

**MINUTES OF A REGULAR MEETING OF THE BOARD OF SUPERVISORS,
COUNTY OF CALAVERAS, STATE OF CALIFORNIA,
HELD ON MONDAY, JULY 10, 1995**

PRESENT: Merita Callaway, Chair; Michael Dell'Orto, Tom Taylor and Terri Bailey, Supervisors; Spencer Batchelder, County Counsel; Brent Harrington, County Administrative Officer; and Mary Jane Giuffra, Supervising Board Clerk

ABSENT: Thomas Tryon, Vice-Chair

Meeting recorded on Cassette 95-29, Side I

10:00 a.m.: Chair Callaway called the meeting to order and read the following item from Middleton's "LIGHT TOUCH" in the last issue of the Enterprise as follows: "In politics, if you want anything said, ask a man; if you want anything done, ask a woman". This was followed with the Pledge of Allegiance to the Flag and announcements that there was no action taken last week re: CLOSED SESSION on pending litigation and there will be an addendum to today's agenda (No. 23a) re: CLOSED SESSION on pending litigation.

C O N S E N T A G E N D A

Chair Callaway pulled item #4 for discussion. Motion was then made approving the balance of the Consent Agenda, as submitted.

Moved: Taylor Second: Bailey Approval: Unanimous Absent: Tryon

1. Minutes of 6/26/95 Regular Board of Supervisors Meeting, as written
Minutes of 6/26/95 Air Pollution Control District Meeting, as written
Minutes of 6/26/95 Board of Equalization Minutes, as written
2. CORRESPONDENCE: June 23-29, 1995 (see PAGES 5, 6 & 7)
3. MINUTE ORDER authorizing refund of \$776.80 to Jerrold and Judy Nadler re: Building Permit #68-11-27; owner is not proceeding with project; Building Dept./Auditor
5. MINUTE ORDER approving award of contract to Krieger & Stewart, Inc., not to exceed \$28,300, to provide engineering services for the design of a drainage system for Williams Street, Murphys, to be paid from District IV's Work Program; Public Works
6. RESOLUTION A RESOLUTION APPROVING LETTER OF AGREEMENT BETWEEN CALAVERAS NO. 95-244 COUNTY MENTAL HEALTH DEPT. AND SUTTER CENTER FOR PSYCHIATRY FOR INPATIENT SERVICES FOR CHILDREN AND ADOLESCENTS
7. RESOLUTION A RESOLUTION AUTHORIZING CHAIR TO SIGN CONTRACT AMENDMENT NO. 95-245 INCREASING AIDS FUNDING FOR FY 1994/95
8. RESOLUTION A RESOLUTION APPROVING FORMAL AGREEMENT BETWEEN REGIONAL NO. 95-246 EMERGENCY MEDICAL SERVICES AGENCY AND CALAVERAS COUNTY ON FUNCTIONS FOR COUNTY BY REGIONAL STAFF FOR FY 1995/96

9. MINUTE ORDER authorizing Board Chair to sign Memorandum of Understanding (MOU) between Sacramento Regional County Sanitation District and Calaveras County Board of Supervisors specifying conditions under which septage generated in Calaveras County can be disposed of to said District; Environmental Health

10. RESOLUTION A RESOLUTION SUMMARILY VACATING A DRAINAGE EASEMENT, LOT 242, NO. 95-247 UNIT 13, BLUE LAKE SPRINGS SUBDIVISION

4. PUBLIC WORKS/ROAD DEPT./GRANTS (95-29, I, 50)

Chair Callaway questioned staff re: delays in Prop 116 funding for the Blagen Road

project and Director of Public Works Pedersen responded. Supervisor Dell'Orto interjected that the Gold Strike Rd. project has been ongoing for five years.

Motion was made authorizing the Department of Public Works to request proposals for design services in conjunction with a Proposition 116 project for the widening of Gold Strike Road in San Andreas for bicycle traffic.

Moved: Dell'Orto Second: Taylor Approval: Unanimous Absent: Tryon

R E G U L A R A G E N D A

11. PUBLIC COMMENTS

There were no persons wishing to submit comments at this time.

12. PERSONNEL/SHERIFF (95-29, I, 91)

Motion was made authorizing the filling of Position 38-14, Correctional Officer, effective 7/10/95, due to promotion of the incumbent, Keith Rakoncza, to a Deputy Sheriff I position.

Moved: Dell'Orto Second: Bailey Approval: Unanimous Absent: Tryon

13. BUILDING/FIRE PROTECTION/SPECIAL DISTRICTS (95-29, I, 100)

Motion was made authorizing the Building Department to collect fees for the Mokelumne Hill Fire Protection District re: new construction within said district, with the understanding that the Building Dept. will assess a 2% administrative fee for these services.

