

**MINUTES OF A REGULAR MEETING OF THE BOARD OF SUPERVISORS,  
COUNTY OF CALAVERAS, STATE OF CALIFORNIA,  
HELD ON MONDAY, MARCH 17, 1997**

**PRESENT:** Terri Bailey, Chair; Merita Callaway, Vice-Chair; Lucy Thein and Paul Stein, Supervisors; Spencer Batchelder, County Counsel; Jalyne Tobias, Director of Human Resources and Risk Management; and Mary Jane Giuffra, Supervising Board Clerk

**ABSENT:** Thomas Tryon, Supervisor; and Brent Harrington, CAO

Meeting recorded on Cassette 97-12

10:00 A.M. Chair Bailey called the meeting to order leading everyone in the Pledge of Allegiance to the Flag. She then announced that Supervisor Tryon and CAO Harrington would be absent today because they were called out of State to testify in a Federal Court Case. She further announced that there were no Closed Sessions held last week and no addendums to today's agenda.

**C O N S E N T      A G E N D A**

Supervisor Callaway pulled items #4 and #6, and County Tax Collector Inks pulled item #8, for discussion. Motion was then made approving the balance of the Consent Agenda, as submitted.

Moved: Stein                      Second: Thein                      Approval: Unanimous                      Absent: Tryon

1. Minutes of March 3, 1997, as written
2. CORRESPONDENCE: February 28 thru March 6, 1997 (see PAGES 5, 6 & 7)
3. MINUTE ORDER authorizing Board Chair to execute Subcontract Agreement with Calaveras-Mariposa Community Action Agency for 1997 Community Services Block Grant funds, in the amount of \$15,000, and authorizing County Administrative Officer to sign quarterly reports as required for submittal to the State; Admin.
  
5. RESOLUTION                      A RESOLUTION SUMMARILY VACATING A PUBLIC UTILITY  
NO. 97-72                              EASEMENT, LOT 5, UNIT 2, TOYANZA SUBDIVISION
  
7. RESOLUTION                      A RESOLUTION APPOINTING AN INDEPENDENT HEARING PANEL  
NO. 97-73                              FOR THE LOCAL ENFORCEMENT AGENCY PURSUANT TO THE  
CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT
  
9. RESOLUTION                      A RESOLUTION AUTHORIZING CHAIR TO SUBMIT DECLARATION  
NO. 97-74                              OF INTENT TO ENTER INTO A STANDARD AGREEMENT WITH THE  
CALIFORNIA DEPARTMENT OF HEALTH SERVICES FOR FISCAL  
YEAR 1997/98 FOR LOCAL PUBLIC HEALTH SERVICES PROGRAM

(continued to PAGE 2)  
3/17/97 FINAL MINUTES

4. ADMIN./PEG COMMISSION/FRANCHISE/CCTV (97-12, I, 45)  
Callaway requested financial information regarding funding for the Public, Educational and Governmental (PEG) Commission and Jeanne Boyce, Sr.

Administrative Analyst, clarified that the Commission receives revenues in the amount of \$980 per month in PEG access fees collected by local cable television operators.

Motion was made authorizing an expenditure up to, but not exceeding, \$4,500 from Trust Fund #5490 for the purchase of camera equipment as requested by Calaveras Community Television and as approved by the PEG Commission.

Moved: Callaway      Second: Thein      Approval: Unanimous      Absent: Tryon

RESOLUTION      A RESOLUTION AUTHORIZING THE EXPENDITURE OF PUBLIC, EDUCATIONAL  
NO. 97-75      AND GOVERNMENTAL (PEG) FRANCHISE FEES FOR NEW EQUIPMENT

6. CLAIM/COUNTY COUNSEL/BOARD OF EQUALIZATION/TAXES (97-12, I, 80)

Callaway requested background information regarding a claim from C.L. Hall and/or C.P. Hall for refund of taxes in the amount of \$1,376.28 for tax years 92/93, 93/94 and 95/96. County Counsel advised that the Board must reject this claim pursuant to R & T Code 5096, which is a pre-requisite and deals with the collection of taxes, due to the fact that there are no grounds and said claim is erroneous and/or illegal.

Motion was made to reject a claim filed by C.L. Hall and/or C.P. Hall for refund of taxes for tax years 92/93, 93/94 and 95/96, in the amount of \$1,376.28, both generally and specifically, for failure to state grounds upon which relief may be granted, pursuant to Revenue and Taxation Code Section 5096, et seq.

Moved: Callaway      Second: Stein      Approval: Unanimous      Absent: Tryon

8. TAX COLLECTOR/COMMITTEES (97-12, I, 119)

Joann Inks, Treasurer-Tax Collector, presented revisions to the County's Investment Policy and Guidelines for Board approval then requested authorization for the appointment of a Board Member to the oversight committee. County Counsel advised that said appointment should be scheduled as an agenda item rather than the Board acting on it today.

Motion was made approving the revised "Investment Policy and Guidelines for Calaveras County Treasury Funds" as submitted by the Tax Collector.

Moved: Callaway      Second: Thein      Approval: Unanimous      Absent: Tryon

REGULAR AGENDA

10. PUBLIC COMMENTS/FARM BUREAU/PROP 218/STUDY SESSION (97-12, I, 149)

Eloise Fischer, Acting President of the Farm Bureau, and Tina Torres, Office Manager, presented commodity baskets to the Board in recognition of "March 16 National Agriculture Week".

(continued to PAGE 3)

3/17/97 FINAL MINUTES

County Counsel announced that the 218 Study Session scheduled for today at 2:30 p.m. has been continued to next week, March 24th, at 3:00 p.m.

Karen Varni, County Clerk, informed the Board that she recently attended meetings in Sacramento and had an opportunity to visit the rotunda in the State Capitol and saw that Calaveras County's Flag is on display there.

11. AUDITOR/ADMIN./PERSONNEL/TRAVEL (97-12, I, 210)

Supervisor Stein commented on the revised travel and reimbursement policy with

respect to advance payment indicating that it seems easier to do this in arrears with a claim for reimbursement. The Auditor stated that there are many employees who can't afford to pay all the costs up front.

Motion was made approving the revised Calaveras County Travel and Reimbursement Policy, as presented.

Moved: Stein Second: Thein Approval: Unanimous Absent: Tryon

12. CSAC/GRAND JURY/LEGISLATION (97-12, I, 284)

Zerrall McDaniel, representing the Grand Jury, requested that this item be postponed to allow the Grand Jury time to review the information further and have an opportunity to submit their input.

Motion was made to continue consideration of CSAC's request for support of the Civil Grand Jury Training, Communication and Efficiency Act of 1997 to April 7, 1997, as requested by the Calaveras County Grand Jury.

Moved: Callaway Second: Thein Approval: Unanimous Absent: Tryon

13. AIRPORT/ADMIN./AGREEMENTS (97-12, I, 330)

With no discussion, motion was made approving a contract with Weber/Ghio for Airport Engineering Services, at a cost not to exceed \$31,750, in conjunction with resealing of the airport runway and associated work.

Moved: Callaway Second: Thein Approval: Unanimous Absent: Tryon

14. BUILDING/ANIMAL CONTROL/VEHICLES (97-12, I, 340)

Motion was made to adopt the following resolution authorizing the Building Dept. to purchase a midsize pickup truck from Trust Fund 5452, Building Trust Fund, at a cost not to exceed \$20,000, with the understanding that one of Building's vehicles will be declared surplus and transferred to the Animal Control Dept. which is in need of another vehicle but has no funding source to purchase a new one.

Moved: Callaway Second: Stein Approval: Unanimous Absent: Tryon

RESOLUTION A RESOLUTION AUTHORIZING THE BUILDING DEPARTMENT (DEPT. 58)  
NO. 97-76 TO PURCHASE A MIDSIZE PICKUP TRUCK IN FISCAL YEAR 1996/97

(continued to PAGE 4)  
3/17/97 FINAL MINUTES

15. SHERIFF/SUPERVISORS (97-12, I, 359)

A resolution supporting a joint CHP/Sheriff's Office in Arnold was postponed for one week to March 24, 1997.

16. APPOINTMENTS/COMMITTEES/MENTAL HEALTH (97-12, I, 366)

Motion was made to appoint Ron McFall as the Sheriff's Dept. representative on the Mental Health Advisory Board to complete Jim Marz's term to 12/31/97.

