

**Amador County Board of Supervisors
ACTION MINUTES**

REGULAR MEETING

DATE: Tuesday, January 28, 2020
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-Chairman
Frank U. Axe, District IV-Vice-Chairman
Richard M. Forster, District II
Jeff Brown, District III
Brian Oneto, District V

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 Crew advised the following items were heard in Closed Session.

Chairman Crew advised the following item has been added as an Addendum for today's date:

Public Employee Appointment or Employment [Government Code 54957]

Title/Position: Public Works Director

ACTION: Direction given to staff.

Confidential Minutes: Review and possible approval relative of the December 17, 2019 Confidential 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 January 14, 2020 Confidential Minutes as presented.

Chairman Crew took this time to request a moment of silence in honor of the recent passing of Mr. John Plasse Jr., lifetime resident of Jackson who passed away on Thursday, January 9, 2020, at the age of 91.

PLEDGE OF ALLEGIANCE: Chairman Crew 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.**

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 Oneto, 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)

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

Mule Creek State Prison: Discussion and possible staff direction regarding ongoing releases and threats to water quality.

Mr. Mike Israel, Community Development Director, summarized this matter by stating ongoing releases of storm water and loss of spray field for the domestic wastewater land application area are of concern to the Central Valley Regional Board as well as area residents. Impacts to groundwater and surface water quality have been documented. The discharges are subject to regulatory oversight by the Central Valley Regional Board. He continued by stating California Department of Corrections and Rehabilitation (CDCR) has submitted a report on their investigation into possible sources of contamination of their storm water system and has been directed to submit a report of waste discharge to address industrial waste streams and apparent lack of disposal are. Mr. Israel continued by presenting a Power Point presentation that provided some history regarding this issue which is hereby incorporated into these minutes as though set forth in full.

Chairman Crew opened the discussion up to the public at this point. The following individuals wished to speak.

- Ms. Rhonda Morningstar-Pope-Flores, Tribal Chairwoman
- Ms. Katherine Evatt, Foothill Conservancy

ACTION: Presentation only.

Administrative Agency: Discussion and possible action relative to adoption of a Resolution declaring imminent threat of disaster due to severe and persistent fire danger.

Mr. John Heissenbuttel, Amador Fire Safe Council, addressed the Board and summarized the substantive changes proposed to the Resolution for the Board.

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 Oneto and unanimously carried to approve the declaration of Imminent Threat of Disaster Due to Severe and Persistent Fire Danger.

RESOLUTION NO. 20-012

Resolution declaring an Imminent Threat of Disaster Due to Severe and Persistent Fire Danger

Fiddletown Community Center: Discussion and possible action relative to a request by FCC to waive Encroachment Permit Fees in the amount of \$625.00 for the Fiddler's Jam to be held in September 2020.

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 Brown and unanimously carried to waive the Encroachment Permit Fees for the 2020 Fiddler's Jam.

Veteran's Service Officer: Discussion and possible action relative to approval of relocation of the Veterans Services Office to comply with notice received from the American Legion Post 108.

Mr. Chuck Iley, County Administrative Officer, addressed the Board and stated last month, the Board received notice from the American Legion Post 108 that they had need for the office that has historically been utilized by the Veterans Services Officer, and that the Board needed to relocate that office to another site as soon as possible. Mr. Iley stated the logical place for the office to be relocated is the Health and Human Services Building, since there are benefits to having the VSO close to the Social Services Department, as veterans frequently utilize both departments.

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 Axe and unanimously carried to approve the relocation of the Veterans Services Office to the Health and Human Services Building located at 10877 Conductor Blvd. Sutter Creek, in the area previously rented by Mother Lode Job Training.

Health and Human Services: Discussion and possible action relative to a request from the HHS Director for Board direction regarding whether to accept one time funds, known as Homeless Housing Assistance Prevention Program (HHAP), in the current amount of \$233,546.24 to initiate an innovative homeless assistance program.

Mr. Jim Foley, Health and Human Services Director, addressed the Board and summarized this matter.

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

- Ms. Katherine Evatt, District V Resident,

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Brown and unanimously carried to adopt the following resolution accepting the current Homeless Housing Assistance Prevention Program (HHAP) County fund allocation in the amount of \$233,546.24 and redirect the Program funds to the Continuum of Care for coordinated planning and engage in future planning for the use of these funds.

RESOLUTION NO. 20-015

Resolution accepting one time funds known as Homeless Housing Assistance Program (HHAP) in the amount of \$233,546.24

Waste Management: Buena Vista Landfill WMU-1 Cover Reconstruction/Class II Leachate Pond Expansion and Line Replacement.

Mr. Jeff Gardner, Director of Solid Waste, 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 Buena Vista Landfill located at 6500 Buena Vista Road in Ione stopped burying waste in 2004, regulatory agencies certified the landfill as closed during the summer of 2010. The landfill consists of three Waste Management Units (WMUs). These three WMUs are the closed Phase I unit, the closed Phase II/III unit, and an operating Class II surface impoundment, or leachate pond. The closed Phase I and Phase II/III units contain landfilled solid wastes. The active leachate pond serves as an evaporation pond for landfill leachate. Mr. Gardner continued

to provide an update on the two major project currently in progress at the landfill.

Kurt Fuji, Fuji Engineering, addressed the Board and provided an informative Power Point presentation relative to this matter which is incorporated in full into these minutes.

Chairman Crew opened the discussion to the public at this time. The following individual wished to speak.

- Ms. Rhonda Morningstar-Pope-Flores, Tribal Chairwoman

ACTION: Presentation only.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Brown and unanimously carried to approve the work plan approach presented by consulting engineers in response to Regional Water Board requirements, authorize staff to proceed with submittal of the work plan to the Regional Board and authorize staff to apply for funding resources for both the planning/engineering phase and construction phase.

General Services Administration: Discussion and possible action relative to a Project Update.

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. He stated this item provides the Board an opportunity to review projects and provide any comments they may have with staff. On February 27, 2018 the Board discussed one-time money projects and took action to adjust project priorities which are incorporated into the staff report. In addition, the Projects Bi-Annual Summary Progress Report for July through the end of December 2019 that provides greater details is also included.

Discussion ensued with the following action being taken.

ACTION: Update with direction given to staff to provide another report in July 2020.

Surveying Department: Discussion and possible action relative to a request by the County Administrative Officer to return the County Surveyor position to full-time status.

Mr. Chuck Iley, County Administrative Officer, addressed the Board and stated last April, the Board approved the recommendation to move to a part-time County Surveyor positions. At that time Mr. George Allen was appointed and he has been dutifully serving since that time. Unfortunately, since Mr. Allen is a CalPERS retiree, he is restricted as to the number of hours that he can work in a given year, and his appointment is only effective while we search for a permanent solution. Mr. Iley stated he is recommending that the position be returned to full-time status and advertise it as such immediately.

Mr. George Allen, Part-time County Surveyor, addressed the Board and stated he has been in contact with a potential candidate that may be interested in applying if the position is returned to full-time status.

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 Axe and unanimously carried to return the position of County Surveyor to full-time status and advertise as such immediately.

National Environmental Policy Act (NEPA): Discussion and possible action regarding taking a position of support or opposition on the NEPA reform being proposed by the current Administration.

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 Forster and carried to take a position of support to changes being proposed to the National Environmental Policy Act (NEPA) being proposed by the Administration.

Ayes: Supervisors Oneto, Forster, Brown and Axe

Noes: Supervisor Crew

Absent: None

Minutes: Review and possible approval of the January 14, 2020 Board of Supervisor 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 January 14, 2020 Meeting Minutes.

PUBLIC HEARING 10:30 A.M.

Building Department: Discussion and possible action relative to a Public Hearing to consider a variance to County Code 15.04.040 B-1 & 15.04.040 B1-a Agricultural Building regulations/AG01073-HODGE; and approval of Agreement to Limit Use of Agricultural Structure for the same.

Mr. Todd Barr, Building Official, 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.

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

Ms. Phyllis Garret, Lake Camanche Village Association
Mr. Don Hodge, Property Owner

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 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 Oneto and carried to adopt the following Resolution approving a variance to County Code 15.04.040, Agricultural Exempt Regulations requiring a 1-Acre minimum parcel size and a maximum structure of 10,000 square feet to allow construction of a 11,250 square foot Livestock Cover on 7.56-Acres at 3186 Hoko Court, APN 003-420-130-000 for Donald W. Hodge including the following finding; and adoption of a Resolution authorizing the Chairman's signature on, and recordation of agreement to limit uses of Agricultural Structure.

**Ayes: Supervisors Forster, Oneto, Brown and Crew
Noes: Supervisor Axe
Absent: None**

RESOLUTION NO. 20-013

Resolution approving a Variance to County Code 15.04.040, Agricultural Exempt Regulations requiring a 10-Acre minimum parcel size and a maximum structure of 10,000 Square Feet to allow construction of a 11,250 Square Foot Livestock Cove on 7.56-Acres at 3186 Hoko Court, APN 003-420-130-000.

Finding: This variance will not have significant adverse effect on the environment and is categorically exempt according to Section 15305, Class 5 (minor variance not resulting in the creation of any new parcel) of the State CEQA Guidelines and a Notice of Exemption will be filed with the County Recorder.

RESOLUTION NO. 20-014

Resolution authorizing recordation of an Agreement to limit uses of Agricultural Structure

Planning Department: Discussion and possible action relative to a Public Hearing to consider the Planning Commission's recommendation to approve a Zone Change for three parcels from the "R1A," Single Family Residential and Agricultural to the "AG," Exclusive Agriculture district, in conjunction with a request for inclusion of the same 136.67 acres into California Land Conservation Act contracts. (APNs: 0001-110-001, 001-110-013, and 001-140-016)

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.

Chairman Crew opened the Public Hearing at this time. Hearing no comment the following action resulted.

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

MOTION #1: It was moved by Supervisor Axe, seconded by Supervisor Oneto 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 Axe and unanimously carried to approve the following Ordinance amending Sectional Zoning District Maps No. F-79, F-80, & F-81 pursuant to Section 19.20.020 of the Amador County code by rezoning certain real property from the "R1A," single Family Residential and Agricultural District to the "AG," Exclusive Agricultural District, including the following findings.

1. The Zone change is consistent with the Amador County General Plan Land Use designation of Agriculture-General for the affect property; and
2. The agricultural preserves will meet the agricultural income requirement of the "AG," zone district for preserves 160 acres or large as outlined in the County Code 19.24.036 D (2); and
3. The Zone Change is categorically exempt according to Section 15317, Class 17, of the State CEQA Guidelines (Open Space Contracts or Easements) and a Notice of Exemption will be filed with the Count Clerk/Recorder.

ORDINANCE NO. 1793

Ordinance amending Sectional Zoning District Maps No. F-79, F-80, & F-81 pursuant to Section 19.20.020 of the

Planning Department: Discussion and possible action relative to consideration of the Planning Commission's recommendation to adopt and Outdoor Lighting Ordinance amending Chapter 19.50 Design Standards and Findings, by adding Section 19.050.060, "Outdoor Lighting Regulations," to the Amador County Code. The Code amendment would establish regulation for anew outdoor lighting fixtures within the unincorporated County.

Mr. Chuck Beatty, Planning Director, addressed the Board and stated after the packet information was published online it was discovered the Ordinance before the Board was in fact not the one that the Planning Commission had approved and in addition the Planning Commission Minutes that were included were missing every other page. Therefore, it made it difficult, if not impossible for the public to determine how the Planning Commission arrived at the Draft Ordinance. Mr. Beatty stated several sustentative changes were made at the Planning Commission level as well as amendments to clarify language made by staff. Mr. Beatty stated he is recommending the Public Hearing be continued to a future date to allow the matter to go back before the Planning Commission and a correct and clear Ordinance be proved to the Board and the public for consideration and possible adoption.

Mr. Greg Gillott, County Counsel stated it his recommendation to send this matter back to the Planning Commission to get their clear recommendation and notice the Public Hearing again when it is ready to be brought forward. However, he did suggest opening the Hearing and allow those present the opportunity to speak at this time if they wish.

