

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, September 12, 2017
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:

Richard M. Forster, District II-Chairman
Lynn A. Morgan, District III-Vice-Chairman
Patrick Crew, District I
Frank U. Axe, District IV
Brian Oneto, Supervisor, District V

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 Forster 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 convened into regular session. Chairman Forster reported the following issues were reviewed in closed session:

Conference with County Counsel – Anticipated Litigation {Government Code 54956.9(d) (2)}

One Case

ACTION: Information only.

Claim of William Allen Davis

ACTION: Claim denied pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Crew and unanimously carried to deny the subject claim due to liabilities and damages of the County being disputed.

Conference with County Counsel - Existing Litigation {Government Code 54956.9(d)(1)}:

Amy Nichols-Stuart v Department of Social Services; Count of Amador, et al In the Superior Court of California, Amador County, Case No. 17CV10220

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#1: Direction given pursuant to the following motion.

MOTION#1: It was moved by Supervisor Crew, seconded by Supervisor Morgan 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.**

Amador County Senior Center: Ms. Laurie Webb, outgoing Executive Director of Amador Senior Center, took this time to introduce Ms. Machellee Allison who will be taking her place. Ms. Webb thanked the Board for their support over the years and for always putting the needs of Amador County seniors in the forefront when necessary.

Amador County Fair Window: Ms. Teresa Guidi, Records Manager and Archivist, took this time to publicly thank Mr. Steve Woods for his outstanding work in designing and constructing the 2017 Amador County Fair Window. She stated the window won first place and was highly complimented by all who were able to see it.

Amador County Farm Day: Ms. Toni Linde took this time to extend an invitation to the Board to attend Amador County Farm Day which will be held on September 26, 2017 at the Amador County Fairgrounds. She stated each year Amador County Farm Day hosts nearly 400 students to teach and show them the diversity of products that are made from agriculture. Students spend the day learning about farms, ranches, and how food gets to the table. Ms. Linde stated several interactive stations are set up that will satisfy state curriculum standards and the event is highly anticipated each year by students and teachers.

Epic Wireless Group, Inc.,-Wireless Communication Tower: Mr. John Summerville, District V resident, took this time to express his concern regarding an item to be heard by the Planning Commission tonight that proposes the installation of a 136-foot-tall monopole wireless communication tower at 6202 Huot Road in Plymouth. Mr. Summerville is advocating for the tower to be re-located to the vicinity of the existing tower in the area.

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 possible action, and made a part of the regular agenda at the request of a Board member(s)

Chairman Forster advised the following item (4B) will be pulled from the Consent agenda for discussion prior to consideration of approval.

General Services/Airport: Accept the Department of Transportation-Federal Aviation Administration Airport Improvement Program (AIP) Grant Offer; authorize the General Services Director, Airport Manager and County Counsel to negotiate final terms and conditions and develop a contract based upon the County's standard sample contract with C&S Companies to prepare a Wildlife Hazard Assessment for the Airport in and amount not to exceed \$166,667.00 and authorize the Chairman's signature on the contract for Wildlife Hazard Assessment contingent upon agreeable terms and conditions and approval of associated necessary budget adjustments.

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

MOTION #1: It was moved by Supervisor Morgan, seconded by Supervisor Axe and unanimously carried to approve the Consent Agenda as amended above.

Chairman Forster stated he asked for this item to be pulled because he feels it is a tremendous amount of money for an assessment to remedy something that historically has not been a problem at the Airport. He stated he will bring the matter to the attention of our Congressman and staff to research the actual need for these types of assessments in rural areas.

Mr. Dave Sheppard, Airport Manager, stated the problem is with cows wandering onto the runway and airport property and causing a hazard to pilots, however the FAA will not fund domestic animal or security fencing, but will fund a wildlife hazard mitigation fence and according to their guidelines and requirements an assessment needs to be done prior to funds being granted to best determine required mitigation measures.

Discussion ensued and the following action was taken.

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

MOTION #1: It was moved by Supervisor Oneto, seconded by Supervisor Morgan and unanimously carried to approve Item 4B as presented on today's Consent Agenda.

