

# Amador County Board of Supervisors ACTION MINUTES

## REGULAR MEETING

**DATE:** Tuesday, July 23, 2019  
**TIME:** 8:30 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:**

Brian Oneto, District V-Chairman  
Patrick Crew, District I-Vice-Chairman  
Richard M. Forster, District II  
Frank U. Axe, District IV  
Jeff Brown, District III

**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.**

**The Board convened into Open Session at this time to hear comments from public members wishing to speak on a matter listed on the Closed Session Agenda. Vice Chairman Crew opened the meeting. The following individual wished to speak.**

**Buena Vista Casino Issues-Closed Session Item 3a:** Mr. Bill May, District II resident, took this time to address the Board regarding the following two issues:

1. Will the Board move forward with securing a lighting specialist to look into the concerns he has with excessive lighting, especially at night. Mr. Chuck Iley, County Administrative Officer indicated this is still in process.
2. Will the Board move forward with encouraging the Tribe and Caltrans to consider placing directional signs on Highway 88 and Buena Vista Road that would refer to the Buena Vista Rancheria, but not make reference to the Buena Vista Casino specifically. Mr. Chuck Iley, County Administrative Officer, responded by stating although he thinks Caltrans as well as the Tribe would not take exception to this request, however he is unsure how effective it would be for patrons that are searching for the Casino. Mr. Iley stated he will continue to explore this option with the Tribe and representatives.

**The Board convened into Closed Session at this time and the following matters were heard.**

**Conference with County Counsel: Anticipated Litigation-{Government Code 54956.9(d)(2)}**

One Case

**ACTION:** Direction given to staff.

**REGULAR SESSION:** At 9:00 a.m., the Board convened into regular session. Vice-Chairman Crew reported the above issue was reviewed in closed session.

**PLEDGE OF ALLEGIANCE:** Chairman Oneto 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.**

**Code Enforcement Issue:** Mr. Carl Schaefer addressed the Board on behalf of his brother Dale Schaefer who could not attend the meeting today due to health issues. Mr. Schaefer stated Ms. Michelle Gallaher, Code Enforcement Officer and Mr. Chuck Beatty Planning Director were at the subject property last week and took photographs of the items on the property. Ms. Gallaher advised a copy of the photos showing the items that need to be removed by August 31, 2019 will be provided to the property owner. Mr. Schaefer stated he feels a copy of all photos taken should be provided to he and his brother, not just the items that need to be removed. Mr. Schaefer was advised to make a request to the Planning Department for the photos and if he is unsatisfied or unsuccessful in obtaining the pictures he can bring the matter up with County Counsel. Mr. Schaefer also noted that he feels an extension of time will be needed to complete the cleanup by the end of the month as he is the sole person able to complete the work and he has limited time available to commit to the project. He also pointed out that extreme heat is forecast for the next week that could greatly reduce the time he can spend cleaning up. Supervisor Oneto strongly urged Mr. Schaefer to consider having an estate or other type of sale to assist in liquidizing the items still on the property. Mr. Greg Gillott, County Counsel, pointed out that the Board approved an Order for Administrative Abatement of Violations at its July 9<sup>th</sup> meeting which stated Mr. Dale Schaefer shall schedule an onsite inspection with Amador County Code Enforcement and other appropriate staff to verify compliance on or before July 31, 2019. He continued by stating the Board cannot amend that order at this time as the matter is not agendized. He suggested Mr. Schaefer make substantial progress in the cleanup by July 31, 2019 and then the Board may consider an extension of time, however they are not obligated to as the order was unanimously approved and signed on July 9<sup>th</sup>.

**Self Help Measure for Roads:** Mr. Bill May, District II resident, took this time to request a copy of any notes or minutes that may have been taken at the Self Help Measure for Roads Ad Hoc Committee Meeting held on July 16, 2019. Supervisor Axe provided Mr. May with a copy as requested.

**AFPD Concerns:** Mr. Dan Morris, District II resident, addressed the Board at this time and stated he is unable to attend the Amador Fire Protection District (AFPD) meeting scheduled for tomorrow but would like to share some concerns with the Board today. Mr. Morris said it has come to his attention that shortly after the hiring of a new AFPD Chief the AFPD Board entered into two separate agreements. The first one was to significantly alter or abolish the provision relative to distribution of funds as outlined in Measure M which was adopted in 2009. The second agreement, in his opinion, was to expand fire services to AFPD which could have financial ramifications both to the county as well as local city fire departments. Mr. Morris expressed particular concern that there was no involvement leading up to the adoption of these agreements by anyone other than the new AFPD Chief. Mr. Morris stated Fire Chief's in Jackson and Sutter Creek made their opposition known as well as some City Council members, however he doesn't feel their opinions were taken into consideration. Mr. Morris continued by expressing concern regarding particular language in the agreement that relates to a fee being charged by AFPD to the County in the amount of \$74.60 an hour for any services that is provided to the County by AFPD. Chairman Oneto responded to Mr. Morris at this time and stated the issues that he is bringing up today have been discussed at previous AFPD meetings, however tomorrow's meeting only has one agenda item and that is to seek resolution to response zone realignment map changes.

