

9. RESOLUTION NO. 01-264 A RESOLUTION AMENDING EXHIBIT "B" OF RESOLUTION NO. 96-284 TO EXPAND THE MEMBERSHIP OF THE CALAVERAS HARDWOOD ADVISORY COMMITTEE
10. MINUTE ORDERS (2) authorizing the Chair to execute (a) a contract with Angels Camp Veterinary Hospital for Veterinary Services for FY 2001/02, in an amount not to exceed \$25,500.00; and, (b) a contract with Calaveras Veterinary Hospital for Veterinary Services for FY 2001/02, in an amount not to exceed \$9,200.00; Animal Control
11. MINUTE ORDER authorizing Chair to sign two (2) contracts to engage the professional services of MAXIMUS to be comprised of (a) calculation of the cost for Property Tax Administration (SB-2557); (b) preparation of the County's claims for all State Mandated reimbursable costs (SB-90); Auditor/Controller

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

12. PUBLIC COMMENTS/OES/DISASTER/SUPERVISORS (01-36, I, 170)

Mary Pitto, Senior Administrative Assistant and Public Information Officer, gave a status report on the Darby Fire and Water issues stating that there are many rumors but no evacuations occurred yesterday and no additional are anticipated. The fire is now going in a northeasterly direction in the Stanislaus River canyon and mostly burning in Tuolumne County at this time. Eight air tankers are coming in today. With respect to water issues, officials are looking at alternatives for 1) an immediate short-term fix; 2) a mid-term fix for about two months; and, 3) long-term for 4-6 months. Residents are being requested to drastically conserve water. She presented a map illustrating the progress of the fire stating that there are currently 2,454 fire fighters; 49 bulldozers; 37 water tenders; and 148 engines.

Alice Raine requested that the Board require an enlargement to the printed agenda because the type is so small in the paper that it is very difficult for people to read. She also expressed her appreciation to County staff and others for their outstanding response on the Darby fire and water emergency.

13. SOLID WASTE/PUBLIC WORKS (01-36, I, 800)

Motion was made to continue for two weeks, to September 24, 2001, a Resolution authorizing the acceptance of non-hazardous wastewater treatment sludge for use as an alternative daily cover at the Rock Creek Solid Waste Facility, pending an informational meeting with residents in the area.

Moved: Bailey Second: Callaway Approval: Unanimous ABSENT: Tryon

14. AGREEMENTS/PROBATION (01-36, I, 865)

Motion was made approving an agreement with San Joaquin County for one bed at their Juvenile Camp for the period September 2001 through FY 2003.

Moved: Callaway Second: Bailey Approval: Unanimous ABSENT: Tryon

10:25 to 10:45 a.m. - BOARD RECESS
10:45 a.m.: Supervisor Tryon arrives

15. PUBLIC HEARING/PLANNING (01-36, I, 1125)

10:45 a.m.: Chair Thein announced the continued public hearing (as continued from 8/27/01) regarding Zoning Amendment 2001-47 for Carol Sue Crim. Supervisor Tryon referenced a response from County Counsel then requested staff's recommendation on this project. Planning Director Hansen related a conversation she had with the applicant, Carol Crim, who indicated that she does not want to subdivide the parcel. Chair Thein then reopened the public hearing and all those intending to speak were sworn in by the Clerk. Carol Crim stated that this project consists of 140.9 acres which she wants to split into three (3) five acre parcels for her children. She wants to develop one acre and leave the remaining 125.9 acres as is, RR-X. Supervisor Bailey stated that there are problems in her district with the definition of A-1 property and Hansen clarified that this is defined as accepted farming practices/commercial agriculture. Since there were no others wishing to speak, Chair Thein closed the public hearing and the matter returned to the Board for deliberations and action.

Motion was made to rezone this property as follows: three (3) five acre parcels to RR-5 with the remaining to be zoned RR-X, and to adopt a Negative Declaration on the project based on the findings and recommendations of staff and the Planning Commission.

