

AGUA DULCE TOWN COUNCIL
Regular Meeting of July 9 2008 – 7:00 pm
Agua Dulce Women’s Club, 33201 Agua Dulce Canyon Rd, Agua Dulce
APPROVED Minutes

Council Members Present: Donal MacAdam-President, Marilyn Garner-Corresponding Secretary, Mary Johnson-Recording Secretary, Don Henry-Treasurer, David Aiello, Gary Hebdon, Jim Jennings

Council Members Absent:

Community Members: About 45 people in attendance

TOPIC	DISCUSSION	MOTIONS	RESULT/DECISION
1. Call to Order – Pledge of Allegiance	Don MacAdam, President Regular meeting was called to order 7:10 PM. Pledge of Allegiance led by JJ		
2. Approval of Agenda	MSP: Approve as submitted MSP: Amend previous motion to approve agenda as amended moving agenda <i>Item 4. Reyes Winery</i> to be presented before <i>Item 3. Water Issues</i>	M: MJ S: DA M: MJ S: DA	7-0-0 7-0-0
4. Reyes Winery Project No R2006-00500 and CUP 6006-00040	RPC hearing rescheduled from July 9 to July 30-CUP to convert existing residence and accessory structures into a winery with a wine tasting area, sales office, and storage facility at 10262 Sierra Highway. Mr. Robert Reyes , applicant, presented his proposal 16.25 acres, 24' easement to be paved in the future, 35 parking spaces, hours of operation 10 am – 6 pm, 2 pole signs (30' x15') (20' x 10'), grape varieties of merlot, cabernet, surah, chardonnay, and Muscat, flag lot, processing and bottling to be done on property, 2 existing wells producing 11 gpm, 14,000 grape plants, Community comments: Traffic, sign size, access to flag lot, Fire Dept access and requirements, community employment (4-5 persons), no amplified music, special events, adequate water supply, adequate septic system, leaves and stems residue (per applicant-ok to compost) MSP: Based on the limited information presented, we send a letter to RPC indicating Mr. Reyes presented his project, the ADTC neither supports nor opposes the project, but will forward community comments of access, fire, signs, water, traffic, and economics.	M: MJ S: DH	7-0-0
3. Water Issues	County Proposed Contamination Devices and Hauled Water: Community Comments: • Private property owners should have the dignity to be responsible for handling		

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	<p>our own water.</p> <ul style="list-style-type: none"> • LA Co Environmental Health (EH) appears to be claiming jurisdiction by taking the definition of domestic water from USGS. By picking a definition from a federal agency you can't ignore the rest of federal, state and county regulations. • This is an intrusion of property rights. New vs. repair—repair is not defined in ordinance. Arsenic all that is on the listed currently—other chemicals will be added. Grey water is encouraged—that does not comply with “domestic water” definition. Irrigation water doesn't need to be filtered...point of use or point of entry to house should be acceptable. Filtration is only allowed at well-head and the most expensive. Costs and Fees are not disclosed—costs and fees will only go up. LA County should not be given permission to lead the state and the rest of the country in water quality and health. State of California is currently working on water quality, water rights, and public health. If this is truly a “health concern” there are far more reasonable ways to accomplish water filtration without allowing unfettered rights by LA County to inspect at any time—unnecessary regulation and unnecessary bureaucracy. • DH reads Acton Town Council concerns sent to EH regarding “3. Requiring the installation of water treatment devices at the well head is both unreasonable and unjustified.” • 2003 LA County started required well quantity tests—no quality. Additional tests for bacteria test. Additional tests for inorganic. Additional tests for perchlorate • County is working in good faith • “repair” not defined • Concern of “public health” why are not ALL wells covered? • LA Co Health should not have access to private wells, irrigation should not need to be treated, we should have no more stringent regs than federal and state • Vacant property well tested at ½ gpm, LA Co Health is making this up as they are going along, property has been devalued, reconstruction from fire or other disaster should be allowed with less stringent requirements • Forced into compliance, undue burden with permitting. Process is not practical. Installation of system should not be required before issuing a building permit. Maintenance should be left up to the homeowner. LA County Health should not be the trend setters for the rest of the country. • Enforcing “draft” policy before this has been approved—this is legally contestable. Underground water rights are property rights. Unreasonable legislation becomes a taking of property rights. LA County Health is legislating beyond their authority and infringing on our property rights. State may have pre-empted this area. Requests TC request a written opinion from County Counsel if draft policy is legally supportable and copy to State Attorney General 		

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	<p>to determine if they concur that the state has not preempted and the County is free to legislate in this area.</p> <ul style="list-style-type: none"> • Arsenic causes cancer and diabetes • Filtration and protection should be left to the private well owner • Straw poll on community members for or against draft policy---outcome was clearly against the draft policy <p>MSP: Move to contact LA County Environmental Health raising the concerns discussed tonight and including some comments from the ATC draft letter.</p> <p>MSP: Move to request LA County Counsel give a written opinion on LA County Environmental Health draft policy---if it is legally supportable with a copy to State Attorney General to determine if the State concurs with the county's right to jurisdiction.</p>	<p>M: MJ S: DM</p> <p>M: MJ S: MG</p>	<p>7-0-0</p> <p>7-0-0</p>
5. Open Forum	<ul style="list-style-type: none"> • Personal complaint—alfalfa field at Agua Dulce Canyon Rd and Escondido Canyon Rd. Irrigating all day, every day. 		
6. Annoucements	<ul style="list-style-type: none"> • Deputy Short phone number 661/272-2571. Not for emergency use--for use on tracking information • Don MacAdam birthday • "Welcome to Agua Dulce" sign on Davenport is smashed • Clock needs to be set correctly 		
7. Future Agenda Items			
8. Adjournment	MSP: Adjournment at 9:23 PM	M: JJ S: MG	7-0-0

Respectfully submitted by Mary Johnson, Recording Secretary, Agua Dulce Town Council 2008
APPROVED: 8-13-08