**Shakeridge Road:** Ms. Amy Mceuin, District III resident, addressed the Board regarding the ongoing closure of Shakeridge Road and expressed extreme concern regarding a safe evacuation route in the event of wildfire. Supervisor Axe advised a geotechnical study of the road was conducted to determine underlying issues and problems with the road. The report was just recently received and needs to be analyzed to determine how to move forward with a permanent repair. Chairman Oneto stated this issue was discussed at a Board Meeting in late June and at that time direction was given to staff to take whatever steps necessary to perform basic repairs to the road so that residents could safely evacuate in the event of a fire or other emergency. He continued by stating it would not be in the best interest of the public to open the road to through traffic on an ongoing basis until permanent repairs are made, but the road will be open and passable in the event of a fire.

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

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

**MOTION #1:** It was moved by Supervisor Crew, seconded by Supervisor Forster and unanimously carried to approve the Consent Agenda as presented.

## **REGULAR AGENDA**

**PG&E Wildfire Update:** Presentation and Q&A by Dylan George regarding the PG&E Wildfire issue.

Mr. Dylan George provided an informative Power Point Presentation which is hereby incorporated into these minutes as though set forth in full.

**ACTION:** None. Presentation only.

**Amador Historical Society:** Discussion and possible action relative presentation and adoption of a Resolution in support of the efforts of the Amador County Historical Society in raising funds to build and enclose the Livery Building.

Ms. Judy Jebian, Amador County Historical Society Member and Museum Director, addressed the Board and summarized the request to provide a new structure in place of the old livery building.

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 Crew and unanimously carried to approve the following resolution.

## RESOLUTION NO. 19-081

Resolution in support of the efforts of the Amador County Historical Society to raise funds to build an enclosed Livery Building on the Amador County Museum grounds.

**Planning Department:** Discussion and possible action relative to potential adoption of a Resolution of Intention to amend County Code Title 19 (Zoning) by establishing regulations for Short Term Rentals in Amador County.

Supervisor Axe recused himself from this matter to avoid any conflict of interest issues as he is an owner of a vacation rental property in Sutter Creek.

Mr. Chuck Beatty, Planning Director, addressed the Board and summarized his memorandum relative to this matter. In summary, he stated the Board of Supervisors gave direction on February 12, 2019 for the Planning Commission to study the issue of Short Term Rentals including the possibility of creating an ordinance to regulate them. He continued by noting the Planning Commission has conducted three public meetings to solicit input on Short Term Rentals and has reviewed two drafts of a proposed ordinance to establish rules and regulations for STR operation in the unincorporated area. Mr. Beatty stated a public hearing is scheduled for August 13, 2019 for the Planning Commission's discussion and possible recommendation of approval of the STR ordinance to the Board. Mr. Beatty stated County Code requires that amendments to the Zoning Code (Title 19) be initiated by one of the following actions:

1. The verified petition of one or more owners of property affected by the proposed amendment, which petition shall be filed with the planning commission and it shall be accompanied by the required filing fee, no part of which shall be returnable to the petitioner;
2. Resolution of Intention by the Board of Supervisors;
3. Resolution of Intention by the Planning Commission.

Mr. Beatty concluded by stating staff recommends that the Board formally adopt a Resolution of Intention to amend the Zoning Code prior to the Planning Commission's public hearing, or provide additional direction to staff and the Commission as the Board deems appropriate.

Chairman Oneto stated since the direction was given by the Board at the February 12<sup>th</sup> meeting he, as well as other Supervisors, have received feedback from their constituents who feel the Board may want to move forward with something not quite as onerous as the current ordinance before the Board today. Chairman Oneto suggested perhaps the Board could look at drafting a "nuisance ordinance" and specifically address issues on a case to case basis. Chairman Oneto continued by stating he has had contact with individuals who own short term rentals and they bring economic value to the County and shouldn't be penalized by way of excessive regulation or fees in spite of the actions of a minority of owners/renters.

Supervisors Crew, Brown, and Forster concurred with Chairman Oneto's statements and

would like to see staff draft an ordinance specifically addressing “nuisance” and include language that would consider each issue on a case by case basis.

