

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, April 23, 2019
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:

Brian Oneto, District V-Chairman
Patrick Crew, District I-Vice-Chairman
Richard M. Forster, District II
Frank U. Axe, District IV
Jeff Brown, 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.

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.**

The Board convened into Open Session at this time to hear comments from public members wishing to speak on a matter listed on the Closed Session Agenda. Vice Chairman Crew opened the meeting. The following individual wished to speak.

Buena Vista Casino Issues-Closed Session Item 3a: Mr. Bill May, District II resident, took this time to address the Board and urge them to pursue arbitration against the Tribe based upon their failure to provide traffic mitigation in the amount of one million dollars, as pursuant to the language in the ISA.

The Board convened into Closed Session at this time and the following matters were heard.

Labor Negotiators: Pursuant to Government Code Section 54957.6. **County Negotiators:** Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Judy Dias, Human Resource Director, Greg Ramirez, IEDA. **Employee Organizations:** All Units

ACTION: Direction given.

Conference with County Counsel: Anticipated Litigation-{Government code 54956.9(d)(2)}

One Case

ACTION: Direction given.

Conference with County Counsel: Initiation of Litigation-{Government Code 54956.9(D)(4)}

Buena Vista Rancheria

ACTION: Direction given to staff

Confidential Minutes: Review and possible approval of the April 9, 2019 Confidential Minutes.

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Forster and unanimously carried to approve the April 9, 2019 Confidential Minutes as presented.

REGULAR SESSION: At 9:00 a.m., the Board convened into regular session. Chairman Oneto reported the above issues was reviewed in closed session:

PLEDGE OF ALLEGIANCE: Chairman Oneto led the Board and the public in the *Pledge of Allegiance*.

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.**

Buena Vista Casino: Mr. Bill May, District II resident, addressed the Board and urged the Board to “do the right thing” and take action relative to initiating arbitration with the Tribe due to their failure to comply with several mitigation issues outlined in the ISA. He also suggested the Board require the Tribe to commit in writing that they will compensate neighboring property owners if water resources are exhausted and wells begin to run dry or wastewater is contaminating ranch land. In addition, he strongly urged the Board to insist the Tribe agree to a meeting of the BVAC Committee. Mr. May continued by addressing concerns submitted via email by Mr. Paul Davis and Ann Poppen who were unable to attend the meeting today. In summary, their concerns related to stop sign installation on Jackson Valley Road and Comanche Road, pavement and infrastructure being compromised by allowing the ten ton weight limit to be lifted during Buena Vista Road replacement. Mr. May also relayed on behalf of Ms. Poppen, that the residents of Jackson Valley Road need the Board of Supervisors to place immediate priority on repaving Jackson Valley road and assure residents that should an infrastructure failure occur that the County will bear the cost of repairs and/or replacement due to their decisions placing these burdens on the road. A complete copy of the email containing Ms. Poppen’s comments and responses from the Public Works Director are hereby incorporated into these minutes as though set forth in full.

Code Enforcement Violations: Ms. Robin McLaughlin-Schedler, District II resident, took this time to address the Board regarding alleged criminal activity and code violations occurring in her neighborhood near Deer Ridge Lane in the Jackson Valley are of Ione. She stated in 2014 multiple code violations were recorded and it was determined by code enforcement at that time that multiple people were living in residences that were not permitted. The owners were also cited for multiple building and septic violations along with excessive marijuana cultivation and excessive junk/garbage accumulation. Ms. McLaughlin-Schedler continued to state that due to an absence of further action by the county by way of fines, penalties or abatements, the owners of the property have not only made little or no effort to achieve compliance, but they have, in fact, expanded the illegal marijuana grow and continue to add more illegal structures and residents to the property. Ms. McLaughlin-Schedler pointed out several alleged violations which are included in her memo which is hereby incorporated into these minutes as though set forth in full. Ms. McLaughlin-Schedler stated she has filed new complaints with Code Enforcement and urged the Board to take the necessary steps and follow through with an enforcement plan to encourage compliance along with abatements to discourage and stop the expanding criminal activity.