REGULAR AGENDA

Bi-Centennial Quilt Re-Dedication: Discussion and possible action relative to adoption and presentation of Resolution 17-098 re-dedicating the two Bicentennial Quilts currently displayed at the County Administration Center to the citizens of Amador County. (PLEASE NOTE THE BOARD WILL ASSEMBLE BRIEFLY NEAR THE QUILTS IN THE LOBBY FOR THE DEDICATION, REGULAR BUSINESS WILL RESUME IN THE BOARD CHAMBERS UPON THE CONCLUSION OF THE DEDICATION)**

Ms. Georgia Fox, District IV resident, took this time acknowledged Henrietta Widmer, Chairwoman of the Amador County Revolution Commission who spearheaded the quilt project by gathering ladies to participate and she and all involved regarded it as a fitting way to commemorate the 200th birthday of the United States.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Morgan, seconded by Supervisor Crew and unanimously carried to adopt the following Resolution re-dedicating the two Bicentennial Quilts currently displayed at the County Administration Center. (Resolution as presented to Facilities staff for hanging in the area of the quilt display)

RESOLUTION NO. 17-098

Resolution to re-dedicate the two Bicentennial Quilts displayed at the County Administration Center to the Citizens of Amador County

Daughters of the American Revolution: Discussion and possible action relative to adoption and presentation of Resolution 17-097 proclaiming September 17th through 23rd, 2017 as Constitution Week.

Ms. Collette Ferguson, Veteran's Service Chairwoman of the Sierra Amador Chapter of the National Society of the Daughters of the Revolution, took this time to thank the Board for the Resolution and invite those present to a Bell Ringing Service which will be held on September 23, 2017 at 10:00 a.m. at the American Legion Hall.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Crew and unanimously carried to adopt the following Resolution proclaiming September 17th through 23rd, 2017 as Constitution Week. (Resolution was presented to Ms. Ferguson).

Presentation of the 2016 Crop and Livestock Report: Presentation of Amador County's Annual Agricultural Crop and Livestock Report for 2016 by Mr. Eric Mayberry, Agricultural Commissioner.

Mr. Eric Mayberry, Agricultural Commissioner, presented the report.

ACTION: **None. Presentation only.**

City of Ione: Discussion and possible action relative to a request by the City of Ione to construct shade structures and picnic tables at Howard Park using Amador County Park Impact Fees.

Mr. John Hanken, Ione City Manager, addressed the Board and summarized the staff report which is hereby incorporate into these minutes as though set forth in full. In summary he stated, the City of Ione received word that Amador County was allocated approximately \$106,817.44 in County Park Impact Fees to do capital improvements to Howard Park in FY 17-18. Members of the Ione Parks and Recreation Committee solicited bids for the construction of shade structures and picnic table to be built near the Little League and Soccer Fields. Committee members researched and contacted vendors and received two bids, one in the amount of \$101,665.14 from Miracle Play Systems and one in the amount of \$99,982.22 from NSP3. The Committee met and recommended awarding the bid to Miracle Play Systems and presented the recommendation to the Ione City Council on August 1, 2017. The Council approved the recommendation to award the shade project to Miracle Play Systems in an amount not to exceed \$101,665.14 and directed staff to present the decision to the Amador Count Recreation Agency Board at their next meeting to seek concurrence and positive recommendation on the proposed project. Ione City staff presented the proposal to the ACRA Board on August 9th support was received for the project. Staff is now seeking Board of Supervisors approval.

Mr. Greg Gillott, County Counsel, addressed the Board and stated he drafted an agreement to transfer the impact fees to the City of Ione that essentially contains language that the City agrees to complete the project within 12 months, return any unspent funds at the end of that time and indemnify the County if anything should go wrong with the project or an issue arises relative to the use of the funds.

Supervisor Forster also took this time to encourage Mr. Hanken to relay to the Ione City Council that other fees such as Capital Improvement Fees and Traffic Mitigation Fees that are not currently being collected by the City of have a significant impact on the County as a whole and he would appreciate the City Council recognizing this issue.

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 Crew to approve the project conceptually and direct staff to bring the transfer agreement back to a future Consent Agenda after the City of Ione approves.**

Request to Increase Authorized Amount to Pay CDBG Grant out of Water Supply Fund:
Discussion and possible action relative to the subject matter.

Discussion ensued with the following action being taken.

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

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Crew and unanimously carried to authorize \$1,420,000 (total amount of CDBG Grant) to be paid out of the Water Supply Fund to cover payments for the AWA CDBG pipeline improvement project (including construction and AWA internal costs), with the State reimbursing 100% of the expenses which will be deposited back into the Water Supply Fund upon receipt.

Minutes: Review and possible approval of the August 22, 2017 Board of Supervisors Meeting Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Morgan and unanimously carried to approve the August 22, 2017 Minutes with minor amendments.

