

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

**DATE:** Tuesday, February 9, 2016  
**TIME:** 8:00 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  
Brian Oneto, Supervisor, District V  
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:** 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 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 8:00 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, and Darrell P. Murray, IEDA. Employee Organization: All Units

**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.)

Chairman Plasse advised he has had a request to reconfigure the agenda slightly by moving the following item (currently item #13) to the position of item 8b.

**Administrative Agency:** Presentation regarding County obligations and contributions regarding Public Employee Retirement System (PERS).

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

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

**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.

**Butte Fire Follow-Up Workshop:** Supervisor Morgan took this time to remind those present that the Board of Supervisors will hold a Butte Fire Follow-Up Workshop on Tuesday, February 23, 2016 at 1:30 pm. The workshop will take place in the Board of Supervisors Chambers at 810 Court Street. She noted the public is encouraged to attend and several agencies and entities involved with the Butte Fire have been invited. She stated agencies will be asked what they have in mind to improve operations in the event of another crisis and discussions will be had as to specific steps and timing for improved operations and when they might be expected to come to fruition.

**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).

Chairman Plasse advised the following item will be pulled from the Consent Agenda for today's date due to various contractual issues that need to be clarified between the Sheriff's Office and County Counsel.

**4A-Sheriff:** Approval of a Professional Services Agreement with Justice Benefits, Incorporated to review Amador County Jail procedures and statistics in an effort to increase revenues by enhancing claims for federal funding available for jails. **(Item pulled from agenda)**

**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 amended above.

## **REGULAR AGENDA**

**North County Water Supply/Use/Storage Study:** Discussion and possible action relative to a request from the City of Plymouth for funding in the amount of \$30,000.00 from the Water Supply Fund to cover the cost of the initial study to develop and review alternatives for reliable surface water supplies for the Shenandoah Valley Region and other north County areas.

Mr. Jeff Gardner, City of Plymouth Manager, addressed the Board and stated he was recently approached by Art Toy and Gene Mancebo of the Amador Water Agency, and a group of vineyard owners in the Shenandoah Valley Region, known as the Amador Water Group, that have been experiencing various problems with groundwater supplies. He stated Amador Water Agency recommended that this group of property owners seek the assistance of the City as the water purveyor to investigate options for a reliable surface water supply which would include, among other options, a diversion from the Cosumnes River in association with the Arroyo Ditch water rights. Mr. Gardner continued to summarize the proposed study overview which is hereby incorporated into these minutes as though set forth in full. Mr. Gardner stated the proposed surface water study for the Shenandoah Valley Region will build on available information and seek opportunities to collaborate where possible to bring about efficient and effective water supply alternatives for further consideration. Mr. Gardner also pointed out the City of Plymouth would be serving as the lead agency in this project.

Mr. Gene Mancebo, Amador Water Agency, addressed the Board and provided a brief summary of this request by stating water supply for North Amador County has historically been provided by a series of ditches and groundwater wells. In the mid 1970's when the Cosumnes river went dry, the State Department of Water Resources declared the water source non-firm and commercial wells were drilled to supplement the water supply for the City of Plymouth. He continued by stating aquifers are an anomaly in the north area of the County and water is found in pockets of the fractured rock zone, therefore wells drilled in any given area can have adverse

effects on other adjacent wells. He noted impacts of the drought have resulted in some wells going dry and causing severe water concerns for vintners and other property owners in the area. He stated the Water Supply Fund was designed to help promote and bring water supplies into Amador County, therefore he supports the request of the City of Plymouth for the funding necessary to begin the preliminary study.

Lengthy discussion ensued with the following individuals wishing to speak relative to this matter:

Mr. Jim Gullett, Vino Noceto  
Mr. Jeff Meyers, Terra d'Oro  
Mr. Kevin Walker, Rancho Victoria Vineyard

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 approve a \$30,000.00 grant from the Water Supply Fund to the City of Plymouth for the North County Water Supply/Use/Storage Study; and to direct staff to draft a reimbursement agreement including provisions regarding reporting back to the county on progress and conclusions as the study moves forward.**

**Administrative Agency: Presentation regarding County obligations and contributions regarding Public Employee Retirement System (PERS).**

Mr. Chuck Iley, County Administrative Officer, addressed the Board and summarized his presentation which is hereby incorporated into these minutes as though set forth in full. He stated as of the most recent actuarial report from PERS, the County's unfunded liability is approximately \$46 million. He also touched on several points regarding assumptions/realities associated with PERS actuarials as well as future contributions, which are elaborated upon in the hard copy presentation included in the Board packet.

