

1. MINUTES, APPROVAL OF (97-44, I, 30)

Supervisor Stein announced that he would be abstaining from approval of the minutes of September 29 due to his absence from said meeting. Motion was then made approving the September 29, 1997 minutes, as written.

Moved: Callaway Second: Tryon Approval: Majority Abstained: Stein

6. PUBLIC WORKS/PURCHASING/AUDITOR (97-44, I, 60)

Supervisor Callaway asked where A & A Computers are located then stated her concerns re: local vendor preference. Motion was then made to continue this matter for one week to October 20, 1997.

Moved: Callaway Second: Tryon Approval: Unanimous

7. PUBLIC WORKS/SUBDIVISIONS/SADDLE CREEK (97-44, I, 100)

Bailey questioned Director of Public Works Pedersen re: extension to Little John Rd. and Saddle Creek's responsibility to build the same. Pedersen assured her that the following Letter of Credit has no bearing on this.

Motion was made authorizing the release of subdivision security, in the form of a Set Aside Letter of Credit in the amount of \$282,839.00, for Saddle Creek Country Club, Unit I.

Moved: Tryon Second: Callaway Approval: Unanimous

REGULAR AGENDA

8. PUBLIC COMMENTS

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

9. ADMIN./PERSONNEL (97-44, I, 117)

CAO Harrington stated that the following job descriptions and salary ranges are a result of the recent budget hearings and recommended approval of the same. Supervisor Callaway pulled item 9(g) for discussion.

Motion was made approving job descriptions and salary ranges for items 9(a) through 9(h), with the exception of 9(g), as follows:

Moved: Tryon Second: Stein Approval: Unanimous

- (a) Assessment Standards Analyst, Salary Range 1858
- (b) Custodian III, Salary Range 0877
- (c) Literacy Program Coordinator, Salary Range 1065
- (d) Network Manager/Microcomputer Support Technician, Salary Range 1851
- (e) Network Specialist/Database Manager, Salary Range 1386
- (f) Programmer Analyst III, Salary Range 1465
- (h) Transport Driver, Salary Range 0990

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Supervisor Callaway stated that she is opposed to item 9(g). She supports the idea of a Sheriff's Recruit position and likes the concept; however, feels there should be a greater differential than 10% between a civilian extra-hire and a quasi-journeyman position. Also, the job description still holds the County open with respect to the statement"current membership in the Calaveras Explorer Post is highly desired and cannot discriminate based on where the person lives"....

Motion was made to approve item 9(g) re: job description for Sheriff's Recruit, with a Salary Range of 0865, as presented.

10. COUNTY FIRE/AUDITOR (97-44, I, 159)

Supervisor Tryon asked what the balance would be in Trust 5461 after \$61,263 is spent on repairs to Engine 113. CAO Harrington advised that as of June 30, 1997, said Trust was at \$86,582. Stein asked why County Fire didn't obtain a second bid on this and Jim Miner, County Fire Warden, stated that time was of the essence and the Board was in agreement with allowing him to use either the formal or informal bidding process. Miner further stated that the company he is recommending is closer, has a great deal of expertise, and it was Jenny Lind's wishes that the County go with them.

Motion was made accepting a bid in the amount of \$27,977 from Country Ford Trucks for a 1997 Ford Chassis and a bid in the amount of \$33,286 from Burton's Fire Apparatus for the change-over for Engine 113, as recommended by County Fire, and authorizing the Auditor-Controller to adjust the books and transfer funds from Trust 5461, as necessary.

Moved: Callaway

Second: Thein

Approval: Unanimous

RESOLUTION A RESOLUTION ACCEPTING BID FROM COUNTRY FORD TRUCKS
NO. 97-354 FOR A NEW CHASSIS FOR ENGINE 113

RESOLUTION A RESOLUTION ACCEPTING BID FROM BURTON'S FIRE APPARATUS
NO. 97-355 FOR THE CHANGE-OVER OF ENGINE 113

11. PUBLIC WORKS/SOLID WASTE/AUDITOR (97-44, I, 220)

Motion was made authorizing the Chair to sign a Used Oil Collection and Recycling Services Agreement with "The Gas Station" in Mountain Ranch and authorizing the purchase of a new used oil collection unit from Fibrex, Inc., at a cost of \$3,087, with the Auditor to adjust the books of record as needed.

Moved: Stein

Second: Thein

Approval: Unanimous

RESOLUTION A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH
NO. 97-356 "THE GAS STATION" TO OPERATE A USED OIL COLLECTION CENTER IN MOUNTAIN RANCH AND AUTHORIZING THE PURCHASE OF A NEW USED OIL COLLECTION UNIT FROM FIBREX, INC., AT A FIXED COST OF \$3,087

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12. PUBLIC HEARING/PUBLIC WORKS/ROAD VACATION (97-44, I, 250)

10:35 a.m.: Chair Bailey announced the noticed public hearing re: consideration of a Negative Declaration and a Resolution vacating a right-of-way on a portion of Peek Circle in Mokelumne Hill. The hearing was opened for public comment but there were no persons wishing to speak; therefore, the hearing was closed and the matter returned to the Board for discussion and action.

