

service and dedication to Calaveras County. Edward Anderson read a letter into the record regarding Burson Volunteer Fire Company and Calaveras County Fire Protection District. The letter requested that the Board meet with the Directors of Burson Fire in an effort to resolve various problems.

10. PERSONNEL/ADMIN. (94-19, I, 161)

Motion was made authorizing the following personnel actions, as recommended by Administration.

Moved: Gordon Second: Taylor Approval: Unanimous

- a) refilling position 48-06, Animal Control Officer I/II, effective 05/09/94, due to the termination of the employee
- b) refilling position 06-07, Account Clerk III, Tax Collector/employee during the probationary period
- c) refilling position 83-17, Social Worker III, Welfare Department, effective 05/16/94, due to the retirement of the employee, Gary Leake
- d) MINUTE ORDER authorizing the County Jail to hire Kelly Bennett as a Correctional Officer and making exception to the prohibition of the employment of family members per section 2.64.645 of the County Code.
- e) RESOLUTION NO. 94-157 A RESOLUTION AUTHORIZING THE CONTINUED EMPLOYMENT OF THERESA JARRETT ON AN EXTRA-HIRE BASIS AND DIRECTING THE AUDITOR/CONTROLLER TO DEDUCT AND CONTRIBUTE TO PERS PURSUANT TO GOVERNMENT CODE 20336

11. PLANNING/COMMUNITY PLANS (94-19-, I, 228)

Susan Larson, Planning Director, initiated the discussion by referring to a study session that was held last month regarding the development of community plans by citizen committees in Arnold, Avery, Copperopolis and Valley Springs with the purpose of the study session being to inform the Board of the status of each of the community plan efforts and seek direction for completing the tasks. Larson advised that staff estimates releasing a revised draft for the Arnold Community Plan in 16 to 22 weeks and in 6 to 9 months for the Avery Plan. She suggested for Arnold, since they have a draft plan, that 4 members from the existing committee be retained and they solicit applications for 3 new committee members to represent as broad of an interest group as possible. In the case of Avery, it is suggested that the existing committee be appointed as the formal advisory committee since they have been working so well together. She also provided time schedules for each project and then advised that staff would return to the Board with proposals for Copperopolis and Valley Springs after the initiation of the Arnold and Avery Plans. Supervisor Taylor suggested the matter be put off until 94/95 budgets are finalized. Supervisor Callaway responded by advising that no additional funds are being requested at this point. Supervisor Tryon expressed concerns regarding the amount of staff time needed to complete the entire process, requested a more precise projection of steps required, and then asked if an Environmental Impact Report (EIR) would be necessary. Supervisor Callaway

expressed concerns regarding road blocks that are now being brought into something that was approved, in some form, 2 years ago. She stated that many hours of valuable time, energy and emotion have been spent by representatives of each community that can be captured and put to beneficial use in completion of the plans. Supervisor Gordon stated that he supports the Community Plans and Supervisor Callaway's concerns indicating that Community Plans are necessary mechanisms to prevent future problems. Chairman Dell'Orto advised that there are significant budget concerns but he does not see this as being a roadblock and would like to see the projects move forward.

Motion was made by Supervisor Callaway and seconded by Supervisor Gordon authorizing staff to proceed with completion of the Arnold and Avery Community Plan Programs and begin procedures to appoint formal advisory committees with the stipulation that the matter is brought back to the Board in 2 months with a more precise time frame and cost analysis.

Supervisor Tryon again expressed concerns stating that substantial resources may be required, the process will become more difficult as it advances, and further stated he felt it should not take two months for Staff to report back to the Board. He advised that he would not be voting in favor of the projects. The above motion was then amended as follows:

Motion was made authorizing staff to proceed with completion of the Arnold and Avery Community Plan Programs and begin procedures to appoint formal advisory committees with the stipulation that the matter is brought back to the Board in 2 weeks with a more precise projected cost analysis and projected time frame.

Moved: Callaway Second: Gordon Approval: Majority NOES: Tryon

11a. COUNTY COUNSEL (94-19, I, 501)

Jeff Tuttle, County Counsel, referenced a letter received from the County of Napa requesting that counties add their names to an amicus brief re: DeVita v. County of Napa. The issue being addressed is to what extent local land use planning has become a matter of state wide concern and to what extent the state legislature has preempted local control of local land use planning. The brief will argue that local land use planning is a matter of local, rather than state wide concern. He further advised that the Board's action will result in no cost to the County of Calaveras. Discussion followed.