**ACTION: None. Presentation only.**

**\*\*11:00 A.M.\*\***

**Sheriff's Office: Sheriff Martin A. Ryan will administer oath to Correctional Lieutenant Adam Stone who replaces recently retired Correctional Lieutenant Vickie Stephens.**

**ACTION: None. Presentation only.**

**Administrative Agency:** Discussion and possible action regarding the salaries of the Amador County elected officials.

Mr. Jim Rooney, Assessor, addressed the Board and presented a request on behalf of County wide elected officials (Assessor, Auditor, District Attorney, Recorder, Tax Collector and Sheriff) as follows:

- 2.5% salary increase retroactive to October 1, 2015.
- 2.5% increase effective October 1, 2016.
- No changes to employee contributions.

Discussion ensued with the Board directing the Administrative Committee to meet with the County Administrative Officer and representative(s) of the Elected Official group regarding potential language changes to the current ordinance related, but not limited to the cost to offset 2% raises juxtaposed against possibly a large raise phased in over a period of time offset with employee contributions to PERS and discussion relative to the net effect in both scenarios.

The Board also noted they would like the issue of Board of Supervisors salaries to be brought back to the Board for discussion when this issue returns for discussion and possible action.

**ACTION:     Direction given to staff.**

**Planning Department:** Discussion and possible action relative to approval of the Chairman's signature on the sixteenth amendment to the Consulting Services Agreement with AECOM as it relates to costs associated with the General Plan Update and EIR.

Ms. Susan Grijalva, Planning Director, addressed the Board and stated due to the level of effort required to respond to the large volume of comments received on the Draft Environmental Impact Report relative to the General Plan update being greater than anticipated in the scope of work to date, the current scope does not cover the work necessary to complete this work. She stated the requested increase to address the comments received beyond the level which was assumed is \$35,000. Additionally she noted, a cost of \$5,000 for printing hard copies of the Final EIR in the even the County elect to have AECOM provide copies and a \$15,000 contingency to cover other unanticipated work above and beyond the current scope of work have been provided. She stated these items together total \$55,000, bringing the total contract amount for the General Plan Update and EIR to \$1,272,085.00.

Ms. Grijalva also provided the Board with the statistics regarding the number of comments from various individuals and entities totaling 1,840. It should be noted the majority of comments came from the Foothill Conservancy at 1,184.

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 Boitano and unanimously carried to authorize the Chairman's signature on the sixteenth amendment to the Consulting Services Agreement with AECOM as it relates to costs associated with the General Plan Update and EIR in the amount of \$55,000.00.

Supervisor Forster left the meeting at this time to avoid any potential conflict of interest issues relative to the following item as he lives within sight distance of the subject property.

**Code Enforcement:** Discussion and possible action relative to consideration of the Administration Hearing Board recommendation to abate the solid waste existing on the property located at APN 011-260-042-000 located at 8521 Sutter Ione Road, Ione, CA.

Mr. Garth Hohn, Code Enforcement Officer, addressed the Board and summarized this case and recommended approval of the Administrative Hearing Board recommendations.

It should be noted that the property owner was not present at this time.

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 Oneto and unanimously carried to adopt the Abatement Order as recommended by the Administrative Abatement Hearing Board.

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

**Noes:** None

**Absent:** Supervisor Forster

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

**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 January 12, 2016 and January 26, 2015 Board of Supervisors Meeting Minutes with minor corrections.

**Code Enforcement:** Discussion and possible action relative to consideration of the Administrative Hearing Board recommendation to abate the building and zoning code violations existing on the property located at APN 008-120-030-000 located at 5379 Carbondale Road, Plymouth, CA.

Mr. Garth Hohn, Code Enforcement Officer, addressed the Board and summarized this case and recommended approval of the Administrative Hearing Board recommendations.

Ms. Susan Bronzich, Property Owner, addressed the Board and refuted some of Mr. Hohn's comments specifically but not limited to, the storage of materials used for personal landscaping and other projects on her property. She stated she is not conducting business on the property or selling materials to be picked up onsite. Ms. Bronzich states she was not aware that a home occupation permit was required for the home office she has in the home, but indicated a willingness to acquire one in the future.

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 Oneto and unanimously carried to adopt the Abatement Order as recommended by the Abatement Hearing Board with the following revisions:

- **Ms. Bronzich shall cease the storage and sale of construction/landscaping materials on the Subject Property except for storing materials for personal use, the use of the Subject Property as a base for a heavy equipment services business, and the on-site retail sales of agricultural products until such time as any required home occupation permit or use permit is obtained, if allowed by County Code.**
- **Ms. Bronzich shall schedule an on-site inspection with the Amador County Code Enforcement Officer, Building Department Inspector, and Planning Department to verify that the above requirements have been met.**

**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 approximately 1:00 p.m., the Board convened into closed session. The following matters were heard.**

**Conference with Real Property Negotiators:** APN 044-010-116-000; (Terms & Conditions) Negotiating Parties: Mr. Jim Lewis, Airtronics Inc.; County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director.

