an objection letter to the US Forest Service. While the Board fully supports the Forest Service’s decision to select Alternative 1, we recognize issues may arise through the objection process which have the potential to modify that alternative. Should any objection be filed regarding the Foster Firs Forest Health and Fuels Reduction EA, this letter acts as an objection under CFR 218.8(c) to any changes to the draft Decision Notice/Finding of No Significant Impact. To resolve our objection, we would like to have full participation in the objection resolution process. If no other objections are filed, we would withdraw our objection.

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 approve the Chairman's signature on the draft letter provided and designate John Hofmann as lead objector.**

At this time Chuck Iley, County Administrative Officer, addressed the Board stating that he was mistaken during the previous item when he stated that the Fish and Game funds are not fully available. The funds are, indeed, available and use of contingency is not needed.

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

**MOTION:** It was moved by Supervisor Plasse, seconded by Supervisor Boitano and unanimously carried to approve funding of this salmon education program from the Fish and Game fund.

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

### **PUBLIC HEARING**

**Planning Department:** Discussion and possible action relative to a public hearing to consider and take action on the Planning Commission's recommendation to grant a request by the Thomas E. and Sarah Malone Trust for a zone change from the "R1A," Single Family Residential and Agricultural District to "A", Agricultural District to allow the expanded winery uses, located at 21090 Ostrom Road, approximately 1 mile north of Fiddletown Road (APN 014-170-026).

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

Chairman Oneto opened the public hearing at this time.

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

**MOTION #1:** It was moved by Supervisor Plasse, seconded by Supervisor Morgan and unanimously carried to close the Public Hearing.

**ACTION #2:** Zone change denied pursuant to the following motion.

**MOTION #2:** It was moved by Supervisor Plasse, seconded by Supervisor Forster and unanimously carried to deny the request for a zone change from "R1A," Single Family Residential and Agricultural District to "A", Agricultural District to allow the expanded winery uses, located at 21090 Ostrom Road, approximately 1 mile north of Fiddletown Road (APN 014-170-026); and if the applicant comes forth with an application for a Use Permit, that the fees that have already been paid to date be credited towards any future requirements.

**REGULAR SESSION**

**General Services Administration:** Discussion and possible action relative to approval of the Services Agreement between the County and Amador County Recreation Agency (ACRA) and approval of the repair to the Pioneer Park Snack Shack roll up door in the amount of \$1,364.00 to be funded out of General Fund contingencies.

John Hopkins, General Services Administration Director, fielded questions regarding the agreement

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

**MOTION #1:** It was moved by Supervisor Boitano, seconded by Supervisor Morgan and unanimously carried to approve the Services Agreement with the amount for utilities not to exceed \$10,000, with minor changes.

**MOTION #2:** It was moved by Supervisor Forster, seconded by Supervisor Boitano and unanimously carried to approve the repair of the Pioneer Park Snack Shack roll up door in the amount of \$1,364.00 to be funded out of General Fund contingencies, unless the repairs can be done at a lower cost.

**Code Enforcement/Newcomer, Thomas:** Discussion and possible action relative to adoption of the Administrative Hearing Board's recommendation to abate the water storage, food facility, and fire protection system violations existing at Ham's Station located at APN 024-020-001-000, Highway 88 in Pioneer. (Continued from October 13, 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 Plasse and unanimously carried to adopt administrative abatement order and direct staff to work with Mr. Newcomer with potential of obtaining a loan or grant from the County.

**Minutes:** Review and possible approval of the October 13, 2015 Board of Supervisors Meeting Minutes.

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

**MOTION:** It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to approve the October 13, 2015 Board of Supervisors Meeting Minutes with corrections.

**General Services Administration:** Discussion and possible action relative to the Plymouth Rotary resurfacing the tennis court at Fiddletown Park as a donation.