Motion was made to adopt resolutions approving the vacation of a right-of-way on a portion of Peek Circle, Mokelumne Hill, and adopting a Negative Declaration and authorizing the Board Clerk to file a Notice of Determination regarding said project.

Moved: Thein

Second: Tryon

Approval: Unanimous

RESOLUTION A RESOLUTION ADOPTING A NEGATIVE DECLARATION FOR VACATING
NO. 97-357 RIGHT OF WAY ON A PORTION OF PEEK CIRCLE IN MOKELUMNE HILL

13. SUPERVISORS/APPOINTMENTS/CSAC (97-44, I, 268)

Motion was made to reappoint Supervisor Callaway as a member of the CSAC (California State Association of Counties) Board of Directors for 1998 with Supervisor Stein to serve as the alternate member.

Moved: Tryon

Second: Thein

Approval: Unanimous

14. CORRESPONDENCE/SUPERVISORS/CUPA (97-44, I, 287, continued to Side II)

Supervisor Stein reported on a Mountain Counties Water Association meeting he attended in Grass Valley last Friday re: problems with Mountain Counties being removed from Bulletin 160 and encouraged letters and phone calls in opposition to this; announced that he will attend the LTC meeting tonight, a CAMRA meeting on Wednesday, and the Mountain Ranch Youth Alliance fund raiser on Saturday.

Callaway reported on a recent Highway 4 meeting re: concerns with oversized vehicles traversing Ebbetts Pass - several public agencies were involved and agreed to work together in disseminating information to the public regarding the risks, etc., if they choose to use Ebbetts Pass.

Supervisor Tryon and Ag Commissioner Howard spoke re: CUPA issue. Howard stated that of the 18 counties left uncertified, 16 are rural and the exemption expires in December. Calaveras County is currently not implementing an above ground storage program. He recommended that the Board request the following: 1) provide each County not yet certified with an opportunity to develop a time frame for certification compliance; 2) work with each jurisdiction to identify optimal organization/arrangements re: JPA's, etc.;

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3) secure funds needed by each rural jurisdiction; and 4) provide for variances and legislative mandates. Tryon will pursue this further with RCRC.

Thein will attend the Valley Springs ABA (Area Business Association) luncheon tomorrow followed by a Mother Lode Job Training meeting in Sonora; the Friends of the Library fund raiser dinner tomorrow evening; and the Farm Bureau dinner Saturday.

Bailey will also attend the LTC meeting tonight and the Valley Springs ABA lunch on Wednesday; will meet with a group of girl scouts Wednesday to discuss local government issues; will attend the Friends of the Library dinner Wednesday p.m.; the Republican Womens lunch Thursday; Jenny Lind Veterans Memorial District's opening day at the Park on Saturday; the "cow-chip bingo" fund raiser in Copperopolis on Saturday sponsored by the Friends of the Library for the Copperopolis Branch; and the Farm Bureau dinner Saturday p.m.; then informed the Board of a demonstration on the belt press system at the La Contenta sewer treatment plant which she observed last Thursday.

16b. ADDENDUM/CLOSED SESSION

The Board adjourned to the following CLOSED SESSION after which they reconvened in regular session to complete the remainder of today's agenda.

16b. ADDENDUM/CLOSED SESSION under Government Code Section 54954.5(c), conference with legal counsel, anticipated litigation; potential

initiation of litigation pursuant to subsection (c) of Section 54956.9; one case - no action taken.

17. EMERGENCY SERVICES/HAZMAT/ADMIN. (97-44, II, 70)

CAO Harrington commended Clay Hawkins for his accomplishments in organizing and overseeing the Calaveras County Hazardous Materials Team (HAZMAT). Hawkins then described the program and the purpose of the HAZMAT Team then introduced Kelvin Yamada who attended the meeting on behalf of CAL EPA. Mr. Yamada also complimented the team for their expertise and dedication.

Motion was made to adopt a resolution recognizing the following members of the HAZMAT Team for their substantial accomplishments and contributions toward improved safety for the Citizens of Calaveras County: Clayton H. Hawkins, Chief Officer, Calaveras County OES; Bill Wennhold, Paramedic/Specialist, Calaveras County OES; Leonard Garcia, Fire Captain, CDF; Paul Feriani, REHS/Specialist, Calaveras County Environmental Health Dept.; Brian Moss, REHS/Technician, Calaveras County Environmental Health Dept.; Phil Ross, Deputy Sheriff/Specialist, Calaveras Sheriff's Dept.; Keith Anderson, Deputy Sheriff/Specialist, Calaveras County Sheriff's Dept.; David Seawell, Sergeant/Technician, Calaveras County Sheriff's Dept.; Dustin Kulling, Police Officer/Technician, Angels Camp Police Dept.

