

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, December 9, 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
Louis D. Boitano, Supervisor, District IV
John Plasse, Supervisor, District I

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

Absent: None

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 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 given.

Conference with Property Negotiators:

APN 044-010-116-000: Negotiating Parties-AT&T (Lease for Radio Space), (Terms and Conditions) County Negotiators: Jon Hopkins and Chuck Iley

ACTION: Update given.

APN 044-010-116-000: Negotiation Parties: Mr. Mark Ohlau,(Terms and Conditions) County Negotiators: Jon Hopkins and Chuck Iley

ACTION: Update given.

Conference with County Counsel – Anticipated Litigation [Government Code 54956.9(d)(2)]: Claim of Donna Holloman (Nunez Estate)

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 of the County are disputed.

Confidential Minutes: Review and approval of the confidential minutes of November 4, and November 25, 2014.

ACTION: None. The November 4, and November 25, 2014 Board of Supervisors Confidential Meeting Minutes 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 Boitano, seconded by Supervisor Forster and unanimously carried to approve the agenda as presented.

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.

Craig Burman wished to comment on the new commercial center in Pine Grove at the corner of Ridge Road and Highway 88. He is concerned about a document recorded on October 10, 2014 that would limit several types of uses in the center. He felt that the Dollar General Corporation didn't have the right to tell the county what it could or could not build. The supervisors assured him that the agreement was between the developer and the corporation and did not involve the county or its general plan.

Chairman Novelli reported that over the weekend he worked with Congressman McClintock's office on a panel of nine to conduct interviews for our Military Academies. He was very impressed with how well it was run and with the caliber of the candidates. He also thanked the Placer County Board of Supervisors for the use of their facilities.

Supervisor Plasse pointed out that another Limited Density Rural Dwelling (LDRD) building permit has been pulled. He is pleased that the program is being well received in the 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).

Supervisor Oneto stated a typographical error exists in the following item and should be corrected as amended below:

Health and Human Services: Approval of a request to rollover unspent funds from Fiscal Year 2013-2014 Tobacco Budget into the 2014-2015 Fiscal Year County Budget. The rollover amount being request totals \$30,533.00. This rollover amount will increase the TY 14-15 Tobacco Line item from \$150,000 to \$180,533. These additional funds are projected to be used towards increasing personnel, equipment purchase and an increase in the amount of rent and indirect charges paid by the Tobacco Program.

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 Consent Agenda as amended above.

REGULAR AGENDA

General Services Administration: Discussion and possible action relative to acceptance of a Gift Deed from Cenotto Family Historical Papers to Amador County Archives.

Supervisor Plasse introduced the subject item. The Cenotto Family has submitted a

collection of historical papers and artifacts that had been compiled by Larry Cenotto. It has all been inventoried and catalogued. Ms. Teresa Guidi, Records Manager/Archivist, verified that 30+ boxes have been submitted.

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 Oneto and unanimously carried to accept Gift Deed from Cenotto Family Trust.

Victory Village: Discussion and possible action relative to approval of the Chairman's signature on a Certification of Local Approval as it relates to submission of an Emergency Solutions Grant (ESG) application for the Homeless Prevention component.

Mr. Jason Mulford, Victory Village, addressed the Board and explained the grant program and application and answered questions posed by the Board and the public.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to authorize the Chairman's signature on a Certification of Local Approval for Victory Village on the Emergency Solutions Grant application.

Administrative Agency: Discussion and possible action relative to approval of an agreement for Regional Sales, Use and Transactions Tax Information Services, between the County of Amador and Hinderliter, De LLamas and Associates; and adoption of a resolution authorizing examination of Sales, Use and Transactions Tax Records.

Mr. Chuck Iley, County Administrative Officer, introduced the subject item.

The following members of the public wished to speak regarding this matter:

- Mr. Ed Pattison, City of Ione
- Mr. Dan Epperson, City of Ione Mayor,
- Sherry Curtis

Discussion ensued with the following action being taken.

ACTION: The Board directed staff and the City of Ione officials to bring back a draft agreement between County and City of Ione regarding point of sale designation, then at that time the County may enter into an agreement with Hinderliter, De LLamas and Associates.

2015 Draft Board of Supervisors Meeting Schedule: Discussion and possible action relative to adoption of the 2015 Board of Supervisors Meeting Schedule Calendar.

ACTION: Direction given to CAO to make changes regarding Administrative Committee dates and return to the Board on Consent Agenda.

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

PUBLIC HEARING

12. **Community Facilities District 2006-1 (Annexation #9):** Discussion and possible action relative to a public hearing to consider:

- Adoption of a Resolution determining to submit question of annexing territory to Community Facilities District 2006-1 (Fire Protection Services), County of Amador, State of California, to the landowners in the territory proposed for annexation (Annexation #9); and
- Adoption of a Resolution declaring the results of the special election to annex certain territory to Community Facilities District 2006-1 (Fire Protection Services), County of Amador, State of California (Annexation #9).

Dave Bellerive, AFD introduced Ms. Lynn Gruber, Koppel & Gruber Public Finance, and Consultant for the County, who addressed the Board and summarized this matter.

Chairman Novelli 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 Oneto and unanimously carried to close the public hearing.

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

MOTION #2: It was moved by Supervisor Boitano, seconded by Supervisor Plasse and unanimously carried to adopt a resolution determining to submit question of annexing territory to the Community Facilities District No. 2006-1 (Fire Protection Services), County of Amador, State of California, to the landowners in the territory proposed for Annexation No. 9.

RESOLUTION NO. 14-144

Resolution determining to submit question of annexing territory to Community Facilities District No. 2006-1 (Fire Protection Services), County of Amador, State of California, to the landowners in the territory proposed for Annexation No. 9.

