

# Amador County Board of Supervisors ACTION MINUTES

## REGULAR MEETING

**DATE:** Tuesday, August 10, 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 (Joined the meeting via ZOOM)  
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.c. (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 County Counsel: Anticipated Litigation- {Government Code 54956.9(d) (2)}**

One Case

**ACTION: Direction given.**

Claim of Nathan Joseph-Claim No. 21-09

**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 of the County being disputed.**

**Ayes: Supervisors Forster, Oneto, Axe, Brown and Crew**

**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: Nothing to report.**

**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.**

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

**ACTION:** Direction given to hold approval of the August 10, 2021 Confidential Minutes over for approval at the August 31, 2021 meeting.

**Ayes:** Supervisors Forster, Oneto, Axe, Brown and Crew

**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**.

**Amador Water Agency Rate Increase:** Mr. Sean Kriletich, District II resident, took this time to speak about issues concerning the recent rate increase implemented by Amador Water Agency. Mr. Kriletich summarized statements that were set forth in a memorandum he provided to the Clerk for inclusion into the record for today's date. Mr. Kriletich strongly urged the Board to defend local resources and represent constituents by attempting to reduce or offset this increase in some way.

**Mule Creek State Prison Wastewater Discharge:** Mr. Bill May, District II resident, addressed the Board and urged the Board to consider filing suit against the Regional Water Quality Control Board (RWQCB) for their lackadaisical response to the wastewater discharge issue at Mule Creek State Prison. Mr. May stated he feels that the RWQCB does not have any concern for the residents of the area surrounding Mule Creek State Prison that are being detrimentally affected by the discharge coming from Mule Creek and perhaps a suit would at least require them to provide a response to the inquiries made of them thus far.

**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 Brown, and unanimously carried to approve the agenda as presented.

**Ayes:** Supervisors Oneto, Forster, Crew, Brown and Axe

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

**Ayes: Supervisors Oneto, Forster, Crew, Brown and Axe**

## **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](http://www.amadorgov.org/services/covid-19).

**ACTION: Update only.**

**Update on Library Activities:** Ms. Laura Einstatder, Amador County Librarian provided an informative update relative to Library activities in the past fiscal year as well as future planned activities and programs. It should be noted that an outline of Ms. Einstatder's report is hereby incorporated into these minutes as though set forth in full.

**ACTION: Presentation only.**

**Probation Department:** Discussion and possible action relative to the Juvenile Justice Realignment Block Grant.

Mr. Mark Bonini, Chief Probation Officer, 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 explained Senate Bill 823 (SB823) was signed into law by Governor Newsom in September of 2020. Among other things, the bill establishes a Juvenile Justice Realignment Block Grant program to provide county-based custody, care, and supervision of youth who are realigned from the Division of Juvenile Justice or who would have otherwise been eligible for commitment to the division. The bill would appropriate moneys from the General Fund in specified amounts for these purposes, as specified. The bill would specify how those funds would be allocated to counties based on specified criteria. Mr. Bonini continued by stating to be eligible for funding, a county is required to create a subcommittee of the multiagency juvenile justice coordinating council to develop a plan describing the facilities, programs, placements, services, supervision and reentry strategies that are needed to provide appropriate rehabilitation and supervision services for the population. In addition, the plan will need to be approved by the Board of Supervisors by January 1, 2022.

Discussion ensued with the following action being taken.

**ACTION:** Direction given to Mr. Bonini to move forward with satisfying the requirements of the Juvenile Justice Realignment Block Grant program including, but not limited to, forming the subcommittee (including a Board Member) and report back to the Board by January 1, 2022.

**Administrative Agency:** Discussion and possible action relative to consideration of a letter from the Board to the US Forest Service and others stating the Board's position that the recent fires have been horribly mismanaged and that the response by the USFS is unacceptable and cannot be repeated in the future.

Discussion ensued with the following action being taken.

**ACTION:** Direction given to continue this matter to the August 31, 2021 Board Meeting and invited USFS representatives to attend to provide information and field any questions from the Board or the public.

**Code Enforcement:** Discussion and possible action relative to adoption of a Resolution formally requesting an extension of the Amador County Abandoned Vehicle Abatement (AVA) Program for an additional ten (10) years beginning May 1, 2022 and ending April 30, 2032.

