

Amador County Board of Supervisors ACTION MINUTES

REGULAR MEETING

DATE: Tuesday, July 9, 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 as Chairman Oneto recused himself to avoid any perceived conflict of interest issues due to his family owning property adjacent to the Buena Vista Rancheria Casino site. 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 regarding the following concerns:

1. Is the County still working on securing a lighting specialist to look into concerns he has with excessive lighting, especially at night. Mr. Chuck Iley, County Administrative Officer, responded by stating he is still working on this issue.
2. Will the directional signs be placed on Highway 88 and Buena Vista Road that would refer to the Buena Vista Rancheria, but not make reference to the Buena Vista Casino specifically, be put in place soon? Mr. Chuck Iley, County Administrative Officer, responded by stating he has directed staff to move forward with this project, but is unsure how quickly Caltrans will respond and complete the project.
3. Mr. May inquired if the Ad Hoc Committee that was appointed to research the possibility of a .5 cents sales tax initiative will provide notice of their meetings to the public. He also requested a copy of the June 25th Minutes where the matter was discussed when they are approved as Final by the Board later in today's agenda. Mr. Greg Gillott, County Counsel, responded by stating it is not legally required to notice Ad Hoc Committee Meetings, however if any matters of substance are discussed or suggested, the public would have an opportunity to provide input in an open meeting format.

Chairman Oneto joined the meeting at this time and the Board convened into Closed Session to hear the following matter.

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

ADDENDUM-One Case

ACTION: Direction given to staff.

REGULAR SESSION: At 9:00 a.m., the Board convened into regular session. Vice-Chairman Crew reported the above issue 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**.

Grand Jury: Ms. Meredith Marlin, Former Grand Jury Foreperson, took this time to advise the Board that the Grand Jury Report is complete and has been posted online. She inquired as to how the Board would prefer the Report be presented in the future. Ms. Marlin was advised that the Board would appreciate the Report be presented in an Open Board Meeting and accompanied by a formal letter to be presented to the Board for response. It was noted that statute dictates the Board should receive the Report 72 hours prior to the public.

Buena Vista Casino Issues: Mr. Bill May, District II resident took this time to refer to an email that he recently sent the Board regarding whether or not the Board has approached the Tribe and asked them to front funds for road repairs, rather than waiting for 2021 or after the traffic counts are completed. Mr. Chuck Iley, County Administrative Officer, responded by stating the impact fees cannot be used for road repairs, they can only be used for capacity improvements. Mr. Greg Gillott, County Counsel added that this issue was addressed in part in the original ISA and further clarified in the amendment. He noted that the Board has concurred that monies received will go towards Jackson Valley Road improvements as a first priority.

AGENDA: Approval of agenda for this date; any and all off-agenda items must be approved by the Board (pursuant to §54954.2 of the Government Code.)

Chairman Oneto advised the following item has been added as an Addendum to Closed Session for today's date:

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

One Case

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 amended above.

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)

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

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

REGULAR AGENDA

Amador Water Agency: Presentation by the Amador Water Agency on the occasion of their 60th Anniversary; and adoption of a Resolution to commemorate this event.

Mr. Gene Mancebo, AWA Executive Director, addressed the Board and provided an informative presentation regarding the history of Amador Water Agency.

Mr. Paul Molinelli Jr., expressed his gratitude to the Board for their cooperation and assistance in certain projects over the years.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew and unanimously carried to adopt the following resolution recognizing the Amador Water Agency on the occasion of their 60th Anniversary.

Supervisor Oneto then presented the Resolution to Mr. Gene Mancebo, AWA Executive Director, and Members of the AWA Board present.

Supervisor Oneto did note for the record that adoption of this Resolution does not take favor or otherwise opinion regarding the findings outlined in the 2018 Grand Jury Report relative to the Amador Water Agency.

RESOLUTION NO. 19-077

Resolution recognizing the Amador Water Agency on the occasion of their 60th Anniversary.

Code Enforcement: Discussion and possible action relative to the status of direction given at an Administrative Abatement Hearing originally held on December 18, 2018 specific to abatement of junk and non-motorized recreational trailer violations existing on APN 031-03-002 in Pioneer California. The subject property is located at 15790 Schaefer Ranch Rd., Pioneer, CA 95666.

Ms. Michelle Gallaher, Code Enforcement Officer, addressed the Board and summarized this matter by providing a history and update to this case. A complete synopsis is hereby incorporated into these minutes as though set forth in full.

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 adopt the Findings and Recommendation Regarding Administrative Abatement Action of the Amador County Administrative Abatement Hearing Board and move forward with the Order for Administrative Abatement of Violations as presented.