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 10:20 a.m., the Board convened into closed session. The following items were heard.**

Conference with County Counsel - Existing Litigation {Government Code 54956.9(d)(1)}:
County of Amador v. Department of the Interior, et al: In the United States Court of Appeal, District of Columbia Circuit, Case No. 16-5082

ACTION: Nothing to report.

County of Amador v. The United States Department of the Interior; In the United States Court of Appeal, Ninth Circuit, Case No. 15-17253

ACTION: Update given.

Conference with County Counsel – Anticipated Litigation {Government Code 54956.9(d) (2)}
Buena Vista Rancheria

ACTION: Update given.

REGULAR SESSION: At 10:30 a.m., the Board convened into regular session. Chairman Forster reported the above issues were reviewed in closed session:

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

PUBLIC HEARING

2017-2018 Final Budget: Discussion and possible action relative to a public hearing to consider adoption of the 2017/18 Fiscal Year Final Budget.

Mr. Chuck Iley, County Administrative Officer, provided a Power Point presentation relative to the 2017-2018 Final Budget. It should be noted that the presentation can be viewed on the County website at www.amadorgov.org by going to the Agenda Materials for today's date.

Chairman Forster 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 Axe seconded by Supervisor Morgan and unanimously carried to close the public hearing.

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

MOTION #2: It was moved by Supervisor Oneto, seconded by Supervisor Axe and unanimously carried to adopt the 2017/18 Fiscal Year Budget.

Planning Department: Discussion and possible action relative to a public hearing in Consideration of Planning Commission's Recommendation to Approve the Zone Change Request by Timothy and Jill Curran from "R1A," Single-family Residential and Agricultural District to "AG," Exclusive Agricultural District in conjunction with a request for inclusion into a California Land Conservation Act contract. Location being 1000 Cook Road, Ione, CA, approximately 1.5 miles west of Dave Brubeck Road and containing 545.00 acres (portion of APN 005-170-014).

Mr. Chuck Beatty, Planning Department, addressed the Board

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

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

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

MOTION #2: It was moved by Supervisor Axe, seconded by Supervisor Crew and unanimously carried to:

- 1. Find the Williamson Act Application meets the minimum agricultural income or improvements criteria for parcels 160 acres or larger County Code Section 19.24.036D(2);and**
- 2. Adopt an Ordinance approving he change in zoning from "R1A," Single-family Residential-Agricultural district to "AG," Exclusive district.**
- 3. Authorize Chairman of the Board of Supervisors to sign Williamson Act contract and Resolution authorizing recordation of contract.**

RESOLUTION NO. 17-103

Resolution authorizing recordation of Amended California Land Conservation Act Contract No. 232-Circle Ranch, LLC (Timothy M. Curran and Jill L. Curran, Managing Members)

ORDINANCE 1768

Ordinance amending Sectional Zoning District Map No. C-10 pursuant to Section 19.20.020 of the Amador County Code by rezoning certain real property from the "R1A," Single-Family Residential & Agricultural District to "AG," Exclusive Agricultural District.

Surveying Department: Discussion and possible action relative to a public hearing relative to consideration of a proposed vacation of the westerly twenty-foot (20.00') wide section of the twenty-five foot wide public utility easement for George W. Bensch and Sharon H. Bensch. Said easement lies coincident and easterly of the "building setback line" of Lot 29, as said lot and lines are shown and delineated on the map of "Kirkwood Meadows Unit 1", recorded in Book 3 of Subdivision Maps, at pages 30 through 32, Records of Amador County, California. The property is located on the westerly side of Fremont Road, approximately 300 feet northerly of Danburg Drive, in the Kirkwood area. Assessor's Parcel No. 26-172-014.

Mr. Steve Zanetta, Surveyor, addressed the Board and summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

Chairman Forster 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 Morgan, seconded by Supervisor Axe and unanimously carried to close the public hearing.

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

MOTION #2: It was moved by Supervisor Morgan, seconded by Supervisor Crew and unanimously carried to adopt the resolution approving abandonment of a Public Utility Easement for George W. Bensch and Sharon H. Bensch.

ADJOURNMENT: Until Tuesday, September 26, 2017, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT MINUTES

September 12, 2017

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. **Administration:** Approval of a budget transfer of \$5,801.75 of FY 16-17 administratively encumbered funds from Supervisor's Discretionary accounts in Parks & Recreation Department to Supervisor's Discretionary accounts in the Board Department where the expense accounts have been budgeted for FY 17-18.
- B. **Probation:** Approval of a budget increase Revenue line item 2350-460099 by \$25,000.00 and increase the expenditure line item 2350-52330 by \$25,000.00 to cover the projected juvenile detention facility costs.

