

CALAVERAS COUNTY BOARD OF SUPERVISORS

GARY TOFANELLI
DISTRICT 1
JOHN "JACK" GARAMENDI – VICE-CHAIR
DISTRICT 2
MICHAEL C. OLIVEIRA - CHAIR
DISTRICT 3
DENNIS MILLS
DISTRICT 4
CLYDE CLAPP
DISTRICT 5



MANUEL LOPEZ, INTERIM
COUNTY ADMINISTRATIVE OFFICER
MEGAN STEDTFELD
COUNTY COUNSEL
REBECCA TURNER
CLERK OF THE BOARD
DIANE SEVERUD
DEPUTY CLERK
891 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA 95249 TEL: 209/754-6370

February 28, 2017 REGULAR MEETING MINUTES

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Gary Tofanelli	District 1 Supervisor	Present	
John Garamendi	District 2 Supervisor	Present	
Michael Oliveira	District 3 Supervisor	Present	
Dennis Mills	District 4 Supervisor	Present	
Clyde Clapp	District 5 Supervisor	Present	

CLOSED SESSION AGENDA

1. Conference with legal counsel - anticipated litigation – significant exposure to litigation, (one case) pursuant to Government Code section 54956.9 (d)(2); Board action:
Closed Session to discuss this item will be held at the end of today's regular business.
2. Conference with legal counsel - anticipated litigation – initiation of litigation, (one case) pursuant to Government Code section 54956.9 (d)(4); Board action:
No action was taken.

Pledge of Allegiance

9:19 AM: Announcements

Report of Closed Sessions held on February 21, 2017:

Public Employment - pursuant to Government Code Section 54957 (b)(1): County Administrative Officer; No action was taken.

Public Employment - pursuant to Government Code Section 54957 (b)(1): Environmental Management Agency Administrator/APCO; No action was taken.

Supervisor Oliveira announced that at the last meeting, he requested that people speaking during public comment not mention the names of others in the audience. He made that request, and it was just a request, because he was trying to set the tone for a civil discussion-which makes things easier for all of us. He did want to clarify, however, that he did not mean to imply that the public does not have a RIGHT to name names or to get upset at a public meeting. There are a lot of RIGHTS people have at public meetings. He understood that. He was simply asking, hoping, that we can all make efforts to keep discussions civil even when we disagree.

9:19 AM: PUBLIC COMMENT - 30 MINUTES

Rex Whisnand, Chair of the Commission on Aging, requested that the Board consider the revisions to their proposed by-laws. Announced an upcoming strategic plan and the day and time of their meetings. He asked for a BOS rep be assigned to their commission.

Bertha Underhill, Vice-Chair of the Commission on Aging, 35% to 45% of the population is seniors. She has enjoyed working on this Commission. She highlighted some of the activities they do in the county.

Bonnie Newman, Double Springs, commented on the status of the IHSS Program and the IHSS Advisory Committee.

Bill Petrone, SEIU Representative and resident of District 3, asked how the County will fund enforcement of a ban on cannabis cultivation.

Cliff Edson, San Andreas business owner, expressed his opinion that all businesses are taking a beating and would like to see a plan implemented. He added that property owners are also impacted by diminishing resources.

Marti Crane, District 5, commented on the financial situation of the County.

George Fry commented that there are two new businesses in San Andreas. He asked the Board to hold a retreat and make a plan for the county.

Vicki Reinke, residents against commercial cannabis cultivation, doesn't want money from cannabis to fund county government.

A man commented that many growers have not yet been inspected.

Joel Pitto, Paloma, welcomed the new board members. He said that Gwin Mine Road is an essential road to the county and is in disrepair and has been shut down.