General Services Administration: Update on Drytown Cemetery and direction to staff as to whether or not to allocate resources to address weed abatement and weather related damage at the Drytown Cemetery and/or whether the current fee schedule for the Drytown Cemetery should be updated.

Mr. Jon Hopkins, General Services Director, summarized his memorandum relative to this matter which is hereby incorporated into these minutes as though set forth in full. He stated the need for a burial plot and cemetery access this June highlighted a couple of matters associated with Drytown Cemetery that have prompted this update to the Board. The first relates to fire danger due to unmanaged weeds and when access is required during warm dry months. There is currently no mechanism in place to address weed abatement or weather related damage such as fallen tree limbs at the cemetery. To mitigate the fire hazard for the most recent funeral, County staff weeded the walk up to an around the gravesite as well as an area outside the cemetery to accommodate the parking of 25 vehicles for the family and friends attending the graveside service. Mr. Hopkins continued by pointing out that the current fee schedule for Drytown Cemetery, as defined in Resolution #05-304, is \$200-\$250 lower for a single plot than either Pine Grove or Lone cemeteries.

Mr. Hopkins stated the issue before the Board today is whether or not to allocate resources to address weed abatement and weather related damage at the Drytown Cemetery and/or, find the current fee schedule for the Drytown Cemetery should be updated. He pointed out that currently the fee is \$500.00 for a single plot, \$1,000 for a double plot and \$250.00 for a plot for cremated remains.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Crew seconded by Supervisor Axe and carried to increase the plot fees on all plot types by 20%.

Ayes: Supervisors Crew, Axe, Oneto and Brown

Noes: Supervisor Forster

***Supervisor Forster substantiated his vote by stating he does not feel an increase is warranted as there has only been two burials in the cemetery since 2005, and any additional monies collected will not be solely applied to the needs of the Drytown Cemetery but distributed to Pine Grove and Lone as well.**

General Services Administration: Discussion and possible action relative to a Projects Update-January 2019 through the end of June 2019.

Mr. Jon Hopkins, General Services Director, addressed the Board and summarized his report which is hereby incorporated into these minutes as though set forth in full. He noted that Facilities received 1,137 e-mail requests generating approximately 403 work orders during the period of January 1st through, June 28, 2019. The report does not include preventative or annual maintenance efforts or associated administrative work conducted by the Facilities Division and is intended to focus on updating the Board on those projects discussed during the Board of Supervisors' meeting on February 27, 2018. The report also includes a summary of existing projects and unanticipated work during this reporting period. He specifically addressed the Library asbestos abatement and ADA renovations which was placed on hold while Supervisor Forster sought out possible alternatives for the work. He stated on April 5, 2017, Mark Olivarría met with Larry White with the Jackson Rancheria. At this time General Services will move forward with securing an architect for this project and keep the Board apprised of progress as it moves forward.

Further discussion ensued with the following action being taken.

ACTION: General Services will provide bi-monthly informal reports to the Board Members via e-mail and present another complete report at a Board Meeting in January 2020.

Minutes: Discussion and possible action relative to approval of the June 25, 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 June 25, 2019 Board of Supervisors Meeting minutes with minor corrections.

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

Chairman Oneto recused himself from this matter to avoid any potential conflict of interest issues.

Planning Department - (Continued from June 25, 2019) Discussion and possible action concerning an appeal of the Planning Commission's determination that the use of the appellants' property is commercial in nature and violates County Code Section 19.24.040, (permitted uses in the Residential Estates zoning district). The subject property is located at 17042 Robinson Road in Sutter Creek, CA (APN 042-080-015).

Mr. Chuck Beatty, Planning Director, addressed the Board and stated the applicant was unable to attend the hearing today and has requested to continue this Public Hearing to November 12th, 2019 at 10:30 a.m. He noted staff has no objection to this request.

Chairman Oneto opened the Public Hearing at this time. Hearing no comment the following action was taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Brown and unanimously carried to continue the Public Hearing to November 12, 2019 at 10:30 a.m. The Planning Department will provide notice to the applicant of the continuance and advise that there will be no further continuances granted.

Ayes: Supervisors Axe, Forster, Brown and Crew

Noes: None

Recused: Supervisor Oneto

Supervisor Oneto returned to the meeting at this time.

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 11:00 a.m., the Board convened into closed session. 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: Update only.

Confidential Minutes: Review and possible approval of the June 11, 2019 and May 28, 2019 Confidential Minutes.

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to approve the June 11, 2019 Confidential Minutes.

