

—

**Amador County Board of Supervisors  
ACTION MINUTES**

**REGULAR MEETING**

**DATE:** Tuesday, December 17, 2019  
**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:**

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

**Staff:** Charles T. Iley, County Administrative Officer  
Gregory Gillott, County Counsel  
Jennifer Burns, Clerk of the Board

**Absent:** Brian Oneto, District V-Chairman-(Absent from Closed Session portion of meeting only).

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. Vice-Chairman Crew advised the following items were heard in Closed Session.

**Conference with Labor Negotiators:** Pursuant to Government Code Section 54957.6  
County Negotiators: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Judy Dias, Human Resource Director and Gregory Ramirez, IEDA. Employee Organization: All Units

**ACTION:** Nothing to report.

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

One Case

**ACTION:** Direction given to staff.

**Confidential Minutes:** Review and possible approval relative to the November 12, 2019 and November 26, 2019 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 November 12, 2019 and November 26, 2019 Confidential Minutes with clarification and amendment to the motion regarding the following Addendum added to the Closed Session Agenda for November 26, 2019.

**Ayes:** Supervisor Axe, Brown, Forster and Crew

**Noes:** None

**Absent:** Supervisor Oneto

**Public Employee Discipline/Dismissal/Release-Pursuant to Government Code Section 54965.5.**

**Chairman Oneto joined the meeting at this time and was present for the remainder of items heard.**

**PLEDGE OF ALLEGIANCE:** Chairman Oneto 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 County Commission on Aging:** Mr. Skip Schaufel, Commission on Aging Chairman, took this time to present the 2018-2019 Annual Report which is hereby incorporated into these minutes as though set forth in full.

**Community Fund/BVAC Committee:** Ms. Dana Calhoun, District II resident, addressed the Board and asked if BVAC Committee Meeting has been set yet as she is of the understanding a meeting should take place quarterly as stated in the ISA. County Counsel responded by stating the last meeting was held in October and to date another meeting has not been set. He advised staff will be working with the Tribe in the near future to ascertain a compatible date and time that will work for the Tribe and County staff. In addition, Ms. Calhoun requested the Board create or recognize an Advisory Committee comprised of those residents that live in close proximity of the Buena Vista Casino to advise the County on how the Community Funds should be allocated.

**2020 Census:** Ms. Lindy Niemann, recruiting agent for US Census, addressed the Board and expressed concern regarding placing advertising signs in specific locations within the County to increase public interest in applying for positions to assist in facilitating the Census in 2020. Ms. Niemann stated approximately 148 additional people are needed to fill necessary positions and all hiring needs to be in place by March 15, 2020 as that is when training will begin. Ms. Niemann stated the Planning Department has advised her she will be in violation of the current sign ordinance and possible encroachment issues if the signs are placed. Discussion ensued with the Board concurring that an accurate Census is important and advised a Special Meeting will be scheduled in the near future to discuss the possibility of amending or suspending the ordinance.

**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 the following item was added to the Agenda as an Addendum for today's date as item 4g:

**Amador Water Agency:** Discussion and possible action regarding and amendment to the sub-recipient agreement between Amador Water Agency and the County of Amador.

**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 as amended above.

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

### **REGULAR AGENDA**

**General Services Administration:** Discussion and informational update regarding Library services and activities.

Ms. Laura Einstader, Librarian, addressed the Board and provided an informational update of services and activities at the library. Mr. Mark Olivarria, Facilities took this time to provide the Board with an update as to the status of contract negotiation for architectural services to make physical improvements at the library. He stated the main focus of the projects relate to County liability and ADA issues. Some items that will be completed are updated restrooms, safe path of travel and elimination of asbestos as well as moving the front counter and other various maintenance and aesthetic improvement needs such as new flooring, roof repairs and outside drainage. Mr. Olivarria stated staff has been working with the City of Jackson on eliminating as much garbage as possible from the park as well as around the library itself. Mr. Olivarria also pointed out that the owners of the ACE Hardware store adjacent to the Library have been excellent working partners and have been generously offering some of their parking area to be utilized for Library staff parking. Ms. Kim Holland, Senior Administrative Analyst, spoke briefly regarding the funding for the proposed projects and stated approximately \$400,000.00 was set aside for Library ADA and asbestos mitigations (as well as other improvements and repairs), however due to costs associated with preliminary drawings, testing and emergency repairs, approximately \$385,000.00 currently remains. Ms. Holland pointed out staff is working on a USDA grant that could supplement project costs up to 35% and that would greatly benefit project completion.

