

**Amador County Board of Supervisors
ACTION MINUTES**

REGULAR MEETING

DATE: Tuesday, April 26, 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
Patrick Crew, District I
Frank U. Axe, District IV

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 Forster advised the following items were heard in Closed Session.**

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

Chris Famularo v. County of Amador, Workers Compensation Claim 20172001151

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

MOTION: **It was moved by Supervisor Axe seconded by Supervisor Oneto and unanimously carried to approve the Settlement Agreement relative to this case as presented.**

Matt Dolezal v. County of Amador, et al. Amador County Superior court, Case No. 20-CV-11921

ACTION: **Direction given to staff.**

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, Kim Holland, Budget Analyst and Lisa Gaebe, Human Resources Director
Employee Organization: All Units

ACTION: **Nothing to report.**

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

Michael Eslinger-Application for Leave to present a Late Claim, (Claim No. 22-05)

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

MOTION: **It was moved by Supervisor Crew seconded by Supervisor Brown and unanimously carried to deny the application for Leave to present a Late Claim.**

Confidential Minutes: Review and possible approval of the April 12, 2022 Confidential 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 April 12, 2022 Confidential Minutes.

PLEDGE OF ALLEGIANCE: Chairman Forster 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**.

Agriculture Department: Mr. Eric Mayberry, Agriculture Commissioner, took this time to address the recent issue that affected local farmers and vineyard owners when a hard freeze causing significant crop damage occurred. Mr. Mayberry stated a considerable number of grapevines and walnuts were damaged because of the freeze. Mr. Mayberry advised he drafted and sent a letter to the Governor's Office of Emergency Services on behalf of the County to ensure appropriate steps will be taken for Amador County to be considered for a Primary Presidential Disaster Declaration. Mr. Mayberry will continue to update the Board in the future when more exact determinations of current and ongoing crop damage and loss are realized.

Amador Fire Safe Council: Mr. John Heissenbittel, joined the meeting via ZOOM and advised the AFSC will be receiving a grant in the amount of 1.4 million dollars from the Sierra Nevada Conservancy to conduct fuel reduction and fuel break work on approximately 350 acres in the County. Project areas will include nine parcels of BLM properties throughout the County including the areas of Buckhorn Ridge, Rams Horn Grade and several parcels on Shake Ridge Road.

Mental Health Concerns: Supervisor Oneto took this time to request the Board place an item on a future agenda to discuss the need for funding and staffing to address the mental health and homelessness issues in the County. Supervisor Oneto continued by stating recently a window was broken at the newly renovated County Library and other businesses in downtown Jackson suffered similar vandalism. Supervisor Oneto would like consideration to be given to sending a letter to Federal and State lobbyists requesting assistance.

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 Forster advised the following item will be moved from the Consent Agenda to the Regular Agenda and will be heard as item 5.1.:

Item 7.g.- Adoption of an Uncodified Ordinance approving a Military Equipment Use Policy pursuant to Assembly Bill 480;. (Reading waived on April 12, 2021).

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)

Item 7.g.- Chairman Forster advised Item 7.g. will be pulled from the Consent Agenda and placed as item 5.1. Regular Agenda for adoption.

ACTION: Direction given pursuant to the following motion.

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

REGULAR AGENDA

General Services Administration: Regional Broadband Roadmap Project Presentation.

Mr. Jon Hopkins, General Services Director, addressed the Board and provided a brief summary regarding this item. He stated Amador County's participation as one member of the Central Sierra Economic Development District (CSEDD) resulted in a \$500k no match grant through the US Department of Commerce, Economic Development Administration (EDA), to fund the Regional Broadband Roadmap Project. Mr. Hopkins continued by noting the Board will hear a presentation today of the final draft report from NEO Connect.

Ms. Diane Kruse, NEO Connect CEO, joined the meeting via ZOOM and provided an informative presentation outlining the final draft report. A complete copy of the report is hereby incorporated into these minutes as though set forth in full.

Chairman Forster opened the discussion to the public and the following individual wished to speak:

- Ms. Jamie Lubenko, District V resident

ACTION: Presentation only.

General Services Administration: Discussion and possible action relative to Pine Grove Civic Improvement Club proposed improvements of Pine Grove Town Hall.

Mr. Jon Hopkins, General Services 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. In summary, Mr. Hopkins stated the County and Pine Grove Civic Improvement Club (PGCIC) have entered into an operation and maintenance agreement dated December 14, 2021, for a period of ten years. At this time, the PGCIC would like to make improvements to Pine Grove town Hall. The three proposed project are as follows:

1. Add air conditioning to the existing central heating unit. (projected cost \$10,560.00)
2. Replace existing front stairs and landing with composite. (projected cost \$5998.00)
3. Remove and replace kitchen exhaust hood with fire suppression hood. (projected cost-TBD)

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, and unanimously carried to approve the request by the PCCIC to move forward with the improvements outlined above and waive all associated permit fees as possible.

Administrative Agency: Discussion and possible action relative to the addition of Chapter 7.30 to the Amador County Code regarding defensible space requirements and hazardous vegetation and combustible material abatement.

