

# Amador County Board of Supervisors

## ACTION MINUTES

### REGULAR MEETING

**DATE:** Tuesday, November 8, 2022  
**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:**

Richard M. Forster, District II – Chairman  
Jeff Brown, District III -Vice-Chairman  
Brian Oneto, District V  
Patrick Crew, District I

**Staff:** Charles T. Iley, County Administrative Officer  
Gregory Gillott, County Counsel  
Heather Peek, Deputy Clerk of the Board

**Absent:** Frank U. Axe, District IV

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.

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** County Negotiators: Charles T. Iley, County Administrative Officer; Jon Hopkins, General Services Director

PROPERTY: APN 031-040-015-000 & 023-070-025-000 (27 acres of the 129.13 acres known as Pioneer Park)

NEGOTIATING PARTIES: US Department of the Interior Bureau of Land Management (BLM)

UNDER NEGOTIATION: Terms and Conditions for lease renewal and potential ownership.

**ACTION:** Direction given to staff.

PROPERTY: APN 044-010-116-000 (.5 +/- Acres) Portion of Airport Property

NEGOTIATING PARTIES: Korey Wells, Vintage Air Service

UNDER NEGOTIATION: Terms and Conditions to Consider for Commercial Hangar 5

**ACTION:** Direction given to staff.

**CONFERENCE WITH LABOR NEGOTIATORS:** Pursuant to Government Code Section 54957.6.

County Negotiators: Glenn Spitzer, Deputy County Counsel, Lorraine Damiano, IHSS Public Authority Program Director, Greg Ramirez, IEDA, Lisa Gaebe, Human Resources Director  
Employee Organization: SEIU Local 2015  
Suggested Action: Discussion and possible action.

**ACTION:** Direction given to staff.

**CONFERENCE WITH COUNTY COUNSEL: ANTICIPATED LITIGATION -**  
{Government Code 54956.9(d) (2)}

Conference with Legal Counsel-- Anticipated Litigation:

Initiation of litigation pursuant to Government Code 54956.9(d)(4)]

One Case

**ACTION:** Direction given to staff.

**Confidential Minutes:** Review and possible approval of the October 25, 2022 Confidential Minutes.

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

**MOTION:** It was moved by Supervisor Oneto, seconded by Supervisor Brown and carried 4-0-1, to approve the October 25, 2022 Confidential Minutes.

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

**Noes:** None

**Absent:** Supervisor Axe

**PLEDGE OF ALLEGIANCE:** Chairman Forster 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**.

- ❖ At this time, Mr. Jon Hopkins, General Services Director, introduced the new County Librarian Kathryn Olson to the Board.

**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 Crew, seconded by Supervisor Brown and carried 4-0-1, to approve the Regular Agenda as presented.

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

**Noes:** None

**Absent:** Supervisor Axe

**CONSENT AGENDA:** Items listed on the consent agenda 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 Oneto, seconded by Supervisor Brown and carried 4-0-1, to approve the Consent Agenda as presented.

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

**Noes:** None

**Absent:** Supervisor Axe

## **REGULAR AGENDA**

Update by the Amador County Health Officer, Dr. Rita Kerr on the COVID-19 situation in Amador County.

**ACTION:** Presentation only.

**Administrative Agency:** Update on Tree Mortality mitigation activities by Tad Mason, TSS Consultants, Dr. Richard Harris, and Ed Struffenegger.

Discussion ensued and the following individuals wished to speak:

- Jeff White, District IV resident
- Jamie Lubenko, District V resident

**ACTION: Presentation only.**

**Planning Department:** Consideration of the Land Use Committee's recommendation to adopt a Resolution of Intention to amend the County's bed and breakfast inn code to allow Detached Room Units as alternative guest quarters for overnight lodging.

Mr. Chuck Beatty, Planning Director, addressed the Board and provided an overview of the request.

Discussion ensued and the following individual wished to speak:

- Jamie Lubenko, District V resident

Further discussion ensued with the following action being taken.

