

**Amador County Board of Supervisors
ACTION MINUTES**

REGULAR MEETING

DATE: Tuesday, September 22, 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.

Conference with Real Property Negotiators: County Negotiators: Charles T. Iley, County Administrative Officer, Jon Hopkins General Services Director

Property: APN 044-010-016 (State of CA .54 acres)
APN 044-020-016 (County of Amador 7.63 acres) 12181 Airport Road
Negotiating Parties: Cal Fire and California State Department of General Services
Under Negotiation: Property Easement Amendment

ACTION: Direction given to staff.

Conference with Labor Negotiators: County Negotiators: Greg Gillott, County Counsel; Chuck Iley, County Administrative Officer, Lisa Gaebe, Human Resources Director and Gregory Ramirez, IEDA

ACTION: Direction given.

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

Buena Vista Rancheria of Me-Wuk Indians v. Amador County, et al.
U.S. District Court, Eastern District of California Case No. 2:20-CV-01383-MCE-AC

ACTION: Update given.

Confidential Minutes: Review and possible approval of the September 8, 2020 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 September 8, 2020 Confidential Minutes.

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

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 Brown, seconded by Supervisor Forster and unanimously carried to approve the Consent Agenda as amended.

COVID-19 Update: Update by the Amador County Assisting Health Officer, Dr. Bob Hartmann, (acting on behalf of Dr. Kerr) on the COVID-19 situation and the progress on the road to reopening Amador County along with discussion of sending a letter to the Governor from the Board objecting to Amador County's placement within the new tier system.

Dr. Bob Hartmann, Amador County Public Health Officer, joined the meeting via ZOOM and took this time to provide an update of the current status of the COVID-19 situation in Amador County. It should be noted that updates and current statistics can be found at www.amadorgov.org/services/covid-19.

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

- Mr. Jake Guidi, District I resident
- Ms. Nikki Oneto, District I resident

ACTION: Presentation only.

Waste Management: Discussion and possible action relative to a request by ACES regarding proposed new rates for regulatory compliance and rates for "voluntary/optional" services resulting from the newly adopted Waste Franchise Agreement dated June 23, 2020.

Mr. Jeff Gardner, Director of Solid Waste/Safety Coordinator, 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.

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 Forster, and carried to increase the Host Fee collected for the County by \$4.26 per trip and implement a \$2.00 fee per trip for self-haul vehicles at the Buena Vista Landfill site and the Pine Grove Transfer Station.

Ayes: Supervisors Axe, Forster, Crew and Oneto

Noes: Supervisor Brown

RESOLUTION NO. 20-129

Resolution adopting the Capital Improvement Fee Schedule for the Western Amador Recycling Facility and the Pine Grove Transfer Station

Planning Department/Community Development Agency: Discussion and possible action regarding direction to staff concerning and update on code compliance issues at the Hideout at Kirkwood.

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. In summary, he stated this matter was brought before the Board of Supervisors on August 11, 2020 for a progress update. At that time, direction was given to the planning Department to continue working with Mr. Hoover to gain compliance of outstanding issues and provide periodic updates to the Board. Mr. Beatty explained that Community Development staff met with the Hoover's at the Hideout on August 13, 2020 to review and discuss the outstanding code compliance issues. Since that time, the Environmental Health Department has finalized the outstanding well and septic permits for the uses as originally permitted. In addition, the Hoover's met with Building Department staff on September 3, 2020 and staff requested building plans be submitted for their outstanding code violation issues. The Building Department was also able to resolve a code issue related to the occupancy status of an accessory structure. He noted to date, the necessary applications for the proposed zone change and use permit have not been submitted.

Mr. John Munn addressed the Board presented his comments which are hereby incorporated into these minutes as though set forth in full.

Mr. Tom Hoover also addressed the Board and provided an update as to the status of outstanding issues.

ACTION: None. Status report only.

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

Planning Department: (Continued from September 8, 2020) Discussion and possible action relative to a Public Hearing to consider adoption of an Ordinance repealing Chapter 7.16 regarding House Courts and Camp Spaces, repealing Section 19.48.070 regarding Guest Houses, repealing Section 19.48.120 regarding Second Family Dwellings in Single Family Zone Districts, amending Section 14.06.055 regarding production requirements for Water Supply Wells, amending Section 19.08.310 regarding the Guest House definition, amending Section 19.24.045 regarding R1-A District, amending Section 19.48.110 regarding Yards and Setbacks, and adding Chapter 19.72 regarding Accessory Dwelling Units.

Mr. Glenn Spitzer, Deputy County Counsel, 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 discussion to the public at this time. Hearing no comment the following actions were taken.

