

9. RESOLUTION NO. 06-069 SUMMARILY VACATING A PORTION OF PEDESTRIAN AND EQUESTRIAN EASEMENT(no fiscal impact)
10. RESOLUTION NO. 06-070 AWARDED THE BID FOR HERBICIDES (funding in FY 05/06 budget)
13. RESOLUTION NO. 06-071 AUTHORIZING EXECUTION OF A NOTICE OF COMPLETION AND ACCEPTANCE OF CALAVERAS AIRPORT ACCESS ROAD AND APPROVAL OF CHANGE ORDERS(FAA, State of Ca Aeronautics & local Airport funds)

14. MINUTE ORDER authorizing the allocation and disbursement of \$52,301.15 to fund Federal Forest Reserve Fund Title III County Projects.(Federal forest Reserve Title III funds were in FY 05/06 budget)

11. APPOINTMENT CALAVERAS COUNTY FISH & GAME COMMISSION (06-12, Side I, 50)
James Jones, County Counsel, stated that it is necessary for the appointment for Russ Thomas to the Calaveras County Fish and Game Commission to be on a meeting agenda.

Motion made approving the appointment of Roger LaJeunesse to fill an unexpired term to 12/31/07 for District 4 on the Calaveras County Fish and Game Commission. (no impact on General Fund)

Moved: Erickson Second: Tryon Approval: Unanimous
ABSENT: Wilensky

12. TECHNOLOGY SERVICES (06-12, Side I, 62)

Howard Stohlman, Chief Information Officer, informed the Board of the language requirements necessary for the transfer of funds for document management software.

Motion made to approve the following resolution for purchase of software and related computer hardware along with a budget transfer.

Motion: Tryon Second: Claudino Approval: Unanimous
ABSENT: Wilensky

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

15. PUBLIC COMMENTS/GENERAL PUBLIC (06-12, Side I, 75)

a) Dennis Downum, Sheriff, asked for Board support on the Local Jail Bond Initiative during CSAC Legislative Days meetings; b) Mike Kriletich, Chief Probation Officer, supports the request made by Sheriff Downum; c) Ray Waller, Building Official, reported on an RCRC meeting he attended last week. Waller discussed AB 885 regarding State Water Resources for septic systems. Waller informed that the State wants implementation date to be summer of 2007. Waller referenced concerns that were expressed for a MOU that the County would need to authorize. Waller explained the agencies that will be involved and their authority for regulation enforcement. Waller informed there will be burden of costs to the homeowner for monitoring and maintenance

of these systems. Waller stated a concern for the requirement of two (2) feet of soil depth below the bottom of leach lines. Waller stated the adoption of this will affect many parcels in several areas of the county. Waller expressed hope that there would be a realization that each jurisdiction needs discretion for the procedure of septic systems. Waller stated options and will continue to keep the Board informed as more information becomes available. Waller stated the only focus for this legislation is ground water protection.

16. ADMINISTRATION (06-12, Side I, 125)

This continued item from 3/13/06 for a MINUTE ORDER authorizing Board Chair to sign letter opposing changes to the Cable Franchise Legislation was continued to the meeting of 4/3/06.

17. PUBLIC HEALTH DEPARTMENT (06-12, Side I, 140 & Side II)

Colleen Tracy, Director Public Health Department, presented history and intent of Proposition 215 and how it relates to seriously ill patients of the state. Tracy stated the current state fee for the Medical Marijuana Identification Card Program is \$13.00. Tracy informed that a time study resulted determined the local cost would be \$32.00 per application. Tracy stated that meetings have been held with the District Attorney, Probation, Sheriff and the Police Chief in Angels Camp concerning this matter.

Kate Storm from the District Attorney's office read into the record a letter supporting the Health Department's proposed plan.

Dennis Downum, Sheriff, supports the portion of the plan as it relates to consistency in guidelines.

Mike Kriletich, Chief Probation Officer, supports the adoption of these rules and how it relates to probation issues.

Reverend Christopher DeMars, from Tuolumne County, spoke representing Reverend David Jackson of Calaveras County. Reverend DeMars also represents his patients with assistance in following guidelines. Reverend DeMars urges the Board not to support SB420 and feels the County guidelines at this time are inadequate due to the amount allowed to patients. Reverend DeMars has concerns about the aspect of the Federal Government in this issue.

F. Aaron Smith, California Coordinator Safe Access Now, acting as an advocacy group for patients legally using medicinal marijuana. Smith supports the Calaveras County Health Department's I. D. card program. Smith urged the Board to accept this plan with the exception of the reduced quantity guidelines.

Ms. Tracy clarified that there will not be any requests for copies of patients medical records. Tracy stated there will be a certification from the physician of qualifying medical conditions and recommendations. Tracy informed that all that will be sent to the state is the photograph and the unique I.D. number.

Chair Callaway polled the Board for support on three (3) issues for approval in the Minute Order.