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

3. **RESOLUTIONS**

- A. **Auditor:** Approval of two resolutions relative to the 2017-2018 property tax rates; Adopting a One Percent (1%) Tax Rate and Adopting a Point Zero One Five (.015%) School Bond Tax Rate, both of which are applicable to all properties in all tax areas in the County of Amador. **(Resolutions #17-099 and #17-100)**
- B. **Behavioral Health:** Approval of a resolution authorizing the Director of Behavioral Health to apply for and receive No Place Like Home Program Technical Assistance Grant funds. **(Resolution #17-101)**
- C. **Surveyor:** Approval of a resolution issuing Certificates of Compliance to Cary L. Roulet and Dana L. Roulet and authorizing recordation of same. **(Resolution #17-102)**

4. **AGREEMENTS**

- A. **Behavioral Health:** Approval of a first amendment to agreement with The Resource Connection of Amador and Calaveras Counties, Inc. to administer community support for older adults who are parenting their grandchildren in Amador County.
- B. **General Services/Airport:** ~~Accept the Department of Transportation Federal Aviation Administration Airport Improvement Program (AIP) Grant Offer; authorize the General Services Director, Airport Manager and County Counsel to negotiate final terms and conditions and develop a contract based upon the County's standard sample contract with~~

~~C&S Companies to prepare a Wildlife Hazard Assessment for the Airport in an amount not to exceed \$166,667.00 and authorize the Chairman's signature on the contract for Wildlife Hazard Assessment contingent upon agreeable terms and conditions and approval of associated necessary budget adjustments. **Item Pulled and heard on Regular Agenda**~~

- C. **General Services/Airport:** Accept the Department of Transportation-Federal Aviation Administration Airport Improvement Program (AIP) Grant Offer; authorize the General Services Director, Airport Manager and County Counsel to negotiate final terms and conditions and develop a contract based upon the County's standard sample contract with C&S Companies to prepare a Master Plan Update for the Amador County Airport in an amount not to exceed \$170,000.00 and authorize the Chairman's signature on the contract for Update Airport Master Plan Study, Airport Layout Plan (ALP) Narrative Report with ALP Drawing Set contingent upon agreeable terms and conditions.
- D. **Probation:** Approval of a "space available" agreement with Yolo County that will provide placement of Amador County juveniles at the Yolo County Detention Facility if needed.
- E. **Public Health:** Approval of Children's Medical Services (CMS) Branch Budgets with the State of California for FY 2017-2018.
- F. **Tree Mortality Coordinator First Amendment:** Approval of the First Amendment with TSS Consultants for Tree Mortality Coordinator services to assist in mitigating tree mortality within Amador County, not to exceed \$150,000.00.
- G. **Registered Professional Forester First Amendment:** Approval of the First Amendment with Mr. Ed Struffenegger for Registered Professional Forester services to assist in mitigating tree mortality within Amador County, not to exceed \$150,000.

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

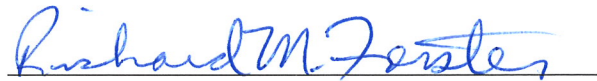
6. **MISCELLANEOUS APPOINTMENTS**

- A. **Commission on Aging:** Approval of the following persons to the subject Commission for a term of 3 years.
 - Machellee Allison – Appointment, District I representative
 - Gerri Windsor – Re-Appointment, Member-at-Large

7. **MISCELLANEOUS**

- A. **General Services:** Dispense with the formal bidding procedures and authorize the Purchasing Agent to issue purchase orders in the amount not to exceed \$40,000.00 for the purchase of two used vehicles for the Sheriff's Office following inspection of the vehicles by the General Services Administration with cost analysis that determines the price for the vehicles is appropriate.
- B. **Human Resources:** Approval of the reclassification of current Agricultural and Standards Inspector I to an Agricultural and Standards Inspector II, effective September 1, 2017.

- C. **Human Resources:** Approval of the reclassification of the current Legal Secretary II in the District Attorney's Office to Accountant I, effective September 1, 2017.
- D. **Probation:** Approval of a request to immediately start the recruitment process to backfill the position of Deputy Probation Officer I/II.



Richard M. Forster, Chairman, Board of Supervisors

ATTEST:

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



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