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

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

ACITON #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 an Ordinance adding Chapter 19.72 to the Amador County Code regarding accessory dwelling units (ADUs). The Chapter establishes a ministerial permitting process for ADUs in residential zones. The ordinance also amends section 14.06.055 regarding well production and water storage requirements for multiple units on the same parcel. The ordinance also repeals Chapter 7.16 regarding house courts, and repeals and amends various other sections throughout the municipal code (as set forth in the title) to address inconsistencies with Government Code section 65852.2 and to ensure the municipal code is consistent with the new Chapter 19.72.

ORDINANCE NO. 1800

Ordinance repealing Chapter 7.16 regarding House Courts and Camp Spaces, repealing Section 19.48.070 regarding Guest Houses, repealing Section 19.48.120 regarding Second Family Dwellings in Single Family Zone Districts, amending Section 14.06.055 regarding production requirements for Water Supply Wells, amending Section 19.08.310 regarding the Guest House definition, amending Section 19.24.045 regarding R1-A District, amending Section 19.48.110 regarding Yards and Setbacks, and adding Chapter 19.72 regarding Accessory Dwelling Units.

Surveying Department: Discussion and possible action relative to Public Hearing to consider abandonment of various easements, Certificate of Merger, and dedication of replacement easements. The abandonment of various easements consists of Easement "A" a Public Utility Easement to be abandoned between Lots 57 and 58, Lake Camanche Village Unit 1, Easements "B" a Pedestrian and Equestrian Trail and Public Utility Easement to be abandoned along the West line of Lot 57, Lake Camanche Village Unit 1, Easement "C" a 25' Building Set Back and Public Utility Easement to be abandoned along North side of Future Street, Lake Camanche Village Unit 1, Easements "D" abandon Street, Pedestrian and Equestrian Trails and Public Utility Easements and various Easements being abandoned over Future Street and Parcel EE, Lake Camanche Village Unit 1. The Merger consists of Lot 57, 58, Future Street and Parcel EE of Lake Camanche Village Unit No. 1, recorded in Book 3 of Subdivision Maps, at Page 8 et seq., Records of Amador County. The dedication of replacement easements consists of Easement "1" a Public Utility Easement to be dedicated, Lake Camanche Village Unit 1, Easement "2" a 25' Building Set Back and Public Utility Easement to be dedicated at end of Charmstone Way, Lake Camanche Village Unit 1. Assessor Parcel No.'s 003-360-005, 003-360-007, 003-360-013. The property is located at the West end of Charmstone Way in Lake Camanche Village.

Mr. Roger Pitto, County Surveyor, addressed the Board and summarized this request.

Chairman Crew opened the Public Hearing at this time. Hearing no comment the following actions were 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 Axe and unanimously carried to adopt the following resolutions approving the abandonment of various easements, the resolution approving the Certificate of Merger and the resolution accepting the Offer of Dedication.

RESOLUTION NO. 20-121

Resolution approving Abandonment of various easements for Thomas M. Kirkbride

RESOLUTION NO. 20-122

Resolution issuing a Certificate of Merger to Thomas M.Kirkbride

RESOLUTION NO. 20-123

Resolution Accepting Irrevocable and Perpetual Offer of Dedication from Thomas Kirkbride for Public Utility Easements and Building Set Back

Planning Department: Discussion and possible action relative to a Public Hearing to consider adoption of and Ordinance amending Title 19 of the Amador County Code by repealing Section 19.048.060, “Private Stables” and replacing it with Section 19.48.060, “Livestock Management on parcels less than five acres in size. **(Continued from September 8, 2020)**

Mr. Mike Israel, Community Development 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. The following individuals wished to speak.

- Ms. Nikki Oneto, District I 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 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 Axe, seconded by Supervisor Oneto and carried to adopt the following Ordinance amending Title 19 of the Amador County Code by repealing Section 19.048.060, “Private Stables” and replacing it with Section 19.48.060, “Livestock Management on parcels less than five acres in size.

Ayes: Supervisors Axe, Oneto and Brown

Noes: Supervisors Forster and Crew

ORDINANCE NO. 1801

Ordinance amending Title 19 of the Amador County Code by repealing Section 19.048.060, “Private Stables” and replacing it with Section 19.48.060, “Livestock Management on parcels less than five acres in size.

Community Development Agency: Discussion and possible action relative a proposed Ordinance amending Chapter 15.30 of Amador County Code relating to Fire and Life Safety Regulations.

Mr. Mike Israel, Community Development 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 actions were taken.

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 Axe, seconded by Supervisor Forster and unanimously carried to waive the reading of the subject Ordinance and schedule for adoption on the October 13, 2020 Consent Agenda.

Administrative Agency: Discussion and possible action relative to a public hearing to consider adoption of the 2020/21 Fiscal Year Final Budget; and Approval of Resolutions adopting the Final County Budgets for the 2020/21 Fiscal Year in accordance with Section 29088 of the Government Code: General Government Funds, Internal Services Funds, Enterprise Funds, Trust Funds and County Owned Special Districts.

