

CALAVERAS COUNTY BOARD OF SUPERVISORS  
PRELIMINARY AGENDA, JANUARY 6, 2009

BILL CLAUDINO	DIST. 1	ROBERT C. LAWTON	SUPERVISORS CHAMBERS
STEVE WILENSKY, Chair	DIST. 2	COUNTY ADMINISTRATIVE OFFICER	COURTS & LEGAL BUILDING
MERITA CALLAWAY	DIST. 3		GOVERNMENT CENTER
THOMAS TRYON	DIST. 4	JAMES JONES	891 MT. RANCH ROAD
RUSSELL THOMAS, V-Chair	DIST. 5	COUNTY COUNSEL	SAN ANDREAS, CA 95249

KAREN VARNI, COUNTY CLERK AND EX-OFFICIO CLERK TO THE BOARD  
(209)754-6370 FAX (209)754-6733

**"CALAVERAS COUNTY GOVERNMENT'S MISSION STATEMENT"**

*The Mission of Calaveras County Government is to provide service, infrastructure, leadership, and vision necessary to advance a safe community, maintain a high quality of life, while preserving local history and culture, and to protect personal liberties for all of its citizens.*

THE BOARD OF SUPERVISORS WELCOMES YOU TO THEIR MEETINGS WHICH ARE SCHEDULED EACH TUESDAY.  
YOUR INTEREST AND PARTICIPATION IS ENCOURAGED AND APPRECIATED.

\* \* \* PLEASE TURN OFF CELL PHONES IN BOARD CHAMBERS \* \* \*

**IF ANY MEMBER OF THE AUDIENCE WISHES TO ADDRESS THE BOARD ON AN AGENDA ITEM,** PLEASE COME TO THE ROSTRUM AND GIVE YOUR NAME AND YOUR COMMENTS OR QUESTIONS. PLEASE LIMIT YOUR COMMENTS TO THE SPECIFIC SUBJECT UNDER DISCUSSION. TIME LIMITS SHALL BE AT THE DISCRETION OF THE CHAIR.

**O P E N I N G**

**8:45 A.M.: SWEARING IN CEREMONY FOR ELECTED OFFICIALS**

**9:00 A.M.: CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS**

**SELECTION OF CHAIR AND VICE CHAIR**

**C O N S E N T     A G E N D A**

CONSENT AGENDA ITEMS ARE EXPECTED TO BE ROUTINE AND NON-CONTROVERSIAL. THEY WILL BE ACTED UPON BY THE BOARD AT ONE TIME WITHOUT DISCUSSION. ANY BOARD MEMBER, STAFF MEMBER OR INTERESTED PARTY MAY REQUEST REMOVAL OF AN ITEM FROM THE CONSENT AGENDA FOR LATER DISCUSSION.

1. MINUTES of a regular Board of Supervisors meeting held on December 9, 2008 - Board action:
2. CORRESPONDENCE: December 8 -19 , 2008 (see attached) - Board action:
3. MINUTE ORDER authorizing Board Chair to sign a letter to Governor Schwarzenegger opposing elimination of Williamson Act Subventions; Department of Agriculture - Board action:
4. RESOLUTION authorizing the disposal of surplus computer equipment; Technology Services - Board action:
5. RESOLUTION authorizing the Calaveras County Elections Official to render specified services to the Ebbetts Pass Fire District in

conjunction with the special election to be held May 5, 2009; County Clerk/Elections Division - Board action:

6. RESOLUTION amending Resolution 08-249 to correct clerical error; County Clerk/Elections Dept. - Board action:
7. RESOLUTION authorizing execution of professional services agreement with Lason for Recorder's Integrated Document Cashiering, Indexing, Imaging and Retrieval System (IRIS); County Clerk/Recorder - Board action:
8. MINUTE ORDER authorizing the County Administrative Office to submit applications for Proposition 40 Per Capita Grant Funds for Community projects, as amended for District III; Administration - Board action:

**REGULAR AGENDA**

9:10 A.M.: PUBLIC COMMENTS/CLERK-RECORDER/COMMUNITY DEVELOPMENT

9. PUBLIC COMMENTS: 5 minutes per person; 15 minutes per topic
10. Discussion and possible Board action re: RESOLUTION recognizing January 2009 as National Mentoring Month and January 22, 2009 as "Thank Your Mentor" Day; Admin. - Board action:
11. Discussion and possible action re: the adoption of an ORDINANCE to revise Title 17, Section 17.04.030 of the Calaveras County Municipal Code, addressing legal access requirements; Community Development Agency - Board action:

9:30 A.M.: PUBLIC HEARINGS/COMMUNITY DEVELOPMENT AGENCY

12. PUBLIC HEARING and possible Board action re: 2006-36 ZONING AMENDMENT, TENTATIVE SUBDIVISION TRACT MAP, VARIANCE and ROAD MODIFICATION for MCE, LLC.; The subject property is located on the east side of State Highway 4 and approximately 0.1 mile northeast of the intersection with State Highway 4 and Tom Bell Road in Murphys, CA; Community Development Agency - Board action:
13. PUBLIC HEARING and possible Board action re: 2003-114 ZONING AMENDMENT and TENTATIVE SUBDIVISION TRACT MAP (Wallace Lake Estates, Unit 2) for JOHN D. REYNEN, LLC (cont'd item from 07/14/2007); Community Development Agency - Board action:

10:30 A.M.: BOARD MATTERS

14. Discussion and possible action re: MINUTE ORDER appointing Planning Commissioners to a two year term of office; Planning - Board action:
15. Discussion and possible action re: appointment of Board members as representatives to various agencies for 2009 - Board action:
16. Review of correspondence, reports and various matters of concern.

17. CLOSED SESSION: pursuant to Government Code Section 54956.9: conference with legal counsel re: existing litigation; (two cases) 1. In the Matter of the Arbitration of Opinsky v. County of Calaveras; 2. Lee Rhodes v. County of Calaveras, et al U. S.D.C Case No: 1:08-CV-01705-OWW-DLB - County Counsel - Board action.
18. CLOSED SESSION: pursuant to Government Code section 54956.9(b)(1); conference with legal counsel; anticipated litigation - significant exposure to litigation (one case); County Counsel; Board action.
19. CLOSED SESSION: conference with labor negotiator, under Government Code section 54957.6; HR Director; Calaveras County Deputy Sheriff's Association (DSA) - Board action:
20. CLOSED SESSION: conference with labor negotiator, under Government Code section 54957.6, HR Director; Service Employees International Union, Local 1021 - Board action:

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

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

**DECEMBER 08, 2008**

1. From: CSAC Excess Insurance Authority re: Annual Report ; Supervisor Callaway & Routed to Supervisor Tryon
2. From: Frogtown, Ray Malerbi CEO re: copy of letter to Bob Lawton regarding what the county could do to help the Fair; Board & Supervisor Elect Tofanelli
3. From: CBP California Budget Project re: Asking for Support and Assistance; Board and Supervisor Elect Tofanelli
4. From: Mr. & Mrs. Edwin Peterson re: Animal Services and Grand Jury investigation; Board, Supervisor Elect Tofanelli, County Counsel, Animal Services and Sheriff
5. From: Peterson Consulting, Inc re: CMSP Governing Board--supervisor position for "small" size counties; Board & Supervisor Elect Tofanelli
6. From: Calaveras County Water District re: Agenda December 10, 2008; Board, Supervisor Elect Tofanelli, CAO, Planning & Post.
7. From: NACo, National Association of Counties re: Legislative Conference; Board as Addressed
8. From: Western Water re: November/December Publication; Board as Addressed
9. From: Mike Miller re: Road Name Change (Thunderbolt Trail); Board, Supervisor Elect Tofanelli, CAO, Planning, County Counsel & Public Works

**DECEMBER 09, 2008**

10. From: Jacqueline L. Heintz re: Animal Services and Grand Jury investigation; Board, Supervisor Elect Tofanelli, County Counsel, Sheriff & Animal Services
11. From: NACo ( National Association of Counties) re: County News; Board as addresses
12. From: HRC Child Care Resources re: Winter 2008-09 publication; Board as Addressed
13. From: Josephson Institute re: Register for the first truly proactive ethics seminar for public officials; Board as addressed
14. From: NAMI Gold Country, (National Alliance on Mental Illness) re: Annual Holiday Party & Asking for support; Board as Addressed
15. From: County of Calaveras Local Agency Formation Commission re: Meeting December 15, 2008; Supervisors Thomas, Tryon, Callaway & Post
16. From: Central Sierra Resource Conservation & Development re: Agenda, December 18, 2008; Supervisors Thomas, Wilensky & Post

**DECEMBER 10, 2008**

- 17. From: Freddie Velasquez re: Crosswalks in San Andreas and Valley Springs; Board, Supervisor Elect Tofanelli, Planning, Public Works and CAO
- 18. From: Central Sierra Resource Conservation & Development re: Agenda for December 18, 2008 meeting; Supervisors Thomas, Wilensky & Post
- 19. From: Privatization Watch re: Focus on State and Local Privatization; Board as Addressed
- 20. From: Paul McIntosh re: Budget Action Bulletin: Special Session No. 2; Filed
- 21. From; Calaveras Child Care Council re: December 16, 2008 Agenda: Supervisors Wilensky, Callaway, Thompson & Post
- 22. From: Calaveras-Amador Mokelumne River Authority re: December 17, 2008 Agenda; Board, Supervisor Elect Tofanelli & Post

