

**Amador County Board of Supervisors
ACTION MINUTES**

REGULAR MEETING

DATE: Tuesday, July 25, 2023
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:

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

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.**

****It should be noted Supervisor Oneto advised he would be late for Closed Session due to unforeseen circumstances****

CONFERENCE WITH REAL PROPERTY NEGOTIATORS: County Negotiators: Charles T. Iley, County Administrative Officer; jon Hopkins, General Services Director

Property: APN 044-010-116-000 (.5 +/-Acres) Portion of Airport Property-Hangar 5
Negotiation Parties: James Johnson, Air Builder Assist Center (ABAC LLC)
Under Negotiation: Terms and Conditions to consider for Commercial Hangar 5

ACTION: Direction given to staff.

CONFERENCE WITH COUNTY COUNSEL: INITIATION OF LITIGATION
{Government Code 54956.9(d)(4)}

One Case

ACTION: Nothing to report.

CONFERENCE WITH COUNTY COUNSEL: ANTICIPATED LITIGATION-
{Government Code 54956.9(d)(2)}

Claim of Jennifer Terry, Claim No. 23-12

ACTION: Claim denied pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew, and unanimously carried to deny the subject Claim due to liabilities and damages by the County being disputed.

Ayes: Supervisors Forster, Crew, Brown and Axe

Noes: None

Absent: Supervisor Oneto

****Supervisor Oneto joined the meeting at approximately 8:50 and was present until Item 5.e. on the Regular Agenda when he subsequently recused himself due potential to conflict of interest issues.****

Claim of Wes Ebert, Claim No. 23-14

ACTION: Claim denied pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Crew and unanimously carried to deny the subject Claim due to liabilities and damages being disputed.

Confidential Minutes: Review and possible approval of the July 11, 2023 Confidential Minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Crew and unanimously carried to approve the July 11, 2023 Confidential Minutes.

PLEDGE OF ALLEGIANCE: Chairman Brown 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**.

The following individuals wished to speak:

- Ms. Cindy Grandbois, District I resident

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 Brown advised the following items have been added to the Regular Agenda for today's date:

ADDENDUM #1: State Route 88/Pine Grove Improvement Project (Added as Item 5.d.)

ADDENDUM #2: Addendum to Intergovernmental Agreement between the Buena Vista Rancheria of Me-Wuk Indians and the County of Amador. (Added as Item 5.e.)

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Crew and carried unanimously to approve the agenda as amended.

CONSENT AGENDA: Items listed on the consent agenda 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 Brown advised the following items will be pulled from the Consent Agenda for today's date per the request of the Surveying Department. The items will come back to the Board at a future date not yet determined.

Item 6.o.-Surveying Department: Parcel Map No. 2903 for Delbert E. Rapini 2003 Separate Property Trust dated August 20, 2003. (2003-001587 and 2009-0004646) and Del Rapini Construction Inc., a California Corporation 2005-0012391. The properties are off State Highway 88, Ridge Road, and Mineral Ridge.

Item 6.q.-Surveying Department: Request to set the public hearing date for Public Utility Easement Abandonment as shown in Exhibit B. Said easement is being vacated as part of the request for a certificate of merger for Del Rapini Construction, Inc. a California Corporation. The properties involved in said merger are Lots 27 and 28 of Pine Grove Bluffs, Phase 1 as recorded in Book 9 of Subdivision Maps at Page 53. Assessor's Parcel No.'s 030-740-005 and 030-740-006.

Item 6.r.-Surveying Department: Request to set the public hearing date for a public utility easement abandonment as shown in Exhibit B hereto. Said easement is being vacated as part of the request for a Certificate of Merger for Del Rapini Construction, Inc. a California Corporation. The properties involved in said merger are lots 21 and 22 of Pine Grove Bluffs, Phase 1 as recorded in Book 9 of Subdivision Maps at Page 53. Assessor's Parcel No.'s 030-740-011 and 030-740-012.

At this time, Chairman Brown allowed time for public comment on the consent agenda. There were no public comments.

ACTION: Direction given pursuant to the following motion.

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

REGULAR AGENDA

Measure M Revenue Distribution for FY 2023-24 (based on FY 22-23 Data)

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 Oneto and unanimously carried to approve the proposed 2023-24 Measure M calculations as presented.

Administrative Agency: Discussion on the progress relative to the proposed Winery Ordinance. The committee has met and developed a proposed ordinance that must still be reviewed by the Planning Commission before possible adoption by the Board of Supervisors.