9:48 AM: CONSENT AGENDA

3. Minutes of Board of Supervisors – Regular Meeting – Feb 14, 2017 8:00 AM
4. **INFORMATION TECHNOLOGY** Approve the transfer of \$53,914,50 from the Software Licensing Fund (52200000) to IT to fund payment to Microsoft for a software license true-up process. Approve additional expense budget of same amount in IT Org Key 10100070 5186 Maint of Computer Software.
5. **PUBLIC HEALTH SERVICES** 1) Authorize the Director of Health and Human Services to sign the Acceptance of Allotment and all documents related to the acceptance and claiming of the California Department of Public Health (CDPH) Tuberculosis Prevention and Control funding in the amount of \$6,986 for the period of July 1, 2016 through June 30, 2017; and 2) Approve the associated budget transfer increasing revenue and expenditure object codes by \$6,986, requiring a 4/5 vote.
6. Item Pulled from Consent
7. **BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM** Accept the Annual Report of the Calaveras County Mental Health Advisory Board for the period of January 1, 2016 through December 31, 2016.
8. Item Pulled from Consent
9. **CODE COMPLIANCE** Approve the Administrative Citation and Administrative Fines issued for Code Compliance Case #1818 regarding Vang Xiong's cannabis cultivation on Michael Fouch's property located at <No Situs Address>, APN 040-024-002, San Andreas, authorizing abatement, a lien for administrative and abatements costs, and collection of administrative fines.
10. **CODE COMPLIANCE** Approve the Administrative Citation and Administrative Fines issued for Code Compliance Case #1821 regarding Cheng Kage Lee's cannabis cultivation on Michael Fouch's property located at 5429 W. Murray Creek, San Andreas, Authorizing Abatement, a lien for administrative and abatements costs, and collection of administrative fines.
11. **CODE COMPLIANCE** Approve the Administrative Citation and Administrative Fines issued for Code Compliance Case #1823 regarding Daniel Chambers' cannabis cultivation on William York's property located at 6019 Pappalardo Promenade, Murphys, authorizing abatement, a lien for administrative and abatements costs, and collection of administrative fines.

12. **CODE COMPLIANCE** Approve the Administrative Citation and Administrative Fines issued for Code Compliance Case #1834 regarding Heriberto Gomez's cannabis cultivation on Robert Vickery's property located at 68 South Park Dr., Burson, authorizing abatement, a lien for administrative and abatements costs, and collection of administrative fines.
13. **CODE COMPLIANCE** Approve the Administrative Citation and Administrative Fines issued for Code Compliance Case #1836 regarding Vam Yig Muas's cannabis cultivation on his property located at <No Situs Address> Pan Handle Rd., authorizing abatement, a lien for administrative and abatements costs, and collection of administrative fines.
14. Item Pulled from Consent
15. **BUILDING** Adopt an Ordinance amending Chapter 15.04, "Uniform Codes", of the Calaveras County Code to adopt by reference the 2016 California Building Standards Code with local amendments as required by Health and Safety Code 18938(b).
16. **SHERIFF** Adopt a Resolution to apply for and accept an award from the California Department of Parks and Recreation Division of Boating and Waterways (DBW) Boating Safety for funding of the Calaveras County Sheriff's Office Boating Safety Unit for FY 2017-18 in the Amount of \$174,926.
17. Item Pulled from Consent
18. **SHERIFF** Authorize the Sheriff to Enter into a Contract with the 39th District Agricultural Association for \$3,679 for the Law Enforcement Services at the Calaveras County Fair May 19, 2017 through May 21, 2017
19. **HUMAN RESOURCES** Adopt a Resolution approving an equity adjustment and title change for the position of Building Official.
20. **ADMINISTRATIVE OFFICE** Declare vehicles and equipment as surplus and subject to disposal and authorize the County Administrative Officer to dispose of the vehicles and equipment pursuant to County Code.
21. **ADMINISTRATIVE OFFICE** Adopt a Resolution continuing a Local State of Emergency on Tree Mortality.
22. **ADMINISTRATIVE OFFICE** Adopt a Resolution continuing the Local State of Emergency for the Butte Fire.
23. **ADMINISTRATIVE OFFICE** Adopt a Resolution continuing a Local State of Emergency for the removal of hazardous trees caused by the Butte Fire with the imminent threat of severe winter weather.