Supervisor Tryon does not support the renewal amount to be the same as the initial fee of \$45.00. Tryon feels the amount should be two (2) lbs. not 8 ounces of marijuana.

Ms. Tracy stated since all necessary information has to be verified for a renewal, the fee would need to reflect these costs. Ms. Tracy stated these fees can be reviewed at budget hearings.
Supervisor Claudino supports all three items under consideration.
Supervisor Erickson supports all three items under consideration.
Chair Callaway has concerns about the plants as it relates to the person growing them. Chair Callaway stated concerns on the amount that a patient may require in excess for the amount that has been adopted.
Jeanne Boyce, Health Services Agency Director, stated when the Board established guidelines there were no state standards. Boyce stated that SB420 will implement state standards.
Vice-Chair Claudino asked Counsel Jones to obtain information for on local guidelines versus state guidelines.

Motion made to approve a MINUTE ORDER designating the Public Health Department as the local administering agency for the Calaveras County Medical Marijuana Identification Card Program with an implementation date of April 3, 2006.

Moved: Erickson Second: Claudino Approval: Unanimous
ABSENT: Wilensky

Motion made to approve a MINUTE ORDER adopting a \$45.00 application processing fee for the Medical Marijuana Identification Card Program.

Moved: Erickson Second: Claudino Approval: Unanimous
ABSENT: Wilensky

Motion made by Supervisor Tryon to approve a MINUTE ORDER adopting statutory limits for marijuana possession with a two (2) pound limit. Motion died for a lack of a second.

Motion made to approve a MINUTE ORDER adopting statutory limits for marijuana possession (no more than eight ounces of dried marijuana per qualified patient) and cultivation (no more than six mature or 12 immature plants per qualified patient) attendant to program implementation.

Moved: Erickson Second: Claudino Approval: Majority
NOES: Tryon
ABSENT: Wilensky

18. PUBLIC HEARINGS/PLANNING (06-12, Side II, 45)

Chair read into the record a Public Hearing for the 2005-11 GENERAL PLAN AMENDMENT and ZONING AMENDMENT for SANDRA A. OSBORN and SHANA R. SHAWKEY. The applicants are requesting a General Plan Amendment to the City of Angels, Sphere of Influence to change the land use designation from AG(Agriculture) and SP(Special Planning) to R-L(Residential Low Density) for 96.46+ acres and concurrently a Zoning Amendment from U(Unclassified) and A1(General Agriculture) to RA(Residential Agriculture) to accommodate Boundary Line Adjustment 05-03t. The property is located on the north side of State Highway 4 just west of the west city limits of Angels Camp.

Robert Sellman, Interim Planning Director, initiated discussion for the two

23. BOARD MATTERS (06-12, Side II

- a) Supervisor Erickson will be attending rehearsals all week for the Calaveras Follies to be held on Saturday April 1, 2006. Supervisor Erickson encouraged attendance at this event that benefits The Calaveras Youth Mentoring Program.
- b) Supervisor Claudino will attend the annual San Andreas Merchants Kite Day on Saturday and the Calaveras Follies event that evening.
- c) Supervisor Tryon and nothing to report
- d) Chair Callaway will attend a COG meeting on Tuesday; on Wednesday and Thursday will be in Sacramento for CSAC Legislative meetings to lobby for various issues; Saturday will attend the annual San Andreas Merchants Kite Day and the Calaveras Follies event that evening.
- e) CAO Mitchell stated that the study session concerning the Proposition 63 for Health Services Act has been rescheduled. Mitchell informed the Board of a recent change in ownership of the building that houses the Probation Department. Mitchell stated that a short term lease will be implemented and a search for a new building for this department. Mitchell on Wednesday and Thursday will be in Sacramento for CSAC Legislative meetings to lobby for various issues. Mitchell informed that the Ferguson Group is active in Washington D.C. this week. Mitchell updated the Board regarding the State of California Resources Agency grant application for Murphys Park West. Mitchell stated that this application is now at the grant committee for evaluation and scoring level which is a positive step. Mitchell reported on a meeting with the consultant concerning the Central Sierra Child Support building. Mitchell informed that a plan has been submitted for corrections of environmental issues. Chair Callaway urged CAO Mitchell to act on these issues as the agency needs to have a building determination made very soon. Mitchell stated the building concerns will be addressed.
- f) County Counsel Jones had nothing to report.

24. CLOSED SESSION

A CLOSED SESSION pursuant to Government Code section 54957.9, conference with labor negotiator (Asst. CAO, Director Human Resources & Risk Management) SEIU, Mgmt., Mid-Mgmt., Supervisory/Confidential was cancelled

25. A STUDY SESSSION/CAL WORKS

A Study Session held concerning Indigent Burial Policy presented by CalWORKs. The Board voted 4-0 to establish a policy on the subject and to solicit input on a proposed draft policy from impacted vendors. The Board declined to include liens on property as proposed in section XI-D. The proposed policy would place the establishment of eligibility and payment for indigent burial within the Calaveras Works and Human Services Agency.