Road Crew Commendations: Ms. Charlene Buckley, District IV resident, took this time to commend the road crew for their efforts in mitigating the issue involving water runoff into her

driveway causing extensive damage which was caused, in her opinion, by the design of the turning lane off of Ridge Road. She also stated the traffic situation is extremely dangerous in that area as drivers are not practicing defensive and courteous driving techniques and continue to pass on the right, or on the left into the embankment area as she is waiting to safely turn into her driveway from Ridge Road. She stated the Road Crew has been extremely helpful in trying to mitigate the issue but she feels the real problem started with the contractor and she urged the Board to be more diligent in selecting and awarding contracts and consider the residents in the area before moving forward.

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: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew, and unanimously carried to approve the agenda as presented.

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 Oneto advised the following items have been added to the Consent Agenda for today's date.

Addendum #1-Social Services: Authorization to Back-fill one Administrative Assistant I/II/III position to replace an employee who has resigned effective May 17, 2019.

Addendum #2- Agriculture Department: Agreement for lease of Placer County weight truck.

Addendum #3- Veterans Services: County Support letters needed for CVSO Subvention Increase.

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

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

REGULAR AGENDA

First 5 Amador: Presentation of a resolution celebrating their 20 years of service to children and families in Amador County.

Ms. Nina Machado, First 5 Executive Director, addressed the Board and summarized some of the programs that First 5 has facilitated in the area such as, Little Free Libraries, Kindergarten Bridge Program and Imagination Library (founded by Dolly Parton). Ms. Machado also mentioned First 5 is celebrating 20 years of service to the children of Amador County and has

promoted an integrated system of care with the goals of supporting kindergarten readiness and ensuring each child is safe from abuse and neglect.

Discussion ensued with the following action being taken.

ACTION: Resolution adopted and presented by the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Crew and unanimously carried to adopt the following resolution celebrating First 5 Amador and their 20 years of service to the children and families of Amador County. Supervisor Oneto then presented the Resolution to Ms. Machado.

RESOLUTION NO. 19-036

Resolution celebrating First 5 Amador and their 20 years of services to the children and families of Amador County.

American Legion Auxiliary: Presentation of a resolution proclaiming the month of May 2019 as Poppy Month in tribute to those who have made the ultimate sacrifice for our freedom.

Ms. Deborah Straight and Ms. Charlene Buckley, representing the American Legion Auxiliary addressed the Board and provided an informative description of what the Poppy represents and how it honors veterans who have made the ultimate sacrifice for our Country. She also noted any proceeds from the poppies go directly to veterans and their needs.

ACTION: Adoption and presentation pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Brown and unanimously carried to adopt the following resolution proclaiming the month of May 2019 as Poppy Month. Chairman Oneto then presented the Resolution to Ms. Deborah Straight and Ms. Charlene Buckley representing the American Legion.

RESOLUTION NO. 19-037

Resolution to proclaim the month of May, 2019 as Poppy Month in tribute to those who have made the ultimate sacrifice for our freedom.

Surveying: Presentation of a Resolution in Honor of Steven Zanetta upon his Retirement from the County.

Mr. Steve Zanetta took this time go express his gratitude to the Board, his staff and his predecessor Mr. George Allen for all of the support during his length of service. Mr. Zanetta stated he has enjoyed working with the public on issues related to their property and guiding them to find solutions to various issues.

The Board wished Mr. Zanetta well in his retirement and thanked him for his eighteen years of services to the County.

The following action resulted.

ACTION: Adoption and presentation pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew and unanimously carried to adopt the following resolution in honor of Steven Zanetta upon his retirement from Amador County. Chairman Oneto then presented the Resolution to Mr. Zanetta.

RESOLUTION NO. 19-038

Resolution recognizing and honoring Mr. Steven Alan Zanetta for 18 years of service to the County of Amador.

Administrative Agency: Discussion and possible action relative to adoption of a Resolution calling on the state to abandon the High Speed Rail Project.

Chairman Oneto introduced this item by stating he received a letter from the Kern County District II Supervisor, Mr. Zack Scrivner indicating Kern County had adopted a resolution calling on the state to abandon the High Speed Rail Project and use approved funds for other more useful infrastructure purposes. Chairman Oneto stated he would like the Board to consider adopting a similar resolution but is interested in hearing the Board's thoughts.

Supervisor Axe commented that the High Speed Rail Project was approved by the voters, therefore he is unsure if the Governor can change the will of the voters but does understand the stance taken by Kern County in that the funds should be redirected towards other public transportation projects if possible as bonds were set aside specifically for this issue.

