

Amador County Board of Supervisors

ACTION MINUTES

REGULAR MEETING

DATE: Tuesday, February 20, 2024
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:

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

CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6.

County Negotiators: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Greg Ramirez, IEDA and Lisa Gaebe, Human Resources Director
Employee Organization: All Units
Suggested Action: Discussion and possible action.

ACTION: **Direction given to staff.**

CONFERENCE WITH COUNTY COUNSEL: EXISTING LITIGATION [Government Code 54956.9(d) (1)]

In Re: National Prescription Opiate Litigation; U.S. District Court, Northern District of Ohio Eastern Division, Case No. 1:17-MD-2804

ACTION: **Direction given to staff.**

Old Golden Oaks v. County of Amador, Case No. C099948

ACTION: **Direction given to staff.**

CONFERENCE WITH COUNTY COUNSEL: ANTICIPATED LITIGATION –
[Government Code 54956.9(d) (2)]

Claim of Amy Hess, Claim No. 24-01

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

MOTION: **It was moved by Supervisor Axe, seconded by Supervisor Brown, and carried to deny the subject Claim due to liabilities and damages by the County being disputed.**

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

Noes: **None**

Abstain: **Supervisor Forster**

Claim of Rick Dunham, Claim No. 24-02

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

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

Ayes: Supervisors Crew, Forster, Oneto and Brown

Noes: Supervisor Axe

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

One Case

Chairman Oneto deferred to Vice-Chairman Crew to report out relative to this matter as he noted a potential conflict of interest on his part.

Vice-Chairman Crew reported the following action.

ACTION: Update given.

Confidential Minutes: Review and possible approval of the February 6, 2024 Confidential Minutes.

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 February 6, 2024 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:

- Mr. Bill May, District II resident
- Ms. Lois McDonald, District I resident
- Mr. Larry White, District IV resident
- Mr. Oral Custer, District II 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 Oneto advised Item 6.b. will be pulled from the agenda from today's date.

Item #6.b.-Behavioral Health modification of MOU with DANCO, NPLH Development Sponsor.

ACTION: Direction given pursuant to the following motion.

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

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).

ACTION: Direction given pursuant to the following motion.

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

REGULAR AGENDA

Administrative Agency: Discussion and possible action relative to a request by the Gold Country Campground (13026 Tabeaud Rd, Pine Grove) for a finding of Public Convenience or Necessity for an alcohol license application currently before the Department of Alcoholic Beverage Control. The location is in census tract 4.02, with a population of 4928. The census tract currently has 13 on site liquor licenses and 6 licenses for off-site. This location previously had a license that expired, so now a new application must be made.

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 declare a public convenience or necessity for Gold Country Campground LLC.

Behavioral Health: Discussion and possible action relative to modification of the MOU with DANCO, NPLH Development Sponsor.

ACTION: This item was pulled from the agenda for today's date.

Minutes: Review and possible approval of the February 6, 2024 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 carried unanimously, to approve the February 6, 2024 Board of Supervisors Meeting Minutes with corrections.

PUBLIC HEARING 10:30 A.M.

Surveying Department: Discussion and possible action relative to a Public Hearing to consider adoption of the resolution approving a Certificate of Merger for David Mark Allen

McDonald and Dalaine Lyndsay McDonald. The properties involved in said Merger are Adjusted Compliance Parcels 5 and 6 as shown on Book 65 of Maps and Plats Amador County Records at Page 37. Assessor's Parcel No.'s 011-040-034 and 011-040-035. Merging the lots will allow the applicants to complete a Boundary Line Adjustment in the future.

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.

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

MOTION #2: It was moved by Supervisor Forster, seconded by Supervisor Crew and unanimously carried, to adopt the Resolution issuing a Certificate of Merger to David Mark Allen and Dalaine Lyndsay McDonald.

RESOLUTION NO. 24-019

Resolution issuing Certificate of Merger to David Mark Allen and Dalaine Lyndsay McDonald

Surveying Department: Discussion and possible action relative to a Public Hearing to consider adoption of Resolutions approving a public utility easement abandonment and Certificate of Merger for Russell and Amanda Arnold. The properties involved in said Merger are Adjusted Lots 1 and 2 of Rancho Del Monte Subdivision as recorded in Book 4 of Subdivision Maps at Page 85 and adjusted by Boundary Line Adjustment as shown in Document 2010-0009981 of records of Amador County. Assessor's Parcel No.'s 021-380-022 and 021-380-023. Merging the lots will allow the applicants to avoid encroachment when they build their home.