Chairman Crew advised since the Public Hearing has been advertised for today's date and several members of the public are present to make comment that he will open the public hearing at this time. The following individuals wished to speak:

Mr. Larry Brown, District I resident
Ms. Marti Crane, Calaveras County
Ms. Katherine Evatt, Foothill Conservancy
Mr. Jack Sales, Illuminating Engineering Society of America
Ms. Caryl Callsen, District III resident
Ms. Susan Manning, Tri-County Wildlife Care, Chamber of Commerce, The Feed Barn and Chamber of Commerce
Ms. Sandy Green, Tri-County Wildlife (Susan Manning read her comments into record on behalf of Ms.Green)
Ms. Martha Robbins, District V resident

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 Oneto and unanimously carried to close the public hearing and refer this matter back to Planning Commission at their February 11, 2020 meeting for reconsideration and drafting of a final recommended ordinance to be brought back to the Board of Supervisors at an undetermined date at this time.

ADJOURNMENT: Until Tuesday, February 25, 2020 at 8:30 a.m.

January 28, 2020 Consent Minutes

- 6.a. Assessor: Approved of roll correction values being decreased over \$150,000 or with values being decrease 50% or more.
- 6.b. Approved increase in Water Development budget in the amount of \$155,000.00 for contract administration and program implementation services with Terry Cox for the Community Development Block Grant - Phase II of the Pioneer Park Water Rehabilitation project. Budget increase will be offset with grant reimbursement revenue.
- 6.c. Approved request to increase Parks and Recreation Impact Fee budget to help pay for tennis/basketball courts at Howard Park in Ione. Increase in appropriations will come from the South County Parks and Rec impact fee account, no new revenue will be received. Board approved allocation of impact fees to the City of Ione to help fund the Howard Park Improvements at their meeting on 11/12/19.
- 6.d. General Services Administration: Approved resolution for the USDA Community Facilities Grant Opportunity to Offset Increased Library Renovation Costs
Resolution 20-001
- 6.e. Surveying Dept.: Approved a Resolution of Intent to Vacate for Mary and Pete Corosu, and set the public hearing date for a Certificate of Merger and abandonment of a ten-foot (10') wide public utility easement for the same parcels.
Resolution 20-002
- 6.f. Approved a Resolution of Intention to annex territory to Community Facilities District No. 2006-1 (Fire Protection Services), County of Amador, State of California (Annexation #12).
Resolution 20-006
- 6.g. Sheriff: Approved a resolution for 180- Day Wait Period Exception for Sheriff's Services Technician
Resolution 20-005
- 6.h. County Counsel: Approved Adoption of an Ordinance adding Chapter 9.44 to the Amador County Code establishing a law to address noise nuisance in residential neighborhoods. (First Reading Waived on December 17, 2019)
Ordinance 1792
- 6.i. Building Department: Approved Resolution to Limit Use of Agricultural Structure for AG01074-Bronzich, and authorized Chairman to sign an agreement for the same.
Resolution 20-003
- 6.j. Behavioral Health: Approved First Amendment to Agreement with Mental Health America of Northern California for Prevention and Early Intervention Programs
- 6.k. Behavioral Health: Approved Agreement with Sutter Valley Hospitals dba Sutter Center for Psychiatry FY 17-21
- 6.l. Approved Amendment to MOU between Amador County Sheriff's Office of Emergency Services and Amador Transit
- 6.m. Treasurer/Tax Collector: Approved Resolution reflecting Annual Statement of Investment Policy
Resolution 20-004
- 6.n. Approved Title Change Only for Victim Witness Program Manager
- 6.o. Approved reappointment of the following Five (5) Members to the Amador County Law library Committee for the 2019-2020 Term.
- 6.p. Approved various appointments to the Emergency Medical Care Committee (EMCC)
- 6.q. Human Resources: Approved revised job specification for the position of Fiscal Officer

ADJOURNMENT: UNTIL TUESDAY February 11, 2020 AT 9:00 A.M. (CLOSED SESSION BEGINS AT 8:30 A.M.)

PATRICK CREW, Chairman, Board of Supervisors

ATTEST:

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

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