Moved: Stein

Second: Callaway

Approval: Unanimous

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RESOLUTION A RESOLUTION RECOGNIZING THE CALAVERAS COUNTY
NO. 97-359 HAZARDOUS MATERIALS RESPONSE TEAM

18. STUDY SESSION

It was announced that the Board will be joining the above individuals for lunch at the Matador then will reconvene at 1:30 p.m. for a study session re: presentation by the Sierra Business Council regarding their publication "Planning for Prosperity".

19 & 20. BOARD OF EQUALIZATION/COUNTY COUNSEL/TAX REFUND

The Board adjourned to a Board of Equalization regarding a continued Assessment Appeal Hearing for Jon Ellis, which they again continued to October 27, 1997, then reconvened as a Board of Supervisors to complete this day's agenda.

Motion was made to continue a request for refund of property taxes by Jon Ellis to October 27, 1997.

Moved: Tryon

Second: Stein

Approval: Unanimous

15, 16 & 16a. CLOSED SESSIONS/ADDENDUM/ADJOURNMENT

The Board adjourned to the following CLOSED SESSIONS and will reconvene in a Regular Board of Supervisors Meeting at 10:00 a.m. on Monday, October 20, 1997.

15. CLOSED SESSION with County Administrative Officer, pursuant to Government Code Section 54957.6 re: negotiations with the Calaveras County Employees Association - no action taken

16. CLOSED SESSION with County Administrative Officer, pursuant to Government Code Section 54957.6 re: negotiations with Sheriff's Management Unit - no action taken

- 16a. **ADDENDUM** re: CLOSED SESSION with counsel, pursuant to Government Code Section 54956.9 re: pending litigation - Spangler vs County, Superior Court No. 21781, consolidated with County vs. Spangler, Superior Court No. 21811 - no action taken

ATTEST:

CHAIR

CLERK

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

THE BOARD REVIEWED THE FOLLOWING CORRESPONDENCE AND TOOK NO FURTHER ACTION:

SEPTEMBER 26, 1997

1. From: Jenny Lind Fire Protection District re: potential building of a new fire station; Action: cc: Board, Admin., County Fire
2. From: CSAC Excess Insurance Authority re: Sept. 1997 issue of THE EXCESS PERSPECTIVE; Action: cc: Board, Admin.
3. From: Del Oro Caregiver Resource Center re: Fall 1997 issue of PATHWAYS; Action: route to Board
4. From: East Bay Municipal Utility District re: minutes of August 5th, 12th and Sept. 10th, 1997 EBMUD Board of Directors meetings; Action: cc: Board
5. From: Calif. Mental Health Planning Council re: transfer of funds from Mental Health Accounts; Action: cc: Board, Admin.; (copies were sent to Mental Health, Auditor/Controller, Chairman/County Mental Health Advisory Commission)
6. From: Mountain-Valley Emergency Medical Services Agency re: agenda/packet for October 8th meeting to be held at Lake Tulloch Resort; Action: cc: entire packet referred to Thein; Callaway/agenda only

SEPTEMBER 29, 1997

7. From: Area 12 Agency on Aging re: agenda for October 2nd Board of Directors Meeting; Action: cc: Supervisors Stein & Bailey; Admin.
8. Copy of a letter sent to Planning Dept. from John Crone/Lakemont Pines re: tree planting at Arnold Wastewater Treatment Plant; Action: referred to Supervisor Callaway
9. Copy of a letter sent to CalTrans from Calaveras-Tuolumne Cattlemen's Association re: Ebbetts Pass/High 4 vehicle permits; Action: cc: Board, County Counsel, Public Works
10. From: Oil Equipment Service re: underground storage tank contamination site report re: Art's Auto Service/San Andreas - substance/diesel; Action: cc: Supervisor Thein; Environmental Health, OES
11. From: California Biodiversity Council re: Fall 1997 issue of CALIFORNIA BIODIVERSITY NEWS; Action: Route to Board
12. From: John H. Kramer, Vallecito re: concerns of Teeter Plan forcing School District to borrow money to meet operating commitments; Action: cc: Board, Auditor/Controller, Admin., County Counsel
13. From: Mokelumne River Association re: agenda for October 3rd meeting; Action: cc: Supervisors Stein, Callaway