Moved: Tryon

Second: Bailey

Approval: Unanimous

ORDINANCE
NO. 2669

AN ORDINANCE AMENDING TITLE 17 OF THE CALAVERAS COUNTY CODE CHANGING THE ZONING DISTRICT OF REAL PROPERTY FROM U (UNCLASSIFIED) TO RR-5 (RURAL RESIDENTIAL - 5 ACRE DENSITY) FOR A 15 ACRE PORTION OF APN 53-001-013, AND TO RR-X (RURAL RESIDENTIAL - EXISTING PARCEL SIZE) FOR THE REMAINING 125+ ACRE PORTION OF THE PARCEL, PER ZONING AMENDMENT 2001-47 FOR CAROL SUE CRIM

16. AGREEMENTS/PUBLIC DEFENDER/COUNTY COUNSEL/COURTS (01-36, I, 1900)

Chair Thein announced that this agenda item deals with a request from Superior Court re: discussion and possible action regarding total compensation to be paid for Contract Public Defender Services.

Upon a request from County Counsel motion was made to adjourn to a CLOSED SESSION under Government Code Section 54956.9(a)(3)(e) for the purpose of discussing threatened litigation.

Moved: Callaway

Second: Tryon

Approval: Unanimous

Upon reconvening in Regular Session, County Counsel reported that no action was taken during the above CLOSED SESSION but the Board directed that he and the Courts work together on the development of a new contract. Counsel stated further that he is not prepared to discuss the matter today.

Discussion followed with the Board recognizing the possible need for a Public Defender and attorney in house. Also discussed was a bidder's conference without a specific amount and it was recommended that the Courts and County Counsel put together a contract. The Board indicated that they are open to an additional attorney but not to setting any specific amounts at this time.

17. COUNTY COUNSEL/GRAND JURY (01-36, I, 2270)

Supervisor Stein requested that language be added to the Board's response to the Grand Jury Report under Utility Districts to clarify that Calaveras County is taking steps to address these issues.

Motion was made to continue the Board's response to the Grand Jury Report for one week to September 17, 2001.

Moved: Bailey

Second: Tryon

Approval: Unanimous

18. CORRESPONDENCE/SUPERVISORS (01-36, I, 2833, and continued to Side II)

a) Supervisor Bailey informed the Board of a constituent who lost her home to fire indicating that the cause was Penifon, and three houses in Poker Flat have also been lost due to the use of Penifon, and that San Joaquin and Amador Counties have outlawed it; she then reported on the Little John Road Extension celebration last week; and announced that she will be at COG Wednesday evening, the Copperopolis Homecoming on Saturday, and budget hearings this week along with a Board of Equalization training session in Stockton on Thursday; b) Supervisor Tryon reported on the meeting he attended this a.m. regarding the water situation due to the Darby Fire stating that CCWD and the PUD are doing a great job in developing an interim solution - water usage has dropped 50% and the cost of a short term solution will cost approximately \$500,000 - replacement of the flume will be 1.3 million and monies should be available through the disaster declaration - the Board directed staff to draft a letter to the Governor stressing the urgency and necessity of this emergency funding; c) Stein announced that he will be in budget hearings this week and the training session in Stockton on Thursday, then asked staff about the Freccerro Rd. vote; d) Callaway thanked Mary Pitto for her dedication in getting accurate information out on the fires, etc.; e) Thein announced that she will also be in budget hearings and in the training session this Thursday then announced that the Fire Chiefs Association met and voted for two water tenders, one for Foothill Fire and one for San Andreas and they're looking at used rather than new; then reported on the Habitat for Humanities BBQ she attended this past Sunday and the Black Bart Day at Turner Park in San Andreas on Saturday; f) County Counsel reported on his review of the Sierra Pacific Industries issue and Supervisor Bailey stated her concerns with the Board not allowing the other side to respond - Counsel indicated that he will monitor this situation.

ADJOURNMENT

There being no other business requiring action this day, the meeting was adjourned and the Board will reconvene in Final Budget Hearings FY 2001/02 at the Calaveras County Library at 9:00 a.m. on Tuesday, September 11, 2001.

