

**Amador County Board of Supervisors
ACTION MINUTES**

REGULAR MEETING

DATE: Tuesday, July 27, 2021
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:

Frank U. Axe, District IV, Chairman
Richard M. Forster, District II -Vice-Chairman
Patrick Crew, District I
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.**

Buena Vista Rancheria: Mr. Bill May, District II resident, took this time to address the Board relative to a matter that is on the Closed Session agenda for today's date. Mr. May spoke in regards to item 2.a. (Buena Vista Rancheria) and urged the Board to please provide more information when reporting out of Closed Session. Mr. May stated he does not feel the usual report of "**Update Given**" is a transparent or fair report for the public's information.

The Board reconvened into Closed Session upon the conclusion of Mr. May's comment.

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

Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6

County Negotiators: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Greg Rameriz, IEDA and Lisa Gaebe, Human Resources Director

ACTION: **Update 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: **Direction given.**

County of Amador v. Kathleen Allison, et al.
U.S. District Court, Eastern District of California Case No. 2:21-cv-00038-MCD-DB

ACTION: **Direction given.**

Foothill Conservancy, et al. v. County of Amador, et al., Amador County Superior Court
Case No. 21-CVC-12012

ACTION: **Direction given.**

Confidential Minutes: Review and possible approval of the July 13, 2021 Confidential Minutes.

ACTION: **It was moved by Supervisor Forster, seconded by Supervisor Crew and unanimously carried to approve the July 13, 2021 Confidential Minutes as presented.**

PLEDGE OF ALLEGIANCE: Chairman Axe 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**.

Homelessness Issue in City of Jackson: Mr. Richard Cavaliere, District I resident, addressed the Board and stated he is a resident of the City of Jackson and has great concern regarding Homeless encampments behind his home that are an extreme fire and health and safety issue. He would like to see a procedure put in place that would be a broad approach to Homelessness throughout the County, including the Cities. Mr. Cavaliere stated he is aware the Board will be discussing this matter later in the agenda today, but was unsure if that topic would include potential solutions for residents within the City limits of Amador County. Chairman Axe advised his concerns would be addressed when Item 4b is heard today.

We Are Never Alone (WANA) Group: Mr. Michael Eslinger, Homeless and Mental Support Advocate, addressed the Board regarding the WANA group that was established in Amador County by a group of volunteers to assist those in need with mental health resources and support with finding the assistance they may need. Mr. Eslinger state WANA is a peer support based program and utilizes donated items to support their efforts. He stated the goal of WANA is to develop resources that can offer support, dignity, pride and self-worth to unhoused or mentally challenged individuals in the Community

Amador Water Agency Rate Increase: Mr. Sean Krietich, District II resident, took this time to express great concern regarding the proposed rate increases by the AWA and encourage attendance at the AWA Public Hearing on July 27, 2021 at 6:00 p.m. to make their concerns known.

Mule Creek State Prison Wastewater Discharge: Mr. Bill May, District II resident, addressed the Board and expressed concern regarding the delay in action being taken to remedy the issues surrounding waste water discharge from Mule Creek State Prison and the detrimental affect it is having on lone area residents. In addition Mr. May requested County Counsel disclose to him the costs associated with outside legal fees surrounding this matter to date. The Board directed Counsel to release the costs to Mr. May via email as soon as possible.

County Code 19.48.080 (g): Mr. Gary Reinoehl, District V resident, addressed the Board and explained a situation regarding one of his neighbors who received a Notice of Violation from Amador County Code Enforcement citing violation of County Code Section 19.48.080 as it relates to recreational vehicles. Mr. Reinoehl stated he is speaking on behalf of his neighbor as she is recently widowed and slightly overwhelmed navigating through the estate details. He stated she has a trailer on her property which has a deck affixed to it. According to his interpretation of County Code the deck is allowed if it does not exceed sixteen days per year in use. When Mr. Reinoehl contacted the County Planning Department he was advised it was an unwritten standard amongst Planning/County staff that the deck would be in violation. Mr. Reinoehl requested the Board agendize this matter for a future agenda and suspend the current violation deadline until the Ordinance can be revised to clarify specific standards and make the requirements clear to the property owners and public.

U.S. Forest Service: Mr. Jon Campbell, District IV resident, addressed the Board regarding the recent fires in Alpine County (Tamarack Fire). Mr. Campbell state he would like to urge the Board to draft a letter to the US Forest Service and others stating the recent fires have been horribly mismanaged and that the response by the USFS is unacceptable and cannot be repeated in the future.

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 Axe advised the following matter has been added to the Agenda for today's date as an Addendum and will be heard as Item 4c-2.