Mr. Greg Gillott, County Counsel, summarized this matter by stating the Department of Motor Vehicles is requesting the cities and counties that have an Abandoned Vehicle Authority Program to submit a letter of intent and a new resolution formally requesting an extension of the program which expires April 30, 2022. The DMV set a deadline of August 1, 2021, but have granted an extension to submit by August 11, 2021 without any financial penalties. He stated failing to do so would discontinue the collection of the AVA fee and put a financial burden on the County to continue to enforce Ordinance 10.32 and the ordinances in the other cities under the AVA program and would require additional funding and approval from CHP to back the program.

**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 continuing the Abandoned Vehicle Abatement Program and the \$1.00 vehicle fee for another ten (10) year period pursuant to California Vehicle Code Sections 9250.7 and 22710 and Senate Bill (SB) 106.

**Ayes:** Supervisors Forster, Oneto, Axe, Brown and Crew

**RESOLUTION NO. 21-117**

Resolution continuing the Abandoned Vehicle Abatement Program and the \$1.00 vehicle fee for another ten (10) year period pursuant to California Vehicle Code Sections 9250.7 and 22710 and Senate Bill (SB) 106.

**Minutes:** Review and possible approval of the July 27, 2021 Regular Meeting 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 July 27, 2021 Regular Meeting Minutes as presented.

**Ayes:** Supervisors Forster, Oneto, Axe, Brown and Crew

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

**Surveying Department:** Discussion and possible action relative to a Public Hearing to consider adoption of a Resolution approving a Certificate of Merger for Stephen C. Bateman. The properties involved in said Merger are Lot 1A and Lot 2A and Lot B as shown on Book 14 of Maps and Plats at Page 68, Assessor's Parcel No.'s 038-140-060-000 and 038-140-056-000 and 038-140-064-000. (Bateman)

Mr. Roger Pitto, County Surveyor, addressed the Board and summarized the staff report relative to this matter as though set forth in full.

Discussion ensued with the following action being taken.

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

**MOTION #1:** It was moved by Supervisor Oneto, seconded by Supervisor Forster and unanimously carried to close the Public Hearing.

**Ayes:** Supervisors Forster, Oneto, Axe, Brown and Crew

**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 adopt the following Resolution of Intention to approve a Certificate of Merger for Stephen C. Bateman.

**Ayes:** Supervisors Forster, Oneto, Axe, Brown and Crew

**RESOLUTION NO. 21-107**

Resolution of Intention to approve a Certificate of Merger for Stephen C. Bateman

**Surveying Department:** Discussion and possible action relative to a Public Hearing to consider adoption of a Resolution approving a Certificate of Merger for Zivan and Gisela Radin. The properties involved in said Merger are Lot 375 and Lot 376 of Lake Camanche Village Unit 1 Subdivision recorded in Book 3 of Subdivisions at Page 8, APNs 003-050-026 and 003-050-027.

Mr. Roger Pitto, County Surveyor, addressed the Board and summarized the staff report relative to this matter as though set forth in full.

Discussion ensued with the following action being taken.

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

**MOTION #1:** It was moved by Supervisor Forster, seconded by Supervisor Brown and unanimously carried to close the Public Hearing.

**Ayes:** Supervisors Forster, Oneto, Axe, Brown and Crew

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

**MOTION #2:** It was moved by Supervisor Brown, seconded by Supervisor Forster and unanimously carried to adopt the following Resolution of Intention to approve a Certificate of Merger for Zivan and Gisela Radin.

**Ayes:** Supervisors Forster, Oneto, Axe, Brown and Crew

**RESOLUTION NO. 21-108**

Resolution of Intention to approve a Certificate of Merger for Zivan and Gisela Radin

**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 11:40 a.m., the Board convened into closed session. The following matters were heard.**

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

Paul Keeton v. County of Amador, Workers Compensation Claim No. 20172001571

**ACTION:** Claim approved pursuant to the following motion.

**MOTION:** It was moved by Supervisor Forster, seconded by Supervisor Oneto and carried to approve the Claim by Compromise & Release as presented in the settlement authority request.

**Ayes:** Supervisors Forster, Oneto, Axe and Brown

**Noes:** Supervisor Crew

Christine Nunez v. County of Amador Workers Compensation Claim No. 20182001010

**ACTION:** Claim approved pursuant to the following motion.

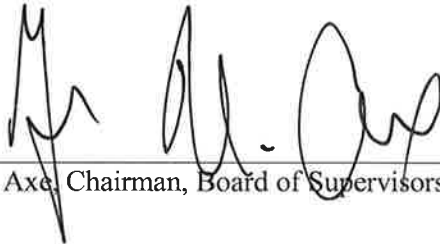
**MOTION:** It was moved by Supervisor Brown, seconded by Supervisor Forster and carried to approve the Claim by Compromise and Release as presented in the settlement authority request.

