

**Amador County Board of Supervisors
ACTION MINUTES**

REGULAR MEETING

DATE: Tuesday, March 10, 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: 11710 Commerce Dr. Sutter Creek, Ca.

APN 044-490-016 (1.86 Acres)

Negotiating Parties: Mr. Tom Blackman, Coldwell Banker

Under Negotiation: Terms and Conditions to consider purchasing property.

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.

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**.

The Hideout: Mr. John Munn, District III resident, took this time to remind the Board that the County has not yet taken action to enforce R1A zoning requirements against commercial operations at the Hideout owned by Mr. Tom Hoover. Mr. Munn continued by stating in addition to zoning restrictions, the Hideout is located at the end of a dead end roadway approximately two miles from Highway 88. Definitions included in Section 15.30.090 of the Amador County Code require a road to be used for commercial occupancy, and Section 15.30.210 specifies that a dead end road to a parcel larger than 20 acres cannot be longer than one mile. Mr. Munn stated the distance from Highway 88 to the Hideout is at least twice what is allowed under the current County Code, and use of the Hideout for commercial operations should be prohibited by County access requirements, in addition to the on-going zoning violations. He urged the Board to enforce existing

County Code requirements as they relate to the use of Mr. Hoover's property known as the Hideout.

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.)

Pull Item 5k from Consent

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 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)

Pull Item 5k

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.

REGULAR AGENDA

Coronavirus (COVID-19): Presentation and Q&A by Dr. Rita Kerr, Amador County's Public Health Officer, regarding the Coronavirus (COVID-19) and the myths and facts surrounding the illness.

Dr. Rita Kerr provided an informative Power Point presentation which is hereby incorporated into these minutes as though set forth in full.

The following individuals wished to speak:

- Ms. Lois MacDonald
- Mr. Bill May
- Ms. Nicki Oneto
- Mr. Rich Pember
- Ms. Rhonda Pope-Flores

ACTION: Presentation only.

Code Enforcement: Discussion and possible action relative to consideration of the Administration Hearing Board recommendation regarding the absence of a fence to secure a swimming pool at 12140 Colt Drive, Sutter Creek, CA (APN 040-120-007)

Mr. Glenn Spitzer, Deputy County Counsel, provided a brief summary of this matter by stating on February 20, 2020, and Administrative Abatement Hearing was held regarding the absence of a fence to secure the swimming pool on the above reference parcel. He noted the matter is before the Board for a decision to either adopt the Hearing Board's Findings and Recommendation without further notice or hearing or setting aside the matter and scheduling a de novo hearing.

Ms. Michelle Gallaher, Code Enforcement Officer, took this time to advise the Board she has been in contact with Mr. Vorrath on several occasions regarding the fence and although he realizes it is his responsibility to replace the fence he does not have the financial means to accomplish it at this time. Ms. Gallaher advised Mr. Vorrath has a classic car for sale on consignment in Rancho Cordova and has agreed to fix the fence upon sale of the vehicle.

Mr. Vorrath addressed the Board and stated he has been able to obtain an estimate from a Contractor for repair of the fence and intends to replace it as soon as he is financially able. He noted the estimate is in the amount of \$3,600.00 and if the Board agrees to provide a loan to him he would be able to make monthly payments until it was satisfied, or if the sale of his car occurs he will pay the balance in full.

Discussion ensued with the following action being taken.

ACTION #1: Direction given pursuant to the following motion.

MOTION #1: It was moved by Supervisor Oneto, seconded by Supervisor Axe to adopt the recommendations and findings of the Hearing Board and authorize a loan up to \$3,600.00 to Mr. Vorrath for replacement of the fence within sixty days with the loan being paid off within one year.