Supervisor Forster also agrees in concept with this suggestion, however he feels a letter should be crafted to meet the objectives of Amador County and includes language stating abandon areas that are not prudent to try to build but redirect the funds towards transportation and actual "on the ground" projects.

Discussion ensued with the following action being taken.

ACTION: Direction given to the Chairman and Vice-Chairman to draft a letter expressing Amador County's objectives based on suggestions made today and bring back to the Board for approval on a future agenda. (The letter should be copied to Assemblyman Bigelow and Senator Borgeas as well as Congressman McIntock)

Chamber of Commerce: Discussion and possible action regarding Transient Occupancy Tax (TOT) funds request.

Mr. Rich Hofmann, Chamber of Commerce Chairman, addressed the Board and summarized his memorandum which is hereby incorporated into these minutes as though set forth in full. He stated the Amador County Chamber strives to be an advocate for business, serve as the primary catalyst for a vibrant economy that stimulate and retains jobs, and be the champion to create strong communities for the Amador County Area, resulting in an enhanced quality of life. He stated the Chamber is requesting \$48,000 for the reinvestment of the Transient Occupancy Tax (TOT) for 2019. He continued by stating the Chamber will use funds received from the County of Amador to accomplish the following three key areas:

- Economic Development-\$30,000.00
- Promotion-\$8,000.00
- Education-\$10,000.00

Supervisor Forster took this time to comment on the component of Economic Development outlined in the plan that Mr. Hofmann presented today which is specific to Economic Gardening. He stated he feels this is a viable project that could be successful and would possibly generate business development and revenue for the County. He also suggested the Chamber may wish to include ethics training within the Education component included in the proposal, along with sexual harassment which is already mentioned.

Supervisor Crew questioned if the Cities have been presented with this plan as they also receive TOT monies. Mr. Hofmann responded by stating he will be presenting at a future Jackson City Council meeting, however has not had the opportunity to schedule time with the other Cities as of now.

Supervisor Axe took this time to express some disappointment in the lack of communication between the Chamber of Commerce and the County regarding this proposal. He pointed out that he has been attending Chamber meetings as a liaison for some time and has met personally with Mr. Hofmann and shared some common ideas for stimulating economic development in the County, however today is the first time he has seen or heard of the suggested proposal. Supervisor Axe continued by stating he feels that if a request for public funds is being made to stimulate economic development which can completely change a community, there needs to be some oversight from the elected body of the County and an effort should be made to coordinate with what the County has been working on to achieve the same goal. Supervisor Axe continued by stating he is hopeful the Chamber and the County can work together going forward.

Mr. Hofmann stated it was not the intention of the Chamber to be disrespectful and advised the intention of the Chamber is to augment the County efforts in economic development and not interfere in any way. He pointed out that the Chamber would like to work synergistically with the County moving forward.

Supervisor Oneto pointed out that an agenda topic that will be discussed later in today's meeting could potentially result in the Board voting to spend \$38,000 towards staffing costs to stimulate economic development, therefore he is hesitant to approve a \$48,000.00 allocation to the Chamber.

Supervisor Forster noted it is his opinion that whatever efforts or projects are set in place by the County will only compliment the Chamber and make economic development possibilities more successful and vice-versa.

Discussion ensued with Supervisor Axe suggesting the County work with the Chamber representatives to facilitate meetings with other entities such as Central Sierra Economic Development District and Motherlode Job Training to discuss options and draft a plan of how to fully integrate and accomplish goals moving forward.

The following action resulted.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Crew, seconded by Supervisor Axe and carried to allocate \$35,000.00 in 2019 Transient Occupancy Tax funds to the Chamber of Commerce.

Ayes: Supervisors Crew, Axe, Oneto and Brown

Noes: Supervisor Forster

Amador Resource Conservation District (ARCD): Presentation by Ms. Amanda Watson regarding an update on current projects.

Ms. Amanda Watson, ARCD District Manager, addressed the Board and provided an update on recent projects the ARCD has been working on as well as some new projects intended for the new fiscal year. Some projects she mentioned were, but no limited to:

- Tree Mortality Landowners Assistance
- Three Meadows Restoration in the El Dorado Forest (Upper Onion, High Onion and Tyler Meadow).
- Amador Range Lands Soil Health Resource and Education Project which will study compost application on range land.
- Educational Projects such as Farms of Amador, California Forestry Challenge, ACRA Community Garden and the newly formed Amador Farms Guild.