9:51 AM: Items pulled from Consent

BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM Authorize the Board Chair to execute amendment 02 to an Agreement with Star View Behavioral Health, DBA Star View Adolescent Center increasing the maximum amount payable from \$200,000 to \$870,000 for the period of March 1, 2016 through June 30, 2017.

Motion by District 4 Supervisor Mills. Second by District 2 Supervisor Garamendi. [Unanimous] Approved by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

BEHAVIORAL HEALTH SERVICES - MENTAL HEALTH PROGRAM Authorize the Director of Health and Human Services Agency to: 1) Coordinate with Crossroads Turning Point of Arnold to plan, develop, and manage a Mental Health Services Act (MHSA) Housing Program with a goal of providing a supportive housing program for adults with serious mental illness who are either homeless or at risk of homelessness; and 2) Negotiate an Agreement with Crossroads Turning Point of Arnold, which shall be reviewed and approved by the Board of Supervisors, for the provision of services required to carry out and manage the program, once developed.

Motion by District 5 Supervisor Clapp. Second by District 1 Supervisor Tofanelli. [Unanimous] Approved by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

CODE COMPLIANCE Adopt an ordinance superseding and replacing the current Chapter 8.06 of the Calaveras County Code, "Public Abatement -- Property Maintenance Code."

Motion by District 4 Supervisor Mills. Second by District 2 Supervisor Garamendi. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

SHERIFF Adopt a Resolution designating certain individuals in the Calaveras County Sheriff's Office as authorized officials to execute applications and documents for financial assistance provided by the Federal Department of Homeland Security.

Motion by District 1 Supervisor Tofanelli. Second by District 5 Supervisor Clapp. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

REGULAR AGENDA

24. **LIBRARY** Approve a five year contract for the provision, installation and maintenance of advanced network (Data) services for the Main Library and 4 branch libraries in Calaveras County. Approve the receipt of a \$90,000 non-matching grant from the California State Library for estimated cost of technology hardware, architectural and building modifications necessary and consulting fees for the project and approve payment of provider costs of \$44,877.60 for one year.

Motion by District 1 Supervisor Tofanelli. Second by District 4 Supervisor Mills. [Unanimous] Approved by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

25. **TREASURER-TAX COLLECTOR** Adopt language revisions to the current County Investment Policy and Guidelines for 2016-17.

Motion by District 4 Supervisor Mills. Second by District 5 Supervisor Clapp. [Unanimous] Approved by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

26. **ADMINISTRATIVE OFFICE** Continuation of a Local State of Emergency for the winter storm damage from extreme weather events that began on January 7, 2017 through the month of February 2017.

Jeff Crovitz, Public Works Director, gave an update of current road conditions throughout the county.

After the conclusion of this item, the Board recessed for lunch at 12:30 PM and reconvened at 2:00 PM.

Motion by District 5 Supervisor Clapp. Second by District 2 Supervisor Garamendi. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

27. **BOARD OF SUPERVISORS** Appointment of applicants to serve on various Committees, Commissions, Advisory Boards and County Service Areas.

Assessment Appeals Board

One vacancy for a term ending 12/31/20 - Member 1

Timothy O. Muettert

Children & Families Commission - First 5 Calaveras

One vacancy for a term ending 12/31/18 - HHSA Alternate

Lora M. Larson

Murphys Cemetery District

One vacancy for a term ending 12/31/19 - Member 1

Maureen Elliott (incumbent)

One vacancy for a term ending 12/31/19 - Member 2

Jeff St. Louis (incumbent)

Motion by District 1 Supervisor Tofanelli. Second by District 5 Supervisor Clapp. [Unanimous] Approved by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

28. **PLANNING** Conduct a Public Hearing and adopt a Resolution upholding the Planning Commission's denial of the appeal of the Planning Director's denial of Commercial Cannabis Registration 2016-538 for Scott Hoff on 4837 Ponderosa Way, Murphys APN: 050-017-004 (File 2016-1143)

Motion by District 4 Supervisor Mills. Second by District 1 Supervisor Tofanelli. [Unanimous] Adopted by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

29. **ADMINISTRATIVE OFFICE** Receive the FY 2016-17 Mid-Year Report, provide direction for the preparation of the FY 2017-18 Recommended Budget and approve the FY 2016-17 Mid-Year Budget Adjustments.

