



7. RESOLUTION NO. 09-165 APPROVING AN AGREEMENT BETWEEN THE COUNTY OF CALAVERAS AND THE U.S. FOREST SERVICE FOR RECREATIONAL USE OF THE MOKELUMNE COAST TO CREST TRAIL IN BETWEEN MOORE CREEK AND THE CALAVERAS/ALPINE COUNTY LINE.  
(No impact to the general fund. Proposition 40 Per Capita Funds will be used.)
8. RESOLUTION NO. 09-166 APPROVING AN AMENDMENT TO THE JOINT USE AGREEMENT BETWEEN THE COUNTY OF CALAVERAS AND THE BRET HARTE UNION HIGH SCHOOL DISTRICT FOR RECREATIONAL USE OF THE BRET HARTE SPORTS COMPLEX AT ANGELS CAMP, CALIFORNIA  
(No impact to the general fund. Proposition 40 Per Capita Funds will be used)
9. RESOLUTION NO. 09-167 APPROVING A USE AGREEMENT BETWEEN THE COUNTY OF CALAVERAS AND THE JENNY LIND VETERANS MEMORIAL DISTRICT FOR RECREATIONAL USE OF A GAZEBO AT THE JENNY LIND VETERANS MEMORIAL DISTRICT PARK  
(No impact to the general fund. Funding From the State Department of Parks And Recreation)
10. RESOLUTION NO. 09-168 APPROVING AN AMENDMENT TO THE JOINT POWERS AGREEMENT DATED 4 MARCH 2008 BETWEEN THE COUNTY OF CALAVERAS AND THE JENNY LIND VETERANS MEMORIAL DISTRICT FOR RECREATIONAL USE OF A COMMUNITY PARK AT VALLEY SPRINGS, CALIFORNIA  
(No impact to the general fund. Funding from the State Department of Parks and Recreation)
11. RESOLUTION NO. 09-169 AUTHORIZING SUBMITTAL OF A GRANT TO THE US ENVIRONMENTAL PROTECTION AGENCY FOR A COMMUNITY-WIDE BROWNFIELDS ASSESSMENT  
(No impact to the general fund)
12. RESOLUTION NO. 09-170 AUTHORIZING CHANGES TO THE POSITION CONTROL LIST: FISCAL YEAR 2009/2010
13. RESOLUTION NO. 09-171 AUTHORIZING PERSONNEL ACTIONS FOR COST CONTAINMENT PURPOSES FOR FY 2009/10
14. RESOLUTION NO. 09-172 APPOINTING BRUCE CHILD, JR., AS INTERIM COUNTY SURVEYOR

3. BEHAVIORAL HEALTH (09-40, I, 29)

Bonnie Newman, a member of the public from Valley Springs, addressed the Board regarding funding for the Behavioral Health Department.

Rita Downs, Director Behavioral Health Services, stated the contract is between a psychiatric health facility and the County. Ms. Downs informed the Board some of the patients hospitalized last year for severe mental illness were Medical, indigent or CMSP.

Motion made to approve the following resolution for an agreement between North Valley Behavioral Health, LLC and Calaveras County for acute inpatient psychiatric health facility services.(no impact to the general fund. Funding utilizing state allocations.)

Moved: Callaway Second: Tofanelli Approval: Unanimous

RESOLUTION NO. 09-173	APPROVING AGREEMENT BETWEEN CALAVERAS COUNTY AND (HEREINAFTER REFERRED TO AS "COUNTY") NORTH VALLEY BEHAVIORAL HEALTH, LLC, FOR ACUTE INPATIENT PSYCHIATRIC HEALTH FACILITY SERVICES IN AN AMOUNT NOT TO EXCEED \$150,000 FOR FISCAL YEAR 2009-2010
--------------------------	--

5. THE RESOURCE CONNECTION (09-40, I, 52)

Michael Kriletich, Chief Probation Officer, introduced Kelli Fraguero, who will present information regarding Domestic Violence Awareness Month.

Ms. Fraguero, representing the Resource Connection, presented fiscal year 08/09 statistics for Calaveras County to the Board. The Resource Connection Crisis Center served 456 victims of domestic violence. Ms. Fraguero stated domestic violence affects everyone regardless of gender or age. Reference was made to secondary victims of domestic violence. Support is needed from the community to solve these problems.

Supervisor Wilensky expressed concerns for the statistics and the relationship to economic conditions, alcohol and drug addiction on these cases.

Ms. Fraguero confirmed the correlation for the increase as expressed by Supervisor Wilensky.

Chair Thomas referenced The Link for violence to animals as indicator to family violence.

Ms. Fraguero stated the desire to include Domestic Animal Services in the response team.

Motion made to approve the following resolution regarding Domestic Violence Awareness Month.

Moved: Wilensky Second: Callaway Approval: Unanimous

RESOLUTION  
NO. 09-174

RECOGNIZING AND DECLARING THE  
MONTH OF OCTOBER DOMESTIC VIOLENCE  
AWARENESS MONTH

**R E G U L A R   A G E N D A**

15. PUBLIC COMMENTS/GENERAL PUBLIC (09-40, I, 136)

David White, Angels Camp, addressed the Board with his continuing problems with a neighbors cattle on his property. White thinks this is not a civil matter as the grass land is leased for grazing providing a revenue source for him. White feels the neighbors cattle grazing is theft of his property.

Jake Wallace, Hollywood, addressed the Board regarding a government complaint he has refiled for a group home he operated in the County under Government Code 27641. Wallace referenced unaddressed issues for complaints he has filled against County employees and elected officials. Wallace expressed the need for an independent investigation that has not been conducted. Wallace expressed concerns for the membership and functions of the Grand Jury.

Bonnie Newman, Valley Springs, referenced previous Board discussion regarding solid waste. Ms. Newman quoted County taxes she has paid the past 35 years and expressed what she would like to receive from the County.

Francine Osborn, Director Human Resources, reminded employees of the open enrollment and health benefits fair at the Sequoia Room in the CalWorks building.

Kathy Mayhew, Wallace, announced a fundraiser, Tales of the Crypt, on October 17, 2009 by the Calaveras Genealogical Society.

Bev Viera Penington, next door neighbor to Terry Baker and Carol Redman related her family history in farming and ranching in California. Ms. Penington referenced Ms. Redmond's web site concerning rooster comments. Ms. Penington stated concerns for Brown Act, public trust issues and the court ruling that still stands concerning Ms. Redman.

Anthony Cerasi, Copperopolis, referenced previous Board discussion regarding his swimming pool, wall and property variance. He has completed what was requested of him by the Building Department. Cerasi referenced correspondence from the Planning Department regarding applying for a variance again and paying \$2,900. Cerasi has concerns for this fee if his variance will be denied.

George White, Planning Director, stated there are two areas of authority, an encroachment and the front set back for the swimming pool that requires a variance. Chair asked CAO to agendize this item.

Clyde Clapp, stated concerns for a thirteen foot fence behind his house and would like to have direction given to address this problem. Supervisor Tofanelli will contact Mr. Clapp regarding his concerns.

Terry Baker, Glencoe, submitted information into the record regarding his neighbors, the Redmond's and their roosters. Baker read information from the Redmond's web site. Baker referenced four years of violations on this property and would like the Supervisors assistance on the issue.

Bonnie Newman, Valley Springs, referenced protocol for public comment, the response from the Board and the public comment regarding a matter. Ms. Newman expressed a concern to the Board regarding Gary Kuntz being laid off from the Sheriff's Department.

Ingrid Brown, supports Gary Kuntz and expressed concerns for his being laid off from the Sheriff's Department.

Daryl Rusk, Burson, expressed a need to have an ombudsman between County departments and citizens to assist with issues to prevent them from escalating.

Captain Ed Ballard, Sheriff's Department, provided handouts to the Board and public regarding an update on the Calaveras County Adult Detention Facility.

Linda Churches, Auditor-Controller, informed the Board and the public that annually the tax and bond rates are posted on the Auditor's web page.

16. COUNTY COUNSEL (09-40, I, 790 & II)

James Jones, County Counsel, initiated discussion regarding the Board of Supervisors' response to the 2008-2009 final Grand Jury report. The Grand Jury has composed constructive suggestions to individual departments. Jones stated the departments have submitted their responses to the report with the draft proposals now before the Board of Supervisors.

Jones referenced finding #2 regarding the County assuming Certificates of Participation "without public vote". Jones stated the Board has followed all the proper legal procedure.

Supervisor Callaway referenced the Auditors selection of the firm Gallina, LLC and consulting with the Grand Jury.

Motion made to approve the response to the Final Grand Jury Report, for Fiscal Year 2008-2009.

Moved: Callaway                      Second: Tofanelli                      Approval: Unanimous

17. TREASURER/TAX COLLECTOR (09-40, II, 965)

Chair introduced the continued item from September 22, 2009 regarding the introduction of an ordinance to establish eligibility and continuing education requirements for the position of County-Treasurer-Tax Collector.

Lynette Norfolk, Treasurer-Tax Collector, stated it was determined County Counsel should review the Government and Election Codes pertaining to the qualifications for the office. The State has preempted the field regarding qualifications for the county offices listed with County government for imposing no requirements for the office. Ms. Norfolk reviewed the 5 criteria requirement points in the ordinance.

Ms. Norfolk referenced continuing education requirements under the Government Code. There are numerous organizations besides the state where these education requirements can be obtained. Ms. Norfolk reiterated the adoption of the ordinance is based on the language in the Government Code and recommends the adoption of both sections of the ordinance.

Counsel Jones clarified the adoption of 20000.7 requires that the person certify they have one of the qualifications. The qualifications of the sections can not be modified.

Supervisor Wilensky referenced the only requirements for federal offices are age and citizenship. Wilensky stated concerns for the right of people to run for office and to be approved by the voters. Wilensky supports continuing education for those in office.

Supervisor Tryon is not in favor of the requirement for many technical skills and feels management attributes are very important for County department heads.

Supervisor Tofanelli is not in favor of imposing any qualifications for the position.

Chair Thomas stated concerns for a lack of qualifications for an elected official who would be responsible for the County's financial investment policies.

Supervisor Wilensky motioned to adopt the continuing education section of the ordinance.

Ms. Norfolk expressed her lack of support for the ordinance and to return without the qualification section as proposed.



21. HUMAN RESOURCES (09-40, II, 346)

County Counsel Jones recommended the Board take no action on the introduction of an ordinance approving voluntary changes for the "Board of Supervisors". Jones stated further legal interpretation is necessary to proceed with offering any voluntary contributions in response to the budget shortfall.

Motion made for an indefinite continuance until staff returns with additional information for further Board discussion.

Moved: Tryon Second: Wilensky Approval: Unanimous

22. PLANNING (09-40, II, 408, 09-40A, I & II, 09-40B, I, II, George White, Planning Director, initiated discussion re: the 2004-114 Nemees - (4) appeals of Planning Commission decisions of August 20, 2009, regarding the Ridge at Trinitas Golf Course facilities, located at 9209 Ospital Road, Valley Springs.

White stated appeals were filed after Board denial and staff determination. Brent Harrington, Interim Director, Community Development Agency, stated in a letter to Michael and Michelle Nemees on May 15, 2009, golf of any kind was unauthorized on the property. The letter also stated the improvements on the property were considered landscaping and did not need to be removed.

White informed that the determination was appealed by three(3) parties: the Nemees', stated golf should be a permitted use under Agritourism in the Agriculture Zoning District; Mark Connolly on behalf of Keep It Rural Calaveras(KIRC), stated the improvements should not be considered landscaping but a golf facility; and John Buckley, on behalf of Central Sierra Environmental Resource Center(CSERC), stating the County should be obligated to remove the improvements.

White stated on August 20, 2009, regarding the appeals, the Planning Commission made the following recommendations: concurred with the denial of the Nemees appeal; disagreed that the improvements were landscaping and disagreed that the County should be obligated to remove the improvements. White stated staff offered recommendations for code amendments to clarify regulations in agricultural zoning districts relative to Agritourism, golfing and other unspecified uses.

White acknowledged receipt of correspondence for the record received after release of the packets regarding the golf course. The Planning Commission separated the appeals and acted on them individually beginning with the Nemees appeal.

Chair stated the Board of Supervisors will use the same procedure for the order to hear the appeals as the Planning Commission followed. Chair gave instructions on the public hearing portion of the hearing.