Ms. Watson continued by stating one of the primary goals of the ARCD is to bring monies into Amador County (typically by grant funding) to be utilized to help private landowners to work on natural resource issues and management. She concluded by thanking the Board for their continued support and partnership. The Board in turn expressed their gratitude to Ms. Watson and her Board for their work on the Tree Mortality Task Force as well as many other valuable projects.

ACTION: Presentation only.

Administrative Agency: Discussion and possible action relative to a recommendation by the CAO to appoint George Allen as the County Surveyor upon the retirement of Steve Zanetta on April 26, 2019 and to change the operating practices of the Surveying Department.

Mr. Chuck Iley, County Administrative Officer, addressed the Board and summarized his memo relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary, he stated the current County Surveyor, Mr. Steve Zanetta, is retiring at the end of April. Mr. Iley is proposing to replace him with a part-time surveyor that would work approximately 15-20 hours per week. Mr. Iley continued by noting the Mr. George Allen, the County Surveyor prior to Mr. Zanetta, has expressed interest in taking on the part-time work. However, he continued by stating, due to the Public Employees' Pension Reform Act (PEPRA) restrictions the position of Surveyor is considered professional in nature and as such a retired annuitant would not be eligible to be hired on a permanent part-time basis without being in violation and potentially being required to repay PERS benefits they have received to date. A CalPERS retiree under Government Code Section 21221(h) requires an active, publicly posted recruitment for a permanent replacement, therefore Mr. Iley is seeking Board approval today to advertise for a part-time Surveyor. In the meantime, a resolution will be prepared approving the appointment of Mr. Allen to fill the position on a temporary basis not to exceed one year or 960 hours and expiring on May 14, 2020, if at the end of one year a permanent solution has not been found, Mr. Zanetta has indicated he may be willing to come back on a part time basis at that time. However, if he chooses not to accept the position in that capacity, other long term solutions will be researched at that time.

ACTION: Direction given to staff.

Administration Agency: Discussion and possible action relative to the assignment of duties to assist economic development activities in Amador County.

Mr. Chuck Iley, County Administrative Officer, addressed the Board and summarized his memo relative to this matter which is hereby incorporated into these minutes as though set forth in full. Mr. Iley stated the Economic Development Ad-Hoc Committee is recommending that the functions of an Economic Development Director be taken on by current staff rather than by hiring an additional County Employee. He continued by stating the duties would be assigned to the General Services Director, which would be assisted by the current staff. It is anticipated that the General Services Director and the Senior Administrative Analyst would each utilize approximately 10% of their time in pursuit of economic development and grants, and this amount would be reflected in a separate budget to be approved at a future meeting. Both employees, plus the Purchasing Assistant, would receive 7% stipends for the increased duties. With these cost increases, plus the shift of costs, the cost to the General Fund would increase by approximately \$38,000 annually. He noted to effectuate the change, the Board will need to approve new resolutions for both the Management and Confidential Units.

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 Forster and unanimously carried to approve the proposal set forth by the Economic Development Committee; approve the new job descriptions for the General Services Director and the Purchasing Manager; and approve the following Management and Confidential Employee Resolutions.

RESOLUTION NO. 19-039

Resolution regarding salaries and fringe benefits for Confidential Employees

RESOLUTION NO. 19-040

Resolution relative to salaries and fringe benefits for Management Employees

Minutes: Review and possible approval of the April 9, 2019 Board of Supervisors Meeting Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew and unanimously carried to approve the April 9, 2019 Board of Supervisors Meeting Minutes with minor corrections.

****PUBLIC HEARING **10:30 A.M.****

Amador County Recreation Agency: Discussion and possible action relative to a Public Hearing to consider:

1. Adoption of the updated Park Impact Fee Nexus Study; and
2. Adoption of a Resolution to implement the revised Park and Recreation Impact Fees in accordance with the approved Nexus Study; and discussion and possible action relative to adoption of Memorandum of Understanding among the County of Amador, the Cities of Amador City, Ione, Jackson, Plymouth and Sutter Creek, The Amador County Unified School District and the Amador County recreation Agency.

Mr. Greg Gillott, County Counsel, addressed the Board and stated unrelated to item itself an issue was related about a fee to applicable accessory dwelling units. Recommendation is to put this over and direct staff to look into whether or not we should have a separate category for those types of construction and bring back to the Board.