ATTEST:

CHAIR

CLERK

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:

AUGUST 17, 2001

1. From: Lynette Wilhelm, Legislative Analyst, Regional Council of Rural Counties, re: Tax Relief, AB 426 (Cardoza); Action: cc: Board, Admin.
2. From: Richard P. Vinson, Amador County Supervisor, re: Tri-County Juvenile Justice Facility; Action: cc: Stein, Thein, Callaway, Probation, Admin.
3. From: Calif. Dept. of Child Support Services re: Manual of Policies & Procedures update to incorporate changes from the Program Administration & Complaint Resolution Emergency Rulemaking No. R-1-01-E; Action: cc: Board
4. From: Sierra Pacific Industries re: August 2001 issue of "SP Boardtalk"; Action: Individual copies to Board Members
5. From: Calif. Dept. of Child Support Services re: Clarification of Excess Payment Calculation; Action: cc: Board
6. From: Upper Mokelumne River Watershed Authority re: Agenda for August 24, 2001 meeting at Pardee; Action: referred to Stein and Callaway

AUGUST 20, 2001

7. From: Pacific Bell re: August 2001 Telecommunications Update; Action: Individual copies to Board Members
8. From: East Bay MUD re: invitation to annual BBQ at Pardee on September 21, 2001; Action: Individual invitations to Board Members
9. From: LSI Law Seminars International re: 3rd Annual Conference on Local Telecommunications Infrastructure, November 15 & 16, 2001, Los Angeles; Action: cc: Board
10. From: Calif. Dept. of Child Support Services re: Ombudsperson, Complaint Resolution, and State Hearing Process Information Binder; Action: cc: Board
11. From: State Health & Human Services Data Center re: New HIPAA Training Schedule; Action: cc: Board
12. From: State Dept. of Forestry & Fire Protection re: Notice of Submission of Timber Harvesting Plans or Amendments Thereto for Sierra Pacific Industries for 169 acres approximately 13 miles east of West Point, adjacent and downstream of the Middle Fork Mokelumne River, in Calaveras County; for Kurt Ault for 20 acres approximately 4 miles N/E of Sheep Ranch, 1/4 mile south of O'Neil Creek, in Calaveras County; and Steve Q. Cannon and Debra Brown for 128 acres in Amador County; Action: cc: Callaway and Stein
13. From: California Budget Project re: August 2001 issue of "BUDGET WATCH"; Action: cc: Board, Admin., Auditor, County Counsel
14. From: Calif. Onsite Wastewater Association re: Fall 2001 issue of COWA; Action: cc: Board
15. From: Rural Alliance, Inc., re: August 2001 issue of "RAI"; Action: Individual copies to Board Members
16. From: USDA Forest Service, Stanislaus National Forest, re: August 20, 2001 Fire Report; Action: cc: Board, Admin.
17. From: Regional Council of Rural Counties re: CALFED Public Involvement Calendar 2001 and 2002 Proposal Solicitation Package of the Ecosystem Restoration Program; Action: cc: Board, County Counsel
18. From: Allen Matkins Leck Gamble & Mallory LLP, Attorneys at Law, on behalf of the Valley Springs Community Rights Coalition and its individual members (collectively the "Coalition") re: letter for inclusion in the administrative record pertaining to Agenda Item #18 for Board of Supervisors' August 20, 2001 Agenda re: proposed adoption of an ordinance establishing Supervisorial District Boundaries; Action: cc: Board, Planning, County Counsel, Elections

AUGUST 21, 2001

19. From: State Board of Corrections re: copy of their letter to Amador County Administrative Officer re: Construction Grants Project #076-97 - Tri-County Mother Lode Juvenile Facility; Action: cc: Board
20. From: Don Dunn, Valley Springs, re: copy of petition to Assemblyman Oller re: Cleanup and Abatement Order 98-703 Carol Nunes and Sunrise Farms, Inc., dba Oaktree Ranch, Burson, Calaveras County; Action: referred to Thein
21. From: NACo re: August 13th issue of "COUNTY NEWS"; Action: Individual copies to Board Members
22. From: Brent Harrington, President and CEO of Regional Council of Rural Counties, re: travel reimbursement policy and claim forms; Action: referred to Tryon and Bailey
23. From: Valerie Justice, Water Program, Regional Council of Rural Counties, re: Local Government notification of Proposals submitted to the CALFED Ecosystem Restoration Program 2002 Proposal Solicitation; Action: cc: Board, County Counsel, Admin.