Surveying Department-Parcel Map #2893 for Joseph John Jess, Sr. and Connie Lee Jess Trustees of the Joseph John Jess, Sr. and Connie Lee Jess Family Trust dated May 1, 2003 2010-0009485. Said parcel map is being filed administratively, pursuant to Amador County C.E.Q.A. Ordinance, Appendix B. C5: State Map Act in Section 66499.35c. The property is land located in the area known as The Rancho Arroyo Seco and is currently used as irrigated pasture and open grazing land primarily. Assessor Parcel Nos. 005-240-007 and 005-250-004.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Crew, 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 Axe stated he had a request from Supervisor Forster to pull the following Item from the Consent Agenda for discussion:

Item 6t: Budget transfer from contingencies and budget increase from sales tax request to cover FY20-21 year end deficit in Buena Vista Casino Public Safety and Gambling Abuse accounts in the amount of \$1,796,212.40.

The following action was taken with Item 6t being removed.

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

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

Mr. Chuck Iley, County Administrative Officer, explained that the Buena Vista Casino Fund currently has a deficit balance of \$1,796,212.40. The deficit is a result of the Buena Vista Casino not paying the County for Public Safety and Gambling Abuse per the Intergovernmental Services Agreement. The County hired employees in all the Public Safety Departments (Sheriff, Probation and District Attorney) designed to mitigate the impacts of the Buena Vista Casino.

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

MOTION #2: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to approve a budget transfer from contingencies and budget increase from sales tax request to cover FY 20-21 year end deficit in Buena Vista Casino Public Safety and Gambling Abuse accounts in the amount of \$1,796,212.40.

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 including vaccine supply 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.

ACTION: Update only.

General Services Administration: Amador County Parcel # 044-100-027 (210.37 acres adjacent to Walmart on SR 88). General discussion and direction relative to a large number of individuals living without facilities on the property.

Mr. Jon Hopkins, General Services Director, addressed the Board and summarized his memorandum relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary, he stated the County owns 201.37 acres known as the “Wicklow Way” property in Martell and leases a majority of the property for cattle grazing. However, there are portions of the property not used for this purpose. A section of the property located behind Walmart not used for cattle grazing is being used by the homeless. A core group of County staff are working on solutions to clear and clean this area up, in the meantime this area is being driven on to transport items back and forth to homeless camps. Mr. Hopkins explained the key issue at this time is funding to clear and clean the property and to block of vehicle traffic on the Wicklow Way property. In addition, Mr. Hopkins requested consideration to amend policy 5-140 that provides some additional guidelines and clarifications specific, but not limited to, storage of property that is removed from the encampments. (It should be noted a complete copy of the proposed amendments to Policy 5-140 are included in agenda materials for today’s date)

Chairman Axe invited the following individuals to speak relative to the impacts they are facing in their Departments as well as proposed proactive plans of action to assist in remediating this serious issue and being in the Community.

- Amador County Sheriff Gary Redman
- Chief Walt White, Amador Fire Protection District
- Ms. Melissa Cranfill, Behavioral Health Director

At this time Chairman Axe opened the discussion to the public. The following individuals wished to speak.

- Mr. Richard Cavaliere, District I resident
- Ms. Janice Cavaliere, District I resident
- Mr. John Kirkpatrick, District I resident
- Mr. Bill May, District II resident
- Ms. Michelle Vanderveen, District V resident
- Ms. Carolyn Earl, Outreach Specialist (joined via ZOOM)
- Calleene Egan, Berkeley Food and Housing Project (joined via ZOOM)
- Ms. Caryl Callsen, District IV resident (joined via ZOOM)

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 Crew to identify funding in an amount not to exceed \$40,000.00 coming from contingencies to clear and clean the property and to block off vehicle traffic on Wicklow Way property; and approve amended language in Policy 5-140 as presented today.

PUBLIC HEARING 10:30 A.M.

Surveying Department: Discussion and possible action relative to a Public Hearing to consider abandonment of a Public Utility Easement for Robert Leroy Dalton, Trustee of the Robert Dalton 2006 Trust and Larry B. Barbero and Karen L. Barbero, Trustees of the Barbero Trust Dated April 16, 2013 and Brandon B. Barbero and Jennifer L. Barbero. (APN Nos. 042-150-037 and 038-010-117. (Continued from July 13, 2021)

Mr. Roger Pitto, County Surveyor, addressed the Board and explained there is still some misunderstanding and missing information surrounding this matter. In summary, he stated in his opinion, the Barbero's made an agreement with the Dalton's regarding the piece of property that is being proposed to be abandoned for a Public Utility Easement. But, before the agreement was consummated the Barbero's sold the entire ten acre property to Ms. Kathleen Roberts. At this point Mr. Pitto does not have a clear chain of title that puts anyone other than the Daltons in a position to close the request for the Boundary Line Adjustment. Mr. Pitto stated he has requested copies of the agreement between the Barbero's and the Dalton's but has not received it as of today's date.