Ms. Jennifer Burns, Clerk of the Board, stated all ballots have been received and deemed the election to be closed. At this time she counted and tallied the ballots which resulted in 271 affirmative votes cast.

ACTION #3: Direction given pursuant to the following motion.

MOTION #3: It was moved by Supervisor Plasse, seconded by Supervisor Forster and unanimously carried to adopt a Resolution declaring the results of the Special Election to annex certain territory to Community Facilities District No. 2006-1 (Fire Protection Services), County of Amador, State of California (Annexation No. 9).

RESOLUTION NO. 14-145

Resolution declaring results of the Special Election to annex certain territory to Community Facilities District No. 2006-1 (Fire Protection Services), County of Amador, State of California (Annexation No. 9).

Board of Supervisors: Discussion and possible action relative to potential cost sharing with Amador Water Agency for expenses incurred in opposition of the Wild and Scenic Designation of the Mokelumne River.

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 Oneto and unanimously carried to take 27.06% of the total remaining balance after all entities have committed to contribute, out of contingency funds to repay the Amador Water Agency for expenses that are attributed to actions taken against the Wild and Scenic Designation.

Minutes: Discussion and possible action relative to review and approval of the November 25, 2014 Board of Supervisors Meeting Minutes.

ACTION: None. The November 25, 2014 Board of Supervisors Meeting Minutes will be held over for approval at a future meeting.

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 xxx a.m., the Board re-convened into closed session.**

REGULAR SESSION: At xxx p.m., the Board reconvened into regular session. Chairman Novelli reported the following issues were reviewed in 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:

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:

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:

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

ACTION:

ADJOURNMENT: Until Tuesday, December 23, 2014, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

December 9, 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. **Health and Human Services:** Approval of a request to rollover unspent funds from Fiscal Year 2013-2014 Tobacco Budget into the 2014-2015 Fiscal Year County Budget. The rollover amount being request totals \$30,533.00. This rollover amount will increase the TY 14-15 Tobacco Line item from \$150,000 to \$180,533. These additional funds are projected to be used towards increasing personnel, equipment purchase and an increase in the amount of rent and indirect charges paid by the Tobacco Program.
- B. **Veterans Service Officer:** Approval of an increase budget appropriation from a donation of \$300.00.

2. **TAX MATTERS**

- A. **Assessor's Office / Secured Roll Corrections:** Approval of the following: APN 044-010-113-000 (Gularte, Richard K. and Katherine L. and Steven L. and Joyce).
- B. **Assessor's Office / Secured Roll Corrections:** Approval of the following: APN 007-120-001-000 (Robinson, Robert and Marilou); APN 032-280-015-000 (Stankalis, David).
- C. **Assessor's Office / Secured Roll Corrections:** Approval of the following: APN 005-150-007-502 (Unimin Corporation); APN 005-150-008-502 (Unimin Corporation); APN 005-160-014-000 (Leask-Ione Holdings, LLC et al c/o Howard Properties).

3. **RESOLUTIONS**

- A. **Building Department:** Approval of a resolution authorizing recordation of an agreement to construct a Limited Density Owner-Built Rural Dwelling for *John Rittenhouse* and *Marianne Rittenhouse*, Trustees of the John Rittenhouse and Marianne D. Rittenhouse Revocable Living Trust, dated June 8, 1995 (APN 014-180-031-000). **(Resolution #14-142)**
- B. **Surveying and Engineering:** Approval of a resolution issuing two (2) Certificates of Compliance to *Robert A. Bachich* and *Suzanne M. Bachich*, Trustees of the Bachich Family Revocable Trust under document dated April 20, 2007 (APN a portion of 44-200-095). **(Resolution #14-143)**

4. **AGREEMENTS**

- A. **General Services Administration:** Approval of an agreement with Mr. Jim Lewis, *Airtronics, Inc.* at the County Airport for the leasing of Hangar #6 as shown on the Airport Layout Plan.

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

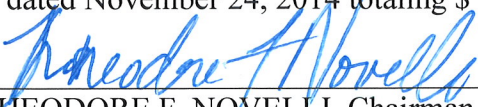
- A. **Airport Advisory Committee:** Approval of the following appointments to the subject Board for four (4) year terms: Mr. Jon Luy and Richard Campbell (Regular Members) and Mr. Jerry Wright (Alternate member) representing District V.
- B. **Jackson Valley Fire Protection:** Approval of the appointment of Mr. Pat Thompson to serve as a director to the subject Board.

7. **MISCELLANEOUS**

- A. **Amador Fire Protection District:** Approval of the Amador County Community Facilities District 2006-1 (Fire Services) Special Tax Accountability Report for Fiscal Year 2013-2014.
- B. **Health and Human Services:** Approval of a request to backfill one Eligibility Worker II with an Eligibility Worker I/II in Social Services Department. This is a Merit Systems position and must be hired through the Merit Systems process.

8. **GENERAL CORRESPONDENCE**

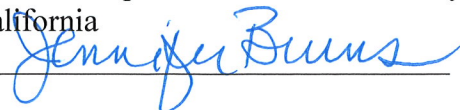
- A. *An Application for Alcoholic Beverage License* for Red Corral Mini Mart located at 22500 Highway 88, Pioneer, CA 95666.
- B. *An Application for Alcoholic Beverage License* for Main Street Grill located at 9486 Main Street, Plymouth, CA 95669.
- C. *An Application for Alcoholic Beverage License* for Copper Station located at 17699 Village Drive, Plymouth, CA 95669.
- D. Auditor's check register dated November 18, 2014 totaling \$ 517,203.47.
- E. Auditor's check register dated November 24, 2014 totaling \$ 506,384.99.



THEODORE F. NOVELLI, Chairman
Board of Supervisors

ATTEST:

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



JENNIFER BURNS