Those speaking to support the Nemee appeal are as follows: Christine Griffith, legal counsel on behalf of Michael and Michelle Nemee; Michael Nemee, the applicant; Michelle Nemee, the applicant; Roger Pitto, President Calaveras Chamber of Commerce, read a letter into the record from the chamber; Les Martin; Bill Magladry; Candace Keeseey; Al Segalla, President Calaveras County Tax Payers Association; Steve Watson; Kendall Bates, Vice-President Community Bank of San Joaquin trust deed holder on subject property; Roger Pitto, submitting letter into the record for June Downum; Charles Corbin; Suzzane Saiers; David Hirsch; Bob Mulvany; Susan Larson; Tom Jeffries and Daryl Rusk.

Comments and concerns expressed by those in support of the Nemee appeal are as follows:

Submission of additional correspondence stated in response to staff report, statutory interpretation of the County Code for the definition of "Agritourism", golf should be considered part of the code qualifications, additional qualifications are not in the code, since the code language not clear it is not enforceable, legislative wording in the ordinance, nexus to farming is not part of other agritourism entities, no violations have been issued by any state of federal resource agency, previous application for the Nemee's, is not part of the current land use application being requested at this time and tax assessment from 2005 specifies being taxed as a golf course;

Project approval offers significant benefits to the community;

Family home and the family business being jeopardized;

Golf course is a suitable land use for a agritourism, support for economic development, flexibility needed for County land use, County processes for new development and business are not workable, reference made to inconsistent policies, the application procedure applied to the project and lack of a mediation process;

Difficulty to garner a living with just a single crop i.e. growing olives, Trinitas would provide primary elements and characteristics of agriculture and tourism, private property rights, the golf course would bring in more money to the County than a cattle ranch, a golf course more beneficial for fish and wildlife than a cattle ranch and water issues were in the area prior to the golf course;

Due process of law was not followed, concerns for this being a regulatory oppression, loss of a tax revenue affects County tax payers and County employee jobs and denial of project discourages other businesses from locating in the County;

The project has divided the County and water issues are not due to the Nemee's golf course;

FINAL MINUTES October 6, 2009

Foreclosure on property will occur unless there is possibility of increase in its value;

Western Calaveras has become an area for commuters and would be difficult to maintain a status quo;

Golf course would be an asset to the community;

Adjacent property owner not having water problems or noise issues for their livestock;

Local residents continue to litter along the roadsides, the Nemees have offered to host Junior hunts, fishing, golf, agriculture and livestock, and a compromise to allow Trinitas to remain open;

The process of submittal and a more clear set of rules;

The lack of guidance by the County for what was expected of the applicant and the desire for fair consideration under the current existing code;

It is felt the rules changed during the process;

The decision is an opportunity for the future of the next generation and the olive trees were restored and additional trees planted.

Those speaking to deny the Nemees appeal are as follows: Mark Connelly, legal counsel on behalf of KIRC; John Buckley, representing CSERC; Joan Bohl; Frances Sams; Lyanette Ospital; Tom Infusino, representing the Calaveras Planning Coalition; Renea Harrison; Pat Bailey; Don Kuhn; Jackie Neill; Kathy Mayhew; Lew Mayhew; Clyde Clapp and Dan Hendrycks.

Comments and concerns expressed by those supporting the denial of the Nemees appeal are as follows:

County residents bearing the burden of a golf course on agriculture land and this definition opening up future developments to cause additional problems, consideration of prior applications by the Nemees, agricultural land of itself generates profits and is a positive economic land use benefit, June 28, 2001 the Agricultural Commissioner stated golf courses are not allowed on Williamson Act land, August 9, 2001, the Planning Department wrote a letter to the Nemees stating golf was not allowed on AP Zone land, October 1, 2003 the Nemees requested a zone change to allow golf play on agriculture land, relevant critical phrase of the definition of Agritourism that does not recognize

a golf course is "in the activities of the farm/ranch or agricultural operation", record of case indicates knowledge by applicant of golf courses not being allowed with no appeal submitted at those times, EIR permits have not been obtained and irrelevant how the Assessor taxes the property;