AUGUST 22, 2001

24. From: Smart Growth America, a sponsored organization of Surface Transportation Policy Project, re: August 2001 Newsletter; Action: route & file
25. From: Regional Council of Rural Counties re: August 2001 "RCRC UPDATE"; Action: Individual copies to Board Members
26. From: Human Resources Council re: Notice that Calaveras Child Care Council is seeking members for a special planning group to assess and coordinate the delivery of quality child care services and programs in Calaveras County; Action: cc: Board, post
27. From: Patrick Blacklock, Amador County Administrative Officer, re: Cost Estimates for the Mother Lode Regional Juvenile Facility; Action: referred to Callaway and Thein

AUGUST 23, 2001

28. From: Jack & Betty Cacianti, Valley Springs, thanking Supervisor Bailey for all she has done for the people of Calaveras County; Action: cc: Board, Admin.
29. From: SkillPath Seminars re: Modesto Conference for Women, November 9, 2001, Holiday Inn, Modesto, CA; Action: cc: Bailey, Callaway and Thein
30. From: Eastern Slope Performers Educational Services requesting funding to allow them to present education/prevention programs in Calaveras County Elementary Schools; Action: route to Board, Admin., Auditor

AUGUST 24, 2001

31. From: State Dept. of Forestry and Fire Protection re: Notice of Filing of Timber Harvesting Plan or Amendments thereto for Sierra Pacific Industries for 169 acres near the Middle Fork Mokelumne River; Action: cc: Callaway and Stein; posted
32. From: Josey Sinclair, Governmental Affairs Administrator, Regional Council of Rural Counties, re: information on upcoming CALFED Workshops; Action: cc: Board, County Counsel
33. From: Commissioner Retreat Planning Team, California Children and Families Association re: Retreat set for Sept. 30 and Oct. 1, 2001, at the Hilton San Diego Resort; Action: cc: Board

AUGUST 27, 2001

34. From: State Dept. of Forestry and Fire Protection re: Notice of Submission on Timber Harvesting Plans or Amendments thereto for: Transvest, Inc., for 53 acres in El Dorado Co.; Action: referred to Callaway
35. From: Alan Foss, re: help with Diamond XX's plans to blacktop their roads; Action: referred to Bailey (Public Works received a copy of this)

9/10/01 FINAL MINUTES

36. From: Central Valley Regional Water Quality Control Board re: public meetings on September 6 & 7, in Redding, CA; Action: cc: Stein
37. From: Citizens Against Lawsuit Abuse requesting adoption of a proclamation declaring September 17-21, 2001, as Lawsuit Abuse Awareness Week; Action: cc: Board, County Counsel, Admin.
38. From: Paula Swain, Valley Springs, re: copy of her letter to Calaveras County Code Compliance re: APN 50-51-26 - McGourty; 7524 Foothill Lane; Action: cc: Board, County Counsel, Admin.
39. From: Clinton B. Lee, Chairman, Murphys Masonic Hall Association Specifications Committee, re: copy of their letter to Robert Pachinger, Public Works, re: parking lot and new ground floor lodge room projects; Action: cc: Tryon
40. From: Ducks Unlimited, Inc., re: Summer 2001 issue of CARE (Conserving Agriculture Resources and Environment); Action: Individual copies to Board
41. From: California Institute for Mental Health re: Satellite Teleconference, October 3, 2001; Action: referred to Thein
42. From: State Water Resources Control Board re: Notice of Applications to Appropriate Water by Permit; No. 5648X02 for Thomson Family Trust for diversion of water from two unnamed streams tributary to Six Mile Creek and Six Mile Creek, both tributary to Angels Creek, thence Melones Reservoir; and No. 5648X01 and 31182 for Six Mile Land Co. for diversion of water from Six Mile Creek tributary to Angels Creek, thence Melones Reservoir; Action: cc: Tryon
43. From: Assembly California Legislature - Elections, Reapportionment and Constitutional Amendments Committee, re: Notice of Hearings on Proposed Redistricting Plans for California's State Assembly, Senate, Congressional and Board of Equalization Districts; Action: Individual copies to Board
44. From: Brent Harrington, President and CEO, Regional Council of Rural Counties, re: RCRC Bylaws; Action: referred to Tryon