Mr. Chuck Iley, County Administrative Officer, addressed the Board and provided a summary of the Budget and outlined various changes that were made since the presentation of the Proposed Budget was before the Board.

Mr. Iley pointed out that agreements will be drafted and sent to all Cities and Special Districts that will be receiving CARES Act funding to specifically define the reimbursement of eligible expenses related to COVID-19.

Chairman Crew opened the Public Hearing at this time. Hearing no comment the following actions were 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 unanimously carried to adopt the 2020/2021 Fiscal Year Final Budget and approve the following Resolutions adopting the Final County Budgets for the 2020-2021 Fiscal Year in accordance with Section 29088 of the Government Code: General Government Funds, Internal Service Funds, Enterprise Funds, Trust Funds and County Owned Special Districts.

RESOLUTION NO. 20-124

Resolution approving 2020-2021 Fiscal Year County Final Budget for Other Funds

RESOLUTION NO. 20-125

Resolution approving 2020-2021 Fiscal Year County Final Budget for Governmental Funds

Transportation and Public Works: Discussion and possible action relative to the Central Valley Regional Water Control Board order pertaining to Pyrethroids.

Mr. Richard 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.

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 direct staff to move forward with Option 2-(Forego baseline monitoring, provide technical support, prepare agency response and develop a pyrethroid management plan; and work with neighboring counties to minimize costs, get answers from the State as to if this is a permanent requirement; and authorize the Director of Transportation and Public Works to sign a response letter as an authorized representative of the County.

Administrative Agency: Discussion and possible action relative to a request from Senator Feinstein for a letter from the Board in support of the Emergency Wildfire and Public Safety Act.

Discussion ensued with the following action being taken.

ACTION: Direction given to contact Anne and John Heissenbuttel or other representatives of the Amador Fire Safe Council to weigh in on this issue and provide potential language to add to the letter to be brought back to the Board on October 13th for further discussion and possible action.

Administrative Agency: Discussion and possible action relative to approval of the Chairman's signature on a letter of support for a Sierra Nevada Conservancy Resilient Sierra Community Grant to create a business plan for a proposed Natural Resources Supply Concept.

Mr. Cole Przybyla, Director of Innovation & Business Assistance for Tuolumne County, joined the meeting via ZOOM.

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 approve the Chairman's signature on a letter of support for a Sierra Nevada Conservancy Resilient Sierra Community Grant.

Minutes: Discussion and possible action relative to approval of the September 8, 2020 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 August 25, 2020 Board of Supervisors Meeting Minutes with minor corrections.

ADJOURNMENT: Until Tuesday, August 11, 2020 at 8:30 a.m.



PATRICK CREW, Chairman, Board of Supervisors

ATTEST:

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



SEPTEMBER 22, 2020 CONSENT MINUTES

7.a. Budget Director Stipend

Suggested Action: Adopt Mid-Management Resolution approving the stipend for the Budget Director

ACTION: Approved

7.b. Behavioral Health / Nexus Youth & Family - Substance Abuse Prevention Agreement
fy 20-23

ACTION: Approved

7.c. Waste Management: Fifth Amendment to Contract for Buena Vista Landfill Monitoring, Hydrogeology, Reporting Services and Technical Assistance with the Revised 2018 Waste Discharge Requirements

ACTION: Approved

7.d. Waste Management: Contract for Buena Vista Landfill Engineering and Project Coordination for 2020-21

ACTION: Approved

7.e. Building Department: Limited Density Owner-Built Rural Dwelling / LD01039-PATTERSON

ACTION: Approved-Resolution No. 20-128

7.f. General Services Administration: ITB 20-27 2019/2020 Camanche Road Reconstruction Project

Suggested Action: 1) Award Invitation to Bid ITB 20-27 2019/2020 Camanche Road Reconstruction Project in an amount not to exceed \$522,250.00 to George Reed Inc. and: 2) Authorize the Board Chair to sign construction contracts based upon the standard sample contract (attached) contingent upon County Counsel and the Director of Public Works approval.

ACTION: Approved

7.g. Human Resources: Consolidated wage plan effective 9/1/2019.

Suggested Action: Approve the attached wage plan that was in place effective 9/1/2019 as there was a correction made from the previously approved plan.

ACTION: Approved

7.h. General Services Administration: Interfaith Council of Amador (ICA) Food Bank Lease

Suggested Action: 1) Approved the First Amendment to Lease Agreement with Interfaith Council of Amador for another ten (10) years and; 2) Authorize the Board Chairman to execute said lease.

ACTION: Approved

7.i. LAFCO Project #324: Resolution approving the AB-8 Property Tax Redistribution for the Pine Grove CSD Service Area Annexation.

****This Project was approved by the Board in August 2019. However, a clerical error was discovered in the Resolution presented at that time. The corrected Resolution is included with this agenda item. ****

ACTION: Approved-Resolution No. 20-127