Neighbors to the property are suffering from an illegal activity on Nemees property, appeal of Nemees' without merit based on the reports from County Counsel and Planning Department, the Board appointed Agricultural Committee that participated in the revision of the Agricultural Zoning Code in 2005 specifically discussed and rejected golf courses as a form of permitted use for Agritourism, a golf course is on the property and can not be considered landscaping, a new business owner following requirements for a start up business and feels this should apply to everyone, golfing continues despite the determination made by the County to the contrary; concerns for the golf course to be operating at the full potential, water supply concerns for neighbors, noise, traffic and light issues connected to large crowds, responsibility of the owner to be aware of what can be done with their property, concerns for a poor precedent setting decision to be made;

Water well pump, pressure and sand issues since the Trinitas development, right to farm as have done in the past;

Uphold the County code enforcement and planning responsibilities, request for environment requirements should the Board find in favor of the Nemees's, ground water issues for the future and the State Water Board involvement in this concern, referenced General Plan update situations involving water issues;

Conduct of golfers within view of residences, personal rights being violated;

Watering of the golf course continues;

Under the University of California the definition of Agritourism does not apply to golf on Agriculture Preserve Land, golfing does not relate to the olive orchard crop or production;

Final EIR, the small course would not contribute significant tax benefits to the County;

Reference made to a June 27, 2005 letter from Dennis O'Bryant California Department of Conservation regarding the 2005 redraft of the agriculture zoning code, O'Bryant suggested the Board re-consider the purpose and intent of the Williamson Act regarding the limited supply of agriculture land and the incompatible non-agricultural uses;

Reference to projects that have been denied for lack of ground water;

FINAL MINUTES October 6, 2009

Approval of this project may have an effect on the outcome of the General Plan Update and reference to agriculture zoning amendments recently adopted.

John Hamilton, Thepinetree.net addressed the Board expressing concern for the history of the project. Hamilton expressed concerns for the applicant, County government and how this is divided members of the community.

Christine Griffith, legal counsel for the applicant, responded to public comments stating the definition of Agritourism has to be applied the way it currently exists which does not require the recreational activities be connected directly to the farm or ranch. Ms. Griffith stated if excluding golf is desired then the code needs to be amended. Ms. Griffith referenced an EIR for the earlier project application that was not certified by the Board.

Ms. Griffith referred to a court hearing regarding golf activities being illegal. The court concluded the determination would be made by the Board of Supervisors at today's hearing. Ms. Griffith feels to adopt the alternative agriculture definition, would not require an environmental or CEQA review. A change to the code would not be made by applying the code to an existing situation. Ms. Griffith informed the Board more ground water would be used if the golf course was planted in olive trees. Ms. Griffith stated the land is not currently under Williamson Act contract.

Chair closed the public hearing with the matter returning for rebuttal from the three applicants' counsel.

Mark Connelly, representing KIRC, stated if a golf course is permitted on Agriculture or Agriculture Preserve land an amendment of the zoning ordinances is required. Mitigation measures can not be imposed at this point on the project. Connelly conveyed to the Board, the developer assumed the risk in proceeding on a project without appropriate permits.

John Buckley, CSERC, feels the appeal issue has not been addressed by those speaking today. The hearing today is regarding the clear language for the County definition of Agritourism. Buckley quoted from Agritourism stating "the act of visiting an Agriculture operation for the purpose of enjoyment, education or active involvement in the activities of the farm ranch or agriculture operation." Buckley reiterated the project can not be defined as Agritourism for the reasons stated by staff.

Buckley stated the other appeals tie into if it is determined the improvements are to be considered just landscaping. Buckley asked the law be applied fairly and consistently based on staff recommendations. Buckley emphasized CSERC's appeal states the Board has the authority and responsibility to halt the illegal activity on the golf course.

Ms. Griffith responded to the level of discretion the County has in land use matters to enforce provisions of an ordinance. Ms. Griffith encouraged the Board to deny the appeal from CSERC.

Mark Connelly addressed the appeal regarding staffs interpretation of the golf course as "landscaping". A reduction of the amount of holes in the course does not change the status of being a golf course.