**DECEMBER 11, 2008**

- 23. From: Tuolumne Stanislaus Integrated Regional Water Management Plan re: Meeting Agenda December 17, 2008; Supervisor Wilensky and Thomas
- 24. From: Cal State Engineering re: Spring Valley Estates TSTM 2008-029; EP & G Properties; Board, Supervisor Elect Tofanelli, Planning. CDA, CAO & County Counsel
- 25. Ruby Alexandria Burough re: Animal Services and Grand Jury investigation; Board, Supervisor Elect Tofanelli, County Counsel, Sheriff & Animal Control

**DECEMBER 12, 2008**

- 26. From: West Point News re: December publication; Board as addressed
- 27. From: UCLA re: Health Policy Research Brief; Board as addressed

**DECEMBER 16, 2008**

- 28. From: LAFCO-Local Agency Formation Commission of Calaveras County re: Public Hearing January 26, 2009; Board, Supervisor Elect Tofanelli, Planning, Code Compliance, Public Works, County Counsel, CAO, Environmental Services & Post
- 29. From: Governance re: Special District and Local Government Institute; Board as addressed
- 30. From: Calaveras County Water District re: Agenda; Board. Supervisor Elect Tofanelli, CAO, Planning. County Counsel, Environmental Services & Post
- 31. From: Calaveras County Chamber of Commerce re: The Trinitas Project and the delays in the Planning Department; Board, Supervisor Elect Tofanelli, Planning. CAO & County Counsel
- 32. From: California Environmental Protection Agency re: In-Use Off-Road Diesel Vehicle Regulation; Board, Supervisor Elect Tofanelli, CAO, Environmental Services, Public Works. Code Compliance
- 33. From: Caroline Schirado, Janet & Thomas Baillie & Lisa Hilf re: Grand Jury investigation of Animal Services; Board, Supervisor Elect Tofanelli, County Counsel, Sheriff & Animal Control.
- 34. From: California Department of Transportation re: Closure of Route 4 December 12,2008: Filed.

- 35. From: Calaveras County Water District re: Review of Draft Water element Policy Document; Board, Supervisor Elect Tofanelli, Environmental Health, Planning.
- 36. From: CSAC re: 2009 Winter/Spring Enrollment Open-CSAC Institute for Excellence in County Government; Filed

**DECEMBER 17, 2008**

- 37. From: The Humane Society re: Invitation to attend "The Link Between Violence to Animals and Violence to People"; Board and Supervisor Elect Tofanelli
- 38. From: California State Association of Counties re: Institute for Excellence in County Government; Board & Supervisor Elect Tofanelli
- 39. From: Northern California Power Agency re: North Fork Stanislaus River Hydroelectric Development Project, Location: Along the North Fork of Stanislaus River and its tributaries in Alpine, Tuolumne and Calaveras Counties and transmission lines in Calaveras and San Joaquin Counties; Board, Supervisor Elect Tofanelli, CAO, Planning, Public Works, Environmental Health, County Counsel & Code Compliance

**DECEMBER 18, 2008**

- 40. From: State of California Fish and Game Commission re: Proposed regulatory action relative to Section 670.5 Title 14, California Code of Regulations, and relating to animals of California declared to be endangered or threatened, which will be published in the California Regulatory Notice Register on December 19, 2008; Supervisor Callaway and Supervisor Tryon
- 41. From: Better Roads re: December publication; Supervisor Thomas & Supervisor Claudino
- 42. From: Department of Transportation re: Snow Removal; Supervisor Callaway, Public Works, County Counsel
- 43. From: Department of Alcoholic Beverage Control re: Application for Alcoholic Beverage License; Supervisor Claudino, Supervisor Elect Tofanelli & Planning
- 44. From: California Budget Project re: Annual Conference March 19, 2009; Supervisor Callaway
- 45. From: Waterman & Associates re: Appointment to CSAC Executive Committee. Board & Supervisor Elect Tofanelli
- 46. From: Agata A. Sulczynski & John E. Field RE: Note of "Thanks" & copy of correspondence to Comcast; Supervisor Callaway

**DECEMBER 19, 2008**

- 47. From: Richard E. Wilmshurst re: Cal-Trans v. The 49er Lease, Richard E. Wilmshurst and Alan H. Corel; Board, Supervisor Elect Tofanelli, County Counsel & Planning