

## **ACTION MINUTES**

### **LAND USE & COMMUNITY DEVELOPMENT COMMITTEE**

July 17, 2008

**MEMBERS PRESENT:** Louis Boitano, Supervisor, District IV  
Brian Oneto, Supervisor, District V

Supervisor Boitano called the meeting to order at 9:03 a.m.

**AGENDA:** Approved

**CORRESPONDENCE:** None.

**APPROVAL OF MINUTES:** The minutes of the June 19, 2008 meeting were approved as submitted.

**PUBLIC MATTERS NOT ON THE AGENDA:** None.

**ITEM 1. DIRECTION AND RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING A PROPOSAL FOR A HOLDING TANK TO SERVE AS THE SEWAGE DISPOSAL FOR THE EXISTING DWELLING AND OTHER STRUCTURES ON APN 015-260-014-000 (DUXBURY) --Environmental Health**

(Present: Mike Israel, Environmental Health; Kristin Bengyel, Deputy CAO; Robin Peters, CalState Engineering representing property owner)

Robin Peters, CalState Engineering, said the new owner of APN 015-260-014-000 wants to remodel the structure which has served as the primary dwelling for over 50 years and the unit with a kitchen and bedroom located on the property and ensure that the property is code compliant. Currently the dwellings have been used as a vacation home and are on a holding tank which does not appear to be legally permitted. After a thorough investigation of the property and surrounding properties, it appears the only feasible sewage disposal system option, due to setbacks to the creek, steep slopes and lack of soil, is a holding tank.

The remodel most likely will join the two existing buildings for a total of three bedrooms and will be used as a vacation or weekend home. If the two units remain separate, the studio type unit will need to be converted to a guest house per Planning Department standards.

**Committee Action:** The Committee recommended to the Board of Supervisors to allow the issuance of an installation and use permit for a holding tank to serve the dwellings to be remodeled on APN 015-260-014-000 and the recordation of a deed agreement notifying potential buyers of the property of the permit conditions. This matter can be put on the Consent Agenda.

**ITEM 2. DISCUSSION AND DIRECTION CONCERNING TERMINATION OF CONTRACT SERVICES FOR SURFACE MINE (SMARA) ANNUAL INSPECTIONS WITH CONSULTANT, RESOURCE DESIGN TECHNOLOGY, INC. AND THE PROPOSED UTILIZATION OF NASH GONZALEZ, PACIFIC MUNICIPAL CONSULTANTS (PMC) UNDER THE COUNTY'S CURRENT "GENERAL PLANNING SERVICES" CONTRACT.--Planning**

(Present: Nathan Lishman; Kristin Bengyel, Deputy CAO; Stacy Rhoades and Holly Boitano, Sutter Gold Mining Co.)

Nathan Lishman, Planning Department, said there have been complaints regarding the professionalism and cost of Resource Design Technology's services. In addition the work Resources Design has contracted to perform elsewhere may be creating a conflict of interest. The State has also commented on the lack of professionalism on the part of Resource Design. Reports generated by Nash Gonzalez with Pacific Municipal Consultants are far superior.

The Planning Department would like to work with Nash Gonzalez for a period of two years and have County staff trained to perform inspections in house in an attempt to lower the cost. Merced County has taken this approach with the firm. Kristin Bengyel, Deputy CAO, suggested the inspections for Amador County be coordinated with Merced County to cut down on his travel time and costs. She also said County Counsel needs to review and approve the Project Understanding Agreement submitted by Nash Gonzalez.

Stacy Rhodes, Sutter Gold Mining Co., said Resource Design had numerous errors in their reports, was expensive and urged the County make changes to improve on the quality of the annual mine inspections. (See attached letters of concern).

**Committee Action:** The Committee recommended moving forward with the termination of the contract with Resource Design Technology to perform annual SMARA inspections and utilizing Nash Gonzalez, Pacific Municipal Consultants, per the Project Understanding Agreement submitted.

The meeting adjourned at 9:28 a.m.