Moved: Callaway Second: Thein Approval: Unanimous Absent: Tryon

17. APPOINTMENTS/COMMITTEES/CSA (97-12, I, 370)

Motion was made to postpone appointment of an applicant to the Diamond XX Road Committee (CSA #4) for two weeks.

Moved: Callaway Second: Stein Approval: Unanimous Absent: Tryon

18. CORRESPONDENCE/SUPERVISORS/CSAC/PROBATION/ROADS/CALTRANS/HWY 4 (97-12, I, 380)

Supervisor Thein will be at the CSAC Legislative Conference Wednesday and Thursday of this week and at an EDC meeting on Friday; b) Supervisor Stein referenced correspondence from Senator Johannessen re: FEMA funds for roads damaged by recent floods - Supervisor Bailey indicated that \$675,000 dollars

has already been received for Highway 26; referenced a letter from the Board of Corrections re: extension of time to file applications for Juvenile Crime Enforcement and Accountability Challenge Grants encouraging Probation to pursue this; announced that Tuesday he will be meeting with the Director of Public Works in Mountain Ranch re: road problems; will attend a technical committee meeting at the Library; a Mokelumne River Authority meeting in Amador County on Wednesday; will try to attend the CSAC Conference on Thursday; and will attend Calaveras County Airport Day this Saturday; c) Callaway will be at the CSAC Conference this week and will attend an Administration of Justice Policy Committee meeting and a Sacramento-Mother Lode Regional Supervisors Association meeting; will also attend the Airport Day celebration on Saturday; d) Bailey will be in Sacramento on Wednesday and Thursday for the CSAC Legislative Conference and committee meetings and will try to make it to Airport Day this Saturday; e) Callaway informed the Board of the status of Ebbetts Pass/Highway 4 indicating that CalTrans will try to have the pass open by this summer then referenced a FAX from the Calaveras Ranger District re: road conditions; f) Director of Public Works Pedersen announced that he received a call from Southern Pacific re: authorization to proceed with the removal of railroad tracks at the Valley Oaks Shopping Center in Valley Springs

19. CLOSED SESSION

A Closed Session with the County Administrative Officer, pursuant to Government Code Section 54947.6 re: negotiations with the Calaveras County Deputy Sheriff's Association, was canceled.

(continued to PAGE 5)  
3/17/97 FINAL MINUTES

20 & 21. CSD/ADJOURNMENT/STUDY SESSIONS

Motion was made to postpone item #21, a 2:30 p.m. Study Session re: Proposition 218 and its impact on Calaveras County, to 3:00 p.m. next week, March 24, 1997.

Moved: Stein                      Second: Thein                      Approval: Unanimous                      Absent: Tryon

There being no further business requiring Board action, this meeting was adjourned to a Saddle Creek CSD Board of Directors Meeting, followed by the noon recess, then a Study Session at 1:30 p.m. re: County Credit Cards, with the Board to reconvene in a Regular Board of Supervisors Meeting at 10:00 a.m. on Monday, March 24, 1997.

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ATTEST:

CHAIR

CLERK

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

THE BOARD REVIEWED THE FOLLOWING CORRESPONDENCE AND NO FURTHER ACTION WAS TAKEN:

FEBRUARY 28, 1997

1. From: Assemblyman Bill Morrow re: Trial Court Funding - proposed amendments may benefit Calaveras County by approximately \$43,082; Action: cc: Board, Counsel, Admin., Superior Court, Muni Court

2. From: Regional Council of Rural Counties re: availability of water quality grants and loans with State Water Resources Control Board, Division of Water Quality; Action: cc: Board, Admin., Env. Health
3. From: State Board of Equalization re: property tax committee work plans for 1997; Action: cc: County Counsel; (copy was sent to Assessor)
4. Copy of a letter sent to Southern Pacific Railroad from Senator Tim Leslie re: correcting drainage system at the intersections of Highways 12 and 26 in Valley Springs; Action: cc: Supervisor Bailey, Public Works
5. From: California State Association of Counties re: February 27th issue of CSAC Counties' Leadership Letter; Action: individual copies to Board
6. From: Calif. Wellness Foundation and the University of California re: 1996 collection of Wellness Lecture papers along with information describing availability of new lectures in audio and video formats; Action: route to Board, Health Dept.
7. From: US Dept. of Interior, Bureau of Land Management re: Bureau to amend hardrock mining regulations; Action: cc: Board, Planning
8. From: Calif. Dept. of Fish & Game re: Sport Fish Restoration - Wild Trout Project; Action: cc: Board, County Fish & Game Commission