Moved: Dell'Orto Second: Taylor Approval: Unanimous Absent: Tryon

14. BUILDING/PUBLIC WORKS (95-29, I, 139)

A request by Richard Queirolo for an exemption from Chapter 70 - 1991 Uniform Building Code, was continued for one week to July 17, 1995.

15. PUBLIC WORKS/SURVEYOR (95-29, I, 150)

An appeal by Ken Foley re: staff's decision on the filing of a tentative parcel map for the Century Assembly Church, Inc., was continued for two weeks to July 24, 1995.

16. PUBLIC HEARING/PLANNING/ZONING (95-29, I, 160)

10:48 a.m.: Chair Callaway announced the noticed public hearings on the following zoning amendments. Planning Director Larson submitted staff's report and

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comments. The hearings were opened for public comments but no one came forward to testify; therefore, the hearings were closed and the matters returned to the Board for action.

Motion was made approving Zoning Amendment 95-07, with a Negative Declaration, based on the findings and recommendations of staff and the Planning Commission.
Moved: Taylor Second: Dell'Orto Approval: Unanimous Absent: Tryon

ORDINANCE AN ORDINANCE AMENDING TITLE 17 OF THE CALAVERAS COUNTY CODE
NO. 2435 CHANGING THE ZONING DISTRICT OF REAL PROPERTY FROM U (UNCLASSIFIED) TO RA (RESIDENTIAL AGRICULTURE) PER ZONING AMENDMENT 95-07 FOR MELANIE LEE MARKS; APN 14-012-030

Motion was made approving Zoning Amendment 95-06, with a Negative Declaration, based on the findings and recommendations of staff and the Planning Commission.
Moved: Taylor Second: Dell'Orto Approval: Unanimous Absent: Tryon

ORDINANCE AN ORDINANCE AMENDING TITLE 17 OF THE CALAVERAS COUNTY CODE
NO. 2436 CHANGING THE ZONING DISTRICT OF REAL PROPERTY FROM U (UNCLASSIFIED) TO RR (RURAL RESIDENTIAL) PER ZONING AMENDMENT 95-06 FOR JOHN AND DIANE CHAMBERLIN; APN 12-010-13)

17. PUBLIC WORKS/ROAD DEPT. (95-29, I, 205)

Motion was made accepting plans and specifications for the guard rail project on Rail Road Flat Road and authorizing Public Works to advertise for bids.
Moved: Taylor Second: Dell'Orto Approval: Unanimous Absent: Tryon

RESOLUTION A RESOLUTION ACCEPTING PLANS, SPECIFICATIONS AND CONTRACT
NO. 95-248 DOCUMENTS FROM INCA ENGINEERS, INC., FOR INSTALLATION OF A METAL BEAM GUARD RAIL ON RAIL ROAD FLAT ROAD AROUND THE SOUTH FORK OF THE MOKELUMNE RIVER

18. AGREEMENTS/HRC/LTC/PUBLIC WORKS (95-29, I, 230)

Motion was made approving an agreement in the amount of \$92,270.00 with Human Resources Council (HRC) to provide public transit services within the County.
Moved: Bailey Second: Taylor Approval: Majority Absent: Tryon

RESOLUTION A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
NO. 95-249 HUMAN RESOURCES COUNCIL (HRC) FOR PUBLIC TRANSIT SERVICES

19. PUBLIC WORKS/AGREEMENTS/SOLID WASTE (95-29, I, 260)

Motion was made accepting a bid from Norcal Construction in the amount of \$1,348,061.10 for construction of the Red Hill Landfill Closure Project and awarding a contract for the same.
Moved: Dell'Orto Second: Bailey Approval: Unanimous Absent: Tryon

RESOLUTION A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO ACCEPT
NO. 95-250 THE BID AND AWARD A CONTRACT TO NORCAL CONSTRUCTION FOR THE REDHILL LANDFILL CLOSURE PROJECT

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20. APPOINTMENTS/BOARDS & COMMITTEES/EMS (95-29, I, 312)

Motion was made reappointing Mildred Zyski to the Emergency Medical Services (EMS) Regional Advisory Committee, with Deborah "Deby" Martin to serve as an alternate member, both with three year terms to 7/10/98.

Moved: Bailey Second: Taylor Approval: Unanimous Absent: Tryon

21. APPOINTMENTS/BOARDS & COMMITTEES/EMCC (95-29, I, 319)

Motion was made appointing Deborah "Deby" Martin as a District V representative on the Emergency Medical Care Committee (EMCC) to complete an unexpired term to 12/31/96.