Supervisor Axe addressed the Board and provided some background as to how the Land Use Ordinance Committee (Supervisors Axe and Forster, and staff) drafted the proposed Winery Ordinance/Tasting Room Criteria which is hereby incorporated into these minutes as though set forth in full. Supervisor Axe advised the Committee thought it would be advantageous to bring this matter before the Board and receive any input or answer questions the Board or the public may have prior to the Land Use Committee hearing the issue and begin to draft an Ordinance for adoption by the Board at a later date.

Supervisor Axe continued by stating the Land Use Committee conducted several meetings relative to issues surrounding the wineries and tasting rooms, and input was received from the public as well as winery owners.

While many aspects were discussed, the primary focus was mitigations concerning lighting, noise and traffic.

The following individuals wished to speak relative to this matter:

Ms. Diane Kindermann, Abott and Kindermann law firm, representing the Churichillo Family.

Mr. Dominic Churichillo, Domenico Winery

Mr. Nickolaus Churichillo, Domenico Winery

Discussion ensued with the following action being taken.

ACTION: Concurrence of the Board to send this matter back to the Land Use Committee for further vetting and return to the Board with a Resolution of Intention at a future meeting.

General Services: Review and possible recommendation relative to the purchasing of county vehicles.

Mr. Jon Hopkins, General Services Director, 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 Forster, seconded by Supervisor Crew and unanimously carried to delegate authority to the Purchasing Agent in an amount of \$1 million dollars annually for the procurement of budgeted fleet vehicles and; dispense with fleet vehicle bids annual and; authorize the Purchasing Agent to acquire fleet vehicles based upon the best value found and direct staff to review expenditures with the Board during the budget process each year.

ADDENDUM #1-State Route 88/Pine Grove Improvement Project.

Mr. Rich Vela, Public Works 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, the Amador County Department of Transportation and Public Works has been working on the design of roadway improvements along the SR 88 corridor in Pine Grove. The revised Phase A has been developed that will provide operational improvements and congestion relief corridor-wide on SR 88 from Ridge Road to just past Pine Grove Elementary School in the

town of Pine Grove in Amador County, California. The primary components of the State Route 88//Pine Grove Improvement Project is as follows:

- Widening SR 88 to provide 8-foot shoulders and 12-foot lanes from Ridge Road to just past Pine Grove Elementary School.
- Relocation of egress from Pine Grove Elementary School onto Pine Grove Volcano Road
- Signalization of the SR 88/Pine Grove Volcano Road intersection.
- Providing anew pedestrian crossing near the Pine Grove Town Hall, just East of Irish Town Road.
- Constructing new sidewalks along SR 88 from Ridge Road to Pine Grove Elementary School.
- Adding on-street parking near Town Hall.
- Improving bus stops along SR88.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Crew and carried to approve the Exhibit 3-I request for Local Construction Authorization; and Authorize Chairman to sign the agreement by wet signature.

Ayes: Supervisors Forster, Brown and Axe

Noes: Supervisor Crew and Oneto

Absent: None

****Supervisor Oneto left the Board Chambers at this time to avoid any perceived conflict of interest issues.****

ADDENDUM #2-Addendum to Intergovernmental Agreement between the Buena Vista Rancheria of Me-Wuk Indians and the County of Amador.

Mr. Greg Gillott, County Counsel, provided an overview of the proposed amendment by stating the Tribes compact with the State is facing recent litigation and a decision coming out of the 9th Circuit Court calls to question language that also ties into the IGA with the County. The Tribe has indicated it will likely initiate litigation against the State regarding the Compact. To avoid the need to initiate litigation on behalf of the County, he recommends the Board consider temporarily extending the Tribes payment obligation an additional thirty days beyond July 31, 2023.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Crew and unanimously carried to authorize the Chairman's signature on an Addendum to the Intergovernmental Agreement between the Buena Vista Rancheria of Me-Wuk Indians and the County of Amador as presented.

Ayes: Supervisors Axe, Crew, Brown and Forster

Noes: None

Recused: Supervisor Oneto

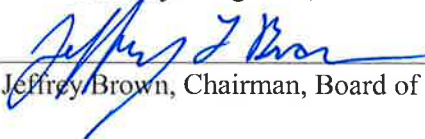
****Supervisor Oneto returned to the Chambers at this time****

Minutes: Review and possible approval of the July 11, 2023 Board of Supervisors Meeting Minutes.

ACTION: Direction given pursuant to the following motion.


MOTION: It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to approve the July 11, 2023 Board of Supervisors Meeting Minutes.

ADJOURNMENT: Until Tuesday, August 8, 2023 at 8:30 a.m.