Mr. Greg Gillott, County Counsel, summarized the proposed Ordinance for the Board and suggested two minor edits to Sections 7.30.130 and 7.30.080.

Chairman Forster opened the discussion to the public. The following individuals wished to speak in favor of adoption this Ordinance.

- Ms. Cyndy Grandbois, District I resident
- Mr. John Heissenbuttel, District V 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 Brown, seconded by Supervisor Oneto and unanimously carried to waive the reading of the subject Ordinance and schedule for adoption on May 10, 2022.

Amador Senior Center: Discussion and possible action relative to an increased funding request from the Amador Senior Center for the FY 22/23 budget and consideration of continued funding to the Common Ground Meals on Wheels program.

Mr. Chuck Iley, County Administrative Office addressed the Board and stated Common Ground Meals on Wheels program will not be discussed today as a representative was unable to attend the meeting. This matter will be brought back to the Board for discussion on May 24, 2022.

Mr. Chris Kalton, Amador Senior Center, Executive Director, addressed the Board and requested funding support in the amount of \$15,000 for fiscal year 2022-2023.

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 unanimously carried to allocate \$15,000.00 to the Amador Senior Center meal delivery program for fiscal year 2022-2023.

Administrative Agency: Discussion and possible action relative to a one time request for increased funding by the Amador Chamber of Commerce from \$40,000.00 to \$80,000.00 for the FY 22-23. The Amador Council of Tourism will also discuss the allocation of the funds and distribution of tourism related responsibilities in Amador County.

Mr. Matt Toma, Chamber President, addressed the Board and presented the Chamber's three year projected budget plan, and fielded questions from the Board.

Mr. Dave Horner, ACT Executive Director, addressed the Board and summarized ACT's request for funding.

Lengthy 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 a one-time funding request for fiscal year 2022-2023 in the amount of \$80,000.00 for the Chamber of Commerce and funding in the amount of \$136,000.00 for the Amador Council of Tourism for fiscal year 2022-2023.

Amador County Recreation Agency: Discussion and possible action relative to a request from ACRA to increase the annual contribution by Amador County from \$5.00 per capita to \$6.50 per capita in the 22/23 fiscal year.

Mr. Justin Howard, ACRA Executive Director, addressed the Board and requested support of a membership fee of \$6.50. Mr. Howard stated the increased fee will allow ACRA to provide a higher level of value for its members. He went on to explain the membership fee of \$5.00 was set in 2009. He cited wages and labor, inflation and member benefit as being some of the main supporting causes for the increase request.

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 request for a \$6.50 membership fee.

Agriculture Department: Discussion and possible action relative to the establishment of a Disaster Livestock Access Program.

Mr. Eric Mayberry, Agriculture Commissioner, 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, Assembly Bill 1103 was signed into law by the Governor in October 2021. This bill sets a statewide framework for counties to follow that would allow counties to establish a livestock pass program in their individual county. Mr. Mayberry continued by stating he is proposing to create a Disaster Livestock Access Program to facilitate for the care of commercial livestock before, during and after a wildfire or other natural disaster event.

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 and unanimously carried to approve the following resolution authorizing the Agricultural Commissioner to establish a disaster livestock pass program consistent with AB1103.

RESOLUTION NO. 22-056

Resolution authorizing the Amador County Agricultural Commissioner to establish a Livestock Pass Program pursuant to Food and Agricultural Code Section 2350

Administrative Agency: Discussion and possible action relative to a letter from the Board of Supervisors in support of an application for grant funding for a new fire station in Pine Grove. The funding would be coming from the State of California.

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 Chairman's signature on a letter of support for an application for grant funding for a new fire station in Pine Grove.

Administrative Agency: Discussion and possible action relative to an update regarding the American Recovery Act State and Local Fiscal Recovery Funds expenditure and revenue loss options available under the Final Rule.

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

Lengthy 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 Crew and unanimously carried to treat ARPA funds with the Revenue Loss Standard Allowance Option whereby declaring the maximum standard allowance will be set at \$10 million for the entire period of performance. This matter will be brought back to the Board at a future meeting for further discussion on specific allocations.

Planning Department: Review and possible approval, pursuant to Amador County Code Section 7.36.180 – Surface Mining, of an administrative minor amendment to Reclamation Plan RP-77-6 to bifurcate 734.64+/- acres acquired by Vulcan Materials Company (“Vulcan”) from Edwin Lands, LLC (“Edwin”). The bifurcation will facilitate the transfer of financial responsibility for reclamation of the affected acreage from Edwin to Vulcan and the issuance of a separate Mine ID Number for the portion acquired by Vulcan.