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

**MOTION: It was moved by Supervisor Brown, seconded by Supervisor Oneto and carried 4-0-1, to approve the resolution of intention to amend the zoning code to allow Detached Room Units and adopt the recommended findings.**

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

**Noes: None**

**Absent: Supervisor Axe**

**Findings:**

- 1) Detached Room Units will require a Conditional Use Permit from the Planning Commission;
- 2) The location will include an existing licensed and bonded winery;
- 3) The minimum parcels size will be 20 acres;
- 4) The minimum property line setback will be 100 feet;
- 5) A maximum of five rented Detached Room Units plus one caretaker unit would be allowed on any one parcel.

**Social Services Department:** Creation of a Housing Services Program Manager position and authorization to fill the position.

Ms. Anne Watts, Social Services Director, addressed the Board and provided an overview of the request.

Discussion ensued and the following individuals wished to speak:

- Bill Heissenbuttell, District IV resident

Further 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 Crew and carried 4-0-1, to approve the budget increases, add and fill the position of Housing Services Program Manager.

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

**Noes:** None

**Absent:** Supervisor Axe

**Minutes:** Review and possible approval of the October 25, 2022 Regular Meeting Minutes.

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

**MOTION:** It was moved by Supervisor Oneto, seconded by Supervisor Brown and carried 4-0-1, to approve the October 25, 2022 Regular Meeting Minutes with minor corrections.

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

**Noes:** None

**Absent:** Supervisor Axe

**REGULAR AGENDA-TIME CERTAIN 10:30 A.M.**

**Code Enforcement:** Discussion and possible action regarding unpermitted camping occupied trailer(s). Subject property is located at 25252 Merlin Drive, Pioneer, CA (APN 023-610-051).

Ms. Michelle Gallaher, Code Enforcement Officer, 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.

Discussion ensued and the following individuals wished speak:

- Bill Heissenbuttell, District IV resident

Discussion ensued with the following action being taken.

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

**MOTION:** It was moved by Supervisor Brown, seconded by Supervisor Oneto and carried 4-0-1, to adopt the findings of the hearing board, provide the landowner 30 days to bring the property into compliance, which includes: removing all junk from the property

**and trailer, maintaining an unoccupied trailer, or simply removing the trailer and to also have all the marijuana paraphernalia removed.**

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

**Code Enforcement:** Discussion and possible action regarding Public Health and Safety Violation. Subject property is located at 27065 Highway 88, Pioneer, CA. (APN 038-030-014-000).

Ms. Michelle Gallaher, Code Enforcement Officer, 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.

Discussion ensued and the following individuals wished speak:

- George Kleinheinz, OK Corral Property Owner
- Gena Farley, California State Water Resource Board, Control Engineer, DDW, Stockton District

Further discussion ensued with the following action being taken.

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

**MOTION: It was moved by Supervisor Brown, seconded by Supervisor Crew and carried 4-0-1, to adopt the findings and recommendations, which includes obtaining a demolition permit by November 21, 2022, obtaining a bar permit before reopening while simultaneously submitting a water permit with receipts to the California State Water Resource Board to submit to the Amador County Environmental Health Department, maintain the permit(s) in good standing for one year without serving food in that timeframe which would violate the order and to also submit restaurant plans and fees in order to serve at a later date.**

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

**ADJOURNMENT: Until Tuesday, November 22, 2022 at 8:30 a.m.**



Richard M. Forster, Chairman, Board of Supervisors

ATTEST:



HEATHER PEEK, Deputy Clerk of the  
Board of Supervisors, Amador County,

## November 8, 2022 CONSENT MINUTES

7.a. Building Department: Adoption of a proposed Ordinance adding Chapter 15.12 of the Amador County Code by setting forth an expedited, streamlined permitting process for electric vehicle charging stations as required by Government Code Section 65850.7. First reading occurred at the October 25, 2022 meeting

**ACTION: Approved-Ordinance No. 1828**

7.b. Behavioral Health - Mental Health Services Act Annual Update and Expenditure Report fy 22-23 and Resolution

**ACTION: Approved-Resolution No. 22-163**

7.c. Behavioral Health Agreement with Psynergy Program, FY 22-23, 23-24 & 24-25

**ACTION: Approved**

7. d. Assessor Roll Corrections - approval of roll correction values being decreased over \$150,000 or with values being decrease 50% or more, or approval of P19 base year value transfer being decreased over \$150,000.