Connelly addressed the issue of the County having the authority to take necessary action to abate or bring the golf course into compliance. KIRC feels the County has the legal obligation to bring the property into conformity with the zoning ordinances. Connelly stated staff should have instruction from the Board to proceed regarding authority from the original enforcement letter.

Chair closed the public comments portion of the hearing with the matter returning to the Board for further discussion.

Supervisor Callaway asked if the original EIR could be used if there were a code amendment.

George White, Planning Department, stated an EIR may not be required depending on the code amendment. White explained the various aspects for the project and how a definition of a golf course would apply. White stated the alternate Option B determines golf to be agritourism subject to a Conditional Use Permit and code amendment.

Supervisor Tofanelli referenced the amended version 17.06.0070 of Agriculture Code.

Chair Thomas expressed concerns on some points of the staff report regarding the following issues: only what is the code can be applied to projects, role of the Agriculture Coalition in formulating the 2005 revision of the Agriculture Code and golf not being a component of Agritourism in the Agriculture Element, response of the Agriculture Coalition August 12, 2009, stating the wording of the ordinances speak for themselves, the omission of certain examples of specific uses should not be interpreted as evidence of the Agriculture's Coalition of intent, when a parcel goes out of Agriculture Preserve (AP) it reverts to an A-1 Zone and staff report refers to policies pertaining to AP property.

Chair further stated the parcels in question are currently zoned AP, however, on October, 2007 an agenda discrepancy was noted on a Board meeting item regarding the two parcels and was to return in two weeks. If this item had returned, the properties would have been zoned A-1. A survey of counties resulted in an overwhelming majority approval of the project.

Supervisor Tofanelli spoke of issues for the designation between A-1 and AP with Agritourism appearing equally in both zones. Strong concerns

were stated for all aspects of what is in the two codes as it pertains to golf. Tofanelli is open to have staff return with recommendations for an A-1 Zoning that would include golf as a Conditional Use Permit (CUP).

Supervisor Tryon does not believe an 18 hole golf course is Agritourism. Tryon feels the initial proposal lacked infrastructure regarding, wells, septic, road conditions and being close to a community center. Tryon expressed an obligation to the citizens to not allow activities that are removed from agricultural activity itself. Tryon stated if a golf course was considered acceptable in an A-1 Zone a CUP would be necessary. Tryon expressed concerns for the banks testimony as funds were loaned without entitlements from the County. Tryon supports upholding the Planning Commission's decision on the Agritourism appeal.

Supervisor Wilensky expressed comments regarding agriculture's status in the community and how to encourage and stabilize this valuable asset. Reference was made to the establishment of the Agriculture Coalition and how to keep agriculture land in agriculture production.

The Coalition determined the word "golf" would be taken out of the proposed Agriculture Zoning Code which was passed by the Board. Golf is in the recreation zoning. Supervisor Wilensky expressed appreciation to the staff for the job they have done in making a determination from the tremendous amount of paper work that has been generated by this project. Concerns were expressed to the volume of time staff time spent on this project that has left the General Plan, Community Plans and Housing Element with a lower level of attention. Supervisor Wilensky expressed water table and surface water issues as being an unknown factor.

Supervisor Wilensky referenced the intent of the code and the Board in approving this language and its application. The many sources for definitions of Agritourism were stated with one County having golf as a permitted use.

Supervisor Wilensky supports denial of appeal for Michael and Michelle Nemea.

Supervisor Callaway reviewed some of the comments made during the hearing. Concerns were expressed for make decisions based on interpretation for broad based information. Supervisor Callaway referenced the community meetings regarding open space, agriculture and the General Plan. At this point Supervisor Callaway does not consider golf as Agritourism and as currently defined under A-1 or AP.

Supervisor Callaway upholds the Planning Commission decision. Supervisor Callaway expressed the need to determine addressing options for what currently exists on the property.

Supervisor Tofanelli expressed a consideration to have staff prepare code amendments that might include golfing as a conditional use.



meeting of October 13, 2009.

Supervisor Wilensky on Wednesday will attend the Amador/Calaveras Consensus meeting and the COG meeting for Supervisor Callaway; Friday will meet with CCWD at the Wilseyville site; Supervisor Wilensky announced two public meetings to be held regarding PG&E owned watershed lands.