(continued to PAGE 6)

3/17/97 FINAL MINUTES

### **MARCH 3, 1997**

9. From: June Mills, (re-cycle computer lady of San Andreas) request to take old County computers and recycle into schools; Action: cc: Board, Admin., MIS
10. From: National Association of Counties re: February 17th issue of (County News"; Action: individual copies to Board
11. From: State Office of Historic Preservation, Dept. of Parks and Recreation re: list of property to be considered by State Historical Resources Commission for nomination to National Register of Historic Places; Action: cc: Board, Admin.
12. From: State Board of Corrections re: Juvenile Crime Enforcement and Accountability Challenge Grant - correction/change of agreement date; Action: cc: Board, Probation, Sheriff, Admin.
13. From: Regional Council of Rural Counties re: agenda for March 21st Board of Directors meeting; Action: cc: Supervisor Tryon
14. From: Senator K. Maurice Johannessen voicing frustration re: inconsistencies of FEMA priorities; Action: cc: Board, Admin., OES
15. From: US Dept. of Agriculture, Forest Service re: El Dorado National Forest's comments on draft environmental assessment for Mokelumne River Project FERC No. 137; Action: cc: Board, County Counsel, Planning, CCWD., Chris Williams, Fish & Game Commission, Ag. Resources Committee
16. From: Regional Council of Rural Counties re: minutes of February 19th - Board of Directors/Calif. Local Government Finance Authority meeting; Action: cc: Supervisor Tryon
17. From: National Association of Counties re: packet re: Community Countdown 2000 - National County Government Week, April 13-19, 1997; Action: Route to Board

### **MARCH 4, 1997**

18. From: Calif. Central Valley Flood Control Association re: Flood Control News; Action: cc: Board, Building, Admin.
19. From: State Dept. of Employment Development re: funds available for One-Stop planning and development, implementation, technology capacity and technology infrastructure; Action: cc: Board, Building Dept., Planning
20. From: California State Association of Counties re: CSAC/CWDA Welfare Reform Proposal; Action: packet referred to Supervisor Callaway
21. From: California Chamber of Commerce re: February 28th issue of "ALERT";

Action: Route to Board

22. From: California State Association of Counties re: February 24th issue of CSAC Legislative Bulletin; Action: individual copies to Board

23. From: UCSB Extension, Santa Barbara re: March 4th/1 Day Seminar re: Proposition 218; Action: individual brochures to Board

**MARCH 5, 1997**

24. From: Foundation for American Communications re: packet re: FACS organization - copies of "FACS Report", "The FACS Local News Project" and the "News Backgrounder" - a briefing paper for journalists; Action: referred to Bailey as requested

25. From: California State Association of Counties re: agenda for March 20th CSAC Housing, Land Use and Transportation Policy Committee meeting; Action: cc: Bailey & Callaway

(continued to PAGE 7)

3/17/97 FINAL MINUTES

**MARCH 6, 1997**

26. From: California State Association of Counties re: packet for March 19th 1997 Legislative Conference - Administration of Justice Policy Committee; Action: referred to Supervisor Callaway

27. From: Center for Water and Wildland Resources re: status of the Sierra Nevada Exosystem Project - final report to Congress; Action: Route to Board

28. From: State Board of Equalization re: Proposition 90 Ordinances; Action: cc: County Counsel, Assessor

29. From: U.S. Dept. of the Interior, Bureau of Land Management re: BLM publishes final rule on hardrock bonding; Action: cc: Board, Planning

30. From: East Bay Municipal Utility District re: agenda for March 20th Camanche Regional Park Advisory Board meeting; Action: referred to Supervisor Thein

31. From: Mountain Valley Emergency Medical Services Agency re: agenda for March 19th Regional Advisory Sub-committee meeting; Action: cc: Supervisors Thein & Callaway

32. From: Dept. of Health Services, Drinking Water Program re: State approves Contract with County for Small Water Augmentation Program; Action: cc: Board, Admin., Env. Health, Health