**ACTION: Approved**

7.e. Building Department: Limited Density Owner-Built Rural Dwelling / LD222937 - MILLAR

**ACTION: Approved-Resolution No. 22-164**

7.f. Budget Increase Department 2750 (Office of Emergency Services) to account for funding from a Homeland Security grant.

**ACTION: Approved**

7.g. General Services Administration: Delta Wireless Service Agreement Renewal for County Radio Maintenance

**ACTION: Approved**

7.h. Commission on Aging: Approval of the appointment of Rich Escamilla as a Regular Member, representing District I, to the subject Commission for a term of three (3) years, expiring on November 7, 2025; and the reappointment of April Miller, as a Member at Large, with a term to expire on November 7, 2025.

**ACTION: Approved**

7.i. Approval of Loan Agreement with the Pine Acres CSD in an amount not to exceed \$15,000.

**ACTION: Approved**

7.j. Social Services Department – Request to fill vacant Employment and Training Worker I/II/III position

**ACTION: Approved**

7.k. Approval of the County's Language Access Policy

**ACTION: Approved**

7.l. Surveying Department-request to set the Public Hearing and adopt the Resolution of Intention to Schedule a Public Hearing for a Certificate of Merger for Michael Campbell and Kasi Campbell. The properties involved in said merger are Tract One and Tract Two of the Townsite of Volcano, Assessor's Parcel No.'s 029-035-008 and 029-035-013.

**ACTION: Approved-Resolution No. 22-165**

7.m. Surveying Department-request to set the Public Hearing Date for a public utility easement abandonment as shown in Exhibit A hereto. Said easement is being vacated in relation to the Boundary Line Adjustment as requested by Jesus C. Benavides and Jacinta S. Benavides and Jason M. Gardner and Jill Gardner. The properties are located off Sugar Pine Drive and Ashland View Court. APNs 032-440-005 and 023-620-019.

**ACTION: Approved-Resolution No. 22-166**

7.n. Surveying Department-request to set the Public Hearing Date for a public utility easement abandonment as shown in Exhibit A hereto. Said easement is being vacated in relation to the Boundary Line Adjustment as requested by Joseph John Jess Sr. and Connie Lee Jess Trustees of The Joseph John Jess Sr. and Connie Lee Jess Family Trust dated May 1, 2003 2022-0007406 and Rafael Huerta Jr. and Evelia Huerta, Trustees of The Rafael Huerta Jr. and Evelia Huerta 2008 Trust and Rigoberto Alvarez and Josefina J. Alvarez 2021-0011159. The properties are located off Jackson Valley Road and Curran Road. APNs 005-250-021 and 005-250-022.

**ACTION: Approved-Resolution No. 22-167**

7.o. Dress and Appearance Standards Policy 2-900

**ACTION: Approved**

7.p. General Services Administration: Assignment and Assumption of Lease Agreement, Hangar Lot #34

**ACTION: Approved**

7.q. Consent to Common Use Agreement with PG&E for the Fiddletown Road Bridge Project

**ACTION: Approved**

7.r. Sheriff's Office: Authorization to apply for and accept, if awarded, Fiscal Year 2022-2023 Boating and Safety and Enforcement Financial Aid Program Funding from the State of California Department of Parks and Recreation, Division of Boating and Waterways in the amount of \$104,136.00.

**ACTION: Approved-Resolution No. 22-168**