



BOARD OF SUPERVISORS

Terrell Swofford, Vice Chair 1st District
Robert A. Meacher, Chair 2nd District
Sharon Thrall, 3rd District
Lori Simpson, 4th District
Jon Kennedy, 5th District

MEETING MINUTES

REGULAR MEETING OF THE BOARD OF SUPERVISORS COUNTY OF PLUMAS, STATE OF CALIFORNIA HELD IN QUINCY ON APRIL 10, 2012

9:00 A.M.

CALL TO ORDER/ROLL CALL

Present: Supervisor Swofford, Supervisor Simpson, Supervisor Meacher, Supervisor Thrall, Supervisor Kennedy.

In attendance are Jack Ingstad, County Administrative Officer, Craig Settlemyre, County Counsel and Nancy DaForno, Clerk of the Board

9:00 – 10:00

CLOSED SESSION

ANNOUNCE ITEMS TO BE DISCUSSED IN CLOSED SESSION

- A. Public employee performance evaluation – County Administrative Officer
- B. Conference with Legal Counsel: Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9
- C. Conference with Labor Negotiator regarding employee negotiations: Sheriff's Department Employees Association, Operating Engineers Local #3, and Confidential Employees
- D. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 of the Government Code): In re: The Schomac Group, Inc., Debtors, US Bankruptcy District of Arizona, Case No. 4:11-bk-22717-EWH

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

- A. Public employee performance evaluation – County Administrative Officer

By a unanimous vote in closed session the Board of Supervisors approved the following statement: “The Plumas County Board of Supervisors and County Administrative Officer Jack Ingstad have reached an understanding that it would be best for all concerned that the County exercise its option to terminate Mr. Ingstad’s employment by Plumas County. This action is subject to being reduced to writing in a form acceptable to the parties. The County expresses its thanks and appreciation to Mr. Ingstad for his nearly seven years of service during these difficult times for local government.”

At the request of Jack Ingstad, the following message is read: “I want to thank the Board of Supervisors and the community for almost seven great years of working for Plumas County. I wish everyone only the best. I believe things happen for a reason, and I know this will be a good thing for both me personally and Plumas County”

- B. Conference with Legal Counsel: Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9

This matter was not addressed

- C. Conference with Labor Negotiator regarding employee negotiations: Sheriff’s Department Employees Association, Operating Engineers Local #3, and Confidential Employees

There was no reportable action taken

- D. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 of the Government Code): In re: The Schomac Group, Inc., Debtors, US Bankruptcy District of Arizona, Case No. 4:11-bk-22717-EWH

There was no reportable action taken.

STANDING ORDERS

10:00 A.M. **FLAG SALUTE**

Supervisor Kennedy leads the flag salute.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

URGENCY MATTER – BOARD OF SUPERVISORS

PROPOSED LEGISLATION - AIRPORT LAND USE COMMISSION

Motion: add this matter to the agenda as an urgency item because the need for action was not apparent prior to the posting of the agenda, **Action:** Approve, **Moved by** Supervisor Thrall, **Seconded by** Supervisor Swofford.

Motion: approve and authorize the Chair to sign a letter regarding opposition to legislation - repeal of Airport Land Use Commission Mandate, **Action:** Approve, **Moved by** Supervisor Swofford, **Seconded by** Supervisor Simpson.

Vote: Motion carried by unanimous roll call vote (**summary: Yes = 5**).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.


PUBLIC COMMENT OPPORTUNITY

Larry Douglas provides a handout “Scandal Looms” for the management of the City of Portola.

Sherry Halverson extends an invitation to attend the upcoming Tea Party Patriots meeting (Candidates Night) on April 14, 2012 in Graeagle.

ACTION AGENDA

1. 10:15 BOARD OF SUPERVISORS

- A.  **PUBLIC HEARING** – Pursuant to Ordinance 02-967 regarding “Outdoor Festivals”, application received from Belden Town Resort for outdoor music festivals to be held in Belden Town. Discussion and possible action to approve application for the following festivals:

- The Bounce – June 15-17, 2012
- Fractalize – July 6-8, 2012

The public hearing is opened. The Board is in receipt of a letter from Darrel Smith protesting the upcoming events. Supervisor Simpson addresses comments made by Mr. Smith. There being no further comment, the public hearing is closed.

Motion: approve application as presented for the following festivals:

- The Bounce – June 15-17, 2012
- Fractalize – July 6-8, 2012

Action: Approve, **Moved by** Supervisor Swofford, **Seconded by** Supervisor Kennedy.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

B. CORRESPONDENCE

C. INFORMATIONAL ANNOUNCEMENTS

Report by Supervisor Meacher regarding issues related to County government and include

Report by Supervisor Swofford regarding issues related to County government and include Solid Waste Committee meeting; Coordinating Council meeting; LAFCo; Sierra Valley Groundwater Management District meeting

Report by Supervisor Thrall regarding issues related to County government and include meeting with constituent regarding training in the construction industry, training will be at no cost; meeting with Environmental Health regarding priorities; Coordinating Council

Report by Supervisor Kennedy regarding issues related to County government and include various meetings with county department heads; LAFCo

Report by Supervisor Simpson regarding issues related to County government and include AB 109 Community Corrections meeting; Economic Recovery Committee meeting; Management Council meeting

2. 10:40 COUNTY ADMINISTRATIVE OFFICE – Jack Ingstad

DEPARTMENTAL MATTERS

- A. FACILITY SERVICES – Joe Wilson

Consider request to appropriate up to \$30,000 from the General Fund Contingency to Professional Services (20120-521900) for soil contamination mitigation at Dame Shirley Plaza. **Four/fifths required roll call vote**

Joe Wilson, Director of Facility Services gives an update on the subject project. It has been determined that costs will be covered up to \$100,000 by Trindel Insurance. Therefore, the request for General Fund Contingency funding is withdrawn.

Motion: authorizing Mr. Wilson to proceed with the project plan as presented, **Action:** Approve, **Moved by** Supervisor Simpson, **Seconded by** Supervisor Kennedy.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

B. **MENTAL HEALTH** – John Sebold

Appropriate \$60,000 from Mental Health Contingencies (528400) to fixed asset account (541500) for purchase of two vehicles to support mental health outpatient service delivery. **Four/fifths required roll call vote**

Motion: Appropriate \$60,000 from Mental Health Contingencies (528400) to fixed asset account (541500) for purchase of two vehicles to support mental health outpatient service delivery, **Action:** Approve, **Moved by** Supervisor Thrall, **Seconded by** Supervisor Simpson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

3. 11:00 **COUNTY COUNSEL**

Approve and authorize the Chair to sign agreement with Neopost USA Inc. for postage machine to be installed in the Courthouse and includes lease-to-own contract with MailFinance, Inc., a subsidiary of Neopost USA Inc.; a Postage Meter Rental Agreement and Online Services Software Agreement with Neopost USA, Inc.; and a Quality Assurance Agreement with Balzer Enterprises, Inc.

Motion: Approve and authorize the Chair to sign agreement with Neopost USA Inc. for postage machine to be installed in the Courthouse and includes lease-to-own contract with MailFinance, Inc., a subsidiary of Neopost USA Inc.; a Postage Meter Rental Agreement and Online Services Software Agreement with Neopost USA, Inc.; and a Quality Assurance Agreement with Balzer Enterprises, Inc., **Action:** Approve, **Moved by** Supervisor Thrall, **Seconded by** Supervisor Kennedy.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

4. 11:10 **PLUMAS CRISIS INTERVENTION AND RESOURCE CENTER**

Adopt **PROCLAMATION** proclaiming April 2012 as Sexual Assault Awareness Month in Plumas County

Motion: Adopt **PROCLAMATION** proclaiming April 2012 as Sexual Assault Awareness Month in Plumas County, **Action:** Approve, **Moved by** Supervisor Simpson, **Seconded by** Supervisor Swofford.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

5. 11:20 **CHILD ABUSE PREVENTION**

Adopt **PROCLAMATION** proclaiming the month of April 2012 as Child Abuse Prevention Awareness Month in Plumas County; and authorize the Chair to sign statement of commitment in support of Strengthening Families to prevent child abuse

Motion: Adopt **PROCLAMATION** proclaiming the month of April 2012 as Child Abuse Prevention Awareness Month in Plumas County, **Action:** Approve, **Moved by** Supervisor Thrall, **Seconded by** Supervisor Swofford.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

Strengthening Plumas Families

Motion: authorize the Chair to sign statement of commitment in support of Strengthening Families to prevent child abuse, **Action:** Approve, **Moved by** Supervisor Kennedy, **Seconded by** Supervisor Thrall.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

6. 11:30 **BOARD OF SUPERVISORS**

A. Board of Supervisors

- 1) Adopt an **ORDINANCE**, first introduced on March 20, 2012, and amended on April 03, 2012, of the County of Plumas, State of California, amending Section 2-1.202 of the Plumas County Code relating to Public Employees Retirement System contributions for Members of the Board of Supervisors. **Roll call vote**

Motion: Adopt ORDINANCE No. 12-1083, first introduced on March 20, 2012, and amended on April 03, 2012, of the County of Plumas, State of California, amending Section 2-1.202 of the Plumas County Code relating to Public Employees Retirement System contributions for Members of the Board of Supervisors, **Action:** Approve, **Moved by** Supervisor Swofford, **Seconded by** Supervisor Simpson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

- 2) Adopt a **RESOLUTION** for Employer Paid Member Contributions to the Public Employees Retirement System for Members of the Plumas County Board of Supervisors. **Roll call vote**

Motion: Adopt RESOLUTION No. 12-7773 for Employer Paid Member Contributions to the Public Employees Retirement System for Members of the Plumas County Board of Supervisors, **Action:** Adjourn, **Moved by** Supervisor Thrall, **Seconded by** Supervisor Swofford.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

- B. Adopt an **ORDINANCE**, first introduced on April 03, 2012, of the County of Plumas, State of California, amending Section 2-5.403 of Title 2, Article 4 of the Plumas County Code relating to Public Employees Retirement System contributions for **Elected Officers** (Alternative No. 2). **Roll call vote**

Motion: Adopt ORDINANCE No. 12-1084, first introduced on April 03, 2012, of the County of Plumas, State of California, amending Section 2-5.403 of Title 2, Article 4 of the Plumas County Code relating to Public Employees Retirement System contributions for Elected Officers, **Action:** Approve, **Moved by** Supervisor Kennedy, **Seconded by** Supervisor Swofford.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

- C. Adopt an **ORDINANCE**, first introduced on April 03, 2012, of the County of Plumas, State of California, amending Section 2-5.404 of Title 2, Article 4 of the Plumas County Code relating to Public Employees Retirement System contributions for **Non-Elected Officers and Employees**. **Roll call vote**

Motion: Adopt ORDINANCE No. 12-1085, first introduced on April 03, 2012, of the County of Plumas, State of California, amending Section 2-5.404 of Title 2, Article 4 of the Plumas County Code relating to Public Employees Retirement System contributions for Non-Elected Officers and Employees. , **Action:** Approve, **Moved by** Supervisor Thrall, **Seconded by** Supervisor Kennedy.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

D. Adopt RESOLUTION for Employer Paid Member Contributions to the Public Employees Retirement System for Appointed Officials and Unrepresented Employees. **Roll call vote**

Motion: Adopt RESOLUTION No. 12-7774 for Employer Paid Member Contributions to the Public Employees Retirement System for Appointed Officials and Unrepresented Employees, **Action:** Approve, **Moved by** Supervisor Simpson, **Seconded by** Supervisor Swofford.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

7. CONSENT AGENDA

These items are expected to be routine and non-controversial. The Board of Supervisors will act upon them at one time without discussion. Any Board members, staff member or interested party may request that an item be removed from the consent agenda for discussion. Additional budget appropriations and/or allocations from reserves will require a four/fifths roll call vote.

Motion: approve the following consent agenda matters as presented, **Action:** Approve, **Moved by** Supervisor Kennedy, **Seconded by** Supervisor Simpson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Supervisor Kennedy, Supervisor Meacher, Supervisor Simpson, Supervisor Swofford, Supervisor Thrall.

A. LIBRARY

Authorize an exception to the eight-hour workday limit for Library employee. Approved by Operating Engineers Union Local No. 3

B. SHERIFF

Approve two supplemental budget requests of \$9,999 each for 'Every 15 Minutes' program for Chester High School and Greenville High School

C. PUBLIC WORKS

Authorize the Director of Public Works to execute Addendum No. 2 to the Contract with Tom Hunter for continuation of agreement for professional services (county surveyor signatures)

D. PUBLIC HEALTH AGENCY

- 1) Approve and authorize the Chair to sign Certificates of Compliance for the MediCal Cost Avoidance Program and the County Subvention Program for FY 2011/2012 from the California Department of Veterans Affairs
- 2) Adopt **RESOLUTION** No. 12-7775 to accept Agreement No. 11-10404 with the State Department of Public Health for Childhood Lead Poisoning Prevention Program funding, and authorize the Director of Public Health to sign the Agreement

E. FLOOD CONTROL DISTRICT

Sitting as the Governing Board of the Flood Control and Water Conservation District

Approve budget transfer of \$12,968 from department 20020-521900 to department 26103-521900 to cover services of Leah Wills, Professional Consultant

ADJOURNMENT

Adjourned meeting to Tuesday, April 17, 2012, Board of Supervisors Room 308, Courthouse, Quincy, California.