

Amador County Board of Supervisors ACTION MINUTES

REGULAR MEETING

DATE: Tuesday, December 15, 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
Heather Peek, Deputy Board Clerk

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 8:00 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, Human Resources Director and Gregory Ramirez, IEDA

ACTION: **Direction was given.**

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

Buena Vista Rancheria of Me-Wuk Indians v. Amador County, et al.
U.S. District Court, Eastern District of California Case No. 2:20-CV-01383-MCE-AC

ACTION: **No update.**

Simon Building, LLC v. Amador County, Amador Superior Court Case No. 20-CV-11892

ACTION: **Direction given.**

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

Initiation of litigation pursuant to Government Code 54956.9(d)(4)]

One Case

ACTION: **Direction given to staff.**

Confidential Minutes: Review and possible approval of the November 24, 2020 Confidential Minutes.

ACTION: **It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to approve the November 24, 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.**

Bill May: Mr. Bill May, District II Resident, asked the Board to reflect on the life of Dr. Kevin Blassingame. Supervisor Crew asked for a moment of silence in Dr. Blassingame's honor.

Supervisor Oneto asked for a moment of silence for the passing of Eldon Waite. Supervisor Crew asked for another moment of silence in Eldon Waite's honor.

Larry McKenney, General Manager with Amador Water Agency (AWA): Mr. McKenney informed the Board that AWA is developing a water master plan; first comprehensive look at the condition and capacity at all of AWA's treatment and distribution systems. The master plan takes a look at 20 year development and planned growth with associated water demands, identifying current and future system needs, as well as, anticipated costs. AWA is conducting a public workshop Thursday, December 17, 2020 at 9:00 A.M. Supervisor Forster indicated he wouldn't be able to attend the full meeting due to a schedule conflict and Supervisor Crew asked Mr. McKenney if he could provide a link to attend the meeting. Mr. McKenney also thanked the Board for their stance on COVID-19 in comparison with Orange County.

Supervisor Forster proudly announced that his nephew, Michael Forster, a COBRA pilot, served three tours of duty in Afghanistan, led the Top Gun program for pilots, and has now been transferred to New Jersey, to the Princeton area, a Major and promoted through the ranking in the Marine Corps to Lieutenant Colonel after 15 years.

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 Oneto, and unanimously carried to approve the agenda with minor corrections.

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 Brown, seconded by Supervisor Oneto and unanimously carried to approve the Consent Agenda as amended.

REGULAR AGENDA

COVID-19 Update: Update by the Amador County Health Officer, Dr. Rita Kerr 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.

Discussion and possible action relative to allowing in-person attendance by the public and/or staff at future Board of Supervisors meetings. Consideration should also be made as to how committee meetings should be conducted:

Mr. Chuck Iley, County Administrative Officer, stated this item had come up relative to other Board's that this Board sits on and a recommendation by Dr. Kerr, to begin consideration of restricting access to the Board meetings. Dr. Kerr pointed out that other County Board of Supervisors that have gone completely virtual and conduct their meeting solely by ZOOM or a similar virtual platform. Supervisor Oneto said we haven't had a lot people attend the meetings and that he has real angst about going all virtual as some constituents do not have the ability or access to join the meetings via ZOOM. Supervisor Crew would like to wait and see what the cases look like each quarter to determine whether or not to hold meetings in person or virtually. Supervisor Axe expressed his interest, in light of the recent surge, in setting a limit for the next few months, for public participation, while maintaining proper distance and possibly making an exception for those who want to attend in person. Supervisor Brown indicated his preference would be to meet in person and for those who are unable to meet via ZOOM perhaps "reservations" can be made by contacting the Board Clerk to ensure only a limited number of participants at any given time. Supervisor Forster is satisfied with how the meetings have been held and as a government agency we should give citizens the choice to attend in person, as long as they follow the guidelines. He encouraged staff to post a sign outside of the building that reads, "No mask, no entry" so that the expectation is consistent for all that choose to attend in person.

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 allow in-person attendance by the public and/or staff at future Board of Supervisors meetings and formulate a letter urging all committees to meet via ZOOM when possible.

Treasurer/Tax Collector: Discussion and possible action relative to the appointment of an Interim Tax Collector/Treasurer and the potential consolidation of the offices of Tax Collector/Treasurer and Auditor/Controller.

Mr. Chuck Iley, County Administrative Officer addressed the Board, recapping on the resignation letter received from Mr. Michael Ryan, the current elected Tax Collector/Treasurer. Mr. Iley stated that Mr. Ryan's resignation is effective February 5, 2021 and, since Mr. Ryan will not be completing his term, Mr. Ryan's recommendation is to appoint current Deputy Tax Collector/Treasurer, Ms. Liz Nelson as the Interim Tax Collector/Treasurer. Mr. Iley also addressed the Board to consider a consolidation of positions as there is a potential to share duties between the two offices that would lead to some increased efficiencies. Mr. Iley is recommending that the Board appoint an Interim Tax Collector/Treasurer and direct staff to proceed with

requesting the appropriate legislative changes from the Amador County Legislative Delegation (Assemblyman Bigelow and Senator Borgeas). Ms. Nelson and Ms. Rouen addressed the Board expressing their gratitude and interests during this transition.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Brown and unanimously carried to appoint Liz Nelson as Interim Tax Collector/Treasurer and ask for Legislation to allow the consolidation of the two offices.

Probation Department: Update by the Amador County Chief Probation Officer, Mark Bonini on the impact of several bills passed by the California Legislature recently and what their implementation means for Amador County. Mr. Bonini will also discuss the impact and status of potential changes to the Pine Grove Camp.

Mr. Bonini, Amador County Chief Probation Officer, provided an update to the Board on the recent bills passed by the California Legislature and how they will be implemented.

ACTION: Discussion only.

Environmental Health Department: Discussion and possible action relative to a COVID-19 Fee Relief program and possible staff direction regarding reduction of certain annual fees levied by the Environmental Health Department.

Mr. Mike Israel, Community Development Director, summarized the financial impacts the COVID-19 stay at home orders have imposed on some local businesses and that Environmental Health is proposing a reduction in annual permitting fees to help relieve those effected businesses during this time.

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 Brown and unanimously carried to authorize staff to reduce the annual permitting fees.

Board of Supervisors: Discussion and possible action relative to election of the 2021 Chairman and Vice Chairman for the Amador County Board of Supervisors:

Discussion ensued with the following action being taken.

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

MOTION #1: It was moved by Supervisor Oneto, seconded by Supervisor Brown and unanimously carried to appoint Supervisor Frank U. Axe as Chairman and Supervisor Richard M Forster as Vice-Chairman of the Amador County Board of

Supervisors for 2021.

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

Waste Management Department: Consideration of the Mitigated Negative Declaration (MND) and Finding of No Significant Impact (FONSI) for the Buena Vista Landfill Phase 1 Final Cover Re-Construction, & Class II Surface Impoundment Expansion & Liner Replacement (APNs: 012-040-042, 012-040-043, 012-040-044).

Mr. Jeff Gardner, Director of Solid Waste/Safety Coordinator, addressed the Board and summarized the memorandum relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary, staff is seeking adoption of a Resolution by the Board of Supervisors authorizing the certification of the adoption of the Mitigated Negative Declaration (MND) and Finding of No Significant Impact (FONSI) for the project.

Chairman Crew opened the public hearing at this time. Hearing no comment the following actions were taken.

ACTION #1: Public Hearing closed pursuant to the following motion.

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

ACTION #2: Direction given pursuant to the following motion.

MOTION #2: It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to approve the Resolution certifying the adoption of the Mitigated Negative Declaration (MND) and Finding of No Significant Impact (FONSI) for the project.

RESOLUTION NO. 20-159

Resolution providing for the Certification of the Mitigated Negative Declaration and finding of no significant impact for the Buena Vista Landfill Phase I final cover re-construction, and class II surface impoundment expansion and liner replacement project.

General Services Administration: Capital Facility Fee Five Year and Annual Disclosure Review with Annual CCI Adjustment.

Ms. Kim Holland, addressed the Board and summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

Chairman Crew opened the public hearing at this time. Hearing no comment the following actions were taken.

ACTION #1: Public Hearing closed pursuant to the following motion.

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

ACTION #2: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Axe and unanimously carried to approve the resolution to accept the 2019/20 Annual Disclosure and Review increasing the CFF by 1.9%.

RESOLUTION NO. 20-156

Resolution accepting the capital facilities fee annual report and adopting the annual inflationary fee increase of 1.9%.

Planning Department: Consideration of the Planning Commission's recommendation to approve a Variance from County Code §19.24.040, "PD-R1" district regulations, which requires a 25' front yard building setback. The applicant proposes to construct an entryway roof encroaching approximately 4 feet into the front setback with uncovered stairs encroaching approximately 15 feet into the front setback (APN: 026-174-003).

Mr. Chuck Beatty, Planning Department Director, addressed the Board and summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

Chairman Crew opened the public hearing at this time. Hearing no comment the following actions were taken.

ACTION #1: Public Hearing closed pursuant to the following motion.

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

ACTION #2: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Brown and unanimously carried to adopt a resolution approving the requested variance, and adopt the conditions and findings included in the staff report.

RESOLUTION NO. 20-157

Resolution approving a variance to County code §19.24.040 – PD-R1 District regulations requiring a 25’ building setback from front property lines – to allow construction of an entryway roof and walkway at 33800 Danberg Drive, APN 026-174-003 – Edward and Brandi Benson.

Planning Department: Consideration of the Planning Commission’s recommendation to rezone 85.21 acres from the “A,” Agricultural District, to the “AG,” Exclusive Agriculture District in conjunction with a request for inclusion of the same acreage into an amended California Land Conservation Act (Williamson Act) contract (APN: 015-150-040).

Mr. Chuck Beatty, Planning Department Director, addressed the Board and summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

Chairman Crew opened the public hearing at this time. Hearing no comment the following actions were taken.

ACTION #1: Public Hearing closed pursuant to the following motion.

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

ACTION #2: Direction given pursuant to the following motion.

MOTION #2: It was moved by Supervisor Oneto, seconded by Supervisor Forster and unanimously carried to move forward with adopting an Ordinance approving the zone change and adopting a resolution approving the amended Williamson Act Contract No. 446.

RESOLUTION NO. 20-158

Resolution authorizing recordation of California Land Use Conservation Act Contract No. 446 – Michael F. Collier.

Planning Department: Consideration of the Planning Commission’s recommendation to deny a request for a Zone Change (ZC-20;3-2) from the R1A, Single-family Residential & Agricultural zoning district to the M-X, Manufacturing zoning district with Special Use combining district, for 1,150+/- acres which are congruent with the Industrial General Plan classification (portions of APNs 005-080-022, 005-020-024, 005-030-005, 005-050-010, and 005-060-015).

Chairman Crew opened the public hearing at this time.

Mr. Chuck Beatty, Planning Department Director, addressed the Board and summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

Discussion ensued with the Board...Supervisor Forster asked Mr. Glenn Spitzer, to address the Board regarding a contingent made by several people that we need to have a new environmental impact review (EIR) prepared because of new information on groundwater. Mr. Glenn Spitzer, Deputy County Counsel, addressed the Board stating this plan was based off a tier in the General Plan EIR. A supplemental or subsequent EIR is needed if there's qualifying new information. For it to be considered qualifying new information, it must be substantial information that would call out a new significant impact or substantial increase to identify in the General Plan EIR. The water overdraft issue is already identified as a significant impact in the General Plan EIR.

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

- Mr. Tom Swett
- Ms. Virginia Silva
- Mr. Jim Scully
- Ms. Esther Mello
- Ms. Patrice Prest
- Mr. Sam Prest
- Ms. Kathy Strong
- Mr. Stacy Rhoades
- Ms. Katherine Evatt
- Ms. Eva Powell
- Mr. Brad Johnson
- Ms. Mara Feeney
- Mr. John Campbell
- Mr. Tom Infusino
- Susan (Foothill Conservancy)
- Ms. Susan Bragstad
- Mr. Ned Taylor

ACTION #1: Public Hearing closed pursuant to the following motion.

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

ACTION #2: Direction given pursuant to the following motion.

MOTION #2: It was moved by Supervisor Forster, seconded by Supervisor Oneto and carried to approve an Ordinance to change the zoning of the affected parcels from the R1A, Single Family Residential and Agricultural District, to M-X, Manufacturing zoning district with Special Use combining district, subject to the six findings included in the staff report. Mr. Gregory Gillott, County Counsel, advised the Board to approve the Negative Declaration that was prepared by staff.

Ayes: Crew, Forster, Brown, Oneto


Noes: Supervisor Axe

Minutes: Discussion and possible action relative to approval of the November 24, 2020 Board of Supervisors Meeting Minutes.

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 November 24, 2020 Board of Supervisors Meeting Minutes with minor corrections.

ADJOURNMENT: Until Tuesday, January 5, 2021 at 8:30 a.m.



FRANK U. AXE, Chairman, Board of Supervisors

ATTEST:



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

December 15, 2020 CONSENT MINUTES

7.a. Declaring a Local State of Emergency in Amador County due to Pervasive Tree Mortality.

ACTION: Approved-Resolution No. 20-161

7.b. Amador County Planning Commission: Approval of the re-appointment of John Gonsalves to fill the seat of District I for the Amador County Planning Commission effective December 2020 through December 2024.

ACTION: Approved

7.c. Airport Advisory Committee: Approval of the appointment of Randy Ilich as alternate to fill the seat of District II, re-appointments of Charles Floyd as primary, Marvin Price as alternate to fill the seat of District I, Bonnie Dufrene as primary, John B. Allen as alternate to fill the seat of District II, and Debbie Dunn as the alternate with District IV, effective December 2020 through December 2023.

ACTION: Approved

7.d. Agricultural Advisory Committee: Approval of the re-appointments of David Bassett to fill the seat of District I, Chris Bennett as alternate, Dan Port to fill the seat of District II, John Allen, Jr. to fill the seat of District IV, and Andy Byrne as the alternate serving as District IV on the Planning Commission effective December 2020 through December 2023.

