



BOARD OF SUPERVISORS
ALPINE COUNTY
County Administrative Office Building
Post Office Box 158
Markleeville, California 96120
Telephone (530) 694-2281

***Unapproved:
Subject to Correction***

MINUTES
August 17, 2010

1. CALL TO ORDER – REGULAR MEETING

Chair Donald M. Jardine called the regular meeting to order at 8:30 a.m. with Supervisors Henry C. Veatch, Phillip D. Bennett, Terry Woodrow and Tom Sweeney present.

2. CLOSED SESSION

Chair Jardine announced that the Board would adjourn to closed session to discuss the following items.

Upon reconvening from closed session, Chair Jardine announced the Board had been in closed session and gave the following report.

2.1 Conference with Labor Negotiator - (GC§ § 54954.5 and 54957.6)

Agency Negotiator: William May and/or CAO, Pamela Knorr

Employee Organizations: OE Local 3, Alpine County Deputy Sheriff's Assn., OE Local 3, Alpine County Miscellaneous Employees Assn.; and Alpine County Law Enforcement Management Assn.

Information and direction given.

2.2 Conference with Legal Counsel - EXISTING LITIGATION (GC § 54956.9 (a)) Case: 6-14220-42

Information given.

2.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code § 54956.9(a)) Fontana vs. Alpine County, et al. US Dist. No. 2:10-CV-00710-JAM-KJN

Information given.

3. ADJOURN TO ANY OF THE FOLLOWING AGENCIES FOR WHICH THE BOARD OF SUPERVISORS SITS AS OFFICERS: BOARD OF EQUALIZATION, LOCAL TRANSPORTATION COMMISSION, WATER AGENCY. None.

4. RECONVENE REGULAR MEETING-PLEDGE OF ALLEGIANCE

Chair Jardine reconvened the regular meeting at 9:00 a.m. Supervisors Donald M. Jardine, Henry C. Veatch, Phillip D. Bennett, Terry Woodrow, and Tom Sweeney was present.

5. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT

This portion of the meeting is an opportunity for members of the public to address the Board of Supervisors on subjects relating to County business. No action can be taken on matters not listed on the agenda.

Wolf Creek Fire Update: Toiyabe National Forest Fire Management Officer Mike Wilde reported that the Wolf Creek fire was started by lightning and had currently consumed 893 acres; 35 firefighters were on the scene; effects of fire had been beneficial in reducing fuels and cleaning the forest of trees killed by beetles. Wilde explained that there are three stages of character of the fuels in a forest rated one through three, three being the worst; the Wolf Creek area was a three before the fire and after will be rated a one; would staff the fire until it snowed.

6. DEPARTMENT ANNOUNCEMENTS

Community Development Department Update: Director Brian Peters reported there would be a community meeting on 8/17 at 6:00 p.m. regarding the road budget; County clean up and fuels collection day would be scheduled sometime in October.

Health and Human Services Update: Public Health Officer Dr. Richard Harvey reported that there was a Pertussis (whooping cough) outbreak; there had been seven deaths in California all of which were children under three months of age; most children are vaccinated but the vaccinations can wear off after ten years and a booster is needed; vaccinations would be available for adults with young children or adults that work with young children; the drive through flu clinic was scheduled for 9/30.

7. BOARD MEMBERS ANNOUNCEMENTS OR REPORTS

Supervisor District 1 Donald M. Jardine reported the Historical Society had worked on the Markleeville cemetery on 8/13-8/15; would attend a Carson Water Subconservancy meeting on 8/18; Markleeville Water Company meeting on 8/21; Historical Society general membership meeting on 8/28; reported Markleeville resident and General Store Owner Bob Rudden passed away; it was a great loss to the community.

Supervisor District 2 Henry C. Veatch attended a Golden Sierra Job Training Agency meeting on 8/4; Alpine Kids Blood Drive on 8/11.

Supervisor District 4 Terry Woodrow attended a Central Sierra Economic Development District meeting on 8/4; Stewardship Council Blue Lakes Planning Unit tour on 8/5; Mountain Valley EMS meeting on 8/11; Bear Valley Water District rate designs meeting on 8/16; would attend a CSA #1 meeting and Chamber mixer on 8/18; Central Sierra Child Support Agency Board of Directors meeting on 8/20; First 5 meeting on 8/23.