**ACTION:** Presentation only.

**County Counsel:** Discussion and possible action relative to potential adoption of a Nuisance Ordinance that would regulate offensive noise in residential areas particularly focusing on disturbing noises between 10:00 p.m. and 8:00 a.m.

Mr. Glenn Spitzer, Deputy County Counsel, addressed the Board and provided a brief summary of the background of this item. In summary, he stated after Board direction in July, 2019

to abandon the proposed regulations of short term rentals in favor of a more narrowly tailored nuisance ordinance that would address the specific noise complaints associated with short term rentals, the Land Use and Community Development Committee met three times in October and November regarding the ordinance. The Ordinance before the Board today is the result of those meetings and is recommended for approval. Mr. Spitzer continued by stating the proposed nuisance ordinance regulates offensive noise in residential areas and is based on a reasonableness standard, and it particularly focuses on disturbing noises between 10:00 p.m. and 8:00 a.m.

Supervisor Brown brought up a concern regarding the use of generators in residential areas in the event of a power outage. He stated some circumstances require generators to run 24/7 in an outage do to medical or other unforeseen issues of the residence. Mr. Spitzer advised an exemption is included in the ordinance for agricultural uses and does not apply to commercially zoned properties.

Undersheriff Gary Redman responded to Supervisor Brown's concern by stating that circumstances such as generator use would fall under the "reasonableness" verbiage in the ordinance and stated the Sheriff's Office would not issue citations during a PSPS event or other power outages. He stated this ordinance was essentially designed to make both the perpetrator and the property owner liable and focuses on noisy parties or other unreasonable noise between the hours of 10:00-8:00 a.m. Undersheriff Redman stated generators would not fall into that category in the specific situation of power outage.

Supervisor Forster brought up the situations of contractors or other residents who are required to work outside during the heat of the summer. He suggested perhaps the time frame should be amended to allow noise to begin at 7:00 a.m. instead of 8:00.

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

Mr. Ross Anderson, District IV resident  
Mr. Vern Inman, District III resident

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 Brown and unanimously carried to waive the reading of the Nuisance Noise Ordinance with two amendments:

1. Remove the reference to "fireworks" in the example used at section (C) (2); and
2. Change the hours for prima facie violations in section (E) from 10:00 p.m. to 8:00 a.m. to 10:00 p.m. to 7:00 a.m.; and schedule for adoption on the Consent Agenda for January 14, 2019.

**CSAC Annual Meeting Update:** Presentation by Supervisor Richard Forster and Supervisor Brown relative to the recent California State Association of Counties annual meeting.

**ACTION:** Presentation only.

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

**General Services Administration:** Discussion and possible action relative to a public hearing relative to the Capital Facility Fee Annual Disclosure and Annual CCI Adjustment.

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 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 Forster seconded by Supervisor Crew and unanimously carried to adopt the following resolution accepting the 2018/19 Annual Disclosure and Review increasing the CFF by the 1.3% CCI for the County Administration Center portion only, effective January 1, 2020.

**RESOLUTION NO. 19-161**

Resolution accepting the 2018/19 Annual Disclosure and Review increasing the CFF by the 1.3% CCI for the County Administration Center portion only, effective January 1, 2020.

**Rural County Representatives of California (RCRC):** Discussion and possible action relative to appointment of a 2020 delegate and alternate for RCRC; and appointment of the 2020 delegate and alternate for the GSFA.

