

**Amador County Board of Supervisors
ACTION MINUTES**

REGULAR MEETING

DATE: Tuesday, May 12, 2020
TIME: 9:00 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:

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

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.**

REGULAR SESSION: At 9:00 a.m., the Board convened into regular session. Chairman Crew advised the following items were heard in Closed Session.

Conference with Labor Negotiators: County Negotiators: Greg Gillott, County Counsel; Chuck Iley, County Administrative Officer, Lisa Gaebe, Interim Human Resources Director

ACTION: Update given.

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

Claim of Ashley Soares

ACTION: Claim denied pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to deny the subject claim due to liabilities and damages being disputes.

Claim of Richard Rider

ACTION: Claim denied pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Axe and unanimously carried to deny the subject claim due to liabilities and damages being disputed.

Confidential Minutes: Review and possible approval of the April 28, 2020 Confidential Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Brown and unanimously carried to approve the April 28, 2020 Confidential Minutes.

PLEDGE OF ALLEGIANCE: Chairman Crew 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**.

COVID-19 Update: Dr. Rita Ker, Amador County Public Health Officer, took this time to provide an update relative to the COVID-19 situation in Amador County. Dr. Kerr summarized the statistics regarding current case numbers and testing being done on individuals within the County. She also noted the Amador County Stay-at-Home Order will expire today, May 15, 2020 and at this time she is not planning to extend it. However, Amador County will remain under the State Health Officer's Stay-at-Home Order updated on May 7th for the entire state. That order continues to restrict non-essential travel and prohibit gatherings. Dr. Kerr stated as the community reopens as allowable according to State 2 of the State's Resilience Roadmap, Amador County Public Health will remain vigilant in monitoring COVID-19 in the county. Dr. Kerr encouraged those interested in reviewing the State's Resilience Roadmap to visit www.covid19.ca.gov.

County Counsel: Mr. Greg Gillott, County Counsel, addressed the Board and stated at a previous Special Meeting of the Board of Supervisors there was some discussion about expressly contradicting the State Order and moving ahead with opening up businesses throughout the County beyond what is allowable in the Order. Mr. Gillot pointed out the Counties of Yuba, Modoc and Sutter have taken a similar approach and recently were reprimanded by the Governor and advised they could be at risk of losing eligibility for federal funding for the COVID-19 crisis. Mr. Gillott cautioned the Board and urged them to consider the ramifications prior to condoning a full re-opening of the County at this time. He also mentioned other risks could include liability exposure resulting in damage claims being filed by individuals or businesses who assumed they were in some way immune to state action which could result in them claiming an array of impacts such as loss of state licenses or even wrongful death. He noted Counties cannot go beyond or contradict what is a general state law and case law is clear that general laws are laws that effect the entire state and public health issues are considered general law.

Moment of Silence: Supervisor Oneto requested a Moment of Silence be taken in honor and remembrance of long time Amador County resident, Mitch Lubenko who passed away on April 26, 2020.

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 Axe, seconded by Supervisor Brown, 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)

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to approve the Consent Agenda as presented.

Retirement Resolution: Discussion and possible action relative to adoption and presentation of a Resolution recognizing Noel Dunne for his 34 years of service to Amador County.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Brown and unanimously carried to adopt the following resolution recognizing Noel Dunne for his service to Amador County. Chairman Crew then presented the Resolution to Mr. Dunne.

RESOLUTION NO. 20-068

Resolution recognizing Noel Dunne for his service to Amador County.

Board of Supervisors: Introduction and Adoption of a Resolution authorizing the appointment of Roger Pitto as Amador County Surveyor.

Mr. George Allen, Interim County Surveyor, took this time to introduce Mr. Roger Pitto.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to adopt the following Resolution appointing Mr. Roger Pitto as Amador County Surveyor.

RESOLUTION NO. 20-061

Resolution authorizing the appointment of Roger Pitto as Amador County Surveyor

Small Business Relief Plan: Discussion and possible action relative to creating a small business relief plan to assist struggling businesses and encourage the retention of jobs in the county.