Ayes: Supervisors Oneto and Axe

Noes: Supervisors Crew, Forster and Brown

****The above motion failed for lack of majority vote****

Further discussion ensued resulting in the following action.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Brown and carried to adopt the Hearing Boards findings and recommendations as follows:

Ayes: Supervisors Axe, Brown, Forster and Crew

Noes: Supervisor Oneto

- **Issue an order for the administrative abatement of the nuisance condition and safety hazard of the unsecured pool on the parcel of real property located at 12140 Colt Drive, Sutter Creek, California by remedying the condition with the construction of a fence securing the pool; and**
- **Within sixty (60) days of the date of the Board of Supervisors adopts the Hearing Board’s recommendation:**
 1. **The Landowner shall remedy the condition with a fence that secures the pool and prevents access.**
 2. **The Landowner shall coordinate with the Code Enforcement Department and schedule an inspection of the remedied condition to occur within the 60-day period.**

Administrative Agency: Discussion and possible action relative to a proposal by Governor Newsom to make the former Preston Youth Correctional Facility available for use as a facility to serve the homeless.

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 Oneto and unanimously carried to authorize the Chairman’s signature on a letter to the Governor informing him that the Board of Supervisors is not interested in acquiring the Preston Youth Correctional Facility for the purpose of a facility to serve the homeless and request that the property be removed from the surplus list making it available for that purpose. Supervisor Forster will work with the County Administrative Officer to draft the letter for the Chairman’s signature and distribute copies to our legislative delegation.

Self Help Measure for Roads: Discussion and possible action relative to a report from the Self-Help Measure for Roads Ad Hoc Committee (Supervisors Axe and Oneto) to include a summary of a “white paper” describing the current pavement conditions, estimate costs, and the funding short falls for all six jurisdictions in Amador County.

Supervisor Axe introduced this item and provided a summary of the “white paper” included in the Board packet for today’s date.

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

- Mr. Bill May, District II resident
- Ms. Lois MacDonald, District I resident
- Ms. Rhonda Pope-Flores
- Mr. Robin Peters, Sutter Creek Mayor

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Axe, seconded by Supervisor Oneto and unanimously carried to adopt the following Resolution of the Amador County Board of Supervisors expressing its support in concept for placement of a self-help sales and/or use tax measure for streets and roads repair, maintenance and improvement on the November 2020 ballot and give Ad Hoc the direction to continue to negotiate the apportionment agreement.

RESOLUTION NO. 20-039

Resolution of the Amador County Board of Supervisors expressing its support in concept for placement of a self-help sales and/or use tax measure for streets and roads repair, maintenance and improvement on the November 2020 ballot.

Local Indigent Care Needs Grant Round 2: Discussion and possible action relative to Board direction regarding applying for the subject grant.

Discussion ensued with the following action being taken.

ACTION: Concurrence of the Board to not apply for the Local Indigent Care Needs Grant.

Industrial Hemp: Discussion and possible action relative to Findings and Recommendations by the Hemp Ad Hoc Committee (Supervisors Axe and Oneto) as it relates to extending the current urgency ordinance banning the commercial cultivation of hemp in Amador County.

Supervisor Axe provided a summary of the recommendations and findings of the Ad Hoc Committee which is included in 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 Oneto, seconded by Supervisor Brown and unanimously carried to extend the current urgency ordinance and initiate proceedings to amend the Amador County Code as it relates to the cultivation of Industrial Hemp.

RESOLUTION NO. 20-040

Resolution of Intention to initiate proceedings to amend the Amador County Code as it relates to the cultivation of Industrial Hemp.

Administrative Agency: Discussion and possible action relative to a request from the City of Ione to appoint an ad-hoc committee and meet with the city's ad-hoc committee to negotiate a different split of property tax revenues for revenues above the amounts currently being generated.

Discussion ensued with the following action being taken.

ACTION: Direction given to appoint Supervisors Axe and Forster to sit on an Ad Hoc Committee to negotiate a different split of property tax revenues for revenues above the amounts currently being generated.

Minutes: Review and possible approval of the February 25, 2020, 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 unanimously carried to approve the February 25, 2020 Meeting Minutes with minor amendments.