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

**MOTION:** It was moved by Supervisor Crew, seconded by Supervisor Brown and unanimously carried to appoint Supervisor Oneto as the 2020 delegate and Supervisor Axe as the alternate to Rural County Representatives of California (RCRC) and Golden State Finance Authority (GSFA).

**Minutes:** Discussion and possible action relative to approval of the November 12, 2019 Board of Supervisors 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 November 12, 2019 Board of Supervisors Meeting Minutes with minor amendments.

**Amador Water Agency (Addendum):** Discussion and possible action regarding and amendment to the sub-recipient agreement between Amador Water Agency and the County of Amador.

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 amendment to the sub-recipient agreement between Amador Water Agency and the County of Amador.

**ADJOURNMENT:** Until Tuesday, January 14, 2020 at 8:30 a.m.

## DECEMBER 17 CONSENT MINUTES

- 6.a. Assessor: Approved of roll correction values being decreased over 150,000 or values decreased 50% of the original value.
- 6.b. District Attorney: Approved Request to Increase Revenue/Fixed Assets to allocate funds received from the State of California for a Worker's Compensation grant.
- 6.c. Elections: Approved Budget Increase Request. The State is granting the County an additional \$116,500 for the purchase of election equipment. This increase increases the revenues and expenditures by the same amount, having no net effect on the General Fund.
- 6.d. Board of Supervisors: Approved a resolution declaring a Local State of Emergency in Amador County due to Pervasive Tree Mortality.  
**Resolution 19-159A**
- 6.e. Behavioral Health: Approved a Resolution to increase Fee Schedule for 19-20  
**Resolution 19-157A**
- 6.f. Building Department: Adopted a resolution and authorized chairman to sign a Limited Density Owner-Built Rural Dwelling agreement: #LD01035-GLUEPEI/DONOVAN  
**Resolution 19-158A**
- 6.g. Building Department: Adopted a resolution and authorized chairman to sign Agreement to Limit Use of Agricultural Structure for AG01072-LANDGRAF  
**Resolution 19-159**
- 6.h. Building Department: Adopted a resolution and authorized chairman to sign Limited Density Owner-Built Rural Dwelling agreement: LD01034-LANDGRAF  
**Resolution 19-160**
- 6.i. Approved the adoption of Title 15.04 Amador County Code adopting the California Building Codes by reference
- 6.j. General Services Administration: Authorized the Awarding of RFQ 19-35 to Cal Engineering & Geology, Inc. for a period of three (3) years in an amount not to exceed \$190,000.00 for the Shake Ridge Road Storm Damage Repair Project and; 2) Authorize the Public Works Director and County Counsel to negotiate final terms and conditions based upon the sample agreement attached and Cal Engineering's proposal and; 3) Authorize the Chairman to execute the agreement contingent upon Public Works Director and County Counsel approval.
- 6.k. Behavioral Health: Approved the First Amendment to Agreement Nexus Youth and Family Substance Abuse Prevention fy 19/20
- 6.l. Behavioral Health: Approved an Agreement with El Dorado County Psychiatric Health Facility.
- 6.m. Public Works: Authorized contract change Order No. 1 for 2018/2019 County Road Dig-Outs Project, Buckhorn Ridge Rd & Pioneer Volcano Rd
- 6.n. General Services Administration: Authorized Staff to apply for the USDA Community Facilities Grant Opportunity to Offset Increased Library Renovation Costs
- 6.o. Social Services: Authorized request to back-fill one Eligibility Worker I/II (CalHR Eligibility Specialist I/II) position to replace an employee who has resigned effective December 2, 2019.

**ADJOURNMENT: UNTIL TUESDAY, JANUARY 14, 2020 AT 9:00 A.M. (CLOSED SESSION BEGINS AT 8:30 A.M.)**





Brian Oneto, Chairman, Board of Supervisors

ATTEST:

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

 Deputy