At approximately 11:10 a.m., Supervisor Oneto left the closed session meeting to avoid any perceived conflict of interest issues due to his family owning property adjacent to the Buena Vista Rancheria Casino site.

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

Buena Vista Rancheria

ACTION: Update given.

REGULAR SESSION: At 11:30 a.m., the Board convened into regular session. Vice-Chairman Crew reported the above issues were reviewed in closed session.

ADJOURNMENT: Until Tuesday, July 23, 2019, at 8:30 a.m.

July 9, 2019 Consent Minutes

- 6.a. Amador County Office of Education Tax and Revenue Anticipation
Approval - Notified Amador COE that Amador County will not authorize the issuance of the TRANS of Amador COE within the 45 day Period, which will allow ACOE to issue TRANS on their own behalf.
- 6.b. Board of Supervisors: Approved Resolution declaring a Local State of Emergency in Amador County due to Pervasive Tree Mortality. (Original resolution adopted on February 23, 2016 and updated on September 13, 2016, February 28, 2017 and January 9, 2018.)
Resolution # 19-078
- 6.c. Building Department: Approved Resolution Authorizing Recordation of Agreement to construct a Limited Density Owner-Built Rural Dwelling / LD01028-Roulet
Resolution # 19-079
- 6.d. General Services Administration: Approved Resolution Declaring Personal Property as Surplus. Including declaring all property listed on Attachment A as surplus property and authorizing the sale of surplus property in accordance with Government Code Section 25504 at public auction utilizing Public Surplus and; authorizing the disposal of any remaining surplus property having no value as deemed by the Purchasing Agent.
Resolution # 19-080
- 6.e. Assessor: Approved Agreement for Service of Special Counsel, for Leask/Howard/Unmin /Specialty Granules Properties
- 6.f. General Services Administration: Approved Community Hangar License Agreement (Hangar E-5) and authorized the Chairman to sign the Hangar License Agreement
- 6.g. Sheriff's Office: Approved Maintenance Agreement renewal with Delta Wireless for maintenance coverage 07/01/19-06/30/20.
- 6.h. Sheriff's Office: Approved Agreements with Calaveras County Jail and Nevada County Jail for the confinement of Amador County inmates.
- 6.i. General Services Administration: Dispensed with the formal RFP procedure and approved the outright purchase of nineteen (19) copiers listed on Exhibit B in an amount of \$84,127.25 and authorized the Budget Director to decrease affected department's expenditure line items in the Final Budget by the amount shown in Exhibit B (lease payments) and increased the Support Services (7820) line item (52251 copier pool) for fiscal year 19/20 budget to pay for copiers listed on Exhibit B and; approved the General Services Director to sign leases for nine (9) copiers and the maintenance contract for a total of Twenty-Eight (28) copiers (multifunctional devices-MFD's) with Ray Morgan Company.
- 6.j. General Services Administration: Approved the First Amendment with Nexus Youth & Family Services for Aggression Replacement Therapy (ART) and 180 You Turn program services to assist within Amador County for an additional year at the same annual budget and scope of work.
- 6.k. General Services Administration: Authorized the GSA Director, Assessor and County Counsel to negotiate final terms and conditions and develop a contract based upon the Sample Contract and Secureone Outsource Solutions proposal dated March 5, 2019. Approved the Board Chairman to sign said contract for the Assessor's conversion of paper documents to electronic contingent upon agreeable terms and conditions with Secureone

Outsource Solutions. Award of RFP 19-01 Conversion of Paper Documents to Electronic to Secureone
Outsource Solutions for the Assessor, in an amount not to exceed \$27,588.00 for the approximate 24,000 files

- 6.l. Human Resources: Approved Side Letters between the County of Amador and SEIU Local 1021 - Contract Extension, expenses related to dress requirements for SEIU members in the Sheriff's office and Probation Offices, and an addition of one class to classes eligible for automatic progression.
- 6.m. Human Resources: Established the series of Community Development Technician and reclassify current employees into the following classifications/ranges:
Community Development Technician I - Range 1723, salary \$21.81-26.51/hr.
Community Development Technician II - Range 1941, salary \$23.99-29.16/hr.
Community Development Sr. Technician - Range 2179, salary \$26.37-32.05/hr.
and authorized reclassification of current employees, J. Riley, E. Williams and J. Dunklee, to these existing classifications retroactive to July 1st, 2019.

ADJOURNMENT: UNTIL TUESDAY, JULY 23, 2019 AT 9:00 A.M. (CLOSED SESSION BEGINS AT 8:30 A.M.)



BRIAN ONETO, Chairman, Board of Supervisors

ATTEST:

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



**Staff Contacts: Chuck Iley, County Administrative Officer
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