Supervisor District 5 Tom Sweeney attended an administrative Carson Water Subconservancy District meeting on 8/9; hosted a District 5 meeting on 8/14.

8. CONSENT AGENDA

Matters that are routine and non-controversial and are usually approved by a single majority vote without discussion. Items can be removed from the consent agenda to be discussed and considered separately.

Chair Jardine asked if there were any public comments on any consent agenda items and there was none.

Supervisor Sweeney requested item 8.12 be pulled for separate action.

MOTION Veatch/SECOND Woodrow approving the remainder of the consent agenda as follows:

- 8.1** Regular meeting minutes of 8/3/2010.
- 8.2** Request approval of County Claims.
- 8.3** Anniversary step increase for Legal Services Specialist/Victim-Witness Coordinator, to Range 44C/Step 5 effective September 1, 2010.
- 8.4** Correct agenda transmittal from 8-3-10 board meeting item 8.4 to change Tim Bottomley's reclassification from Deputy Sheriff 1 to Bear Valley Public Safety Officer 1 effective August 1, 2010 and approve salary increase to Range 43/S1 (\$3743/mo.) and approval to modify County position allocation list as needed.

- 8.5 Longevity increase to range 43B/L1 (\$4898/Mo.) for Deputy Sheriff effective 8/16/10.
- 8.6 **Resolution No. R2010-35** a Sierra Nevada forest and community resolution.
- 8.7 **Resolution No. R2010-36** proclaiming Saturday, September 25, 2010 as "Markleeville Creek Day".
- 8.8 **Resolution No. R2010-37** supporting legislation authorizing conducting the January 4, 2010 Special General Election for the State Senate seat for District I for all counties in Senate District 1 utilizing an all Vote by Mail ballot election.
- 8.9 **Resolution No. R2010-38** fixing county tax rates for fiscal year 2010-2011.
- 8.10 **Resolution No. R2010-39** setting assessment rates for Bear Valley transfer station.
- 8.11 **Resolution No. R2010-40** setting assessment rates for the right to dump solid waste from Bear Valley at the Calaveras Solid Waste Disposal Site for fiscal year 2010-11.
- 8.13 Transfer District Attorney budget line item 52000-210 office equipment minor in the amount of \$362, and 52100-219 other computer supplies in the amount of \$350, for a total of \$712 to be added into personnel accounts and authorization for the Auditor to make transfers.
- 8.14 **Contract No. CC2010-73** professional services agreement with Quincy Engineering for County Engineer and County Surveyor services.
- 8.15 Appointment of Marlene Demery as County Engineer, and Rene Zwemmer as County Surveyor, effective September 1, 2010.
- 8.16 **Contract No. CC2010-74** Memorandum of Agreement by and between the County of Alpine and Washoe Tribe of Nevada and California for subsidized employment.
- 8.17 **Contract No. CC2010-75** Memorandum of Agreement by and between the County of Alpine and Alpine Unified School District for subsidized employment.
- 8.18 **Agreement No. CC2010-76** between Alpine County, and Jerald Jackson and Holly Corgan, regarding the use of property located at 538 Jackson Ranch Rd., Alpine County APN 001-010-025.
- 8.19 Application for 2010-2011 (**CC2010-77**) Center for Disease Control, General Fund Pandemic Influenza and Hospital Preparedness Programs.
- 8.20 Volunteer Fire Assistance (VFA) Grant from the Department of Forestry and Fire Protection in the amount of \$3,056, adoption of **Resolution No. R2010-43** accepting grant funds and authorizing board chair to sign and execute VFA Agreement #7FG10035; Auditor to appropriate funds to 271-271-56400-004 and authorize transfer of match funds from 100-162-52400-249 (small tools).

ALL AYES: MOTION CARRIED.

PULLED FOR SEPARATE ACTION:

- 8.12 **Request for approval of Memorandum of Understanding by and between the County of Alpine and the Alpine County Miscellaneous Employees' Association, effective July 1, 2010 through June 30, 2011. - CAO**

Supervisor Sweeney reported that he would like the language that stated employees would be paid bimonthly to be changed to twice a month as the definition of bimonthly was every two months.

MOTION Sweeney/SECOND Woodrow approving CC2010-72 a Memorandum of Understanding by and between the County of Alpine and the Alpine County Miscellaneous Employees' Association, effective July 1, 2010 through June 30, 2011 with changes.

ALL AYES: MOTION CARRIED.