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14. Copy of a letter sent to Sheriff Downum and Roddy Mac, Executive Director/Environmental Alternatives re: Sierra Ridge: Calaveras County Sheriff's Department Investigation; Action: cc: Board, Admin., County Counsel
15. From: State Dept. of Housing and Community Development re: Applicant Verification Regulations review period extended - HCD proposing said regulations to assure public benefits go only to citizens and qualified aliens; Action: cc: Board, Admin.
16. From: Dept. of Toxic Substances Control re: Sept./Oct. 1997 TOXICS UPDATE; Action: cc: Board

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17. From: Daniel E. Lungren, Attorney General, re: Grand Jury's accusation against Sheriff Downum - Attorney General concluded District Attorney did not abuse his discretion in filing motion to dismiss and in deciding not to pursue the prosecution of said accusation; Action: cc: Board, County Counsel, Admin., District Attorney, Sheriff
18. From: U.S. Dept. of the Interior, Bureau of Land Management re: a) BLM distributes \$113 million in "PILT" checks to local governments for tax-exempt lands; and b) Interior Dept. extends nomination period for BLM Wild Horse and Burro Advisory Board; Action: cc: Board
19. From: State Board of Corrections re: notice of modifications to text of proposed minimum standards for local detention facilities; Action: Route to Board, Sheriff, Probation
20. From: Calif. Dept. of Fish & Game re: notice of proposed regulatory action relative to sport fishing regulations; Action: cc: Board, Ag. Dept., County Fish & Game Commission
21. From: Cal/Fed Bay-Delta Program re: Notice of Preparation of Environmental Impact Statement Report to include proposed development of a Habitat Conservation Plan and/or Natural Community Conservation Plan in support of CALFED Program; Action: cc: Board, County Counsel, Planning, CCWD, Chris Williams, Fish & Game Commission, Ag. Resources Committee
22. From: U.S. Dept. of Agriculture, Stanislaus National Forest, Land Management Planning re: environmental analysis quarterly schedule of proposed actions; Action: cc: Board

OCTOBER 1, 1997

23. From: U.S. Dept. of the Interior, Bureau of Reclamation re: Central Valley project storage lower than 1996 as water year ends; Action: cc: Board, County Counsel, Planning, CCWD, Chris Williams, Fish & Game Commission, Ag. Resources Committee
24. From: Regional Council of Rural Counties re: evaluation of RCRC 1997 Annual Conference; Action: referred to Supervisors Callaway, Bailey and Tryon for completion
25. From: State Dept. of Alcoholic Beverage Control re: application for alcohol beverage license filed by Michelle A. & Ronald L. Hie for Calaveras Pines Bar, 686 Ridge Rd., Railroad Flat; Action: cc: Supervisor Stein; Original application to Planning
26. From: State Board of Equalization re: appointment of Richard C. Johnson to position of Deputy Director, Property Taxes Department, and the appointment of James E. Speed as Deputy Director of Board's Sales and Use Tax Department; Action: cc: Board, County Counsel
27. From: William E. Schultz, Division Chief, Pre Fire/Dept. of Forestry re: October 28th meeting of the Tuolumne/Calaveras Fire Safe Council's Working Group; Action: referred to Supervisor Callaway

28. From: Mountain Counties Water Resources Association re: agenda for October 10th meeting, hosted by Nevada County Irrigation District; Action: cc: Supervisors Stein & Callaway

29. From: W.D. & Judith L. Miller, Jamestown, CA re: offended by response from Dept. of Public Works re: driveway encroachment at 4931 Lakeshore Drive; Action: cc: Supervisor Bailey, Public Works, Admin.

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10/14/97 CORRESPONDENCE

OCTOBER 2, 1997

30. From: Robert Bach, County Superintendent of Schools, re: announcing his plans to retire in November, 1997; Action: individual letters to Board

31. From: Mountain-Valley Emergency Medical Services Agency re: agenda for October 15th meeting; minutes of August 20th meeting; draft of First Responder, Patient Care Report form, revised Ambulance Ordinance; Action: cc: Supervisors Thein, Callaway; Admin., Health Dept.

32. From: Calif. Elected Women's Association re: Sunday, October 12th CeWaer Brunch at League of Calif. Cities Annual Conference; Action: cc: Supervisors Bailey, Callaway, Thein

33. From: Regional Council of Rural Counties re: October 15th & 16th RCRC meetings; Action: cc: Supervisors Tryon & Bailey

34. From: Les H. Cohen re: copy of SCR 43 - designating portion of State Highway Route 26, between Mokelumne Hill and West Point "the Stephen P. Teale Highway; designating Bridge 26-17 on State Highway Route 49 the Amador County Veterans Memorial Bridge; and designating portion of State Highway Route 89 between the City of Truckee and Tahoe City the 10th Mountain Division Memorial Highway; Action: referred to Supervisor Stein