Supervisor Gordon moved to approve a Minute Order authorizing the Board Chairman to sign a letter adding Calaveras to a list of counties supporting an amicus brief in DeVita v. County of Napa. Motion died for lack of a second.

11b. ADDENDUM/PUBLIC WORKS/SOLID WASTE (94-19, I, 599)

Motion was made approving the following Resolution re: Rock Creek Solid Waste Facility.

Moved: Gordon Second: Tryon Approval: Unanimous

RESOLUTION A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC
NO. 94-158 WORKS TO MODIFY AN EXISTING AGREEMENT WITH EBA
WASTECHNOLOGIES AND ENTER INTO AN AGREEMENT WITH
HARDING LAWSON ASSOCIATES FOR ENGINEERING SERVICES

DURING CONSTRUCTION OF PHASE I-B AT THE ROCK CREEK
SOLID WASTE FACILITY

Jim Hemminger, Solid Waste, announced that the County will be conducting a recycling booth at the County Fair this year and they are now in the process of soliciting help to man the booth.

11c. ADDENDUM/SHERIFF/AGREEMENT (94-19, II, 1)

Motion was made authorizing the Calaveras County Sheriff, or his authorized representative, to sign an agreement with the 39th District Agricultural Association, in an amount not to exceed \$3,500.00, for additional law enforcement for the 1994 County Fair, to run May 19 through 22, 1994.

Moved: Gordon Second: Taylor Approval: Unanimous

12. APPOINTMENT/BOARD & COMMITTEES/COMMISSION ON AGING (94-19, I, 17)

Motion was made appointing Lucille G. Lewis as a District III Representative to the Commission on Aging to complete an unexpired term to 12/31/94.

Moved: Callaway Second: Tryon Approval: Unanimous

13. SUPERVISOR/PLANNING/KENTUCKY HOUSE/ENERGY (94-19, II, 40)

Chairman Dell'Orto read a letter from T.A. Hoblitzell, General Partner, of the Kentucky House Energy Partners, summarizing a meeting held on May 5, 1994 with Southern Pacific Executives regarding the Southern Pacific Railroad/Kentucky House Line Report. The letter stated that KHEP have until Friday, May 20, 1994 to provide a final offer on the Kentucky House Spur Line. A brief discussion followed. No action was taken.

14. CORRESPONDENCE/SUPERVISORS/STAFF (94-19, II, 85)

a) Supervisor Callaway announced that Avery Middle School will be holding an Open House this Friday and then referenced an informational meeting scheduled for tomorrow evening at the San Andreas Grange Hall regarding a proposed Fricot City Prison. b) Supervisor Tryon asked Chairman Dell'Orto to follow up on Edward Anderson's concerns regarding Burson Volunteer Fire Company and County Fire. c) Dell'Orto referenced his attendance at the John Garamendi barbecue this past week end. d) Jeff Tuttle, County Counsel, referred to obtaining a consultant and legal firm with expertise in matters relative to the Kentucky House Cogeneration Project. e) CAO Harrington gave a brief status report on Ng funding and advised that the bill has now progressed to the Assembly and then announced that preliminary budget hearings will start at 10:00 a.m. tomorrow morning and continue through Friday, if necessary.

15. ADJOURNMENT/BOARD OF EQUALIZATION (94-19, II, 149)

Motion was made to adjourn to Board of Equalization to set the next hearing date for June 27, 1994, at 1:30 p.m., with the Board to reconvene at 10:00 a.m. on Tuesday, May 10, 1994 to conduct preliminary budget hearings.