9. BID OPENINGS / PUBLIC HEARINGS.

9.1 Public hearing and first reading of an Ordinance granting a non-exclusive franchise agreement Sierra Pacific Power Company for the continued use of County rights of way to transmit and conduct electricity to the County. - CAO/County Counsel

Sierra Pacific Power Company Attorney Douglas Brooks reported he had worked with County Counsel on the negotiating of the franchise agreement; a maintenance crew had come out to inspect the poles and power lines; one pole was fixed last week and the remainder were up to code; had requested that the California PUC enable Sierra Pacific to facilitate an active solar rebate program with California customers but had been turned down.

Chair Jardine opened the public hearing at 10:18 a.m.

Resident Kris Hartnett reported that he appreciated the work done by the County and Sierra Pacific; and hoped that the inspection of the poles and lines also included an inspection of the splices.

Chair Jardine closed the public hearing at 10:20 a.m.

**MOTION Veatch/SECOND Bennett to approve an Ordinance granting a non-exclusive franchise agreement with Sierra Pacific Power Company for the continued use of County rights of way to transmit and conduct electricity to the County.
ALL AYES: MOTION CARRIED.**

**MOTION Veatch/SECOND Woodrow to reconsider the motion to approve an Ordinance granting a non-exclusive franchise agreement with Sierra Pacific Power Company for the continued use of County rights of way to transmit and conduct electricity to the County.
AYES: Supervisor Jardine, Veatch, Woodrow, Sweeney;
ABSENT: Supervisor Bennett;
MOTION CARRIED.**

**MOTION Veatch/SECOND Woodrow waiving the first reading and setting the second reading and possible adoption of an Ordinance granting a non-exclusive franchise agreement with Sierra Pacific Power Company for the continued use of County rights of way to transmit and conduct electricity to the County on 9/7/2010.
AYES: Supervisor Jardine, Veatch, Woodrow, Sweeney;
ABSENT: Supervisor Bennett;
MOTION CARRIED.**

9.2 Request for a public hearing and adoption of resolution setting assessment rates for fire protection services for County Service Area #1, for 2010-11. - Auditor/Controller

Auditor/Controller Randi Makley reported that this assessment was a result of an election held last March.

Chair Jardine opened the public hearing at 10:28 a.m.

There was no public comment.

Chair Jardine closed the public hearing at 10:28 a.m.

**MOTION Woodrow/SECOND Veatch adopting Resolution No. R2010-41 setting assessment rates for fire protection services for County Service Area #1, for 2010-11.
ALL AYES: MOTION CARRIED.**

10. REGULAR AGENDA – UNFINISHED BUSINESS

10.1 Continued update and possible action regarding Auditor Staff Report year to date budget update. (Ref. 1-6-2007 and continuing the second meeting of every month.)

Auditor/Controller Randi Makley reported that they were working on closing the Fiscal Year 09/10 books and on the secured tax roll; will have estimate of local revenues very soon; final budget would be presented first meeting in October.

10.2 Continued discussion of status and progress of County communications system construction update. (Ref. 8-18-2009 and continuing each meeting) A) Hawkins Peak B) Leviathan peak

Sheriff John Crawford reported that the Hawkins Peak construction would start on 8/23 and Leviathan would be discussed with item 11.6.

10.3 Continued discussion and possible Board direction regarding the Land Stewardship Proposal process for the Blue Lakes Planning Unit - Community Development Director

Community Development Director Brian Peters reported that a site visit was conducted on 8/5; tax neutrality was a requirement in the Stewardship Council Land Conservation Plan; the owner of the covenant was the land donor PG&E; however, PG&E could transfer the covenant, and the right to monitor and enforce the conditions of the covenant to the County; pursuing other ownership options with other agencies would require a Joint Partnership Authority (JPA) which was a significant undertaking that required the agreement of each jurisdiction's governing board and a new Land Stewardship Proposal would need to be drafted; given the deadline of 9/3 a JPA approach would not be feasible.

Direction to staff to move forward with the process as originally proposed with the Forest Service.

11. REGULAR AGENDA-NEW BUSINESS

11.1 Presentation by Dr. Albert Urmer regarding delivery of Behavioral Health Services provided by ENKI Inc. – CAO

ENKI Health and Research Systems President Dr. Albert Urmer gave a brief overview of the Behavioral Health Services activity report for Fiscal Year 2009/10 and explained the general eligibility requirements for realignment funded Mental Health Services and Mental Health Services Act funded services.