Supervisor Axe introduced this matter and stated he is hopeful the Board can research the possibility of providing assistance to struggling businesses impacted by the closures due to the COVID-19 pandemic. He referred to the plan which has been implemented in Sutter Creek. Supervisor Axe suggested the funding could possibly be taken from contingencies or reserves. He also suggested that specific need of the businesses would have to be determined, perhaps focusing on business that are slated to reopen in Phase II or III and not yet received state for federal loans.

Chairman Crew opened the discussion to the public at this time. The following individual wished to speak.

Mr. Jim Giuffra, District V resident, urged the Board to consider a ninety (90) day moratorium for fees that may be required of businesses needing to restructure or rebuild to better comply with the business plan needed for the reopening requirements.

Discussion ensued with the following action being taken.

ACTION: Direction given to refer this matter to the Land Use Committee (Supervisors Axe and Forster) to work on developing a plan to financially assist small businesses impacted by the COVID-19 situation and bring back to the full Board at a subsequent meeting for discussion and possible action. It was also suggested the Committee look at possibly reducing or eliminating certain fees for businesses that find it necessary to restructure or change their business model to accommodate with new requirements of doing business. (Similar to what was done in 2008 as a result of the recession)

Administrative Agency: Discussion and possible action relative to a request for reallocation of realignment revenue per section 17600.20(a) of the Welfare and Institutions code. Requested transfer of \$26,142.50 from Social Services realignment and \$26,142.50 from Mental Health realignment for a total of \$52,285.00 to Health realignment. State rules allow an annual transfer of up to 10% between realignment funds, but requires a public meeting to do so.

Chairman Crew opened this matter to public comment at this time. Hearing none the following action was taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Brown and unanimously carried to approve the following Resolution approving the transfer of funds from the Mental Health Realignment Trust Fund and the Social Services Realignment Trust Fund for the Health Realignment Trust Fund for the Fiscal Year 2019/2020.

RESOLUTION NO. 20-069

Resolution approving the transfer of funds from the Mental Health Realignment Trust Fund and the Social Services Realignment Trust Fund for the Health Realignment Trust Fund for the Fiscal Year 2019/2020.

Minutes: Review and possible approval of the April 28, 2020 Board of Supervisors Meeting Minutes.

Direction given pursuant to the following motion.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to approve the April 28, 2020 Board of Supervisors Meeting Minutes with minor corrections.

