

MINUTES OF A REGULAR MEETING OF THE BOARD OF SUPERVISORS,
COUNTY OF CALAVERAS, STATE OF CALIFORNIA,
HELD ON MONDAY, NOVEMBER 18, 1996

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

ABSENT: Supervisor Dell'Orto during portions of the meeting

Meeting recorded on Cassette 96-50, Sides I & II

10:00 A.M.: Chairman Tryon called the meeting to order then made the following announcements: no action was taken during a CLOSED SESSION held on November 12, 1996 with County Counsel, pursuant to GC Section 54956.9(b)(3)(A), re: threatened litigation - one case, and a CLOSED SESSION on November 13, 1996 with the CAO, pursuant to GC Section 54957.6, re: negotiations with the Calaveras County Deputy Sheriff's Association; and, there will be an addendum to today's agenda (item 13a) re: abandonment and/or approval of encroachment into a Public Utility Easement, APN 71-005-06. Tryon then led everyone in the Pledge of Allegiance to the Flag.

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

Supervisor Callaway pulled the minutes of Nov. 4, 1996 and County Counsel 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: Dell'Orto

2. CORRESPONDENCE: November 1-7, 1996 (see PAGE's 5, 6 & 7)
3. RESOLUTION A RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY
NO. 96-364 CLERK TO CONDUCT THE SPECIAL ALL-MAIL BALLOT ELECTION
TO BE HELD ON FEBRUARY 11, 1997 IN THE APPALOOSA ROAD
COMMUNITY SERVICES DISTRICT
5. RESOLUTION A RESOLUTION ACCEPTING A BID AND AUTHORIZING THE
NO. 96-365 LEASE/PURCHASE OF ONE ARTICULATED 4 X 4 LOADER
FOR THE PUBLIC WORKS DEPARTMENT

10:05 A.M.: SUPERVISOR DELL'ORTO ARRIVED

1. MINUTES, APPROVAL OF (96-50, I, 49)
Callaway stated that she pulled the minutes in order to abstain from approval due to her absence from the November 4th meeting. Dell'Orto was also absent from that meeting.

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Motion was made approving the minutes of November 4, 1996, as written.

Moved: Bailey

Second: Taylor

Approval: Majority

ABSTAINED: Callaway and Dell'Orto

4. COUNTY COUNSEL/CLAIMS (96-50, I, 62)

County Counsel advised the Board that, due to the period of time covered in the claim for Susan Larson, they would need to approve a special minute order rejecting anything on or subsequent to April 10, 1996.

Motion was made rejecting "in whole" Claim No. 96-016, filed on behalf of Susan Lynn Larson on October 10, 1996, re: sexual harassment, to the extent it refers to matters or occurrences alleged to have occurred on or subsequent to April 10, 1996.

Moved: Bailey

Second: Taylor

Approval: Unanimous

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

6. PUBLIC COMMENTS/CHAMBER/MENTAL HEALTH/FIRE PROTECTION (96-50, I, 90)

Larry Cornish, President of the Chamber of Commerce, informed the Board of a project called "Leadership Calaveras".

Mary Louis, Mental Health Advisory Board, referenced item #9 and was asked to hold her comments until the item came up on the agenda.

Ed Anderson, Burson, CA, submitted an article from the Stockton Record re: closure of air bases for fire suppression in California.

7. PERSONNEL/MUNICIPAL COURT/CLERK-RECORDER (96-50, I, 177)

Motion was made approving a temporary change for Geri Flanary, Position 24-05, Supervising Court Clerk I, to Acting Clerk/Administrator, effective November 9, 1996, necessary due to the recent retirement of Bobbie Norton.

Moved: Dell'Orto

Second: Bailey

Approval: Unanimous

RESOLUTION A RESOLUTION AUTHORIZING A TEMPORARY WORKING OUT OF
NO. 96-366 CLASS ASSIGNMENT FOR POSITION 24-05, MUNICIPAL COURT

Discussion ensued re: new job description for Recorder Clerks and Karen Varni, County Clerk-Recorder, and Jalyne Tobias, Director of Human Resources, responded to Board Members' questions and concerns.

Motion was made approving new job descriptions for Recorder Clerk I/II and approving a salary range of 0635 for Recorder I (current salary range) and a salary range of 0875 for Recorder Clerk II, which is a 5% salary increase.

Moved: Callaway

Second: Dell'Orto

Approval: Unanimous

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8. AGREEMENTS/HOSPITAL/PERSONNEL (96-50, I, 298)

Jalyne Tobias, Director of Human Resources, explained the agreement with the hospital for alcohol/drug testing services for certain county employees indicating that this is required by law. Supervisor Dell'Orto reviewed the fee schedule with hospital staff.

Motion was made authorizing the Chairman to execute an Occupational Health Services Agreement with Mark Twain/St. Joseph's Hospital for alcohol/drug testing services in accord with applicable law.