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

Mr. Sean Kriletich,  
Ms. Terry Sweet,  
Mr. Alan Roberts  
Ms. Lyn Van Tilburg

**ACTION:** Direction given to staff to abandon the item that is before the Planning Commission at this time and work on a revised more focused Resolution of Intention and Ordinance taking into consideration the comments and concerns brought forth by the Board and public today, and bring back to the Board for review and possible adoption at a future meeting.

Supervisor Axe returned to the meeting at this time and was present for the remainder of items heard.

**Health Insurance Options:** Discussion and possible action relative to consideration of the recommendation from the Health Insurance Advisory Committee (HIAC) to add Preventative Care as an addition to the current Blue Shield PPO coverage.

Dr. Kerr, County Health Officer, addressed the Board on behalf of the Health Insurance Advisory Committee, and provided a brief synopsis of this item.

Included in the memorandum brought forth by Ms. Judy Dias, Human Resources Director, it was pointed out that Alliant Employee Benefits, who represents the County, provided a list of renewal options to the County on June 26, 2019 which included options for enhanced health care benefits. The consensus of represented and unrepresented groups was to recommend that the County offer Preventative Care as an addition to the current coverage. The cost for renewal for the current coverage, which is included in the County’s 2019-20 budget, is \$84,972 (additional) and would go into effect on January 1, 2020. The additional coverage option includes an additional cost of \$37,749, annually, which is not included in the 2019-2020 budget.

Discussion ensued with the following action being taken.

**ACTION:** Consensus of the Board to direct staff to bring this into the discussion next year during open negotiations.

**Administrative Agency:** Discussion and possible action relative to an amendment to Sections 2.04.090 and 2.04.120 of Chapter 2.04 of the Amador County Code as it relates to the Elected Salary Ordinance for the Board of Supervisors.

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 the ordinance related to the salaries of the Amador County Board of Supervisors, Section 2.04.090, sets them at 35% of the salaries earned by California Superior Court Judges. Additionally, as currently written, the ordinance also provides for automatic adjustment of the salaries as the State of California adjusts judicial salaries. He continued by noting in October 2018 the Board directed County Counsel to amend the current salary ordinance to remove the automatic increases tied to the State's changes to judicial salaries and to lock in salaries at 35%.

Chairman Oneto opened the discussion to the public at this time. The following individual wished to speak:

➤ Ms. Rhonda Pope-Flores

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 waive the reading of the subject Ordinance and schedule for adoption on the August 13, 2019 Consent Agenda.**

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

**Planning Department:** Discussion and possible action relative to consideration of the Planning Commission's recommendation to rezone 100.45 acres from the "A," Agricultural District, to the "AG," Exclusive Agriculture District in conjunction with a request for inclusion of the same acreage into a California Land Conservation Act (Williamson Act) contract.

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.

Chairman Oneto 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 Axe, seconded by Supervisor Forster 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 Crew and unanimously carried to:

1. Adopt an Ordinance approving the zone change from “A,” Agricultural District to “AG,” Exclusive Agriculture District;
  2. Adopt a Resolution approving Williamson Act contract #446, and authorize Board Chair to sign Resolution and contact, subject to the condition that the affected parcels be merged to a single legal parcel;
  3. Adopt findings below to support the above actions:
- The zone change is consistent with the Amador County General Plan Land Use designation for the property;
  - The agricultural preserve will meet the agricultural improvement requirements of the “AG” zone district for parcels less than 160 acres but not less than 100 acres as outlined in County Code 19.24.036 D(3);and
  - The zone change is categorically exempt from CEQA according to Section 15317, Class 17 of the State CEQA Guidelines (Open Space Contracts or Easements) and a notice of Exemption will be adopted and filed with the County Recorder-Clerk.

**ORDINANCE NO. 1787**

Ordinance amending Sectional Zoning District Map No. M-30 Pursuant to Section 19.020.020 of the Amador County Code by rezoning certain real property from the “A,” Agricultural District to the “AG,” Exclusive Agricultural District

**RESOLUTION NO. 19-082**

Resolution authorizing recordation of California Land Conservation Act Contract No. 446-Michael F. Collier

**Minutes:** Review and possible approval of the July 9, 2019 Board of Supervisors Meeting Minutes.

**ACTION:** Minutes approved pursuant to the following motion.

**MOTION:** It was moved by Supervisor Forster, seconded by Supervisor Axe and unanimously carried to approve the July 9, 2019 Board of Supervisors Meeting Minutes with minor corrections.