Supervisor Tofanelli will attend the COG meeting for Supervisor Tryon; Friday will attend an AATCA meeting; Saturday will escort models in a fashion show at the Jenny Lind Veterans Hall.

Supervisor Callaway on Wednesday, Thursday and Friday will attend the CSAC Executive Committee meetings; Sunday will work the Ebbetts Pass Scenic By-way booth at the Harvest Festival.

Chair Thomas on Wednesday will attend the Central Sierra Economic Development Council meeting; Chair announced a change in location for a meeting regarding water issues on Dalee. The meeting will be held at the CCWD training facility on Silver Rapids at 7:00 P.M. on Thursday; Friday will attend a Mountain County Water Resources meeting. Sunday Chair will attend the Taste of Calaveras fundraiser at the Dove Hill Ranch. Chair asked CAO to agendaize the selection of a Board member to represent the County on CSAC.

CAO Lawton had nothing to report.

Counsel Jones had nothing to report.

#### ADJOURNMENT

There being no further business requiring action this day, the meeting was adjourned to the following study session with the Board of Supervisors and the Planning Commission, followed by the following closed sessions and finally to reconvene at 9:00 a.m., on Tuesday October 13, 2009, for a regular Board of Supervisors meeting.

#### 26. STUDY SESSION

Discussion re: General Plan Housing Element Update (joint session - Board of Supervisors and Planning Commission) - informational only

#### 24. CLOSED SESSION/COUNTY COUNSEL

A closed session pursuant to Government Code section 54956.9 conference with legal counsel re: existing litigation (two cases); Michael Nemea and Michelle Nemea v. County of Calaveras, Calaveras Superior Court Case No. CV35775; Michael Nemea and Michelle Nemea v. County of Calaveras, Calaveras Superior Court Case No. CV35721 was cancelled

#### 25. CLOSED SESSION/HUMAN RESOURCES

A closed session conference was held pursuant to Government Code

FINAL MINUTES October 6, 2009



## 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:

### SEPTEMBER 04, 2009

1. From: California Counties re: Legislative Bulletin Up date; Board
2. From: State Water Resources Control Board re: Notice of petition for extension of time fore the Central Valley Project of U.S. Bureau of Reclamation; Board and Post
3. From: Calaveras County Visitors Bureau re: Discover Calaveras Agriculture September 17, 2009; Board
4. From: California Travel and Tourism Commission re: Insights Year in Review; Board

### SEPTEMBER 08, 2009

5. From: Frogtown re: Penalties of Tax Bill; Board and County Counsel
6. From: Robert Garamendi re: Planning Department Inspection Fees: Board and County Counsel
7. From: Mark Twain St. Joseph's Hospital re: Breast Cancer Awareness Month; Board
8. From: Calaveras County Water District re: Meeting and Agenda September 09, 2009; Sent by e-mail to the Board and Post
9. From: California Chamber of Commerce (ALERT) re: September 04, 2009 publication; Board
10. From: INBU-MEANS Engineers & Planners: Board

### SEPTEMBER 09, 2009

11. From: California County News re: News update, Released Prisoners Health Risk; Board
12. From: Domestic Animal Advisory Committee re: Meeting and agenda; Supervisor Callaway & Tryon and Post
13. From: John Adams, Ph. D. Director of Educational Programs Foothill Collaborative for Sustainability re: Positive Engagement flier doc. Positive engagement Registration Form. doc.; Board.
14. From: Mark Twain St. Joseph's Hospital re: 25th Anniversary gala event honoring those organization who made this success possible; Board
15. From: Department of Alcoholic Beverage Control re: Application for Alcoholic Beverage License; Supervisor Thomas.
16. From: Rite of Passage re: Summer 2009 publication Silver State Academy; Board

FINAL MINUTS October 6, 2009

**SEPTEMBER 10, 1009**

17. From: State of California Fish and Game Commission re: Action relative to Section 155, Title 14, California Code of Regulation, relating to Commercial Take of White Seabass; Board and Post
18. From: J. Timothy Lane, Attorney at Law re: Conservation Easement 2200 acres between Prussian Hill Road and Ridge Road in Railroad Flat; Supervisor Wilensky