**ACTION: Direction given to staff to move forward with project to get it completed.**

**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 1:09 p.m., the Board convened into closed session.**

**REGULAR SESSION**: **At 2:00 p.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: Amador Council of Tourism. County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director.

**ACTION: Update given**

**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: No Update.**

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: Update given.**

County of Amador v. Ione Land, Air & Water Defense Alliance, LLC, Sondra West-Moore, et al; Amador County Superior Court; Case No. 15CV9295.

**ACTION: Update given**

Ione Valley Land, Air and Water Defense Alliance, LLC v. County of Amador, Newman Mineral, LLC, et al; Amador County Superior Court; Case No 15-CV-9240

**ACTION: Direction given to staff.**

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

**ACTION: Direction given to staff.**

Claim of Michael Jay Hix

**ACTION:** 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 being disputed.

Claim of Mary Bristow

**ACTION:** 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 being disputed.

Claim of Susan Bronzich

**ACTION:** 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 being disputed.

**Confidential Minutes:** Review and approval of the confidential minutes for October 13, 2015.

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

**MOTION:** It was moved by Supervisor Forster, seconded by Supervisor Plasse and unanimously carried to approve the October 13, 2015 Confidential Minutes.

**ADJOURNMENT:** Until Tuesday, November 10, 2015, at 8:30 a.m.



**AMADOR COUNTY  
BOARD OF SUPERVISORS  
CONSENT MINUTES**

**October 27, 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 033-170-027-000 (Vengley, David and Mary); APN 014-020-035-000 (Fountain, Keith and Annie 2006 Revocable Trust).

3. **RESOLUTIONS**

A. **Surveying and Engineering:** Approval of a resolution of intention to vacate a public utility easement for Ray Speetzen and Denise Speetzen and scheduling of Public Hearing for same on November 10, 2015. **(Resolution #15-104)**

B. **Surveying and Engineering:** Approval of a resolution issuing three (3) Certificates of Compliance to Robert A. Bachich and Suzanne M. Bachich, Trustees of the Bachich Family Revocable Trust under document dated April 20, 2007. **(Resolution #15-105)**

C. **Administration:** Approval of a resolution recognizing Patrick "Pat" Crew as the 2015 Business Person of the Year. **(Resolution #15-096)**

D. **Administration:** Approval of a resolution recognizing and honoring Officer Phillip Lowery as 2015 Peace Officer of the Year. **(Resolution #15-106)**

E. **Administration:** Approval of a resolution recognizing and honoring Mr. Adam Dalton as 2015 Citizen of the Year. **(Resolution #15-107)**

4. **AGREEMENTS**

A. **Planning Department:** Approval of a First Amendment to Professional Services Agreement between County of Amador and *Environmental Science Associates* for update of County's Airport Land Use Compatibility Plan.

5. **ORDINANCES**          None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

- A. **Juvenile Justice Commission:** Approval of the re-appointment of Ms. Ann Watts to the subject commission for a four year term ending November 2019.

7. **MISCELLANEOUS**

- A. **Amador Fire Protection Authority Board:** Approval of the Revenue Distribution Formula relative to "Measure M" funds as provided for in Amador County Code Chapter 3.14 and approved by the *Amador Fire Protection Authority Board* on October 15, 2015. The revenue distribution formula is based on methodology specified in Chapter 3.14 with using the California Department of Finance January 1, 2015 population estimates and 2014/2015 call volumes of the various fire agencies.
- B. **Health and Human Services:** Approval of a request to hire two (2) positions in Social Services. These are Merit Systems positions and must be hired through the Merit Systems process.
- 1) Backfill (1) Eligibility Worker I/II due to employee resignation effective 10/28/15
  - 2) Backfill (1) Eligibility Worker I/II due to employee retirement effective 12/15/15

8. **GENERAL CORRESPONDENCE**

- A. Auditor's check register dated October 20, 2015 totaling \$ 422,148.76.

  
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Brian Oneto, Chairman  
Board of Supervisors

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