ACTION: Approved

7.e. Behavioral Health/BHC Heritage Oaks - Second Amendment to Agreement

ACTION: Approved

7.f. Building Department: Termination of Agreement Limited Density Owner-Built Rural Dwelling / LD01015-BARKELL

ACTION: Approved-Resolution No. 20-162

7.g. General Services Administration: Upgrade and renewal of Amador County's Google Account

Suggested Action: 1) Authorize the General Services Director to dispense with the formal bidding procedures and; 2) Authorize the Purchasing Agent to issue Purchase Orders to Daston Corporation for the upgrade and next two annual renewals in a total amount not to exceed \$94,615.00 (total for the two renewals) and; 3) Accept "Google Cloud Master Agreement – Public Sector" and authorize the Purchasing Agent and Information Technology Director to execute the agreement and transactions as necessary as they pertain to the Google Workspace upgrade and renewals during the upcoming two (2) year term.

ACTION: Approved

7.h. Emergency Medical Care Committee (EMCC): Approval of the appointments of Lieutenant Brandon Cone, Amador County Sheriff's Office, to serve as an alternate as Emergency Services Coordinator, the appointment of Jason Navarre as primary Emergency Services Coordinator, the appointment of Aaron Jackson for General Public Primary, and the appointment of Matthew McKee as CHP Primary.

ACTION: Approved

7.i. Neogov Services Agreement

ACTION: Approved

7.j. Camanche Regional Park Advisory Board: Approval of the appointment of Ryan Peek to the subject Board for a two year term effective December 15, 2020 and expiring December 14, 2022.

ACTION: Approved

7.k. Behavioral Health/North Valley Behavioral Health Agreement Fy20-21, 21-22, 22-23

ACTION: Approved

7.l. Resolution Commending Michael W. Israel, REHS on his years of dedication as the Amador County Community Development Director, Amador County Environmental Health Director, and Air Pollution Control Officer, and Congratulating him on his Retirement.

ACTION: Approved-Resolution No. 20-163

7.m. Community Facilities District No. 2006-1 Local Special Tax and Bond Accountability Report.

ACTION: Approved

7.n. Surveying Department-Ott Family Living Trust and Vintage Estates, LLC - Approval of a Boundary Line Adjustment #2019-013 one year extension of time. The property fronts to the South on Ione Road approximately 2,000 feet East of Highway 124. Assessor Parcel No.'s 011-090-021 and 011-100-031

ACTION: Approved-Resolution No. 20-164

7.o. Approval of First Amendment to Professional Services Agreement with NV5/Alta Environmental for SWRCB Phase II MS4 Program Assistance - Pyrethroid Management Plan Development

ACTION: Approved

7.p. Air Pollution Control Officer

ACTION: Approved-Resolution No. 20-165

7.q. Recognition of Employees who have worked for Amador County for 20 and 25 Years in 2020

ACTION: Approved-Resolution No. 20-166

7.r. Behavioral Health/DHCS Performance Contract amendment FY 18-21 & Resolution delegating signature authority to Melissa Cranfill, Behavioral Health Director

ACTION: Approved-Resolution No. 20-160

7.s. Yearly Service Renewal Agreement between the County of Amador and Delta Wireless

(specifically Public Works, Dispatch and Sheriff's Office)

ACTION: Approved

7.t. Surveying Department-Parcel Map #2896 for Larry and Karen Barbero Trust and Brandon and Jennifer Barbero. Said parcel map is being filed administratively, without a Tentative Map (no conditions) pursuant to Amador County C.E.Q.A. Ordinance, Appendix B. C5: State Map Act in Section 66499.34 and 66499.35 c. The property is located off of Molfino Road on View Terrace in the Jackson area. Assessor Parcel No.'s 038-010-117-000 and 038-010-117-506

ACTION: Approved-Resolution No. 20-167

7.u. Public Health - Budget Increase for Department 4008 Enhancing Detection

ACTION: Approved

7.v. Budget Increase Request for Purchase of Laptop Computer

ACTION: Approved

7.w. Contract No. 20-27 Camanche Road Reconstruction Project
Contract Change Order No. 1 George Reed, Inc.

ACTION: Approved

7.x. Contract 20-18 2019/20 Dig-Outs Project, Fiddletown Road
Contract Change Order No. 1

Vintage Paving Company, Inc.

ACTION: Approved

7.y. Contract 20-18 2019/20 Dig-Outs Project, Fiddletown Road
Resolution of Acceptance

Final Agreement and Release of Claims

Vintage Paving Company, Inc.

ACTION: Approved-Resolution No. 20-168

7.z. Family Medical leave Policy 2-601

ACTION: Approved

7.aa. Request to Restructure Auditor's Office Staff Positions by Reducing Current Property Tax and Accounting Analyst Position to Part-Time in Exchange for Hiring Full-Time Accountant I Position.

ACTION: Approved

