

**Amador County Board of Supervisors
ACTION MINUTES**

REGULAR MEETING

DATE: Tuesday, July 28, 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 Real Property Negotiators: County Negotiators: Charles T. Iley, County Administrative Officer; Jon Hopkins, General Services Director

Property: APN 020-410-006-000-1001 Broadway, Jackson
Negotiation Parties: Mr. Tom Blackman, Coldwell Banker for Jean & Traute Capadarest
Under Negotiation: Terms and Conditions to consider lease.

ACTION: **Direction given to staff.**

Property: APN 044-010-016 (State of California-.54 acres)
APN 044-020-016 (County of Amador-7.63 acres) 12181 Airport Road
Negotiation Parties: Ms. Beth Stanton, Executive Director
Under Negotiation: Interfaith Council of Amador (ICA) (Food Bank) Property Improvements

ACTION: **Direction given to staff.**

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

ACTION: **Update given.**

Conference with County Counsel: Initiation of Litigation-Government Code 54956.9 (D) (2)

One Case

ACTION: **Update given.**

The following item was added as an Addendum to the agenda for today's date.

Conference with County Counsel: Anticipated Litigation-Government Code 54956.9 (D) (2)

(Addendum) One Case

ACTION: **No report.**

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

Claim of Buena Vista Rancheria of Me Wuk Indians. Claim #20-11

ACTION: Direction given to staff.

Confidential Minutes: Review and possible approval of the July 14, 2020 Confidential Minutes.

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 July 14, 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**.

Noise Complaints and Code Violations: Mr. John Kincaid, District IV resident, took this time to explain he has received a Notice of Violation from the Sheriff's Department as regarding noise complaints as well as violations from Code Enforcement regarding the condition of his property. Mr. Kincaid is seeking an explanation for these violations as he feels he has not been excessive with noise and the condition of the property has not been an issue until recently. Mr. Kincaid stated he would like guidance as to what can be done to satisfy the regulations and avoid further violations as he operates his business from his property. Supervisor Axe responded by directing Mr. Kincaid to file an appeal to the Board by contacting the Board Clerk, and submitting a written request for appeal along with a \$75.00 appeal fee. The matter will then be placed on an upcoming agenda for discussion and possible action.

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 Crew advised the following item was added to the Closed Session for today's date.

ADDENDUM #1: Conference with County Counsel: Initiation of Litigation- {Government Code 54957.6}

1.a. One Case

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 agenda as amended.

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 Crew advised the following items have been added to the agenda for today's date. (They will be added as items 7p, 7q, and 7r on the Consent Agenda)

#1-Adoption of an Ordinance amending Chapter 10.12 of the Amador County Code regarding parking.

#2-Approval of a Resolution authorizing recordation of Termination of Agreement for construction of a Limited Density Owner-Built Rural Dwelling for James P. Donovan and Saskia Donovan.

#3-General Services Administration: RFQ 20-06 Engineering Design Services for the Buena Vista Landfill Project.

ACTION: Direction given pursuant to the following motion.

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

Assessor's Office: Resolution commending Rich Pember on his years of dedication to the Amador County Assessor's Office and congratulating him on his retirement.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Forster and unanimously carried to adopt the following Resolution commending and congratulating Rich Pember upon his retirement from the County of Amador. Chairman Crew then presented the Resolution to Mr. Pember.

RESOLUTION NO. 20-102

Resolution commending and congratulating Rich Pember upon his retirement from the County of Amador

COVID-19 Update: Update by the Amador County Health Officer, Dr. Rita Kerr, and the Amador County Sheriff, Martin Ryan, on the COVID-19 situation and the progress on the road to reopening Amador County.

Dr. Rita Kerr, Amador County Public Health Officer, joined the meeting via ZOOM and took this time to provide an update of the current status of the COVID-19 situation in Amador County. It should be noted that updates and current statistics can be found at www.amadorgov.org/services/covid-19

ACTION: Presentation only.

Reopen Amador: Presentation by the Reopen Amador Committee (Crew) relative to actions taken and ideas on moving forward in the COVID-19 environment.

Supervisor Crew introduced this item and stated the Reopen Amador Sub-Committee, consisting of Ms. Melissa Haines Lavin, Amador Council of Tourism CEO, Mr. Jack Gorman, Amador Vintners Executive Director and Ms. Jamie Armstrong, Amador Chamber of Commerce CEO, were tasked with developing additional information and public service and educational tools that could be provided to businesses to assist them in complying with State and Local Health Officer recommendations and mandates to facilitate compliance within their own businesses and jurisdictions without relying on law enforcement or ordinances to a certain degree..