Moved: Bailey Second: Taylor Approval: Unanimous Absent: Tryon

22. KENTUCKY HOUSE/RAIL ROAD (95-29, I, 326)

Supervisor Dell'Orto reported that last Friday, July 6th, was the last day for the Public Use Condition on the Kentucky House Rail Line placed by ICC; therefore, Southern Pacific can now abandon the line but they have not consummated the abandonment at this time and do not intend to.

23. CORRESPONDENCE/SUPERVISORS (95-29, I, 349)

Supervisor Bailey reported on the barbecue she attended on Saturday for the Saddle Creek Golf Course. Tonight she will be attending a meeting of a support group re: legislation for child support collection and will be observing the Grand Jury's orientation meeting tomorrow. She will also be attending the CCWD meeting this Thursday and the Poker Flat Homeowners Association on Friday.

Chair Callaway will be attending an Avery Community Plan meeting and a public hearing on the Avery/Hathaway Pines/Arnold circulation plan this week. She and Supervisor Dell'Orto will also participate in the Grand Jury's orientation meeting at the new library tomorrow and she will be attending the Solid Waste Task Force meeting Wednesday p.m.

Supervisor Dell'Orto reported on an Area 12 Agency on Aging meeting he attended in Markleeville last week.

CAO Harrington will also be at the Grand Jury meeting tomorrow and will be attending a meeting in Sacramento on Thursday regarding the State budget.

23a & 24. ADDENDUM/CLOSED SESSION/ADJOURNMENT

There being no further business, the Board adjourned to a CLOSED SESSION pursuant to GC Section 54956.9, pending litigation: County of Calaveras vs Allan Askew, etal (Calaveras County Superior Court No. 21124), followed by a STUDY SESSION at 1:30 p.m. to discuss Mental Health financial management, with the Board to reconvene in a Regular Board of Supervisors Meeting at 10:00 a.m., July 17, 1995.

CHAIR

ATTEST:

CLERK

C O R R E S P O N D E N C E

THE BOARD OF SUPERVISORS MAY TAKE ACTION ON THE FOLLOWING ITEMS OF CORRESPONDENCE:

JUNE 23, 1995

1. From: Department of the Interior, Bureau of Reclamation re: contract negotiations to begin with City of Orange Cove; Action: cc: Board
2. From: Los Angeles County Fish & Game Commission re: 1995 Annual meeting of the Southern Calif. Region County Fish & Game Commission/Sept. 7, 1995; Action: cc: Board, Ag. Dept., County Fish & Game Commission
3. From: East Bay Municipal Utility District re: agenda for June 26, 1995 Board of Directors joint meeting with Contra Costa County Board of Supervisors; Action: cc: Board
4. From: Department of Social Services re: Spring 1995 "CSE Network Newsletter", Vol. 3, No. 2; Action: cc: Board, District Attorney
5. From: Calaveras County Fish & Game Commission re: minutes of May 24, 1995 meeting; Action: cc: Board, Ag. Dept.
6. From: Kathleen Connell, State Controller re: May 1995 Highway Users Tax Apportionments; Action: cc: Board, Admin., Auditor/Controller

JUNE 26, 1995

7. From: Amador County Public Works Agency re: July 7th, 1995 Mokelumne River Association meeting hosted by P.G.&E.; Action: cc: Supervisors Taylor and Dell'Orto
8. From: Alpine, Mother Lode, San Joaquin Emergency Medical Services Agency re: EMCC Agenda Addendum for June 28th, 1995 meeting; Action: cc: Supervisors Bailey & Callaway
9. From: State Water Resources, Division of Water Quality re: July 5-6, 1995, Water Resources Control Board meeting; Action: cc: Board
10. From: Dept. of the Interior, Bureau of Reclamation re: public input sought on environmental assessment for Water Acquisition Program; Action: cc: Board
11. From: Calif. State Association of Counties re: June 21, 1995 "CSAC Leadership Newsletter; Action: individual copies to Board
12. From: Tawny Tesconi, 39th Dist. Agricultural Association re: letter thanking Board for their support of Sheriff's Dept. involvement with Calaveras County Fair and Jumping Frog Jubilee; Action: cc: Board
13. From: Dept. of the Interior, Bureau of Reclamation re: public input sought on the draft interim guidelines for the water conservation projects cost-sharing program; Action: cc: Board
14. From: Calaveras Lodging & Visitors Association re: July 11th CLVS meeting/Melones Lake; Action: individual invitations to Board
15. From: Calaveras County Water District re: agenda for June 27th meeting; Action: cc: Board, post
16. From: Jim Stearns, Sierra Skies re: concerns re: cost and level of law enforcement at Sierra Skies musical productions; Action: cc: Board (copy was sent to Sheriff's Dept.)
17. From: California Transit Association re: "Transit California", July 1995 edition; Action: individual copies to Board