Mr. Chuck Beatty, Planning 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 following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Axe and unanimously carried to approve the following Resolution authorizing recordation of a Notice of Reclamation Plan Approval for 734.64+/- acres owned by Vulcan Materials Company and simultaneous removal of the same acreage from the Edwin Mine Reclamation Plan (RP-77-6); and adoption of the following findings:

1. The proposed amendment will not cause a substantial increase in the disturbance of the surface area or in the maximum depth of mining due to the limited nature of the proposed action;
2. The proposed amendment does not request a substantial extension of the termination date of the mining operation set out in the approved reclamation plan;
3. The proposed amendment does not cause changes that would substantially affect the approved end use of the site as established in the original reclamation plan;

4. The proposed amendment does not conflict with any prior environmental determinations; and
5. The proposed amendment does not propose any changes that the County deems a substantial deviation.
6. Pursuant to Public Resources Code 21080(b)(1), and California Code of Regulations 15060(c)(1) & (2), 15061(b)(3), & 15268, approval of the minor amendment is an administrative, ministerial action and is exempt from CEQA. A Notice of Exemption will be filed with the County Recorder.

RESOLUTION NO. 22-057

Resolution authorizing recordation of a Notice of Reclamation Plan Approval pursuant to the Surface Mining and Reclamation Act, Public Resources Code Section 2772.7 for acreage owned by Vulcan Materials Company

Item 7.g. moved from Consent Agenda-Administrative Agency: Discussion and possible action relative to adoption of an uncodified Ordinance approving a Military Equipment Use Policy pursuant to Assembly Bill 480. (Reading waived on April 12, 2022)

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Forster and unanimously carried to adopt the following uncodified Ordinance approving a Military Equipment Use Policy.

ORDINANCE NO. 1819

Uncodified Ordinance to adopt Military Equipment Use Policy pursuant to AB 481

Minutes: Review and possible approval of the April 12, 2022 Regular Meeting Minutes.

ACTION: Approved pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Axe and unanimously carried to approve the April 12, 2022 Regular Meeting Minutes.

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

Surveying Department: Discussion and possible action relative to a public hearing to consider a Certificate of Merger for Matthew E. Luper and Angelina Luper. The properties involved in said merger are Lots A and B as shown on Book 55 of Maps and Plats at Page 29, Assessor's parcel No.'s 023-340-030-000 and 023-340-029-000.

Ms. Tiesha Adams, Surveying Department, 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.

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

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

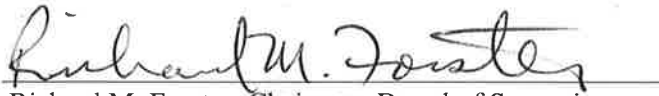
ACTION #2: Direction given pursuant to the following motion.

MOTION #2: It was moved by Supervisor Oneto seconded by Supervisor Crew and unanimously carried to approve the following Resolution issuing the Certificate of Merger to Matthew E. Luper and Angelina Luper.

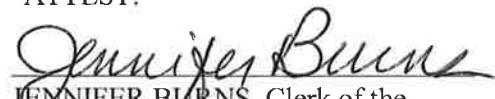
RESOLUTION NO. 22-058

Resolution issuing a Certificate of Merger to Matthew E. Luper and Angelina Luper.

ADJOURNMENT: Until Tuesday, May 10, 2022 at 8:30 a.m.


Richard M. Forster, Chairman, Board of Supervisors

ATTEST:


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

April 26, 2022 CONSENT MINUTES

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

ACTION: Approved-Resolution No. 22-059

7.b. MOU with CDFA for Ag to provide detection and delimitation of the Glassy-Winged Sharpshooter (GWSS) for fiscal year 2022-2024

ACTION: Approved

7.c. Parcel Map No. 2851 for Pheasant Hill Partners LLC. The subject agenda item is a request for approval of Parcel Map. No. 2851 with certain easement rejections. The property is located along Last Chance Alley and Bunker Hill Road. Assessor's Parcel No. 008-230-044-000.

ACTION: Approved-Resolution No. 22-060

7.d. Second installment funding for Library Literacy Budget

ACTION: Approved

7.e. Second Amendment to the Mortuary Services Agreement Between Amador County and Daneri Mortuary

ACTION: Approved

7.f. Building Department-Limited Density Owner-Built Rural Dwelling / LD222017-Hopkins

ACTION: Approved-Resolution No. 22-061

7.g. Adoption of an Uncodified Ordinance approving a Military Equipment Use Policy pursuant to Assembly Bill 480;. (Reading waived on April 12, 2021). (Moved to Regular Agenda for adoption)

ACTION: Approved

7.h. Behavioral Health / 2nd amendment to agreement with Nexus Youth and Family Services, Outreach and Engagement

Awarded RFP 20-11

ACTION: Approved

7.i. Workers Compensation Insurance Fraud Grant Request for Application

ACTION: Approved-Resolution No. 22-062

7.j. Behavioral Health/Sierra Child & Family Services, 1st Amendment to Services FY 22-23

ACTION: Approved

7.k. Community Hangar License Agreement for Hangar E-5

ACTION: Approved

7.l. General Services Administration: ITB 22-03 2022 County Roads Striping Program

ACTION: Approved

7.m. Resolution Regarding Salaries and Fringe Benefits for Mid-Management Employees

ACTION: Approved-Resolution No. 22-063

7.n. Reclassification Request - Building Inspector II to Building Inspector III

ACTION: Approved