**Ayes:** Supervisors Brown, Forster and Axe

**Noes:** Supervisors Oneto and Crew


**REGULAR SESSION:** At approximately 12:00 p.m., the Board convened into regular session. Chairman Axe advised the above items were heard in Closed Session.

**ADJOURNMENT:** Until Tuesday, August 10, 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



## AUGUST 10, 2021 CONSENT MINUTES

8.a. General Services Administration: Assignment and Assumption of Lease Agreement, Hangar Lot #93 Suggested Action: 1) It is recommended that the County not purchase this hangar as the Airport does not have funds to purchase this hangar at this time. 2) Authorize the Chairperson to sign attached Assignment and Assumptions.

**ACTION: Approved**

8.b. Surveying Department-request to set the Public Hearing Date for a Certificate of Merger for John L. Chapman, Merger. The property involved in said Merger is Lots 28, 29, and a portion of 30 of River Pines Subdivision Unit 4, APNs 014-053-012 and 014-053-003.

**ACTION: Approved-Resolution No. 21-109**

8.c. General Services Administration: RFP 21-07 Consultation and Preparation of the 2021-2029 Joint Housing Element Suggested Action: 1) Award RFP 21-07 to De Novo Planning Group for a one (1) year period with the contract amount not to exceed \$159,175.00 and; 2) Authorize Chuck Beatty, Planning Director and County Counsel to negotiate final terms and conditions and develop a contract based upon the Sample Agreement, De Novo Planning Group's proposal dated March 25, 2021 and RFP 21-07 and; 3) Approve the Board Chair to execute said agreement with De Novo Planning Group contingent upon agreeable terms and conditions.

**ACTION: Approved**

8.d. Building Department: Limited Density Owner-Built Rural Dwelling/LD210867-BRUSATORI & RISTROM

**ACTION: Approved-Resolution No. 21-110**

8.e. Building Department: Limited Density Owner-Built Rural Dwelling/LD210874 - LAURENCE

**ACTION: Approved-Resolution No. 21-111**

8.f. Justification for premium pay to Amador County employees of the DSA (Deputy Sheriff's Association) and the SOMMA (Sheriff's Office Mid-Management Association) using American Rescue Plan State and Local Fiscal Recovery funds.

**ACTION: Approved**

8.g. State Route 88 / Pine Grove Improvement Project; Temporary Construction Easement Agreement with Miner Joaquin Building Corporation APN: 030-200-136

**ACTION: Approved**

8.h. 21-10 Amador County Culvert Replacement Project

**ACTION: Approved-Resolution No. 21-112**

8.i. General Services Administration: ITB 21-24 County Roads Dig-Outs Project (West)  
Suggested Action: 1) Award Invitation to Bid ITB 21-24 County Roads Dig-Outs Project (West) to George Reed, Inc., in an amount not to exceed \$300,667.85 and: 2) Authorize the Board Chair to sign the construction contract based upon the standard sample contract (attached) contingent upon County Counsel and the Director of Public Works approval.

**ACTION: Approved**

8.j. General Services Administration: Assignment and Assumption of Lease Agreement, Hangar Lot #183 Suggested Action: 1) It is recommended that the County approve this Assignment and Assumption and 2) Authorize the Chairperson to sign attached Assignment and Assumptions.

**ACTION: Approved**

8.k. Deputy Sheriff's Association (DSA)

**ACTION: Approved-Resolution No. 21-113**

8.l. Sheriff's Office Mid-Management Association (SOMMA)

**ACTION: Approved-Resolution No. 21-114**

8.m. Surveying Department-request to set the Public Hearing Date for a Boundary Line Adjustment and abandonment of a 10' wide public utility easement abandonment for DENNIS CORELIS AND JEANLAURIE AINSWORTH, TRUSTEES OF THE DENNIS J. CORELIS AND JEANLAURIE AINSWORTH FAMILY REVOCABLE TRUST EST. APRIL 14, 2006 AND DAVID J. SCURTI AND SIERRA M. SCURTI. The property is located off Fiddletown Road. APNs 021-050-043 and 021-380-019.

**ACTION: Approved-Resolution No. 21-115**

8.n. Local Area Formation Commission (LAFCO): Approval of a Resolution approving the AB-8 Property Tax Redistribution for the Cobb Reorganization to the City of Plymouth LAFCO Project #336.

**ACTION: Approved-Resolution No. 21-116**