



County of El Dorado

Minutes - Final Board of Supervisors

Board of Supervisors
Department
330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

Lori Parlin, Chair, District IV
Wendy Thomas, First Vice Chair, District III
John Hidahl, Second Vice Chair, District I
George Turnboo, District II
Sue Novasel, District V

Kim Dawson, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
David Livingston, County Counsel

Tuesday, November 1, 2022

2:00 PM

<https://edcgov-us.zoom.us/j/84202092495>

Special Board Meeting
330 Fair Lane, Building A
Placerville, CA
OR
Live Streamed - [Click here to view](#)

PUBLIC PARTICIPATION INSTRUCTIONS: The Board of Supervisors meeting room will be open to the public. The meeting will continue to be live-streamed via Zoom and YouTube.

Members of the public may address the Board in-person or via Zoom to make a public comment. The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 842 0209 2495. Please note you will be able to join the live-stream 15 minutes prior to the posted meeting start time.

To observe the live stream of the Board of Supervisors meeting go to <https://edcgov-us.zoom.us/j/84202092495>.

To observe the Board of Supervisors meetings via YouTube, click <https://www.youtube.com/channel/UCUMjDk3NUItZJrpw2CL7Zkg>.

If you are joining the meeting via zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make a comment. Speakers will be limited to 3 minutes.

By participating in this meeting, you acknowledge that you are being recorded.

If you choose not to observe the Board of Supervisors meeting but wish to make a comment on a specific agenda item, please submit your comment in writing. You are encouraged to submit your comment in writing by 4:00 PM on the Monday before the meeting to ensure the Board of Supervisors has adequate time to review. Please submit your comment to the Clerk of the Board at edc.cob@edcgov.us. Your comment will be placed into the record and forwarded to the Board of Supervisors.

Vision Statement

**Safe, healthy and vibrant communities, respecting our natural resources
and historical heritage**

This institution is an equal opportunity provider and employer.

Live Web Streaming and archiving of most Board of Supervisors meeting videos, all meeting agendas, supplemental materials and meeting minutes are available on the internet at:
<http://eldorado.legistar.com/Calendar.aspx>

The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. Please contact the office of the Clerk of the Board if you require accommodation at 530-621-5390 or via email, edc.cob@edcgov.us, preferably no less than 24 hours in advance of the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

PROTOCOLS FOR PUBLIC COMMENT

Public comment will be received at designated periods as called by the Board Chair.

Public comment on items scheduled for Closed Session will be received before the Board recesses to Closed Session.

Except with the consent of the Board, individuals shall be allowed to speak to an item only once.

On December 5, 2017, the Board adopted the following protocol relative to public comment periods. The Board adopted minor revisions to the protocol on August 24, 2021, incorporated herein:

The Board wants all members of the public to feel welcome to speak, especially regarding controversial items. Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. If the three minutes are exceeded the speaker's microphone will be muted. Applause or other outbursts are not allowed in the Board Chambers.

During noticed public hearings only, individuals authorized by organizations to speak to organizational positions may request additional time, up to five minutes.

Public comment on certain agenda items designated and approved by the Board may be treated differently within specific time limits per speaker or a limit on the total amount of time designated for public comment. It is the intent of the Board that quasi-jurisdictional matters have additional flexibility depending on the nature of the issue. The Board Chair may limit public comment during Open Forum.

Individual Board members may ask clarifying questions but will not engage in substantive dialogue with persons providing input to the Board.

If a person providing input to the Board creates a disruption by refusing to follow Board guidelines, the Board Chair may take the following actions:

- Step 1. Request the person adhere to Board guidelines. If the person refuses, the Board Chair may turn off the speaker's microphone.
- Step 2. If the disruption continues, the Board Chair may order a recess of the Board meeting.
- Step 3. If the disruption continues, the Board Chair may order the removal of the person from the Board meeting.

2:00 P.M. - CALLED TO ORDER

Present: 5 - Supervisor Novasel, Supervisor Hidahl, Supervisor Parlin, Supervisor Thomas and Supervisor Turnboo

PLEDGE OF ALLEGIANCE TO THE FLAG

Supervisor Parlin led the Pledge of Allegiance to the Flag.