ATTEST:

 /s/ Karen Varni
CLERK

 /s/ Merita Callaway
CHAIR

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FINAL MINUTES
March 27, 2006

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:

MARCH 10, 2006

1. From: St. Dept. Alcoholic Beverage Control re: application for license filed by Anheuser Busch, Inc. for business located at 709 Pool Station Road; - cc: Supervisor Claudino, original application to Planning Dept.
2. From: RRM Design Group re: 2006 Issue One of RESOURCE; individual copies sent to Supervisors
3. From: Area 12 Agency on Aging re: temperature logs for January 2006; - referred to Supervisor Callaway
4. From: Area 12 Agency on Aging re: copy of letter to Common Grounds requesting insurance policies; - referred copy of letter to Supervisor Callaway
5. From: Linda Stefanick/Copperopolis and Kay Rudolph/Century 21, Murphys re: Board of Realtors opposition to General Plan moratorium; support updating of Community Plans; - copies e-mailed to Board; cc: Planning
6. From: Somach, Simmons & Dunn & Colusa County Supervisor Christy K. Scofield re: concern of CA's agricultural heritage being threatened; - copies were sent to Supervisors; cc: Ag. Dept.; County Counsel
7. From: The Park & Recreation re: March 15th issue of TRADES; - route to Board

MARCH 13, 2006

8. From: California Chamber of Commerce re: March 10th issue of ALERT - individual copies to Board
9. Letters (4) from Alida Hughes-Nelson, George Nelson, Patty Perry/Realtor, Carol Mossinger/Broker re: General Plan Update - cc to Supervisors, Planning
10. From: St Dept. Forestry & Fire Protection re: notice of preparation to harvest timber filed by Smith Family Resources, 2 miles east of Arnold; - copies to Supervisors Callaway & Wilensky, post
11. From: Sierra Engineering Associates, Ltd. Re; response to Planning Dept. re: Permit No. 68-06-49 for Richard Schachten; - copy to Supervisor Tryon
12. From: Pacific Gas & Electric Co. re: notice of public participation hearings - 2007 General Rate Case; - copies to Supervisors, post
13. From: Law Offices of Kenneth M. Foley re: APN 008-028-020 for Wayne Cockerton; referred to Supervisor Wilensky
14. From: St. Dept. Forestry & Fire Protection re: notice of timber harvesting plan filed by Gerard & Nancy Hammer, 69 acres near Jack Nelson Creek; - cc: Supervisors Wilensky and Callaway, post
15. From: Central Calaveras Fire & Rescue Protection District re: request for waiver of fees re: APN 20-027-077 on Jesus Maria Road - referred to Supervisor Wilensky as addressed
16. From: Bill Schmielt re: general plan comments; - cc Supervisors & Planning

MARCH 14, 2006

17. From: Sierra-American Real Estate re: expressing opposition to economic interruption; - cc: Supervisors, Planning
18. From: Area 12 Agency on Aging re: agenda for the meeting of March 20, 2006; - referred to Chair Callaway

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FINAL MINUTES
March 27, 2006

19. From: CEWAER re: Winter 2006 issue of CONNECTIONS; - cc Supervisors Callaway & Erickson
20. From: RRMdesign Group re: RESOURCE - cc Supervisors
21. From: Joyce Techel, Burson re: resignation from Domestic Animal Advisory Committee; - copy of Supervisor Claudino & M
22. From: Water Education Foundation re: January/February 2006 issue of WESTERN WATER; - individual copies to Supervisors
- MARCH 15, 2006**
23. From: California State Association of Counties re: 2006 CSAC Challenge Awards; - referred directory to Chair Callaway
24. From: CA State Dept. Forestry & Fire Protection re: timber harvesting plan filed by Mike Albrecht, 10 acres, upper San Domingo Creek; - cc Supervisors Callaway & Wilensky, Wilensky; post
25. From: St Dept. Alcoholic Beverage Control re: application for license filed by Patricia Ann Huartepechan and David Lea Pechan for Miramont Estate Vineyard and Winery located at 419 Main St. Murphys, CA; - cc Supervisor Tryon and Chair Callaway, original application to Planning Dept.
26. From: East Bay Municipal Mokelumne Waters re: notice of March 16th meeting of Camanche Regional Park Advisory Board; - cc Supervisor Claudino
27. From: Calaveras County Water District re: agenda for March 17th meeting; - cc Supervisors, post
28. From: State Dept. Forestry & Fire Protection re: notice of comformance of non-industrial timber management plans filed by Daniel A. Reynolds, 40 acres, Love Creek; - cc Supervisors Callaway & Wilensky; post

MARCH 16, 2006

29. Copy of letter sent to Area 12 Agency on Aging from St. Dept. of Health Services re: non-reimbursement of claims made for the performance of Medi-Cal Admin. Activities through Tuolumne Co. Area 12 Agency on Aging; - cc to Chair Callaway
30. From: St. Dept. Consumer Affairs re: expressing opposition to AB 386; - cc: Board, County Counsel

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