

Amador County Board of Supervisors ACTION MINUTES

REGULAR MEETING

DATE: Tuesday, January 4, 2022
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:

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

Staff: Charles T. Iley, County Administrative Officer
Gregory Gillott, County Counsel
Heather Peek, Deputy 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 Axe 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 044-010-116

Negotiating Parties: Cutting Edge Avionics, Jason Kubiak, Owner,
Catto Propellers, Craig Catto, El Dorado Aviation, David LC Anderson
Under Negotiation: Terms and Conditions regarding Hangar Leases

ACTION: Direction was given.

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
Employee Organization: All Units

ACTION: Direction was given.

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

Mark Estey v. County of Amador, Workers Compensation Claim No's. CAMA-431610 and CAMA-431616

ACTION: Direction was given.

County of Amador v. Kathleen Allison (CDCR/Mule Creek SP) U.S. District Court, Eastern District of California, Case No. 2:20-vc-02482-WBS-AC

ACTION: Update given.

Confidential Minutes: Review and possible approval of the December 14, 2021 Confidential Minutes.

ACTION: It was moved by Supervisor Crew, seconded by Supervisor Brown and carried unanimously to approve the December 14, 2021 Confidential Minutes.

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**.

Supervisor Forster praised the Public Works road crew for their work on the roads during the winter storm event.

Supervisor Brown thanked the Amador County Sheriff's Office, the Red Cross, and Health and Human Services for their assistance in opening the warming center at Mace Meadows and also Jeff Campbell Construction in helping clear roadways.

Supervisor Oneto also expressed his thanks and asked for a moment of silence for the passing of Lori McClintock, Congressman Tom McClintock's late wife.

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 Crew, and unanimously carried to approve the agenda.

Chairman Axe advised the following consent Item 8.h. will be pulled from the Consent Agenda for today's date and placed on the Regular Agenda as Item 5.g and item 8.m. will be placed on the Regular Agenda as Item 5.e. prime.

Item 8.h. Eligibility and Justification for Premium Pay to Amador County Elected Officials and Amador County Board of Supervisors using American Rescue Plan funds.

The following individual(s) wished to speak:

- Bill May, District II Resident addressed the Board and expressed his concern on this item.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew and unanimously carried to approve the eligibility and justification for premium pay to Amador County Elected Officials using American Rescue Plan Act Funds.

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

Noes: None

Absent: None

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

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

Noes: None

Absent: None

REGULAR AGENDA

Passing of the Gavel Presentation: Passing of the gavel to the incoming 2022 Chairman of the Board and presentation of a plaque honoring outgoing Chairman Frank U. Axe.

ACTION: Presentation Only.

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

ACTION: Update only.

Amador County Behavioral Health Advisory Board: Presentation by Dr. Arnold Zeiderman, Amador County Amador County Behavioral Health Advisory Board (ACBHAB), regarding the ACBHAB Annual Report. Questions from the Board and the public may follow.

Discussion ensued and the following individual wished to speak:

- Supervisor Brown thanked Dr. Zeiderman for all the conversations they had throughout the years and educating him on local mental health issues.
- Supervisor Oneto thanked Dr. Zeiderman for his diligent work, for the community.
- Supervisor Crew thanked him for all his work and insight; said he'd be missed.
- Steve Christensen, District IV Resident, also expressed his thanks to Dr. Zeiderman.

ACTION: Presentation only.

Board of Supervisors: Ratification of a bylaw change to the Amador County Behavioral Health Advisory Board (ACBHAB) bylaws allowing non-county residents who serve members of the community to serve on the ACBHAB.

Discussion ensued with the following action being taken.

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 change to the bylaws.

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

Noes: None

Absent: None

Item 8.m Amador Behavioral Advisory Board (ACBHAB): Appointment of Carmen Glaister as a Public Member to a three year term ending January 3, 2025.

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 ACBHAB appointment of Carmen Glaister as a Public Member to a three year term ending January 3, 2025.

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

Noes: None

Absent: None

Administrative Agency: Adoption and presentation of a Resolution of appreciation and acknowledgement of many years of service, and dedication of Dr. Arnold Zeiderman.