The FY 2016/17 Mid-Year Budget Report was approved as presented, including \$55,500 for the May 2, 2017 Election and excluding the Sheriff's requested items, which will be discussed at a later date and brought back to the Board for consideration.

Motion by District 1 Supervisor Tofanelli. Second by District 5 Supervisor Clapp. [Unanimous] Approved by the below result.

AYES: Tofanelli, Garamendi, Oliveira, Mills, Clapp

SUPERVISOR ANNOUNCEMENTS

In compliance with AB 1234, chaptered as Government code Section 53232.3(d), this is the time for board members to report on meetings attended on behalf of the County and to carry out their duties as a County Supervisor.

Supervisor Clapp took Calaveras Transit to San Andreas and attended his first IHSS Advisory Committee. He will attend the Area 12 meeting.

Supervisor Mills reported that he had attended the following meetings and events: Angels/Murphys Rotary, Copper Cove Lake Tulloch Homeowners Association, CCWD water presentation, Congressman McClintock's Town Hall meeting, Copperopolis Homeowners Associations and Bret Harte High School meeting regarding the Community Plan and MCWRA.

Supervisor Tofanelli attended a meeting with Gambi Disposal and a tour of the transfer stations. He met with the CalFire Chief in San Andreas regarding goals and potential projects, met with Lisa Medina in Environmental Health regarding a logging business in Wallace and attended the Central Sierra Child Support meeting.

Supervisor Garamendi reported that he attended the Community Vision meeting in

Mountain Ranch and the Fish and Game Commission meeting. He met with Mokelumne Hill Sanitary District regarding sewer issues related to the Butte Fire and then some homeowners groups. He announced upcoming Town Hall meetings; March 21 at 6:00 PM at the Mokelumne Hill Town Hall, March 22 at 6:00 PM at the Mountain Ranch Community Hall and March 23 at 6:00 PM at the West Point Community Hall.

Supervisor Oliveira attended the Central Sierra Child Support meeting and met with several businesses in the Hwy 4 Corridor regarding flooding. He reported that Tuolumne County will not be continuing the Joint Powers Agreement for the Central Sierra Economic Development District which expires in June.

Clerk Severud announced that the public computers in the lobby of the Clerk-Recorder's office are now set up for public viewing of the Board of Supervisors agendas. She also announced the upcoming photo contest! Five total photos will be selected; one from each supervisorial district. The photos selected will be displayed in the Board of Supervisors Chambers at Government Center. Here's the criterion:

- 1. Photos should be color and submitted electronically for consideration at calaverasspirit@gmail.com*
- 2. The photo must depict a particular supervisorial district; a title or short description of the photo location is required.*
- 3. Selected photos will be placed on a 30"x30" canvas*
- 4. Additional photos may be selected for display in other areas of the County offices and will be printed on 11"x17" photo paper*
- 5. A short biography of the artist will also be displayed*
- 6. A signed release of liability will be required for selected photos*
- 7. The photo becomes the property of the County of Calaveras.*
- 8. Selected photographers will be recognized at a Board of Supervisors meeting.*
- 9. Submittal deadline is Monday, April 3, 2017 at 12noon.*
- 10. Selected photos will be announced at a future meeting of the Board of Supervisors.*
- 11. You must be a resident of the County to qualify.*

Use your imagination and submit a photo for any or all districts. There is no limit on the number of photos submitted, but all must meet requirements to qualify.

The Board recessed and reconvened to Closed Session at 3:52 PM.


Michael Oliveira, District 3 Supervisor 2/28/2017


Diane Severud, Deputy Clerk of the Board of Supervisors 2/28/2017

ATTEST