2:00 P.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)

1. 22-1529

HEARING - To consider Final Passage of amendments to Title 130 - Zoning Ordinance County Ordinance Code to amend the Matrix of Allowed Uses in Article 2 (Zones, Allowed Uses, and Zoning Standards) and adding Chapter 130.43, Cultivation of Industrial Hemp, to enact regulations for the cultivation of industrial hemp pursuant to the Industrial Hemp Pilot Program Concept and recommending the Board of Supervisors take the following actions, based on the Planning Commission's Recommendation:

- 1) Find that the adoption of this Ordinance is exempt under the California Environmental Quality Act (CEQA) based on CEQA Guidelines 15307, 15308, 15060(c)(2), and 15061(b)(3);
- 2) Adopt and authorize the Chair to sign Ordinance **5168** amending Title 130 of the County Zoning Ordinance; and
- 3) Direct staff to return to the Board one year following the effective date of the ordinance for an update on the pilot program.

FUNDING: Application Fees, General Fund.

Public Comment: L. Boeger, D. Boelster, G. Boeger, D. Hardy, L. Cauchon, L. Tannenbaum, T. Johnston

Supervisor Parlin opened the public hearing and upon hearing from staff and the public closed the hearing.

A motion was made by Supervisor Thomas, seconded by Supervisor Hidahl to:

- 1) Find that the adoption of this Ordinance is exempt under the California Environmental Quality Act (CEQA) based on CEQA Guidelines 15307, 15308, 15060(c)(2), and 15061(b)(3);
- 2) Adopt and authorize the Chair to sign Ordinance 5168 amending Title 130 of the County Zoning Ordinance incorporating the following changes in items 4 through 7;
- 3) Return to the Board one year following the effective date of the ordinance for an update on the pilot program;
- 4) Delete Section 130.43.101.B.10 License Requirements and renumber 130.43.101.B.11 to 130.43.101.B.10;
- 5) Amend the residential structure setback imposed by Subsection 130.43.105.H.3, by adding the following language to the beginning of that sentence "If the parcel is located on Planned Agricultural (PA), Limited Agricultural (LA), and Agricultural Grazing (AG), there shall be no setback imposed by this Subsection. If the parcel is located on Residential Estate (RE) or Rural Lands (RL), the setback requirement is no" less than six hundred (600) feet from a permitted residential structure that is located on a parcel zoned as Multi-unit Residential (RM), Single-unit Residential (R), One-acre Residential (R1A), Two-acre Residential (R2A), Three-acre Residential (R3A), or Residential Estate (RE) at the time the licensee applies for their license or renewal of a license. This setback shall be measured from the nearest point of the outdoor industrial hemp cultivation to the nearest outer wall of the structure.;
- 6) Amend Subsection 130.43.105.H to allow the person impacted by the setbacks to waive the setback by adding Subsection 130.43.105.H.6 to read as follows:
Setback Waiver: The setbacks imposed by this Subsection 130.43.105.H will not apply with respect to a particular parcel if the licensee obtains written consent

from all owners of record of any adjacent parcels that are impacted by the setback to waive the setback requirement. The Agricultural Commissioner shall prescribe the form to be used for this written agreement, and any written agreement must be approved by the Agricultural Commissioner. A written agreement will expire at the same date that the licensee's license expires, and if the licensee renews their license the licensee must obtain a new written agreement. The written agreement is only binding on those parties involved and does not bind any subsequent owner of the parcel; and
7) To make a conforming change to 130.43.105.H.1 to be consistent with item 6.

Yes: 4 - Novasel, Hidahl, Thomas and Turnboo

Noes: 1 - Parlin

ADJOURNED AT 4:15 P.M.

CLOSED SESSION

Public Comment: L. Cauchon, K. Payne

- 2. 22-2029 Pursuant to Government Code Section 54957- Public Employment.**
Title: Chief Administrative Officer Recruitment. (Est. Time: 15 Min.)
No Action Reported. All five Supervisors participated.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience.