

# PLACER COUNTY BOARD OF SUPERVISORS

## MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, December 19, 2006, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Santucci, Weygandt, Holmes, and Kranz present. Chairman Santucci presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

**PUBLIC COMMENT** – Major William Dickinson, Salvation Army, thanked the Board for their support in the Thanksgiving Dinner Program. Nancyjo Riekse, Agriculture Marketing Director, provided a marketing strategy update. Chairman Santucci received recognition from Jim Durfee, Facility Services Director and Randy Smith, California Department of Forestry, for his years of dedicated service as a Supervisor.

**SUPERVISOR'S COMMITTEE REPORTS** – None given.

**CONSENT AGENDA:** Item #17 removed. Consent Agenda approved as amended with action as indicated. The Board convened as the Redevelopment Agency Board on Item #15.

**MOTION** Holmes/Weygandt/Unanimous

1. **WARRANT REGISTER** - Weeks ending November 10, 17, 24 and December 1, 2006.
2. **ORDINANCES** – Second reading
  - a. **Personnel/Civil Service Commission** - Ordinance 5447-B adopted, amending Chapter 3, Section 3.12.010, Appendix 1 and Section 3.12.020, relating to positions within the departments of Administrative Services, Agricultural Commissioner-Sealer of Weights and Measures and the Auditor-Controller.
3. **BOARD OF SUPERVISORS:**
  - a. Resolution 2006-353 adopted commending Norris Cushing, Senior Parks and Grounds Worker, upon his retirement of over twenty years of service.
  - b. Commendations for the Old Fruitvale School Community History & Agriculture Project and the Colfax Passenger Depot Renovation Project for receiving the Governor's Historic Preservation Awards.
  - c. Commendation for Leonard R. Inch for his forthright vision and dedication to Sierra-Sacramento Valley Emergency Medical Services Agency.
  - d. Renewed six-month contract, with Lyndell Grey, for District 2 web page maintenance and other general administrative assistance, effective January 1, 2007.
  - e. Renewed six-month contract, with Roger Canfield, for District 5 web page maintenance and other general administrative assistance, effective January 1, 2007.
  - f. Authorized additional hours within the District 5 Tahoe Field Deputy contract position.
  - g. Approved minutes of November 7 & 20, 2006.
4. **CLAIMS AGAINST THE COUNTY** – Rejected the following claims, as recommended by Counsel:
  - a. 06-103, Bailey, Marie, Not Stated, (Fatal)
  - b. 06-111, Owens, Randy and Charal, \$28,298, (Property Loss).
5. **COMMITTEES & COMMISSIONS:**
  - a. **Developmental Disabilities Area Board III** – Approved appointment of William Nelson to Seat 10 (Placer County).
  - b. **In-Home Support Services Advisory Committee** – Accepted the resignation of Karen Boal (Seat 9).
  - c. **North Auburn Municipal Advisory Council** – Approved reappointment of Edward Koons to Seat 3, Dave Hungerford to Seat 4 and Jacquie Flecklin to Seat 6, as requested by Supervisor Holmes.
  - d. **Older Adult Advisory Commission** – Approved appointment of David Shirley, M.D., to Seat 16 (Senior Service Organization).

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- e Penryn Area Municipal Advisory Council - Approved reappointment of Robert Brodovsky to Seat 1 and Patty Nefer to Seat 4, and accepted the resignation of Michael Sasko (Seat 3), as requested by Supervisor Holmes
  - f Placer County Cemetery District #1 (Lincoln) - Approved appointment of Steven C. Rice to Seat 3, as requested by Supervisor Weygandt.
- 6 COMMUNITY DEVELOPMENT RESOURCE AGENCY/ENGINEERING & SURVEYING:
- a Bond Screening Committee - Resolution 2006-354 adopted revising rules and procedures, effective January 1, 2007.
  - b Penryn Park Subdivision - Approved final map, subdivision improvement agreement and authorized the recording of the project, located adjacent to Boyington Road in Penryn.
- 7 COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING - Authorized the Purchasing Manager to sign the third contract amendment with Quad Knopf, in the amount of \$121,563, for additional work related to the preparation of the Foresthill Divide Community Plan.
8. COUNTY EXECUTIVE:
- a. Approved merit increase for Christiana Darlington, Deputy County Counsel II, from Grade 447, Step 3, to Grade 447, Step 4, retroactive to September 30, 2006.
  - b. Approved merit increase for Kimberly Hawley, Chief Deputy Treasurer, from Grade 469, Step 2, to Grade 469, Step 3, retroactive to November 25, 2006.
  - c. Approved merit increase for David Snyder, Director of Economic Development, from Grade 466, Step 1, to Grade 466, Step 2, retroactive to October 14, 2006
- 9 COUNTY EXECUTIVE/MARTIS VALLEY OPEN SPACE FEES - 1) Staff to continue working with the Trust for Public Lands, the Tahoe Donner Land Trust and other potential funding partners in the development of a funding package for purchase of the Waddle Ranch property in the Martis Valley; and: 2) Confirmed the intention of the Board of Supervisors to participate in the purchase, through contribution of open space fees to be collected in the Martis Valley, pending successful negotiation of an acceptable funding package and deal points relation to the transaction; and 3) Authorized the Chairman to sign a letter confirming the County's intention to participate in the purchase
- 10 FACILITY SERVICES/SHERIDAN SMALL COMMUNITY WASTEWATER GRANT - Resolution 2006-355 adopted designating the Facility Services Director as the authorized representative to apply for a Sheridan Small Community Wastewater Grant, in an amount not to exceed \$2,000,000; and authorized the Facility Services Director to negotiate and execute a grant contract and any amendments upon review and approval by Risk Management and County Counsel and certify grant disbursements
- 11 HEALTH & HUMAN SERVICES.
- a. Adult Systems of Care - Approved contract with the State California Institute of Mental Health, from November 1, 2006 through June 30, 2008, in an amount not to exceed \$120,000, for training and facilitation and authorized the Health & Human Services Director to sign the agreement and subsequent amendments
  - b. Adult System of Care - Approved contract with Davis Guest Home, Inc., from January 1, 2007 through June 30, 2008, in an amount not to exceed \$150,000, for residential board and care services and authorized the Health & Human Services Director to sign the agreement and subsequent amendments
  - c. Adult System of Care - Approved contract employee agreements for the provision of psychiatric services, and authorized the Chairman to sign the resulting contracts and any subsequent amendments for the following:
    - 1 Donna L. Schindler, MD, from January 16, 2007 through October 15, 2007, for a total employee compensation amount of \$120,148 and
    - 2 Olga Ignalowicz, MD, from December 27, 2006 through August 26, 2007, for a total employee compensation amount of \$206,000.
  - d. Animal Services - Authorized the Health & Human Services Director to sign spay and neuter grant agreements, in the amount of \$5,000 each, with the Friends of Auburn/Tahoe Vista Placer County Animal Shelter, Animal Spay & Neuter and FieldHaven Feline Rescue