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7/10/95 FINAL MINUTES

18. From: California State Association of Counties re: July 26th Legislative bulletin; Action: individual copies to Board

19. From: Dept. of the Interior, Bureau of Reclamation re: Central Valley Project Improvement Act - draft interim guidelines; Action: Route to Board
20. From: USDA Forest Service, Lake Tahoe Basin Management Unit re: status of Meiss Grazing Allotment; Action: cc: Board, Ag. Dept.
21. From: California Journal re: June/July/August schedule of Seminars; Action:
22. From: U.S. Dept. of Justice, National Institute of Corrections re: NIC Schedule of Training Services for Fiscal Year 1996; Action: Route to Board & Sheriff

JUNE 27, 1995

23. From: California Integrated Waste Management Board re: CIWMB approves final Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE) and Nondisposal Facility Element (NDFE) for City of Angels; Action: cc: Board, Public Works/Solid Waste Division
24. From: copy of a letter sent to Governor Wilson from Sutter County Board of Supervisors re: the Cal Learn Program; Action: cc: Board, Welfare
25. From: Calaveras County Grand Jury re: request for Board representation at July 11th Grand Jury orientation meeting; Action: cc: Board, Admin.
26. From: East Bay Municipal Utility District re: agenda for June 27th EBMUD Board of Directors meeting; Action: cc: Board
27. From: Reznik & Reznik re: copy of June 1995 edition of "The Law Letter"; Action: cc: Board, County Counsel

JUNE 28, 1995

28. From: King Videocable Company re: notice sent to cable television customers re: increase in rates due to \$1.12 Possessory Interest Tax; Action: cc: Board, Admin., Assessor
29. From: Frank D. Bagetto, President, Gold Strike Village Mobile Home Owners Association re: update of recent happenings associated with residents living in mobile home parks; Action: individual letters to Board; cc: Admin., County Counsel
30. From: Mariposa County Board of Supervisors re: requesting support in protecting California's timberland property owners from Dept. of Forestry regulations; Action: cc: Board, Planning, County Counsel
31. From: State of Calif., Dept. of Health Services re: table listing Calif. Healthcare for Indigents Program (CHIP) and Rural Health Services (RHS) report due dates and payment schedule; Action: cc: Health Dept., Welfare, Auditor, Admin.
32. From: Calif. Manufacturers Association re: Short Circuit #11 re: electric car mandate; Action: individual copies to Board
33. From: University of the Pacific re: Spring 1995 "Pacific Review"; Action: individual copies to Board
34. From: Reason Foundation re: copy of "Privatization 1995"; Action: Route to Board
35. From: California Biodiversity Council re: Summer 1995 "Biodiversity News"; Action: Route to Board
36. From: California Constitution Revision Commission re: July 1995 "CCRC News"; Action: individual copies to Board
37. From: May Jean O'Brien, Calif. Senior Legislature re: expressing concern re: funding for various Area 12 Agency on Aging programs; Action: cc: Dell'Orto, Bailey

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38. From: Revell Communications re: statewide fireworks safety and education program; Action: individual packets to Board (VHS videotape-Route to Board)

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39. From: Environmental Protection Agency re: Diamond XX Newsletter - June 1995; Action: cc: Supervisor Bailey, Public Works
40. From: U.S. Dept. of Agriculture, Rural Economic and Community Development Services re: Rural Issues Forum re: State Strategic Plan; Action: cc: Chair Callaway

41. From: Los Angeles County Board of Supervisors re: financial crisis of local government in California; Action: cc: Board, Admin.
42. Copy of a letter sent to Brad White, Valley Springs, CA from Roark Weber, District Engineer/Valley Springs Sanitary District re: corrective actions re: Valley Oak Center; Action: cc: Supervisor Bailey, Bldg., Planning
43. From: S.M.S. Partners re: letter thanking Board for bringing Spangler Lane road issue to a conclusion; Action: cc: Supervisor Bailey, County Counsel, Public Works
44. From: Area 12 Agency on Aging re: agenda for July 7, 1995 Board of Directors meeting; Action: cc: Supervisors Dell'Orto & Bailey
45. From: Gerry Cartier, Mountain Ranch, CA re: articles re: County Supremacy Movement; Action: cc: Board, Planning
46. From: Philip & Hazel Cain and Joyce Techel re: GPA 95-01 Calaveras County General Plan Update Environmental Impact Report; Action: cc: Board, Planning, Admin., County Counsel