

# Amador County Board of Supervisors ACTION MINUTES

## REGULAR MEETING

**DATE:** Tuesday, March 24, 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

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

**Absent:** Brian Oneto, District V (Family illness)

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.

**Conference with Labor Negotiators:** County Negotiators: Greg Gillott, County Counsel; Chuck Iley, County Administrative Officer, Lisa Gaebe, Interim Human Resources Director

**ACTION:** Update given.

**Conference with County Counsel:** Initiation of Litigation- {Government Code 54956.9 (D) (4)}

Buena Vista Rancheria

**ACTION:** Direction given to staff.

**Confidential Minutes:** Review and possible approval of the March 10, 2020 Confidential Minutes.

**ACTION:** Approved pursuant to the following motion.

**MOTION:** It was moved by Supervisor Axe, seconded by Supervisor Brown and unanimously carried to approve the March 10, 2020 Confidential Minutes with minor amendments.

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

**Noes:** None

**Absent:** Supervisor Oneto

**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**.

**Shelter In Place Advisory:** Supervisor Frank Axe took this time to advise everyone present and listening remotely to please stay at home as much as possible during this time in order to protect the vulnerable, first responders and health care workers. Public safety is of utmost urgency at this time.

**Supervisors Remote Availability:** Supervisor Brown took this time to advise that although Supervisors will be working from home as much as possible during this time, they are all available by e-mail or phone.

**County Administration Center:** Mr. Chuck Iley, County Administrative Officer advised that although the County Administration Center is closed to the public, staff is still available to satisfy public requests by appointment or other arrangements or accommodations.

Supervisor Forster took this time to commend Dr. Kerr for her tireless work during this crisis and stated she has deferred the questions regarding what constitutes “essential” or “non-essential” businesses to the Office of County Counsel. Constituents and business owners that need clarification are encouraged to email County Counsel.

**Pine Grove Civic Improvement Club:** Mr. Gary Reinoehl, District III resident, joined the meeting via ZOOM Conferencing and thanked the Board for providing the ZOOM Conferencing system to allow public to participate remotely. He also wanted to express his gratitude to not only the Board but the Public Health Officer, Public Health Department and the Sheriff’s Office for providing information in such a timely manner during this crisis. In addition, he advised the Pine Grove Civic Improvement Club has postponed the Open House that was scheduled at the Pine Grove Town Hall to a later date not yet determined because of the current situation.

**Hygiene and Water for Unhoused Individuals:** Ms. Mary Pulskamp, District IV resident, joined the meeting via ZOOM Conferencing and inquired as to if any progress has been made in providing unhoused residents in the County with clean running water and hygiene options. Chairman Crew advised he would follow up with the City of Jackson regarding this situation in Detert and Petkovich Parks in Jackson.

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

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

**Noes:** None

**Absent:** Supervisor Oneto

**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)

Chairman Crew advised the following items have been added as Addendum’s to the Consent Agenda for today’s date:

**Addendum #1: General Services Administration:** RFP 20-01 State Water Resources Control Board (SWRCB) Water Quality-Phase II MS4 Program Assistance

**Addendum #2: General Services Administration:** Changes in Library Services

**Addendum: #3: General Services Administration: Changes in Animal Control and Care Services**

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 Consent Agenda as amended above.**

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

**Noes:**           **None**

**Absent:**         **Supervisor Oneto**

**RECESS:** **At 9:30 a.m., Chairman Crew recessed the meeting until 10:30 a.m., at which time business was resumed.**

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

**Administrative Agency:** Discussion and possible action relative to a public hearing to consider extending Ordinance No. 1785 regarding the cultivation of industrial hemp for commercial purposes, for an additional one year from the expiration of the current urgency ordinance until April 5, 2021 as allowed pursuant to Government Code Section 65858.

Mr. Greg Gillott, County Counsel, summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full. In summary, he stated at a public hearing on May 21, 2019, the Board of Supervisors unanimously passed an Interim Urgency Ordinance pursuant to Government Code section 65858 that imposed a temporary moratorium on the cultivation of industrial hemp in the unincorporated areas of Amador County. By statute, that original Interim Urgency Ordinance expires automatically on April 5, 2020; however, the urgency ordinance may be extended for an additional period, not to exceed one year. At that hearing, the Board also appointed an ad hoc committee of Supervisors Axe and Oneto to evaluate the issues raised in connection with the cultivation of hemp and to provide a recommendation regarding potential permanent regulations regarding hemp cultivation. Mr. Gillott continued by stating the ad hoc committee has conducted an investigation into the issues surrounding the cultivation of industrial hemp and has had meetings with officials and staff from the Amador County Sheriff's Office and with the Amador County Agricultural Commissioner. The Committee presented its initial recommendations to the Board at its March 10, 2020 meeting and based on that recommendation the Board passed a Resolution of Intent directing staff to begin work on an ordinance banning the cultivation of industrial hemp in the unincorporated county. The Board also directed staff to return with an extension of the current urgency ordinance because the current moratorium will expire before a permanent ordinance could be adopted, which is what is before the Board for consideration today.

Discussion ensued with the following action being taken.

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

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

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

**Noes:** None

**Absent:** Supervisor Oneto

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

**MOTION #2:** It was moved by Supervisor Axe, seconded by Supervisor Brown and unanimously carried to adopt the following One-Year Extension (April 5, 2021) of the Interim Urgency Ordinance imposing a moratorium in the cultivation of industrial hemp in the unincorporated areas of Amador County.

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

**Noes:** None

**Absent:** Supervisor Oneto

**ORDINANCE NO. 1796**

**One year extension of an Uncodified Interim Urgency Ordinance of the Board of Supervisors of the Count of Amador establishing a Temporary Moratorium on the cultivation of Industrial Hemp, and the cultivation of Industrial Hemp by “Established Agricultural Research Institutions,” within Unincorporated Amador County.**

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

## Consent Minutes

- 6.a. General Services Administration: Approved a request to increase the library budget to account for additional funds from the State for the Literacy Program.
- 6.b. Approved a Budget increase to the Water Development Fund Budget for the Community Development Block Grant (CDBG) Phase II of the Pioneer Water Rehab project.
- 6.c. Probation: Approved a Request from the Probation Department to apply for a Mental Health Training Grant and authorized the Chief Probation Officer to sign the standard agreement with Board of State and Community Corrections (BSCC). The revenue and expenditures will be budgeted in FY 20/21.
- 6.d. Approved of FY 18-19 Measure M Revenue Distribution Formula.
- 6.e. Approved the Cooperative Law Enforcement Annual Operating Plan & Financial Plan between the Amador County Sheriff's Department and the USDA, Forest Service El Dorado National Forest.
- 6.f. Approved Exhibit B of the Cooperative Law Enforcement Annual Operating Plan & Financial Plan between the Amador County Sheriff's Department and the USDA, Forest Service El Dorado National Forest.
- 6.g. Victory Village: Approved a request from Nichole Mulford, Victory Village Executive Director, for a letter of support for an application for a community facilities grant to implement a generator system in the event of a power outage.
- 6.h. Adopted a Resolution Approving a \$40/Month stipend to Confidential Law Enforcement Employees for the care/maintenance/replacement of Required Uniforms.
- 6.i. Adopted a Resolution declaring April 2020 Child Abuse Prevention Month.
- 6.j. Building Department: Adopted an Ordinance repealing Chapter 15.40 of the Amador County Code and adding a new Chapter 15.40, relating to erosion control, enforcement responsibility, and fees for grading and excavation. (Reading waived on February 25, 2020)
- 6.k. Public Health: Approved a Request Granting Dr. Kerr Temporary Full Time Status, and adopted a Resolution reflecting this temporary change in status.
- 6.l. Building Department: Approved the proposed Organizational Changes of the Building Department, set to take place following the retirement of the current Plans Examiner (March 31, 2020). These changes will create and fill positions for a Residential Plans Examiner and Community Development Technician in the Building Department and fill an existing Building Inspector II position.
- 6.m Behavioral Health: Approved 2nd amendment to agreement with Sierra Child and Family Services fy 20/21
- 6.n. Risk Management: Approved Amendment to CSAC Excess Insurance Authority Joint Powers Agreement; Adopted a Resolution reflecting this approval, and authorized the County's CSAC EIA Member (Richard Forster) to sign and execute the JPA Amendment.
- 6.o. State Route 88 / Pine Grove Improvement Project: Approved the District 10 Cooperative Maintenance Agreement 10-447 A-3 and authorized Chairman to sign said Agreement.
- 6.p. Carbondale Road Bridge over Willow Creek: Approved a purchase Agreement with Ronald E. & Janet O. Buhler, Andrew B. & Kaity A. Zollinger, Anne M. Buhler, and The Carol Margaret Skoien Trust APN 001-180-026; and Authorized Chairman to sign agreement, certificates of acceptance for each deed, and escrow instructions.
- 6.q. Public Works: Approved the 2020 Amador County Maintained Mileage Road List
- 6.r. Approved the Appointment of Tracy Carlton to the Juvenile Justice Commission for a Four (4) Year term.
- 6.s. Approved the Dual-appointment of Jeanne Breeden to the Commission on Aging. Ms. Breeden currently serves the Committee as a Member-At-Large; this appointment will allow for additional Representation of District V.

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



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PATRICK CREW, Chairman, Board of Supervisors

ATTEST:

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