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- e. Children's System of Care - Approved agreement with Gerald Brody, M.D., from January 1, 2007 through December 31, 2007, for a total employee compensation amount of \$116,072, for psychiatric services as a contract employee
  - f. Community Health - Approved agreement with Placer County Office of Education for FY 2006/07 Community Challenge Sub-Grant, in the amount of \$113,620, and any subsequent amendments
- 12 PERSONNEL/CIVIL SERVICE COMMISSION:
- a. Ordinance introduced, first reading waived, amending Chapter 3, Section 3.12.020, Classified Service, for the classification of Flood Control & Water Conservation District Engineer.
  - b. Authorized the County Executive Officer to sign a consultant services contract with Mary Egan, in an amount not to exceed \$100,000, for human resource services for the Health & Human Services Department.
- 13 PROCUREMENT SERVICES - Authorized the Purchasing Manager to sign the following:
- a. Bid #9611, Institutional Clothing & Bedding/Sheriff - Awarded to Leslee Scott, Caroline Texas, LC Textiles and Charmex, in the maximum aggregate amount of \$75,500.
  - b. Bid #9634, Uniform Rental & Laundry Services/Various Departments - Awarded to Aramark Uniform Service, in the maximum aggregate amount of \$244,986.
  - c. Blanket Purchase Order #13295, Passenger Car, Truck & Heavy Equipment Tires/Public Works - Approved Change Order #1 with Auburn Tire, in the amount of \$30,000.
  - d. Blanket Purchase Order #13297, Aviation Fuel/Sheriff - Renewed with Multi Service Corporation, in the maximum amount of \$70,000
  - e. Blanket Purchase Order #13363, Local Equipment Rentals/Public Works - Approved Change Order #3, with Hertz Equipment Rental, in the amount of \$20,000
  - f. Blanket Purchase Order #13415, GPS Electronic Monitoring Services - Renewed with Pro Tech Monitoring, Inc., in the maximum amount of \$100,000.
  - g. Blanket Purchase Order #13703, Plumbing Supplies/Facility Services - Approved Change Order #1 with Anderson's Sierra Pipe Co., in the amount of \$20,000
  - h. Cancellation of Bid #9582, Replacement of Compressor Pumps/Public Works - Canceled bid and awarded Bid #9627 to TNT Industrial Contractors Inc., in the amount of \$142,813.
  - i. Purchase Order, Road Sweeping Services/Public Works - Renewed blanket purchase order with Wells Sweeping LLC, in the maximum amount of \$80,000.
- 14 PUBLIC WORKS/MASTER FIXED ASSET LIST - Approved the addition of seven vehicles to FY 2006/07 Master Fixed Asset List, approved in the Final Budget at the department level, but omitted from the Fleet Fund, and approved a budget adjustment to increase the Fleet Services Fund's appropriations and revenues which will allow for procurement of these vehicles
15. REDEVELOPMENT AGENCY BOARD - Accepted the Annual Report of Financial Transactions and the Annual Housing Activity Report and authorized staff to transmit the reports to the State Controller and the State Department of Housing and Community Development.
- 16 REVENUE SHARING - In approving the following appropriations, the Placer County Board of Supervisors makes the finding that each and every approved contribution serves a public purpose by promoting the general welfare of the County and its inhabitants; therefore, the County benefits.
- a. Approved appropriation, in the amount of \$250, in Revenue Sharing monies, to FieldHaven Feline Rescue for their Spay Neuter Assistance Program, as requested by Supervisor Weygandt
  - b. Approved appropriation, in the amount of \$200, in Revenue Sharing monies, to the Woodcreek High School for the 2007 Sober Grad Night, as requested by Supervisor Santucci.
  - c. Approved appropriation, in the amount of \$750, in Revenue Sharing monies, to the Sportsmen's Legacy Foundation for the Wood Duck Nesting Box Program, as requested by Supervisor Santucci (\$500) and Supervisor Weygandt (\$250)

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17 ~~REMOVED FROM AGENDA/SHERIFF - Resolution authorizing the Sheriff Coroner Marshal to submit the Mentally Ill Offender Crime Reduction Grant and to execute the agreement and any related amendments, in the amount of \$1,000,000, plus a County match of \$250,000, that will be implemented by Health and Human Services Adult System of Care for the Jail to Adult System of Care Plus Program. A budget revision will be submitted for approval to implement the grant.~~

18 TREASURER/TAX COLLECTOR - Ratified temporary borrowing since September 2006 and approved the continued temporary borrowing of Treasury funds, in the estimated amount of \$500,000, by the Placer Mosquito Abatement District for FY 2006/07.

\*\*\*End of Consent Agenda\*\*\*

**BOARD OF SUPERVISORS** – Farewell remarks from Assemblyman Ted Gaines and appreciation to former colleagues and Placer County for the successes achieved during his tenure as Placer County Supervisor representing District 4.

**COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/WILLIAMSON ACT CONTRACT PGP 20060742 WILLIAMSON ACT/STEVEN & PAMELA HARNAGEL** – Public hearing to consider adoption of a resolution to create a 40-acre Williamson Act Contract and Agricultural Preserve. The two properties are zoned Farm and are characterized by grassland, oak woodland and riparian corridor. One of the twenty-acre parcels is developed with a two-acre vineyard, located in District 5. **MOTION Holmes/Weygandt/Unanimous to continue the public hearing to March 20, 2007, at 10:30 a.m. to allow for a workshop with the Board of Supervisors, Agricultural Commission and Planning Commission to discuss implications of the Williamson Act.**

Michael Johnson, Planning Director, stated the two-acre vineyard qualified the property for consideration under a Williamson Act contract. The property is located in rural west Auburn, one-mile northwest of the intersection of Mt. Vernon and Mears Roads. There are no improvements to the site other than the vineyard. Since the site is less than 100 acres in size, the County will be required to make a finding that there is a unique requirement and that the characteristics of the site warrant the approval of the contract. On November 13, 2006, the application was considered by the Agricultural Commission. Some concerns were raised relating to the vines being planted earlier this year and therefore, has not demonstrated agricultural output, and that the property does not meet the intended goals or requirements of the Williamson Act. After receiving public testimony, the Commission approved the Williamson Act contract and recommended approval to the Board.

Supervisor Kranz inquired about the conditions that property with less than 100 acres have to meet. He stated that the Board is considering approval of two acres out of a 40 acre parcel. Mr. Kranz advised that a letter was received from the Department of Conservation, in which they considered the property more of a hobby farm and not qualifying for a Williamson Act Contract. A postcard was also received from an individual associated with Placer Grown who did not feel either property qualified.

Anthony La Bouff, County Counsel, responded that the Department of Conservation's letter was an unusual communication to the County. The letter could apply to many of the County's Williamson Act contracts. In his opinion, there has been a slow evolution in Placer County away from very large rice, agricultural and cattle activities. Placer Grown and our agriculture community have promoted a new product operating on smaller units. Consistent with our current policy, the Williamson Act applications meet the County's minimum standards. He questioned that if you approve smaller sizes of property, are you giving tax breaks to people who live in subdivisions, or are you promoting a different kind of marketing of agriculture. If the Board chooses a different direction, staff would be happy to redefine the standards. He added that Planning and the agricultural community would need to redefine the County's standards as well.

Supervisor Kranz stated he saw legitimacy of the second application. In his opinion, the first application was more of a hobby farm.

Supervisor Weygandt agreed that the Board needs to provide greater clarity on this policy. He added that on one application, the applicant is under production and generating revenue while the other has made an investment with no revenue to date.

Christine Turner, Agricultural Commissioner, explained the process for establishing Williamson Act candidates. It can take up to five years for two acres to be able to meet the \$4,500 minimum gross income to qualify for the Contract. The Administrative Rules recognize sites planted without commercial production. There is a lot of preparation, investment and irrigation before the trees or vines are in production. There is a provision in the Williamson Act that may allow these situations to be considered for a Williamson Act preserve. It is up to the Board to decide if they want to support it. The Agricultural Commission had extensive discussion on this issue because part of the requirements include that if the property is less than 100 acres, it has to be shown to be located in an area with

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unique agricultural enterprises. There is no clear definition of what this means. Placer County Agriculture involves a lot of very small acreages. These farms are not characterized as hobby farms, but are small farms and not their sole source of income. It is relatively unique today for anyone willing to invest in the cost of producing agriculture. Part of the Agricultural Commission's consideration of this use was: it is compatible with the oak woodland setting, it is already zoned farm, it is consistent with General Plan, and contributes to the infrastructure of the County's agricultural economy.

Supervisor Holmes shared concerns with the application and was troubled with the letter from the Department of Conservation. He suggested a workshop for the Board of Supervisors, Planning Commission and Agriculture Commission be held and to defer this item until the workshop has been conducted.

Chairman Santucci restated that if the property consisted of 100 acres, there would not be any issue about it being accepted in the Williamson Act. Staff agreed with Chairman Santucci adding it would not have to qualify as a unique agricultural enterprise. The establishment of an Agricultural preserve less than 100 acres has to be considered in the public interest and consistent with the General Plan.

Steven Harnagel, applicant, explained he is limited to what he can do with the property. The Covenant, Conditions and Restrictions prohibit the removal of trees due to it being an oak woodland. He hopes to run cattle and sheep for fire control and is putting a lot of work into this project. He does not consider it a hobby farm.