**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 11:30 a.m., the Board convened into closed session.**

**Labor Negotiations:** Pursuant to Government Code Sections 54957.6. County Negotiators: Greg Gillott, County Counsel and Brian Oneto, Chairman. Organization: Unrepresented Employee-County Administrative Officer.

**ACTION:**     **Direction given to staff.**

\*\*At approximately 12:10 Mr. Greg Ramirez, IEDA, joined the meeting via conference call for the following item.\*\*

**Labor Negotiations:** Pursuant to Government Code Section 54957.6. County Negotiators: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Judy Dias, Human Resource Director, Greg Ramirez, IEDA. Employee Organizations: All Units

**ACTION:**     **Direction given to staff.**

**Conference with County Counsel-Public Employee Performance Evaluation-{Pursuant to Government Code 54957}**

County Administrative Officer

**ACTION:**     **Direction given to staff.**

Confidential Minutes: Review and possible approval of the July 9, 2019 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 July 19, 2019 Closed Session Minutes.**

**Conference with County Counsel: Anticipated Litigation-{Government Code 54956.9(d)(2)}**

Buena Vista Rancheria

**ACTION:**     **Update given.**

**ADJOURNMENT:**    **Until Tuesday, August 27, 2019, at 8:30 a.m.**

**July 23, 2019 Consent Minutes**

- 6.a. Approved the requested reclassifications that were included with the FY 19/20 Budget; effective 7/1/19.
- 6.b. Building Department: Adopted a resolution to Limit Use of Agricultural Structure for AG01066-TREVASKIS, and authorized the Chairman to sign the "Agreement to Limit Uses of Agricultural Structure."  
**Resolution # 19-083**
- 6.c. Building Department: Adopted a Resolution to Limit Use of Agricultural Structure for AG01067-DAVIS, and authorized the Chairman to sign the "Agreement to Limit Uses of Agricultural Structure."  
**Resolution # 19-084**
- 6.d. Building Department: Adopted a Resolution to Limit Use of Agricultural Structure for AG01068-Western Equine, LLC, and authorized the Chairman to sign the "Agreement to Limit Uses of Agricultural Structure"  
**Resolution # 19-085**
- 6.e. Surveying Dept.: Adopted Resolution approving Parcel Map No. 2875 as an approved Boundary Line Adjustment requiring completion as a Parcel Map per County Code Section 17.89.022. Parcel Map No. 2875 for Carole A. Cukrov, AKA Carole Cukrov, Robin Spalty, and Teri Wilson. Assessor Parcel No.'s 15-220-024, 15-330-081, and 15-330-082.  
**Resolution # 19-086**
- 6.f. Public Health: Approved Agreement with Mountain Valley EMS Agency Agreement for FY 2019-2020 to provide Local EMS Agency services for Amador County.
- 6.g. Approved Appointment of Ashley Carnicello to Juvenile Justice Commission for a term of Four Years.
- 6.h. General Services Administration: Awarded ITB 19-09 Pioneer Creek Storm Damage Repair Project to Campbell Construction in the amount of \$277,881 and authorized the Board Chair to sign construction contracts based upon the sample contract (contingent upon County Counsel and Public Works Director approval).
- 6.i. General Services Administration: Awarded RFP 19-05 to Nexus youth & Family Services for the Student Assistance Program in an amount not to exceed \$65,000, and authorized the Board Chair to sign agreements based upon the sample contract (contingent upon County counsel and Health and human Services Director Approval).
- 6.j. General Services Administration: Awarded RFP 19-08 to No Place Like Home Consultation and Implementation Services, which includes the development of a Homeless Plan, for services not to exceed \$68,000, and authorized the Board Chair to sign agreements based upon the sample agreement (Contingent upon County Counsel and Health and Human Services Director Approval).
- 6.k. General Services Administration: Awarded RFP 19-07 to Foster Morrison Consulting for Development of Local Hazard Mitigation Plan (LHMP) in an amount not to exceed \$108,000 and authorize the Board Chair to sign contract based on Sample agreement (contingent upon County Counsel and Sheriff Approval)

**ADJOURNMENT: UNTIL TUESDAY, AUGUST 13, 2019 AT 9:00 A.M. (CLOSED SESSION BEGINS AT 8:30 A.M.)**

\_\_\_\_\_  
Brian Oneto, Chairman, Board of Supervisors

ATTEST:

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

**Staff Contacts: Chuck Iley, County Administrative Officer  
Jennifer Burns, Clerk of the Board  
Sharon Murphy, Deputy Board Clerk III  
810 Court Street, Jackson, California 95642  
Telephone (209) 223-6470  
FAX# (209) 257-0619  
[www.amadorgov.org](http://www.amadorgov.org)**