**ACTION:** Direction given to staff.

**Conference with Real Property Negotiators:** APN 044-010-116 County owned developed property known as the Airport located in Martell, CA.; (Terms & conditions regarding infrastructure improvements). Negotiating Parties: Volcano Communications Group; County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director.

**ACTION:** Direction given to staff.

**Conference with Real Property Negotiators:** APN 044-010-116-000-Negotiating Parties: Ione Rotary (Terms & conditions regarding Show and Shine Car Event). 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.

Pine Grove Business Alliance v. County of Amador, et al; Amador County Superior Court; Case No. 14CV9062

**ACTION:** Direction given to staff.

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

**ACTION:** Update given.

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

Buena Vista Rancheria

**ACTION:** Update given.

**Confidential Minutes:** Review and approval of the confidential minutes for January 26, 2016.

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



**MOTION:** It was moved by Supervisor Boitano, seconded by Supervisor Oneto and unanimously carried to approve the confidential minutes for January 26, 2016 as presented.

**REGULAR SESSION:** At 2:20 p.m., the Board reconvened into regular session. Chairman Plasse reported the above issues were reviewed in closed session.

**ADJOURNMENT:** Until Tuesday, February 23, 2016, at 8:30 a.m.

**AMADOR COUNTY  
BOARD OF SUPERVISORS**

**C O N S E N T   A G E N D A**

**February 9, 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. **Auditor:** Request to increase department budgeted expenses by \$4,800.00 for Affordable Care Act Works fees due to implementing the Affordable Care Act.

2. **TAX MATTERS**

- A. **Assessor's Office / Secured Roll Corrections:** Approval of the following: APN 003-330-005-000 (Page, Mark); APN 021-330-009-000 (Graham, Thomas V. & Debra R. Revocable Trust); APN 021-260-010-000 (Pereira, John F. and Mattos, Janice A.); APN 033-460-008-000 (Watts, Nicholas R. & Karen J.).
- B. **Assessor's Office / Secured Roll Corrections:** Approval of APN 038-620-064-000 (Lazy Creek Family Trust).

3. **RESOLUTIONS**

- A. **Social Services:** Approval of a resolution authorizing the destruction of certain Social Services Department records. (Resolution #16-016)

4. **AGREEMENTS**

- A. **Sheriff:** Approval of a Professional Services Agreement with Justice Benefits, Incorporated to review Amador County Jail procedures and statistics in an effort to increase revenues by enhancing claims for federal funding available for jails. (**Item pulled from agenda**)
- B. **Sheriff:** Approval of an Agreement with the California State Parks Department of Boating and Waterways, wherein the County is reimbursed by the state for marine patrol and enforcement services on public waterways within Amador County.

5. **ORDINANCES**      None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

- A. **Commission on Aging:** Approval of the appointment of Ella Bender and the re-appointment of Louise Nunn to the subject commission for terms of three years.

7. **MISCELLANEOUS**

- A. **Environmental Health:** Approval of a Public Water Well Policy and Procedures regarding existing water wells serving new transient non-community public water systems.
- B. **Social Services:** Approval of a request to backfill one Senior Administrative Assistant due to employee retirement effective 2/19/16. This is a Merit Systems position and must be hired through the Merit System process.
- C. **Social Services:** Approval of a request to backfill one Administrative Assistant I/II due to employee accepting another position in the department. This is a Merit Systems position and must be hired through the Merit System process.

8. **GENERAL CORRESPONDENCE**

- A. A Notice of proposed changes to the Klamath River Basin sport fishing regulations for 2016.
- B. A notice that the State of Tobacco Control Report to be released February 3, 2016.
- C. A letter from the Sonoma County Juvenile Justice Commission regarding residential treatment for foster youth.
- D. An Agenda for Central Valley Regional Water Quality Control Board's Public Meeting to be held Thursday, February 18, 2016 and Friday, February 19, 2016 in Rancho Cordova.
- E. Memorandum for the Environmental Health Department relative to a recap of activity during January 2016 totaling \$111,465.25.
- F. Auditor's check register dated January 20, 2016 totaling \$575,730.38.
- G. Auditor's check register dated January 26, 2016 totaling \$379,047.51.
- H.

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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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