AUGUST 28, 2001

45. From: State Dept. of Forestry and Fire Protection re: Notice of Filing of Timber Harvesting Plans or Amendments Thereto for SPI for an addition of approximately 362 acres on land in Calaveras near the Mokelumne River; Action: cc: Callaway and Stein
46. From: Calif. Dept. of Child Support Services re: clarifying use of the locate data sheet; Action: cc: Board
47. From: Saddle Creek re: invitation to Little John Road Extension Groundbreaking on Sept. 5th at 4:00 p.m.; Action: Individual invitations to Board Members
48. From: State Dept. of Forestry and Fire Protection re: Notice of Intent to Harvest Timber filed by SPI for an additional 362 acres approximately 10 miles east of West Point, south of the Middle Fork of the Mokelumne River; Action: cc: Callaway, Stein and posted
49. From: Amador County Board of Supervisors re: copy of their letter to Robert Presley, Board of Corrections, re: Motherlode Regional Juvenile Detention Facility; Action: cc: Board (Admin. and Probation received this also)
50. From: Regional Council of Rural Counties re: **REMINDER** re: request for Legislative Proposals for 2001/2002 Legislative Session due by September 14, 2001; Action: cc: Board, Admin., County Counsel
51. From: Calif. Dept. of Forestry & Fire Protection, Forest Stewardship Program, re: Summer 2001 issue of "FORESTLAND STEWARD"; Action: route & file

AUGUST 29, 2001

52. From: State Dept. of Forestry and Fire Protection re: Amended Notice of Intent to Harvest Timber (revised 8/28/01 to included additional pages) filed by Sierra Pacific Industries for an additional 362 acres approximately 10 miles east of West Point; Action: cc: Callaway, Stein, post
53. From: PG&E re: update on accomplishments; Action: Individual copies to Board Members
54. From: California State Association of Counties re: Aug. 30, 2001 "COUNTIES LEADERSHIP LETTER"; Action: Individual copies to Board Members
55. From: Regional Council of Rural Counties re: Lon House's Energy Update; Action: cc: Board, Admin.
56. From: Del Oro Caregiver Resource Center re: Fall 2001 issue of "PATHWAYS"; Action: route & file
57. From: State Dept. of Forestry and Fire Protection re: Official Notice of Filing of Timber Harvesting Plans or Amendments thereto filed by SPI adding 362 acres to their Original Approved Plan of 126 acres; Action: cc: Callaway, Stein, post
58. From: California State Association of Counties re: August 23 "CSAC LEGISLATIVE BULLETIN"; Action: Individual copies to Board Members
59. From: Calaveras Child Care Council re: information on the Council's activities; Action: Individual packets to Board Members

AUGUST 30, 2001

60. From: Regional Council of Rural Counties re: Upcoming Board of Directors Meetings; Action: referred to Tryon and Stein
61. From: California CRMP Program re: Summer 2001 issue of "CRMP CONNECTION"; Action: route & file
62. From: Forests for the Next Century urging support of AJR 25; Action: Individual flyers to Board Members
63. From: California State Association of Counties re: Meeting/Conference Call on County Platform; Action: referred to Stein and Callaway
64. From: State Dept. of Rehabilitation re: Notice of Public Hearing on Proposed Rulemaking and Regulatory Action on October 15, 2001, Sacramento, CA; Action: cc: Board