11.2 Request approval of change order no. 3 for the Alpine Village/Emigrant Trail Road Rehabilitation Project in the amount of \$89,190. - Community Development Director

Community Development Director Brian Peters reported that this was the third change order; however, the project was \$16,000 under the original budget.

MOTION Veatch/ SECOND Sweeney approving Change Order No. 3 for the Alpine Village/Emigrant Trail Road Rehabilitation Project in the Amount of \$89,190.

ALL AYES: MOTION CARRIED.

11.3 Request designation of a County representative to apply to participate in advisory committee process for the 2013 California Water Plan. - Community Development Director

Community Development Director Brian Peters reported that he had received notification of this steering committee and that representation was sought for a broad range of interest-based and place-based members.

Supervisor Woodrow volunteered to apply to be on the committee.

11.4 Request Board direction and authorization for the Community Development Department to submit proposals to the Humboldt-Toiyabe National Forest for year two funding under the Secure Rural Schools and Community Self Determination Act (also known as RAC grants) - Community Development Director

MOTION Woodrow/SECOND Veatch authorizing Community Development Department to submit proposals to the Humboldt-Toiyabe National Forest for year two funding under the Secure Rural Schools and Community Self Determination Act (also known as RAC grants).

ALL AYES: MOTION CARRIED.

- 11.5 Request approval of IECGP FY09 grant assurances in the amount of \$526,281 and adoption of a resolution authorizing Robert Levy, Pamela Knorr or Michelle McLelland to act as authorized agents and execute grant documents on behalf of Alpine County; Request approval of an agreement between the City and County of San Francisco and Alpine County for the distribution of FY 2009 Interoperable Emergency Communication Grant Program (IECGP) funds – Sheriff**

Sheriff John Crawford reported the IECGP funds would be used to purchase electrical equipment for the Hawkins Peak project; the 25% match would be covered by Rural Sheriff funds (295).

Risk Manager Randi Makley reported that the indemnification clause in the agreement completely insulates the County of San Francisco and Alpine County would be liable for any and all mistakes.

MOTION Woodrow/SECOND Veatch adopting Resolution No. R2010-42 authorizing Robert Levy, Pamela Knorr or Michelle McLelland to act as authorized agents and execute grant documents on behalf of Alpine County.

ALL AYES: MOTION CARRIED.

MOTION CARRIED. MOTION Woodrow/SECOND Veatch approving agreement CC2010-79 between the City and County of San Francisco and Alpine County for the distribution of FY 2009 Interoperable Emergency Communication Grant Program (IECGP) funds.

ALL AYES: MOTION CARRIED.

MOTION Woodrow/SECOND Veatch accepting the IECGP FY09 grant assurances in the amount of \$526,281.

ALL AYES: MOTION CARRIED.

- 11.6 Request for approval of Memorandum of Understanding (MOU) between California Highway Patrol (CHP) and Alpine County for conducting various feasibility site schematics and other studies in the furtherance of developing and a public safety remote radio communications site at Leviathan Peak and authorized chair to execute agreement on behalf of Alpine County. –Sheriff**

County Counsel Martin Fine reported this contract was created for the purpose of conducting a feasibility study before entering into a long range project.

County Administrative Officer Pamela Knorr reported Rural Sheriff (295) money would be used to cover costs while waiting for CHP to reimburse the County; CHP expected the reimbursement turn around time to be 30 days.

MOTION Veatch/SECOND Woodrow approving CC2010-80 a Memorandum of Understanding (MOU) between California Highway Patrol (CHP) and Alpine County for conducting various feasibility site schematics and other studies in the furtherance of developing and a public safety remote radio communications site at Leviathan Peak and authorized chair to execute agreement on behalf of Alpine County.

ALL AYES: MOTION CARRIED.

- 12. ADMINISTRATIVE MATTERS None.**

- 13. ADJOURNMENT**

The Board adjourned to the regular meeting of September 7, 2010 at 9:00 a.m. at the County Administrative Office Building, Markleeville, California.

Donald M. Jardine Chair, Board of Supervisors
County of Alpine, State of California

ATTEST:

BOARD OF SUPERVISORS
UNAPPROVED MINUTES 8/17/2010

Barbara Howard, County Clerk & ex officio
Clerk of the Board of Supervisors
By: Sarah Simis, Assistant County Clerk