Jeffrey Brown, Chairman, Board of Supervisors

ATTEST:


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

July 25, 2023 CONSENT MINUTES

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

Suggested Action: Receive and File

ACTION: Approved-Resolution No. 23-089

6.b. Assessor: Mineral Appraisal Agreement between County of Amador and Harold W Bertholf INC. July 01, 2023 - June 30, 2024

ACTION: Approved

6.c. 2nd Amendment to Agreement between Behavioral Health and Aegis Treatment Centers. This agreement adds an Aegis location that Amador County client have been utilizing and reflects new rates.

ACTION: Approved

6.d. Service Agreement between Behavioral Health department and Sierra Child and Family Services for FY 2023-2024

ACTION: Approved

6.e. Probation: Budget Increase for Vehicle Purchase Using SB 129 Funds. There is no impact to the General Fund.

ACTION: Approved

6.f. Behavioral Health Department and Housing Tools Agreement for FY 2023-2024.

ACTION: Approved

6.g. Social Services: Records Retention Schedule

ACTION: Approved

6.h. Historic Cemeteries Board: Approval of the appointment of Dr. Arnie Zeiderman to the subject Board for a two year term.

ACTION: Approved

6.i. Behavioral Health Advisory Board: Approval of Tyx Pulskamp to the subject Advisory Board for a two year term.

ACTION: Approved

6.j. Pine Acres Community Services District Board: Approval of the appointment of Geoffrey P. Gamble to the subject Board for a four year term.

ACTION: Approved

6.k. Approval of a side letter with the Sheriff's Office Association (SOA), extending the Memorandum of Understanding an additional year (new contract term 2022-2026).

ACTION: Approved-Resolution No. 23-090

6.l. Building Department: Agreement to Limit Use of Agricultural Structure for AG233959 - Kent

ACTION: Approved-Resolution No. 23-091

6.m. General Services Administration: RFP 23-12 Contract Services for Substance Use Disorder Prevention Activities

ACTION: Approved

6.n. Surveying Department-Parcel Map No. 2904 for ERJ Enterprises LLC, a California limited liability company 2021-0009872. The subject agenda item is a request for approval of Parcel Map No. 2904. The properties are off Wheat Road and Sunset Drive. Assessor's Parcel No. 011-270-003

ACTION: Approved-Resolution No. 23-092

~~6.o. Surveying Department Parcel Map No. 2903 for Delbert E. Rapini 2003 Separate Property Trust udt dated August 20, 2003 2003-001587 and 2009-0004646 and Del Rapini Construction, Inc., a California Corporation 2005-0012391. The subject agenda item is a request for approval of Parcel Map No. 2903. The properties are off State Highway 88, Ridge Road, and Mineral Ridge. Assessor's Parcel No. 030-740-022 and 030-740-019. (PULLED PER REQUEST OF DEPARTMENT HEAD)~~

ACTION: This item was pulled from the agenda

6.p. Library: Budget Increase to cover additional revenue for grants received from the California State Library and the Public Library Association.

ACTION: Approved

~~6.q. Surveying Department request to set the public hearing date for a Public Utility Easement Abandonment as shown in Exhibit B hereto. Said easement is being vacated as part of the request for a certificate of merger for Del Rapini Construction, Inc., a California Corporation. The properties involved in said merger are Lots 27 and 28 of Pine Grove Bluffs, Phase 1 as recorded in Book 9 of Subdivision Maps at Page 53. Assessor's Parcel No.'s 030-740-005 and 030-740-006. Merging the lots will allow additional area for a buildable lot. (PULLED PER REQUEST OF DEPARTMENT HEAD)~~

ACTION: This item was pulled from the agenda

~~6.r. Surveying Department: Request to set the public hearing date for a public utility easement abandonment as shown in Exhibit B hereto. Said easement is being vacated as part of the request for a Certificate of Merger for Del Rapini Construction, Inc. a California Corporation. The properties involved in said merger are lots 21 and 22 of Pine Grove Bluffs, Phase 1 as recorded in Book 9 of Subdivision Maps at Page 53. Assessor's Parcel No.'s 030-740-011 and 030-740-012. Merging the lots will allow additional area for a buildable lot. (PULLED PER REQUEST OFF DEPARTMENT HEAD)~~

ACTION: This item was pulled from the agenda

6.s. Behavioral Health Agreement Amendment with Tulare County Superintendent of Schools, California Friday Night Live (CFNL) Division.

ACTION: Approved

6.t. Peace Officer of the Year: Approval of a Resolution recognizing Ryan John Huisman as Peace Officer of the Year for 2020.

ACTION: Approved-Resolution No. 23-096

6.u. County Counsel: Resolution adopting amendments to the Conflict of Interest Code including Appendix of designated Officials and Employees and Disclosure Categories.

ACTION: Approved-Resolution No. 23-097