ADJOURNMENT: Until Tuesday, March 24, 2020 at 8:30 a.m.

March 10, 2020 Consent Minutes

- 5.a. Approved a budget increase request for 1700 Facilities in the amount of \$18,200.00 from Contingencies to cover expenses for the remainder of the 19/20 Fiscal Year.
- 5.b. Approved a budget transfer request to replace a 2005 Chevy Colorado with Ford Escape S for Building Department use.
- 5.c. Approved a Resolution Declaring the week of March 8-14, 2020 as "No More" Week in Amador County to generate awareness and year-round action for the prevention of domestic violence and sexual assault.
Resolution 20-034
- 5.d. Approved a Resolution declaring a local State of Emergency in Amador County due to Pervasive Tree Mortality
Resolution 20-035
- 5.e. Approved a Resolution of Acceptance declaring Project 19-11: County Road Dig-Outs Project (Buckhorn Ridge Road & Pioneer Volcano Road) as complete, and authorized Chairman to sign Agreement & Release of claims for the same.
Resolution 20-036
- 5.f. Approved A resolution of Acceptance declaring Project 19-03: Camanche Parkway North Hot Mix Asphalt Overlay Project as complete, and authorized Chairman to sign Agreement & Release of claims for the same.
Resolution 20-037
- 5.g. Approved a Resolution of Acceptance declaring Project 19-09: Pioneer Creek Road Storm Damage Repair Project as complete, and authorized Chairman to sign Agreement & Release of claims for the same.
Resolution: 20-038
- 5.h. Approved the Second Amendment to an agreement with Davis Guest Home.
- 5.i. Approved the Fifth Amendment with TSS Consultants Inc. for Tree Mortality Coordinator services extending the contract time until December 31, 2020.
- 5.j. Approved the Fifth Amendment with Ed Struffenegger, Registered Professional Forester, for tree mortality RPF services extending the contract time until December 31, 2020.
- 5.k. ***PULLED FROM THE AGENDA***
- 5.l. Approved a Contract between Amador County and Tuolumne County Community Action Agency
- 5.m. Approved of a Special Event Law Enforcement Agreement
- 5.n. Approved of a Boating Safety and Enforcement Financial Aid Program Agreement with California Department of Parks & Recreation, Division of Boating & Waterways.
- 5.o. Approved State Route 88 / Pine Grove Improvement Project Improvements Maintenance Agreement (within State Highway right of way on Route 88 Within the County of Amador) and Authorized the Chairman to sign Agreement after CalTrans has approved.
- 5.p. Approved a purchase Agreement with Barbara Biche Lee, Trustee of the Barbara Lee Trust APN: 030-180-026, for the SR 88/Pine Grove Improvement Project, and authorized Chairman to sign agreement, certificates of acceptance for each deed, and escrow instructions for the same.
- 5.q. Approved a Purchase Agreement with Miami Amador, LLC, APN: 030-191-001, for the SR 88/Pine Grove Improvement Project, and Authorized Chairman to sign agreement, certificates of acceptance for each deed, and escrow instructions for the same.
- 5.r. Approved a Purchase Agreement with Karl Robert Chrisman and Sharon Jean Chrisman, APN: 030-170-006, for the SR 88/Pine Grove Improvement Project and authorized Chairman to sign agreement, certificates of acceptance for each deed, and escrow instructions for the same.
- 5.s. Approved the reclassification of the Current Behavioral Health Finance Assistant to Behavioral Health Administrative Assistant; retroactive to 2/12/2020.

- 5.t. Authorized Social Services to back-fill one Social Worker I/II position to replace an employee who promoted within the Department effective February 19, 2019.
- 5.u. Authorized Director of Health and Human Services request to add one Social Worker I, II, III or IV position.

ADJOURNMENT: UNTIL TUESDAY, MARCH 24, 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