Moved: Tryon Second: Gordon Approval: Unanimous

ATTEST:

CHAIRMAN

CLERK

THE BOARD OF SUPERVISORS WILL REVIEW THE FOLLOWING CORRESPONDENCE AND
MAY TAKE ACTION REGARDING SAME DURING THE MEETING OF MAY 9, 1994

APRIL 22, 1994

1. From: Lawrence T. Byrnes, a copy of his letter to Planning Director Larson re: Mining Use Permit 93-52, Ford Construction, Modification of Permit 87-31 (APN 66-022-89); Action: referred to Supervisor Callaway
2. From: County Fish & Game Commission re: agenda for April 27 and Minutes of March 23, 1994; Action: cc: Board, Admin., County Counsel
3. From: Governor's Office re: "Wilson Week in Review" - Wilson Administration highlights from the week ending April 2, 1994; Action: cc: Board, Admin.
4. From: Robert G. & Maryetta Shriver re: proposed improvements to Avery-Hotel Road; Action: cc: Board, Public Works
5. From: Tom Bohigian, Field Representative for Barbara Boxer, re: Payment in Lieu of Taxes program; Action: cc: Board, Admin., Auditor
6. From: Allison Finkel, 4th grade student, Glendale, Ca., requesting information on Calaveras County; Action: referred to Chamber of Commerce
7. From: State Dept. of Health Services re: Assembly Bill 1433/Senate Bill 855 Revenues Net Disproportionate Share Hospital Revenues; Action: cc: Board, Admin., Auditor
8. From: Midwest Industrial Supply, Inc., re: product information and material safety data sheets; Action: route & file to Board and Air Pollution
9. From: Northern Calif. Power Agency re: annual report and information concerning membership in NCPA; Action: route & file

APRIL 25, 1994

10. From: R.P. Siebenthall, Los Gatos, re: solid waste fee; Action: cc: Board, request response from Public Works
11. From: City of Lancaster requesting counties to contact State Assembly Members and State Senators and urge them to vote NO on AB 122 which amends the Mobilehome Residency Law re: rent controls, etc.; Action: cc: Board, Admin., County Counsel
12. From: Ridgeview Estates Property Owners and Road Association to Calaveras County Public Works Director re: pedestrian walkways/pathways along Burson Road; Action: referred to Supervisors Gordon and Dell'Orto
13. From: EBMUD re: Agenda for Tuesday, April 26, 1994; Action: cc: Board
14. From: Matthew K. Fong, State Board of Equalization, re: allocation of funds for law enforcement and fire prevention per Proposition 172; Action: Individual letters to Board Members; cc: Admin., County Counsel, Sheriff, District Attorney, Auditor
15. From: Boyd Gibbons, State Dept. of Fish & Game, acknowledging receipt Action: cc: Board, Fish & Game Commission
16. From: James Dyer responding to Supervisor Callaway's letter re: alternatives for proposed road - Avery; Action: referred to Callaway; cc: Public Works
17. From: CCWD re: Agenda for April 28, 1994; Action: cc: Board
18. From: Ebbetts Pass Coordinating Committee re: Minutes of April 14, 1994; Action: referred to Callaway
19. From: UOP re: University Bulletin, April 22-28, 1994 edition; Action: individual issues to Board Members
20. From: NACo re: County News, Vol. 26, April 18, 1994; Action: individual issues to Board Members
21. From: State Dept. of Health Services re: "CALIFORNIA STRATEGIC PLAN AND ACTION AGENDA FOR TUBERCULOSIS CONTROL AND ELIMINATION"; Action: route and file

APRIL 26, 1994

22. From: Bonnie White re: opposition to assessment for proposed Recreation and Park District in Copperopolis area; Action: cc: Board, Planning

23. From: State Dept. of Fish & Game re: Agenda for May 9, 1994; Action: cc: Board, Fish & Game

24. From: Lucy L. Tryon requesting extension of time for appeal hearing re: Planning Commission's extension of Jensen Pick and Shovel Use Permit; Action: cc: Board, Planning, referred to May 2, 1994 Board Meeting

25. From: CSAC re: Legislative Bulletin for April 25, 1984; Action: Individual copies distributed to Board Members

APRIL 27, 1994 - NO MAIL DUE TO NATIONAL DAY OF MOURNING FOR FORMER PRESIDENT NIXON

APRIL 28, 1994

26. From: California Training Institute re: Statewide Workforce Preparation Conference, May 17-19, 1994, Long Beach, Ca.; Action: cc: Board, Admin., Economic Development

27. From: Calif. Chamber of Commerce re: April 22, 1994 issue of "ALERT"; Action: Individual copies distributed to Board Members