Discussion ensued with County Counsel recommending this Public Hearing be closed until when or if the involved parties can resolve all of the outstanding issues and the matter can be set for Public Hearing again for the Board to take action. The Board concurred with Counsel's recommendation and the following action resulted.

ACTION: Public Hearing closed pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Brown and unanimously carried to close the Public Hearing.

ADDENDUM-Surveying Department-Parcel Map #2893 for Joseph John Jess, Sr. and Connie Lee Jess Trustees of the Joseph John Jess, Sr. and Connie Lee Jess Family Trust dated May 1, 2003 2010-0009485. Said parcel map is being filed administratively, pursuant to Amador County C.E.Q.A. Ordinance, Appendix B. C5: State Map Act in Section 66499.35c. The property is land located in the area known as The Rancho Arroyo Seco and is currently used as irrigated pasture and open grazing land primarily. Assessor Parcel Nos. 005-240-007 and 005-250-004.

Mr. Roger Pitto, County Surveyor, 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. In summary, he stated the applicants are in near completion of an engineered percolation and engineered design by Delta Engineering and hope to have final plans back to the Environmental Health Department later this week. Mr. Pitto stated he feels comfortable recommending approval of the Parcel Map prior to Environmental Health signing off on the completion of the condition, but will not record the map until he receives confirmation that Environmental Health is satisfied.

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 following Resolution approving Parcel Map No. 2893 for Joseph John Jess, Sr. and Connie Lee Jess, Trustes of the Joseph Jon Jess and Conie Lee Jess Family Trust dated May 1, 2002 contingent upon satisfaction of completion of an engineered percolation test performed by Delta Engineering (condition #23).

RESOLUTION NO. 21-106

Resolution approving Parcel Map No. 2893 for Joseph John Jess, Sr. and Connie Lee Jess, Trustees of the Joseph John Jess and Connie Lee Jess Family Trust dated May 1, 2003.

Amador County Transportation Commission (ACTC): Presentation by Cindy Engel, ACTC, regarding the recent Extreme Weather Needs Assessment for Amador and Calaveras counties.

Ms. Cindy Engel provided an informative Power Point Presentation at this time and fielded questions from the Board. A complete copy of her presentation is hereby incorporated into these minutes as though set forth in full.

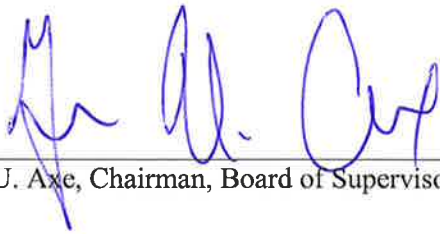
ACTION: Presentation only.

Minutes: Review and possible approval of the July 13, 2021 Board of Supervisor Meeting Minutes.

ACTION Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Crew, seconded by Supervisor Forster and unanimously carried to approve the July 13, 2021 Board of Supervisors Meeting Minutes as presented.

ADJOURNMENT: Until Tuesday, August 10, 2021 at 8:30 a.m.



Frank U. Axe, Chairman, Board of Supervisors

ATTEST:

Deputy



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

JULY 27, 2021 CONSENT MINUTES

6.a. Contract with CDFA for Bee Safe Program.

ACTION: Approved

6.b. Authorization of the Chairman's signature on a letter of support for a grant application by the Amador Fire Safe Council for the County Coordinators Grant Program being offered by the California Fire Safe Council.

ACTION: Approved

6.c. Agreement to Limit Use of Agricultural Structure for AG210895 – Perano

ACTION: Approved-Resolution No. 21-100

6.d. Building Department Limited Density Owner-Built Rural Dwelling / LD210917 - Womack

ACTION: Approved-Resolution No. 21-101

6.e. Behavioral Health second amendment to agreement with Cal Voices for MomCHAT.

ACTION: Approved

6.f. Behavioral Health performance contract with DHCS for MHSA, LPS, PATH, MHBG. SABG, CCP programs and community mental health services. Resolution delegating signature authority Behavioral Health Director.

ACTION: Approved-Resolution No. 21-102

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

ACTION: Approved-Resolution No. 21-103

6.h. Approval of the First Amendment to the Interlocal Agreement between The Regents of the University of California-Cooperative Extension, Amador County, Calaveras County, El Dorado County and Tuolumne County for the Provision of the University of California Cooperative Extension Program to the County Partnership.

ACTION: Approved

6.i. Budget transfer request from contingencies to the Conservator's Office for settlement agreement in the amount of \$12,500.

ACTION: Approved

6.j. Commission on Aging: Approval of the re-appointment of Chris Kalton, Member at Large for a three year term. (July 27, 2021-July 26, 2024).