Paul Burns, local wine grower, agreed with comments made by County Counsel and the Agricultural Commissioner and spoke in favor of a workshop.

Paul Ferrari stated he did not want to see the Williamson Act abused. In his opinion, a two-acre vineyard that is just getting started should not qualify.

**COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/WILLIAMSON ACT CONTRACT  
PAGP 20060236 WILLIAMSON ACT/FREDERICK & KATHLEEN PENNEY** - Public hearing closed  
Resolution 2006-356 adopted creating a Williamson Act Contract for dry pasture, beef cattle grazing. The two properties are zoned Farm and total 51-acres of pasture, oak woodland and riparian corridor. The properties seasonally support between eight and 30 head of cattle, located in District 3.  
**MOTION** Holmes/Weygandt/Unanimous

Michael Johnson, Planning Director, stated the property is located on the west side of Sierra College Boulevard in the vicinity of the Twelve Bridges Development. There is a single family residence that occupies approximately one acre of the 51-acre site. Due to the site consisting of less than 100 acres and it not being contiguous with any other agricultural preserve areas, the Board would need to make a finding that there is a unique characteristic of this agriculture enterprise that warrants the contract. The project was considered by the Agricultural Commission on September 11, 2006. After receiving public comment, the Commission unanimously recommended approval of the contract.

Supervisor Kranz stated that this project is unique because it is the last working ranch in the area. Staff advised that the vote of the Agricultural Commission was 6-0 with three members absent. Mr. Kranz stated he would support this contract.

Supervisor Holmes agreed with Supervisor Kranz stating this property consists of grazing area and another working ranch transferring cattle.

**BOARD OF SUPERVISORS** - Presentation of a commendation to Lyndell Grey, on behalf of the Old Fruitvale School Community History & Agriculture Project, for receiving the Governor's Historic Preservation Award.

**BOARD OF SUPERVISORS** - Presentation of a commendation to Joshua Alpine, on behalf of the Colfax Passenger Depot Renovation Project for receiving the Governor's Historic Preservation Award.

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**ADMINISTRATIVE SERVICES/PROCUREMENT** - Rejected non-responsive bid from Folsom Lake Ford and awarded Bid #9622 to Downtown Ford, in the amount of \$274,680.90, for Sheriff Patrol Sedans. MOTION Holmes/Kranz/Unanimous

Dave Seward, Purchasing Manager, stated the bid is for 10 Sheriff patrol sedans. Although Folsom Lake Ford was the lowest bidder, they did not comply with the bid specifications by offering a power-train warranty instead of the minimum required bumper to bumper warranty. According to the Purchasing Policy Manual, this is considered a material variance from the specification that gave Folsom Lake Ford a substantial price advantage over the other responsive bidders and must be rejected.

**FACILITY SERVICES/PLACER COUNTY OFFICE OF EDUCATION, PROPERTY TRANSACTIONS**  
Approved the following actions associated with County owned real property at the intersection of Library Drive and Nevada Street, Auburn, transferring property between the County of Placer and the Placer County Office of Education (PCOE):

1. By 4/5 vote, approved agreement with PCOE for the transfer of 3.16± acres of County property within a portion of APN 001-032-032 (Transfer Property); and,
  2. Adopted Resolution 2006-357 delegating authority to the Facility Services Director, or his designee, to execute all documents and to take all actions necessary to complete the transfer.
- MOTION Holmes/Weygandt/Unanimous

Jim Durfee, Facility Services Director, indicated this action is a follow-up to direction previously given by the Board to proceed with the transfer of property. In 1966, Assembly Bill 1075 authorized the transfer of school functions from the control of the Board of Supervisors to the Placer County Board of Education. The original transfer agreement required the County to provide custodial and landscape services. Neither of these services has taken place for many years. The transfer finalizes the process, eliminates the language from the original agreement and sets forth a modern agreement with PCOE to continue to maintain the road and shared infrastructure.

Bud Nobili, Office of Education, stated the action gives the Agency the building they constructed to be located on their own land. PCOE and the County have been working on this project for thirteen years. He thanked Supervisor Holmes for his effort.

**HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE** - Approved contract employee agreement with Paul M. Jurkowski, M.D., from December 23, 2006 through December 22, 2007, for a total employee compensation amount of \$278,995, for the provision of psychiatric services.  
MOTION Holmes/Kranz/Unanimous. VOTE 3:0 (Weygandt temporarily absent)

Maureen Bauman, Adult System of Care, advised the County has nine psychiatrists that provide specialty mental health services in three divisions, for a total of 6.5 full time equivalents. Dr. Jurkowski is a board-certified psychiatrist and will be filling a vacant position.

**HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE/HUMAN SERVICES** - Approved addendum to the Placer County CalWORKs Plan and a revision to the Transportation Section of the current CalWORKs Plan, and authorized the Health & Human Services Director to sign and submit both plans and any further revisions as required by the State Department of Social Services.  
MOTION Holmes/Weygandt/Unanimous

Bob Dunstan, Health & Human Services, Administration Director, advised that earlier this year, Federal legislation (Welfare Reform) celebrated its 10<sup>th</sup> anniversary. Counties have been instructed to provide an addendum to their County CalWORKs Plan outlining the changes and performance measures planned in order to meet Federal Work Participation rates. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 revamped the nation's program of cash assistance to eligible poor families with children. Welfare reform replaced Aid to Families with Dependent Children with TANF (Temporary Assistance to Needy Families). Welfare reform introduced strict work requirements and imposed a five-year lifetime limit on receiving TANF assistance. Following the changes in Federal law, the State enacted the Welfare-to-Work Act of 1997, creating the California Work Opportunity and Responsibility to Kids (CalWORKs) program. The deficit Reduction Act of 2005 was signed into law effective October 1, 2006. The most significant changes are:

- Impose fiscal sanctions on those states that do not meet the participation rate requirements.
- Change the base year from 1995 to 2005 for calculating the caseload reduction credit to apply towards meeting work participation rates.
- Impose stricter requirements in what will be considered work activities and the documentation that will be required.
- Includes a "pay for performance" incentive.

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The Department is recommending changes to the transportation section of the original CalWORKs plan to improve efficiency and provide flexibility in setting policy. Additionally, the Department anticipates ongoing review and revision to the Plan as State directives are received.

Thomas Miller, County Executive Officer, stated the Federal change in these rules and regulations will impact the State and counties. Health and Human Services Department should be applauded for getting a head start and looking for ways to meet these goals and minimize costs to the County.

**BOARD OF SUPERVISORS** – Presentation of a commendation to Leonard R. Inch for his forthright vision and dedication to Sierra-Sacramento Valley Emergency Medical Services Agency.

**SHERIFF/AUBURN JUSTICE CENTER** - Approved the following actions required for the Department's initial occupancy of the facility:

1. Approved purchase of dispatch equipment, audio visual systems, shelving and specialty equipment; and
2. Approved a Master Fixed Asset modification for equipment and structures and improvements, in the amount of \$34,545 and \$342,685, respectively; and
3. By 4/5 vote, approved a budget revision transferring funds from Facility Services/Capital Improvements and within the Sheriff's Department; and
4. Authorized the Purchasing Manager to execute related documents to procure the items needed, in an amount not-to-exceed \$480,000

MOTION Kranz/Holmes/Unanimous

Barbara Besana, Sheriff's Department, explained that this action is a transfer of money approved at final budget for the initial occupancy of the Auburn Justice Center. The Board approved money during the final budget to acquire items for the occupancy at the Auburn Justice Center. The money was placed in the Facility Service's Budget. Staff is requesting a portion of the money be moved back into the Sheriff's Department in order to purchase the items.

Thomas Miller, County Executive Officer, stated he was in total agreement with the request.

**PERSONNEL/CIVIL SERVICE COMMISSION** – Ordinance introduced, first reading waived, amending Chapter 3, Article 3 12, Section 3 12.030, implementing a 2% salary range increase for the County Executive Officer. MOTION Holmes/Weygandt VOTE 3:1 (Kranz No)

Nancy Nittler, Personnel Director, explained the fiscal impact of this action will be approximately \$5,300 annually. Ms. Nittler stated staff was in support of the request.