Ms. Melissa Haines Lavin addressed the Board via ZOOM and stated the sub-committee has been focusing on developing forms of messaging that is somewhat uniform throughout the County. She noted the Vintners Association has developed a very positive and successful campaign for reopening and therefore the Committee has followed their lead when designing tools for other businesses. Ms. Haines Lavin stated the Committee has adopted the motto “Cover Up and Keep Amador Healthy” which will be utilized on the fliers and banners that are being designed. She suggested the motto is referring to keeping residents and visitors “physically” healthy, but “economically healthy” as well.

Mr. Jack Gorman, Amador Vintners Association, took this time to go over the design of the proposed fliers and educational tools that the Committee has developed. He stated the information will focus on encouraging social distancing, protocols for wearing face coverings and gathering in large groups. He continued by noting these tools will be available to all businesses or individuals in the County that wish to take advantage of them and can be downloaded and printed or sent to a professional printer. Mr. Gorman stated large banners are also being developed that can be utilized by the Cities to place in their downtown area.

Ms. Jamie Armstrong, Amador County Chamber of Commerce, concluded the presentation by stating the Committee has worked efficiently together to develop tools that portray a positive message to try and combat some of the negativity that has been experienced in the community regarding some of the mandates and guidelines being suggested. Overall, the Committee hopes to encourage businesses, as well as visitors and patrons to participate in the needed requirements to ensure our community does not qualify for the Governor’s “watch list”, but rather keep our citizens and businesses healthy and open. Ms. Armstrong also noted the Jackson Rancheria has indicated they may be able to assist in printing a certain quantity of the fliers and the Chamber will deliver to any businesses that are interested free of charge. An e-blast will be sent out as soon as the Board gives their approval to move forward. In addition Ms. Armstrong stated she will encourage the Cities as well as the County to post the links to the fliers and other information so that it can be easily accessed by all that are interested.

ACTION: Presentation only.

Administrative Agency: Discussion and possible action relative to increased education and/or enforcement of the State’s facial covering requirement.

Supervisor Axe, addressed the Board and stated with the number of COVID-19 cases in Amador County, he has had several of his constituents asking that the County do more to improve the facial covering usage by those in public in the County, both in the unincorporated areas and within the cities themselves. Supervisor Axe referred to a recent press release from the District Attorney's Office indicating and discussing what the State has put in place regarding enforcement of face coverings. He stated currently incidents regarding improper use or failure to wear face coverings would be classified as misdemeanors and would therefore affect an individual's permanent record. That prompted discussion and research to determine what can be done with respect to any enforcement activity that would be classified as infractions, not misdemeanors. Supervisor Axe advised the Sheriff and District Attorney have put together a draft document addressing this situation.

Sheriff Martin Ryan addressed the Board and stated Supervisor Axe recently reached out to him regarding an enforcement plan for the Governor's Order and the State Health Officer's Order regarding face coverings and how to gain compliance within the business sectors of the County and implement requirements to be adhered to. Sheriff Ryan stated he reached out to the Sheriff of Tuolumne County who shared the concept that is being utilized there and District Attorney Riebe in turn reached out the Yolo County who has recently adopted an ordinance outlining enforcement. Sheriff Ryan advised he and District Attorney Riebe have taken the information gleaned from both counterparts and drafted some suggestions for the Board to consider. The proposal recommends the creation of a business focused COVID-19 Education Compliance and Enforcement Team within Amador County Public Health in partnership with Environmental Health, which would take a proactive role related to COVID-19 in Amador County pursuant to the Governor's Office and State Public Health Officer's Orders and Guidance. A complete copy of the proposal is hereby incorporated into these minutes as though set forth in full.

Supervisor Axe stated he echoes some of the concerns brought forward by his constituents including but not limited to, threat of schools not reopening, more businesses being shut down or returning to Shelter-In-Place. He feels that another lockdown would be disastrous to local businesses. He continued by noting that he does feel that compliance is gaining ground as more and more cases occur in the County and residents are made more aware of the severity of the virus. He is grateful that we have had no deaths to date in the County and hopes to continue that trend by increasing the effectiveness of compliance tools and regulations. However, he feels some sort of enforcement, such as what the Sheriff has outlined would seem logical at this point.

Mr. Mike Israel, Environmental Health Officer, addressed the Board and stated any complaints that are currently received regarding compliance with the face covering requirements or other State or local Orders relative to COVID-19 are forwarded to his Office and he or his staff follow up and take the appropriate measures to correct the issue. He stated if the issue is not egregious, telephone contact will be made and if it continues or is a serious allegation a site visit will be conducted and the business owner will be made aware of the violation and urged to comply. In his opinion, most businesses are receptive of the information and typically do make the necessary changes to their procedures and expectations. In some cases, he has experienced just lack of understanding or education on the part of the businesses owner is an issue and supports outreach as proposed earlier by the Open Amador Sub-Committee.

Supervisors Oneto, Forster, Brown and Crew indicated they are comfortable with the manner in which non-compliance issues are being handled at this point. They do not feel a heavier hand of enforcement is necessary at this time, rather increased awareness and continued education for the residents, business owners and visitors to Amador County be implemented.