ACTION: Approved

6.k. General Services Administration: RFP 21-16 Whole Person Care. This contract will provide transitional housing in the community. Suggested Action: 1) Award RFP 21-16 to ATCAA for a four (4) year period with the contract amount not to exceed \$431,035.49 and; 2) Authorize Anne Watts, Social Services Director and County Counsel to negotiate final terms and conditions and develop a contract based upon the Sample Agreement, ATCAA's proposal dated June 8, 2021 and RFP 21-16 and; 3) Approve the Board Chair to execute said agreement with ATCAA contingent upon agreeable terms and conditions.

ACTION: Approved

6.l. Human Resources: Approval of a proposed Ordinance amending Section 2.68.020 of Amador County Code regarding Salaries of Elected Officials. (Reading waived on July 13, 2021).

ACTION: Approved

6.m. Human Resources: Approval of a proposed uncodified Ordinance of the Board of Supervisors of Amador County authorizing an amendment to the Contract between the Board of Supervisors of Amador County and the Board of Administration of the California Public Employees Retirement System. (Reading waived July 13, 2021).

ACTION: Approved

6.n. Victim Witness Assistance Program Grant Application

ACTION: Approved

6.o. Minutes: Review and possible approval of the June 30, 2021 Board of Supervisors and Amador County Redistricting Advisory Committee of Joint Public Hearing Meeting.

ACTION: Approved

6.p. Exhibit A: Cooperative Law Enforcement Annual Operating Plan Between Amador County Sheriff's Office and the USDA Forest Service (Patrol)

ACTION: Approved

6.q. Exhibit B: Cooperative Law Enforcement Annual Operating Plan Between the Amador County Sheriff's Office and the US Forest Service (Controlled Substances)

ACTION: Approved

6.r. Encroachment Permit Fee Waiver Request, Fiddlers' Jam Fundraiser and Historic Event

ACTION: Approved

6.s. Building Department - Limited Density Owner-Built Rural Dwelling/LD210925 - SMITH

ACTION: Approved-Resolution No. 21-104

6.t. Budget transfer from contingencies and budget increase from sales tax request to cover FY20-21 year end deficit in Buena Vista Casino Public Safety and Gambling Abuse accounts in the amount of \$1,796,212.40.

ACTION: This item was pulled from the agenda to discuss and then later approved.

6.u. Agreement with Placer county to allow Amador County to use a Weight truck to test scales.

ACTION: Approved

6.v. General Services Administration: RFP 21-20 Contract Services for Community Based Child Abuse Prevention Program (CBCAP) Suggested Action: Recommendation: 1) Award RFP 21-20 to Nexus Youth & Family Services in an amount not to exceed \$12,200.00 for the first fiscal year with a cost reevaluation for years two and three and; 2) Authorize Anne Watts, Social Services Director and County Counsel to negotiate final terms and conditions and develop a contract based upon the Sample Agreement, Nexus Youth & Family Services' proposal dated July 15, 2021 and RFP 21-20 and; 3) Approve the Board Chairman to execute said agreement with Nexus Youth & Family Services for the first year contingent upon agreeable terms and conditions; and years 2 and 3 contingent upon the Social Services Director and County Counsel approval

ACTION: Approved

6.w. General Services Administration: RFP 21-18 Contract Services for Child Abuse Prevention, Intervention and Treatment (CAPIT) Suggested Action: Recommendation: 1) Award RFP 21-18 to Nexus Youth & Family Services in an amount not to exceed \$55,000.00 for the first year with a cost reevaluation for years two and three and; 2) Authorize Anne Watts, Social Services Director and County Counsel to negotiate final terms and conditions and develop a contract based upon the Sample Agreement, Nexus Youth & Family Services proposal dated July 15, 2021 and RFP 21-18 and; 3) Approve the Board Chairman to execute said agreement with Nexus Youth & Family Services for the first year contingent upon agreeable terms and conditions; and years 2 and 3 contingent upon the Social Services Director and County Counsel approval

ACTION: Approved

6.x. Request to fill a vacant Administrative Assistant I in Social Services

ACTION: Approved

6.y. COVID-19 Prevention Program (CPP) for Amador County Update

ACTION: Approved

6.z. Library Position Changes

ACTION: Approved

6.aa. Probation Department Reclassification of Legal Secretary I to Legal Secretary II

ACTION: Approved

6.ab. Sheriff's Fiscal Officer

ACTION: Approved

6.ac. Building Department: Termination of Agreement to Limit Use of Agricultural Structure - Linsteadt

ACTION: Approved-Resolution No. 21-105

6.ad. Approval of FY 19-20 Measure M Revenue Distribution Formula.

ACTION: Approved

6.ae. General Services Administration: Appointment of a Citizen Member to the Central Sierra Economic Development District Board

Suggested Action: Appoint Kim Holland to serve as the citizen member of the CSEDD Board on behalf of Amador County for a one-year term

ACTION: Approved