Supervisor Kranz stated that even though he would be voting no on this item, in his opinion, Mr. Miller was doing a great job. He stated that he is not opposed to giving Mr. Miller a bonus; but he did not think changing a salary range was an appropriate way to give a bonus and that the County would be setting a dangerous precedent.

Chairman Santucci said he would support the item. In his opinion, Mr. Miller has done a great job.

**COUNTY COUNSEL/4<sup>TH</sup> DISTRICT BOARD OF SUPERVISOR'S VACANCY** – Approved appointment of Kirk Uhler as replacement to fill unexpired term of Supervisor for District 4 that was vacated by now Assemblyman Ted Gaines. Term expires January 2009. MOTION Weygandt/Holmes/Unanimous

Anthony La Bouff, County Counsel, explained in November there was direction from the Board on what the process should be. The process was initiated by Supervisor Gaines' successful election to the State Assembly. Typically, this action would go to the Governor to appoint; however, under the County Charter, the Board of Supervisors has an opportunity to appoint within a 30-day window. The Charter also requires the vote be unanimous. The candidates were listed according to the time applications were received. Slips of paper would be provided for each supervisor to cast their vote and then returned to the Clerk. The Clerk will read each Board member's vote. If there is not a unanimous consensus, the process will be repeated. If there is a motion, second and unanimous vote, Mr. Ronco from the Elections Department is present to give the oath of office.

Kirk Uhler informed that he once was Supervisor of District 4 and has gained a new perspective since that time. Ed Bonner, Sheriff, and Brad Fenocchio, District Attorney, spoke in support of Mr. Uhler.

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Gerald Brentnall, stated he is currently the Chairman of the Planning Commission. His focus is on the enforcement of the rules and would like an opportunity to participate in the making of the rules. Sandy Harris, Lily Breast, Ron Bakkin and Patricia Gibbs, spoke in support of Mr. Brentnall

James Wermes advised he has been a long time resident of the Placer County and Granite Bay areas. Mr. Wermes stated he has not been in public office but is interested in serving. He is retired after working for Aerojet over 35 years. He is very interested in improving the flow of traffic and road conditions.

Kenneth Williams, Manager of the Southern Pacific Railroad for 31 years and a resident of Placer County for 36 years, stated he has no experience in government and in his opinion, the inexperience could be a help in some ways. Donna Williams spoke in support of her husband stating there is an advantage to having a non-government candidate.

Mark Goudy stated he has lived in the Granite Bay area since 1998 and spoke about safety and growth in Placer County. Mr. Goudy advised he has not served in government, but that offers a fresh opportunity

Ballots were distributed to the Board. Ann Holman, Clerk of the Board, read the results as follows:

Supervisor Santucci voted for Kirk Uhler  
Supervisor Kranz voted for Kirk Uhler  
Supervisor Weygandt voted for Kirk Uhler  
Supervisor Holmes voted for Gerald Brentnall

The Board re-voted with the following results:

Supervisor Santucci voted for Kirk Uhler  
Supervisor Kranz voted for Kirk Uhler  
Supervisor Weygandt voted for Kirk Uhler  
Supervisor Holmes voted for Gerald Brentnall

The Board re-voted with the following results.

Supervisor Santucci voted for Kirk Uhler  
Supervisor Kranz voted for Kirk Uhler  
Supervisor Weygandt voted for Kirk Uhler  
Supervisor Holmes voted for Kirk Uhler

#### ITEMS FOR INFORMATION:

AUDITOR - Independent Accountant's Report on the Treasurer's Statement of Assets for the quarter ending September 30, 2006.

TREASURER/TAX COLLECTOR - Treasurer's Statement for the month of November 2006.

ADJOURNMENT - There being no further business, the Board adjourned. Next regular meeting is Tuesday, January 9, 2007.

#### ATTEST:

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Ann Holman  
Clerk of the Board

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Bill Santucci, Chairman  
Placer County Board of Supervisors

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Kathy Zick  
Supervising Board Clerk