May 12, 2020 Consent Minutes

- 6.a. Approved a Budget increase request of \$159,879.00 to the Grants budget for the Public Safety Power Shutoff Grant.
- 6.b. Approved of Internal Control Manual and Shortage/ Closure of Sheriff's Office Petty Cash Fund
- 6.c. Approved a Resolution declaring a Local State of Emergency in Amador County Due to Pervasive Tree Mortality
Resolution 20-062
- 6.d. Approved of two Resolutions Extending the Declaration of a Local Health Emergency in Amador County due to COVID-19 issued by the Amador County Health Officer on March 12, 2020; and Extension of the Proclamation issued by the Director of Emergency Services on March 17, 2020.
Resolutions 20-063, 20-064
- 6.e. Awarded RFP 20-08 to the El Dorado County Sheriff's Office and authorized the Undersheriff and County Counsel to negotiate final terms and conditions based upon the Sample Agreement and the El Dorado County Sheriff's Office proposal dated April 9, 2020 for a period of five (5) years. Additionally, approved for the Board Chair to execute said agreement with the El Dorado County Sheriff's Office contingent upon agreeable terms and conditions.
- 6.f. Approved of the Third Amendment for Fuel Services with Hunt & Sons, Inc. for fuel Services at the Amador County Airport.
- 6.g. Approved the Purchase of four (4) 2021 Interceptors utilizing the City of Sacramento contract B19153311005 with Downtown Ford in an amount not to exceed \$198,904.06 from Downtown Ford and; Approved the Budget Transfer from the Motor Pool Replacement Fund to the Motor Pool budget by \$52,635.10
- 6.h. Approved of the 2020 MPTS Property Tax System Maintenance Support Agreement for the Assessor's office.
- 6.i. Awarded RFP 20-03 to Cal Engineering and Geology, Inc. in an amount not to exceed \$50,000.00 for a three (3) year period and an addendum in an amount not to exceed \$50,000.00 for environmental and permitting services if needed and Authorized the Public Works Director and County Counsel to negotiate final terms and conditions and develop a contract based upon the Sample Agreement, Cal Engineering and Geology, Inc.'s proposal dated February 20, 2020 and RFP 20-03. Additionally, approved for the Board Chair to execute said agreement with Cal Engineering and Geology, Inc. contingent upon agreeable terms and conditions.
- 6.j. Awarded RFP 20-09 to Ascent Aviation Group, Inc. a subsidiary of World Fuel Services, Inc. and authorized the Airport Manager and County Counsel to negotiate final terms and conditions based upon the Sample Agreement and Ascent Aviation Group, Inc. a subsidiary of World Fuel Services, Inc. proposal dated April 2, 2020 for a period of five (5) years. Additionally, approve for the Board Chair to execute said agreement with Ascent Aviation Group, Inc. a subsidiary of World Fuel Services, Inc. contingent upon agreeable terms and conditions.
- 6.k. Approved Purchase Agreement with Sunrise Square Corporation (APN: 030-200-077); and Authorized Chairman to sign agreement, certificates of acceptance for each deed, and escrow instructions.
- 6.l. Approved Purchase Agreement with Pine Grove Community Services District (APN 030-200-030) and Authorized Chairman to sign agreement, certificates of acceptance for each deed, and escrow instructions.
- 6.m. Approved Purchase Agreement with Brandi White (APN: 014-240-068); and Authorized Chairman to sign agreement, certificates of acceptance for each deed, and escrow instructions.

- 6.n. 1. Adopted a resolution accepting the 2018 / 2019 County Dig-Outs Project Buena Vista Road and Stony Creek Road Project as complete;
2. Proposed Final Estimate and authorize Chairman to sign Contract Change Order No. 1;
3. Authorize Chairman to sign Agreement and Release of Claims with Tom Mayo Construction Inc.
Resolution 20-065
- 6.o. 1. Adopted a resolution accepting the Curran Road Hot Mix Asphalt Overlay Project (PM 0.00 to 1.00) as complete;
2. Proposed Final Estimate and authorize Chairman to sign Contract Change Order No. 1;
3. Authorize Chairman to sign Agreement and Release of Claims with George Reed, Inc.
Resolution 20-066
- 6.p. 1. Adopted a resolution accepting the Camanche Road Hot Mix Asphalt Overlay Project (PM 2.95 to 4.29) as complete;
2. Proposed Final Estimate and authorize Chairman to sign Contract Change Order No. 1;
3. Authorize Chairman to sign Agreement and Release of Claims with George Reed, Inc.
Resolution 20-067
- 6.q. Approved of modifications to the Job Description of the Chief District Attorney Investigator
- 6.r. Approved of the modification of the Human Resources Technician job description in order to more accurately reflect the duties and requirements of the position. The salary will not change. This position is currently vacant, but will be advertised following approval with the revised description.
- 6.s. Township 2 Cemetery Board: Approved the Reappointment of Donald Slayton & Donald Smith to the subject Committee each for four (4) year terms
- 6.t. Historic Cemeteries Board: Approved the Reappointment of Joseph Lagomarsino, Barbara McMahon, Cynthia Cass, Carolyn Fregulia, and Sabeth Ireland to the subject commission, all for 2 year terms.
- 6.u. Commission on Aging: Approved the Appointment of Ms. Colly Pearson to the subject committee.

ADJOURNMENT: Until Tuesday, May 12, 2020 at 8:30 a.m.



PATRICK CREW, Chairman, Board of Supervisors

ATTEST:

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