Moved: Taylor

Second: Bailey

Approval: Unanimous

9. MENTAL HEALTH/COMMITTEES & COMMISSIONS (96-50, I, 453, cont'd to Side II)
Maury Rager, Chairman of the Mental Health Advisory Board, submitted said Board's annual report for 1995/96 and reviewed their recommendations to the Board of Supervisors. He and Mary Louis responded to questions and concerns.

Motion was made accepting and approving the Mental Health Advisory Board's annual report for 1995/96.

Moved: Dell'Orto

Second: Bailey

Approval: Unanimous

RESOLUTION A RESOLUTION ACCEPTING THE CALAVERAS MENTAL HEALTH ADVISORY
NO. 96-367 BOARD'S 1995 ANNUAL REPORT TO THE BOARD OF SUPERVISORS

10. SUPERVISORS (96-50, II, 197)

Motion was made to change the January 6, 1997 Board of Supervisors meeting to a day meeting, beginning at 10:00 a.m., rather than a night meeting, in order to conduct the swearing in ceremony at 12:00 p.m. for the newly elected supervisors.

Moved: Taylor

Second: Dell'Orto

Approval: Majority

NOES: Callaway and Bailey

11. COMMITTEES & COMMISSIONS (96-50, II, 227)

The Board reviewed applications for the Hardwood Advisory Committee noting that no one had applied for the registered professional forester position and there was a difference of opinion on the representative for the Master Gardeners position.

Motion was made to continue this item for three weeks and to request the Farm Bureau, Cattlemens Association, Master Gardeners and Fish & Game Commission to make recommendations; also, to extend the deadline for filing.

Moved: Dell'Orto

Second: Taylor

Approval: Unanimous

12. SUPERVISORS/CSAC/PLANNING COMMISSION (96-50, II, 391)

Dell'Orto informed the Board that he had been on vacation for the last 2 weeks in Mexico and that during that time he managed to quit smoking. He then indicated that he had to leave for an appointment but would be present for this afternoon's study session.

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11:20 A.M.: SUPERVISOR DELL'ORTO LEFT FOR AN APPOINTMENT

Callaway reported on the vintner's dinner she attended at Kautz Winery last week then announced that she will be in San Diego the remainder of this week for the annual CSAC Conference and at Lt. Cantieri's retirement dinner Friday evening. She then suggested that the Board attend the meeting luncheon of the CLVA (Calaveras Lodging and Visitors Association) on Monday, November 25th, at the Black Bart Inn, and that the study session on December 16th re: Welfare Reform be moved to the County Library. Callaway then "nominated" Supervisors-Elect Lucy Thein and Paul Stein to represent the Board of Supervisors in the Board of Realtors Can Stacking Contest on December 6, 1996.

Bailey announced that she will also be attending the CSAC Conference this week; Cantieri's dinner on Friday; and will be leaving for vacation on Saturday. She then informed the Board that Mark Carter turned in his

- Action: cc: Board, post
3. From: California State Association of Counties re: Oct. 31st "CSAC Leadership Letter"; Action: individual copies to Board
 4. From: California Forestry Association re: October 1996 issue of "California Forests Today"; Action: cc: route to Board
 5. From: Senator Tim Leslie re: AB 2312, relating to county costs for juveniles, vetoed by Governor Wilson; Action: cc: Board, Admin., County Counsel, Probation
 6. From: US Dept. of Agriculture, Rural Development re: USDA releases FY 1996 Annual Report for California; Action: Route to Board
 7. From: California State Association of Counties re: agenda for November 19th CSAC Agriculture and Natural Resources Policy Committee; Action: referred to Supervisor Dell'Orto
 8. From: California Taxpayers' Association re: Nov. 1st issue of "Cal-Tax News"; Action: individual copies to Board; cc: Admin., Auditor/Controller
 9. From: Rudolf Van Heiningen re: concerns relative to property tax assessment on parcel 71-003-08, Rancho Calaveras; Action: cc: Board; referred to Assessor for response
 10. Copy of a letter sent to CAO from: Leonard Baxter, Manager/New Melones Lake Marina re: request for resolution permitting erection of directional signs on various local highways for New Melones Lake Marina; Action: cc: Chairman Tryon, Public Works
 11. From: Calif. Poster Compliance Center re: State and Federal posting requirements for Calif. employers; Action: cc: Board
 12. From: California State Association of Counties re: briefing materials for November 21st Board of Directors meeting; Action: referred to Supervisor Callaway, as addressed