Discussion ensued and the following individuals wished to congratulate Dr. Arnold Zeiderman:

Supervisor Oneto expressed his thanks to Dr. Zeiderman

- Melissa Cranfill, Amador County Behavioral Health Director

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Brown, seconded by Supervisor Axe and unanimously carried to adopt the resolution.

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

Noes: None

Absent: None

Public Works: Discussion and possible action relative to the placement and occupancy of recreational vehicles as temporary dwellings.

Discussion ensued with the following action being taken.

ACTION: Direction given to staff bring this item to the Land Use Committee for discussion.

Administrative Agency: Discussion and possible action relative to consideration of a proposed Ordinance implementing a salary increase for Elected Officials (other than Board of Supervisors).

Lengthy discussion ensued with the following action being taken. The following individuals wished to speak:

- Todd Riebe, District Attorney, stated this is a good solution to the issue and is unanimously accepted with the other elected officials.
- Tacy Oneto-Rouen, Auditor, indicated this is a fair assessment of the situation and said the elected officials appreciated the Board.

Supervisor Oneto asked if there was a COLA in 2013 and Ms. Oneto-Rouen confirmed there was a small COLA in 2019 just after bi-weekly plan was implemented.

Further discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Crew, seconded by Supervisor Brown and carried with a 4-1 vote, to waive the reading and schedule the ordinance implementing a salary increase for Elected Officials (other than Board of Supervisors) that's presented in the packet for adoption on January 25, 2021.

Ayes: Supervisors Forster, Brown, Crew, Axe

Noes: Supervisor Oneto

Absent: None

Consent Item 8.h.: Eligibility and Justification for Premium Pay to Amador County Elected Officials and Amador County Board of Supervisors using American Rescue Plan Act (ARPA) funds.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Crew, seconded by Supervisor Brown and carried with a 4-1 vote, to approve the eligibility and justification for premium pay for all Elected Officials and Board of Supervisors, and authorize using ARPA funds.

Ayes: Supervisors Forster, Brown, Crew, Axe

Noes: Supervisor Oneto

Absent: None

Public Works: Approval of authorization level granted to the Public Works Director to approve change orders to Public Works contracts.

Richard Vela, Public Works Director, addressed the Board and provided an overview of the request, proposing that minor changes be handled at the Department level by the Director of Transportation and Public Works.

Discussion ensued with the following action being taken.

ACTION: Approval given authorizing the Public Works Director a level of \$10,000 for occurrences with an aggregate amount of 5% and to modify the language of the aggregate.

Administrative Agency: Discussion and possible action relative to the 2022 Committee Assignments for the Board of Supervisors.

Discussion ensued with the following action being taken.

Supervisor Oneto stated he was not opposed to a salary increase, but thought the

proposed increase was excessive, especially with longevity increases as well.

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 2022 Committee Assignments.

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

Noes: None

Absent: None

Minutes: Review and possible approval of the December 14, 2021 Regular Meeting Minutes and approval of the December 16, 2021 Special Meeting Minutes and December 28, 2021 Special 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 December 14, 2021 Regular Meeting Minutes and approval of the December 16, 2021 Special Meeting Minutes and December 28, 2021 Special Meeting Minutes Meeting Minutes with minor corrections.

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

Noes: None

Absent: None

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

***This item was pulled* Surveying Department:** Discussion and possible action relative to a Public Hearing to consider the abandonment of a Public Utility Easement for Sean G. Anderson and Stephanie D. Anderson, Trustees of the Anderson Trust.

Mr. Gregory Gillott, County Counsel addressed the board and stated he was informed by Mr. Roger Pitto, County Surveyor, that this matter needs to be pulled and re-noticed, rather than continued, as they're not sure when some of the underlying issues will get resolved.

REGULAR AGENDA-TIME CERTAIN 11:00 A.M.

Code Enforcement: Discussion and possible action relative to an appeal filed by Mr. Brian Matthews regarding an Administrative Citation per Municipal Code Chapter 9.44 (Noise Ordinance). The subject property is located at 16957 Emily Way, Sutter Creek, CA 95685.

Ms. Michelle Gallaher, Code Enforcement Officer, addressed the Board and reviewed the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary, she mentioned some of the complaints referenced that noise isn't acceptable in a residential area, it occurs on a regular basis, and is destroying property values.

Mr. Brian Matthews addressed and provided information to the board.

Discussion ensued and the following individuals wished speak:

- Marion Anderson, District IV Resident
- Dave Pickett, District III Resident
- Lynne Van Tilburg, District IV Resident
- Gene Cumming, District IV Resident

Lengthy discussion ensued with the following action being taken:

ACTION: It was moved by Supervisor Axe, seconded by Supervisor Forster with a 2-3 vote to uphold the findings of Code Enforcement on this matter and deny the appeal of Mr. Brian Matthews with the following suggestions: 1) to ride the dirt bikes less, 2) modify them to have kick start aspirators, 3) speak with Mr. Pickett on how to get the bikes quieter, 4) and also work with your neighbors.

Ayes: Supervisors Forster and Axe


Noes: Supervisors Brown, Oneto, Crew

Absent: None

ADJOURNMENT: Until Tuesday, January 25, 2022 at 8:30 a.m.


Richard M. Forster, Chairman, Board of Supervisors

ATTEST:


HEATHER PEEK, Deputy Clerk of the
Board of Supervisors, Amador County,
California

January 4, 2022 CONSENT MINUTES

8. a. Commission on Aging: Appointment of Jeanne Breeden to fill the seat of District I representative, replacing Keith Sweet, for a term of three years set to expire on May 31, 2022. Appointment of Stephanie Hess, as an At-Large Primary Member, for a term set to expire on February 10, 2023. Appointment of James Burke, as an At-Large Alternate Member, for a term set to expire on August 10, 2023.

ACTION: Approved

8.b. Behavioral Health / CalMHSA - Central Regional Partnership - OSHPD WET Grant Agreement

ACTION: Approved

8.c. Airport - Approval of Community Hangar License Agreement (Hangar E-9)

ACTION: Approved

8.d. Behavioral Health/SABG Supplemental Funding Budget Increase to account for additional grant funding received from the State.

ACTION: Approved

8.e. Assessor: Secured Roll Correction - approval of roll correction with values being decrease 50% or more.

ACTION: Approved

8.f. Approval of Behavioral Health and CalMHSA Participation Agreement to provide Peer Support Specialist Certifications

ACTION: Approved

8.g. Treasurer-Tax Collector: Adoption of a Resolution approving the Statement of Investment Policy of the Amador County Treasurer-Tax Collector.

ACTION: Approved-Resolution No. 22-003

8.h. Eligibility and Justification for Premium Pay to Amador County Elected Officials and Amador County Board of Supervisors using American Rescue Plan funds.

ACTION: This item was pulled and discussed as a Regular Agenda item 5.g.

8.i. State Route 88 / Pine Grove Improvement Project;

Relocation Agreement with Mr. Kelly and Mr. Parson, Upcountry Hardware

ACTION: Approved

8.j. Assessor: Secured Roll Correction - approval of roll correction with values decreased 50% or more.

ACTION: Approved

8.k. Surveying Department-request to set the Public Hearing Date for a Public Utility Easement Abandonment as shown in Exhibit A hereto. Said Easement is being vacated as part of the request for a Boundary Line Adjustment for Silver Point Partners LLC 2014-0002388 and Mark A. Presley and Carolyn Presley 2017-0004717 and Brian McNary 2013-0005759. The property involved is located along Silver Pointe Drive. Assessor's Parcel No.'s 033-800-021 and 023-410-038 and 023-410-040.

ACTION: Approved-Resolution No. 22-004

8.l. State of California Minimum Wage Adjustment for Custodian I

ACTION: Approved

8.m. Amador Behavioral Advisory Board (ACBHAB): Appointment of Carmen Glaister as a Public Member to a three year term ending January 3, 2025.

ACTION: This item was pulled and discussed as a Regular Agenda item 5.e.

8.n. Rescission of Probation Officers Association (POA) Side Letter

ACTION: Approved

8.o. Budget increase to department 2700-Special Services account 54139 to account for additional funds from the CARES Act being allocated to the Pine Acres CSD

ACTION: Approved

8.p. Probation: Budget Increase Request

ACTION: Approved