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

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

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

MOTION #2: It was moved by Supervisor Forster, seconded by Supervisor Axe, and unanimously carried to adopt the following Resolutions approving abandonment of a Public Utility Easement for Russell B. and Amanda J. Arnold; and issuing a Certificate of Merger to Russell B. and Amanda J. Arnold.

RESOLUTION NO. 24-020

Resolution approving abandonment of a Public Utility Easement for Russell B. and Amanda J. Arnold.

RESOLUTION NO. 24-021

Resolution issuing a Certificate of Merger to Russell B. and Amanda J. Arnold.

Administrative Agency: Discussion and possible action relative to a Public Hearing to consider an Appeal of the County's determination that the grading and encroachment permit applications to construct a public roadway for appellant's 281-unit residential project, Lake Camanche Village Unit 3B, are incomplete. The County deemed the applications incomplete because the applicant failed to provide information the County requested to evaluate environmental impacts under the California Environmental Quality Act. The applicant contends the County cannot request information that is not specifically listed on the County's application checklist.

Mr. Chuck Beatty, Planning Director, addressed the Board and summarized the staff report relative to this matter and reviewed the timeline and sequence of events which is hereby incorporated into these minutes as though set forth in full.

Mr. Bradley Johnson, Attorney for Petitioner and Plaintiff, presented the Petitioners opposition to the Demurrer filed by Amador County relative to this matter and is hereby incorporated into these minutes as though set forth in full.

Mr. Glenn Spitzer, Deputy County Counsel, addressed the Board and answered questions specific, but not limited to, the Petitioners interpretation of the Permit Streamlining Act (PSA) and California Environmental Quality Act (CEQA) as it relates to requiring agencies to request information necessary to perform environmental analysis.

Mr. Mark Hopkins, Amador County Transportation and Public Works, Project Manager, also provided input relative to this matter.

Chairman Oneto opened the public hearing at this time. The following individuals wished to speak.

Mr. Craig Baracco, Foothill Conservancy, Executive Director
Mr. Russ Parker, District II resident

Lengthy discussion ensued with the following actions being taken.

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

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

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

MOTION #2: It was moved by Supervisor Axe, seconded by Supervisor Forster and unanimously carried to deny the appeal as presented, noting the County's submittal checklist expressly allows the County to request additional information if needed and the Permit Streaming Act (PSA) allows agencies to request additional information needed to comply with the legislative mandates of the California Environmental Quality Act (CEQA).

ADJOURNMENT: Until Tuesday, February 20, 2024 at 8:30 a.m.

A handwritten signature in blue ink that reads "Brian Oneto". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Brian Oneto, Chairman, Board of Supervisors

ATTEST:

A handwritten signature in blue ink that reads "Jennifer Burns". The signature is written in a cursive style with a long horizontal stroke extending to the right.

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

February 20, 2024 CONSENT MINUTES

8.a. Budget Increase for Department 2750 (OES) to accommodate funding being received via grants

ACTION: Approved

8.b. Behavioral Health budget increase for Behavioral Health Bridge Housing funds. This funding was approved with resolution 23-151, and no General Funds are being utilized.

ACTION: Approved

8.c. Board of Supervisors: Resolution honoring Kim Grady and Kristi Roots as Recipients of the 2024 Margaret Dalton Gold Acorn Award.

ACTION: Approved-Resolution No. 22-022 and Resolution No. 22-023

8.d. Resolution Regarding Salaries and Fringe Benefits for Confidential Employees

ACTION: Approved-Resolution No. 22-024

8.e. Resolution Regarding Salaries and Fringe Benefits for Mid-Management Employees

ACTION: Approved-Resolution No. 22-025

8.f. Resolution Regarding Salaries and Fringe Benefits for Management Employees

ACTION: Approved-Resolution No. 22-026

8.g. Consolidated Salary Schedule

ACTION: Approved

8.h. Surveying Department-request to set the date for a public hearing for a Public Utility Easement Abandonment and Certificate of Merger for Gary L. and Diane M. Henricus. The properties involved in said Merger are Lots 370 and merged Lots 371/372 of Lake Camanche Village Subdivision Unit 1 as recorded in Book 3 of Subdivision Maps at Pages 8 through 23. Assessor's Parcel No.'s 003-061-004 and 003-061-003.

ACTION: Approved-Resolution No. 22-027

8.i. Assessor Roll Corrections - approval of P19 base year value transfer being decreased over \$150,000.

ACTION: Approved

8.j. Revised Job Description for Behavioral Health Care Counselor I/II

ACTION: Approved