Discussion ensued with the following action being taken.

ACTION: Concurrence of the Board to continue with monitoring the situation as it presents itself now and implement increased education and awareness by utilizing the proposed tools brought forth by the Open Amador Sub-Committee and continued monitoring by Environmental Health staff.

Chamber of Commerce: Discussion and possible action relative to an update by Jamie Armstrong, Chamber CEO, on activities facilitated by the Chamber in the previous fiscal year and a request for release of budgeted funds in the amount of \$20,000 for fiscal year 2020-21.

Ms. Jamie Armstrong, Chamber CEO, joined the meeting via ZOOM and advised Mr. Rich Hofmann, Chamber President, will be addressing the Board this morning. Mr. Hofmann joined via ZOOM and provided an annual update touching on various activities and fundraisers hosted by the Chamber in the last fiscal year. Mr. Hofmann thanked the Board for their continued support of the Chamber and although he recognizes this is an unusual year in terms of funding due to the COVID-19 pandemic and other factors, he respectfully requested the release of the funds in the amount of \$20,000.00.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Brown, seconded by Supervisor Oneto and unanimously carried to release the budgeted funds in the amount of \$20,000.00 for fiscal year 2020-21 to the Amador County Chamber of Commerce.

Minutes: Discussion and possible action relative to review and possible approval of the July 14, 2020.

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 July 14, 2020 Board of Supervisors Meeting Minutes with minor corrections.

ADJOURNMENT: Until Tuesday, August 11, 2020 at 8:30 a.m.

July 28, 2020 Consent Minutes

- 7.a. Extended a Local State of Emergency in Amador County due to Pervasive Tree Mortality.
Resolution 20-096
- 7.b. Extended 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 Extended the Proclamation issued by the Director of Emergency Services on March 17, 2020.
Resolution 20-097 & 20-098
- 7.c. Adopted a Resolution and Authorized Chairman to Sign agreement for a Limited Density Owner-Built Rural Dwelling / LD01038-WILLIAMS
Resolution 20-099
- 7.d. Adopted a Resolution and Authorized Chairman to sign agreement to Limit Use of Agricultural Structure for AG01082-CECCHETTINI TRUST
Resolution 20-100
- 7.e. Adopted a Resolution and Authorized Chairman to sign agreement to Limit Use of Agricultural Structure for AG01083-DAMIAN A. & KELLY D. WOLIN FAMILY TRUST
Resolution 20-101
- 7.f. Approved 1st amendment to agreement with Chelsea Yule, LCSW - DBA Chelsea Yule Solutions
- 7.g. Approved 1st amendment to agreement with Cal Voices MomChat; this agreement extends the term by one year.
- 7.h. Approved 2nd amendment to agreement with The Resource Connection; this amendment extends term. Budget total not changed, just components.
- 7.i. Approved 2nd amendment to agreement with Strategies Center at Youth for Change. Amendment extends term, budget and scope of work changed slightly
- 7.j. Approved Loan Agreement with Pine Grove CSD regarding proposed water tank replacement project
And authorized Chairman to sign a finalized version.
- 7.k. Authorized Purchasing Department to Dispense with the bidding procedure and approved the purchase of Sheriff's Office vehicles utilizing City of Sacramento Contract and State of California Contract. Authorized the Purchasing Agent to Purchase seven (7) 2020 Expeditions utilizing the State of California Contract 1-18-23-23A with Downtown Ford in an amount not to exceed \$359,385.39
- 7.l. Authorized the Board Chairman to sign a grant offer for \$103,527.00 for a Pavement Maintenance Management Program (PMMP) as presented to the County by the FAA.
- 7.m. Approved of noise mitigation award from the Buena Vista Noise Mitigation Fund in the amount of \$14,095 to Michael and Lisa Clark, 4000 Hidden Mesa Drive, Ione
- 7.n. Approved MOUs with CDFA and Ag Dept. for BEE Safe and LBAM Programs. These agreements with CDFA provide for up to \$430 (LBAM MOU) and up to \$7,987.47 (Bee Safe MOU) reimbursement for Agriculture Department activities.
- 7.o. Approved an MOU with ATCAA (Amador Tuolumne Community Action Agency) regarding COVID-19 emergency funds.

The following Items were added as Addendum's to today's Consent Agenda:

#1-Adoption of an Ordinance No. 1798 amending Chapter 10.12 of the Amador County Code regarding parking.

#2-Approval of Resolution #20-013 authorizing recordation of Termination of Agreement for construction of a Limited Density Owner-Built Rural Dwelling for James P. Donovan and Saskia Donovan.

#3-General Services Administration: RFQ 20-06 Engineering Design Services for the Buena Vista Landfill Project.



PATRICK CREW, Chairman, Board of Supervisors

ATTEST:

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