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13. From: PG&E, Technical & Ecological Services, re: cloud seeding project in Mokelumne River watershed above Salt Spring Reservoir; Action: cc: Board, Air Pollution
14. From: State Dept. of Aging to Ms. Peggy Lee, Director, Area 12 Agency on Aging, re: November 18 examination of Title III financial and program records for fiscal period July 1, 1991 through June 30, 1996; Action: cc: Board, Admin.
15. From: Assembly Rules Committee re: Assembly & Joint Committee Interim Hearings throughout November and December; Action: cc: Board, Admin., Counsel, post
16. From: Calaveras County Chamber of Commerce re: "CHAMBER NEWS"; Action: Board, Admin.
17. From: CEWAER re: information on women candidates running in the November 5th general election; Action: referred to Bailey and Callaway
18. From: Neil and Martie Wise in support of TPM 96-11 for Albert and Betty DeSanti re: proposed split of their property to be heard by Planning Commission on November 7th; Action: referred to Tryon
19. From: Western States Coalition re: filing of suit challenging the designation of the 1.7 million acre land grab in Utah and information on Summit VII to be held November 14-16 in Salt Lake City; Action: cc: Board
20. From: the Joint Policy Council on Agriculture and Higher Education re: October 1996 issue of "The JPC Connection"; Action: route to Board; cc: Ag Dept.
21. From: State Dept. of Health Services, Drinking Water Field Operations Branch, re: Small Water System Program annual evaluation, FY 95-96, for Calaveras County Small Water System (SWS) Regulatory Program; Action: cc: Board
22. From: Dept. of Water Resources re: October 1996 issue of "WATER CONSERVATION NEWS"; Action: cc: Board, Planning, Counsel, CCWD, Ag & Resources Committee, Fish & Game Commission, Chris Williams
23. From: Innovations in American Government re: Awards Program of the Ford

Foundation and the John F. Kennedy School of Government, inviting Calaveras County to participate in the 1997 awards competition; Action: referred to Chairman

24. From: State Dept. of Youth Authority re: proposed emergency regulation re: County Payments to Dept. of Youth Authority: Fee for Housing and Sliding Scale for Less Serious Offenses; Action: cc: Board

25. From: East Bay MUD re: minutes of October 8, 1996; Action: cc: Board, Admin., County Counsel

26. From: Appaloosa Road CSD re: Resolution 96-05 Declaring Necessity to Incur Bonded Indebtedness and Calling a Special Election on Whether to Authorize the Issuance of Revenue Bonds in Order to Borrow Funds for Road Improvements and Maintenance; Action: cc: Board

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27. From: California State Association of Counties re: November 13th Telephone Conference Call re: state mandates and local revenues; Action: referred to Chairman Tryon

28. From: State Dept. of Transportation re: November 21st meeting to discuss Route 26 curve correction project; Action: cc: Supervisor Bailey, Public Works

29. From: Calif. Environmental Protection Agency re: October 1996 Cal/EPA Report; Action: individual copies to Board

30. From: US Dept. of Housing and Urban Development re: August 1996 issue of "EZ/EC News; Action: individual copies to Board

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31. From: State Dept. of Transportation re: relinquishment of Highway Right of Way, Road 10-CAL-4-R20.23/R21.37; Action: cc: Chairman Tryon, County Counsel, Public Works

32. From: Public Policy Institute of California re: Extramural Research Program to fund innovative external research on public policy issues that affect California; Action: individual copies to Board, cc: Admin.

33. From: Integrated Computer Technology re: ICT's Calif. Multiple Award Schedule (CMAS) products and services 1996/97 Pricing Catalog; Action: individual copies to MIS; Supervisors Dell'Orto, Bailey, Callaway (electronic diskette included)

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34. From: Gold Country Tobacco Prevention Coalition re: NEWS FLASH, October 1996; Action: individual copies to Board

35. From: Mother Lode Job Training Agency re: December 5th Annual Regional Labor Market Information Symposium; Action: cc: Supervisors Taylor, Dell'Orto

36. From: State Controller re: filing claims with State Controller for "Costs Mandated by the State" - reply due by December 2, 1996; Action: referred to Admin.; copy was sent to Auditor/Controller

37. From: Institute for Local Self Government re: October 1996 issue of "Telecommunications for Local Governments"; Action: cc: Board

38. From: Calaveras County Association of Realtors re: CanTree to be erected at Angels Town Center by CCAR on December 6th; invitation to participate in Can Stacking Contest; Action: individual invitations to Board

39. From: State Dept. of Fish & Game re: environmental filing fees - DFG obligated to make retroactive collection of environmental filing fees for the period of 6/9/95 through 2/22/96; Action: cc: Board, County Clerk, Admin., County Counsel, Auditor, Planning

40. Wireless Communications Industry/Local Planning & Zoning Officials re: December 2-3, 1996 Western Regional wireless Buildout Conference; Action: individual brochures to Board

41. From: San Diego State University, International Center for Communications re: December 10-11, 1996, 3rd Annual Cities of the Future Conference; Action: individual invitations to Board

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42. From: Alpine, Mother Lode, San Joaquin Emergency Medical Services Agency
re:
Agendas for Nov. 20th EMS Advisory Subcommittees and Regional Advisory Committee
meetings to be held at Lake Tulloch Resort; Action: cc: Supervisors Bailey &
Callaway
43. From: HRC Child Care Resources re: November/December 1996 Newsletter;
Action: individual copies to Board
44. From: National Association of Counties re: October 28th issue "County
News"; Action: individual copies to Board
45. From: California State Association of Counties re: agenda for November
21st CSAC 102nd Annual Meeting/Government Finance and Operations Policy
Committee; Action: cc: Board