Chairman Oneto opened the public hearing at this time. Hearing no comment the following action resulted.

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

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

ACTION #2: Direction given to staff to research specific categories for accessory dwelling units and bring back to the Board for a public hearing at a future meeting, date not yet determined.

ADJOURNMENT: Until Tuesday, May 14, 2019, at 8:30 a.m.

April 23, 2019 Consent Minutes

- 7.a. Assessor: Approved Secured Roll Correction - Upon additional information submitted by Taxpayer, it was determined no value change for the change in control of the legal entity.
- 7.b. Administrative Agency: Approved Resolution approving the dissolution of County Service Area #3 (LAFCO Project #303) **Resolution #19-042**
- 7.c. Environmental Health: Adopted Resolution authorizing the Chairman of the Board to execute all LEA Enforcement Assistance Grant documents, including but not limited to applications, agreements, amendments and requests for payment, necessary to secure grant funds from CalRecycle and implement the approved grant project for a period of 5 years.
Resolution #19-043
- 7.d. General Services Administration: Approved Resolution deeming APN 011-050-026 as surplus property and selling the parcel to Gary Hartwick, Trustee of the Gary Hartwick Revocable Living Trust-2014 in the amount of \$4,000.00. (1.59+/- Acres).
Resolution #19-044
- 7.e. Public Works: Adopted Resolution Adopting the Fiscal Year 19/20 Senate Bill 1 (SB 1) Project List and direct staff to submit FY 19/20 project list and supporting documentation to the California Transportation Commission by May 1, 2019. **Resolution #19-045**
- 7.f. Sheriff's Office: Approved Resolution Authorizing the County to Apply for and Accept, if Awarded, for FY 19/20 the Boating and Safety and Enforcement Financial Aid Program Funding from the California Department of Parks and Recreation, Division of Boating and Waterways In the Anticipated Amount of \$104,136.00, and Authorization to Participate in the Program. **Resolution #19-046**
- 7.g. Social Services: Approved Resolution appointing Joseph P. Malki as Amador County Administrator, Public Guardian/Conservator and Paul Blake as Deputy Administrator, Public Guardian/Conservator. **Resolution #19-047**
- 7.h. Social Services: Adopted Resolution Honoring Patty Sweet upon her retirement from the Department of Social Services after fourteen years of service to Amador County.
Resolution #19-048
- 7.i. Area 12 Agency on Aging: Approved Administrative Match Agreement for FY 2019-2020 and Request for funds per the agreement.
- 7.j. Area 12 Agency on Aging: Approved Amendment to "Joint Powers Agreement between the Counties of Amador, Calaveras, Tuolumne and Mariposa for the purpose of sponsoring the Area Agency on Aging to implement the Older Americans Act as amended"
- 7.k. Building Department: Adopted Resolution and Agreement for a Limited Density Owner-Built Rural Dwelling / LD01026-SANFORD. **Resolution #19-049**
- 7.l. Building Department: Adopted Resolution and Agreement for a Limited Density Owner-Built Rural Dwelling / LD01025-WHITNEY, NEWMAN & CLEMENT. **Resolution #10-050**
- 7.m. Building Department: Adopted Resolution and Agreement for a Limited Density Owner-Built Rural Dwelling / LD01027-Casterson. **Resolution #19-051**
- 7.n. Public Health: Approved FY 2018-2019 TB Real-time Allotment Agreement #1803R-TA01 from the California Department of Public Health, Tuberculosis Branch. The allotment funds are to support TB prevention and control activities in FY 2018-2019 in Amador County.

- 7.o. Central Sierra Economic Development District: Approved Appointment of Jamie Armstrong as the Citizen Member on the subject board.

ADDENDUM #1

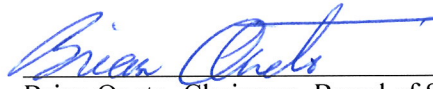
- 7.p. Social Services: Approved Authorization to Back-fill one Administrative Assistant I/II/III position to replace an employee who has resigned effective May 17, 2019. This is a Merit System position and their standards and guidelines must be followed.

ADDENDUM #2

- 7.q. Agriculture Department: Authorized Agreement for lease of Placer County weight truck.

ADDENDUM #3

- 7.r. Veterans Services: Approved the Chairman's signature on County Support letters needed for CVSO Subvention Increase



Brian Oneto, Chairman, Board of Supervisors

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



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