

# CALAVERAS COUNTY BOARD OF SUPERVISORS

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



TIMOTHY LUTZ  
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

May 15, 2018  
REGULAR MEETING MINUTES

## CALL TO ORDER

The meeting was called to order at 8:00 AM by District 1 Supervisor Gary Tofanelli

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

## CLOSED SESSION AGENDA

- Public Employee Performance Evaluation: (Government Code §54957(b)(1)) Title: Public Works Director; Board action:  
*The Board received a Notice of Resignation and intent to retire dated May 14, 2018. On a motion by Supervisor Garamendi and a second by Supervisor Mills, the Board unanimously accepted the resignation of the Director of Public Works, effective June 5, 2018.*
- Conference with legal counsel; anticipated litigation – significant exposure to litigation, (one case) pursuant to Government Code section 54956.9 (d)(2); Board action:  
*There was no reportable action taken.*  
Pledge of Allegiance

## Announcements

This is a time for board members and County staff to provide updates of upcoming County events that may be of interest to the public.

*Supervisor Mills announced the upcoming County Fair and Parade beginning Thursday at 10:00 AM.*

*Supervisor Garamendi invited everyone to attend the Livestock Auction at the Fair on Sunday.*

*Ms. Severud reported that \$990 was donated to the Calaveras Humane Society and the Friends of Calaveras Animal Services by County Employees as part of the annual Government Center Frog Jump. She announced the following winners: First Place, Mark Kirkendall of Information Technology; second place, Anai Arteaga of HHSA; and third place, Jack Garamendi of the Board of Supervisors.*

*Supervisor Oliveira noted that today was Peace Officers Memorial Day and that the flags at Government Center would be flown at half-staff.*

**9:06 AM: PUBLIC COMMENT - 30 MINUTES**

Al Segalla, Calaveras Taxpayers Association, commented on carbon dioxide that is good for plants and gave mint cuttings to the Board.

George Fry expressed his opinion that Supervisor Clapp was trying to censure public comment.

### REGULAR AGENDA

3. **OES** Receive an update on disaster recovery activity throughout Calaveras County for Butte Fire 2015, Tree Mortality 2015, Winter Storms 2017.

4. **PLANNING** Conduct a Public Hearing and adopt a Resolution upholding the Planning Commission's denial of the appeal of the Planning Director's refusal to accept a late submittal by Steve and Ranae Snowden for Commercial Medical Cannabis Registration on APN: 068-003-079.

*Supervisor Clapp recused himself at 10:45 AM and returned after the lunch break, when the Board reconvened.*

*Counsel Stedfeldt stated that the Appellant's Exhibits J, M and N were not previously provided to the Planning Commission and are also new information for the Board today.*

*The Board recessed for lunch at 11:45 AM and reconvened at 1:00 PM.*

<b>RESULT:</b>	<b>ADOPTED [3 TO 1]</b>
<b>MOVER:</b>	Dennis Mills, District 4 Supervisor
<b>SECONDER:</b>	John Garamendi, District 2 Supervisor
<b>AYES:</b>	Gary Tofanelli, John Garamendi, Dennis Mills
<b>NAYS:</b>	Michael C. Oliveira
<b>ABSENT:</b>	Clyde Clapp

5. **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 Medical Cannabis Registration 2016-943 for Leslie Denham-Newman on APN: 040-009-041.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael C. Oliveira, District 3 Supervisor
<b>SECONDER:</b>	Dennis Mills, District 4 Supervisor
<b>AYES:</b>	Tofanelli, Garamendi, Oliveira, Mills, Clapp

6. **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 2016-729 for Carlos De La Ossa III on APN: 049-009-012 (File 2016-729)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Garamendi, District 2 Supervisor
<b>SECONDER:</b>	Michael C. Oliveira, District 3 Supervisor
<b>AYES:</b>	Tofanelli, Garamendi, Oliveira, Mills, Clapp

7. **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 Medical Cannabis Registration 2016-554 for John Lowrey on APN: 014-023-002.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael C. Oliveira, District 3 Supervisor
<b>SECONDER:</b>	John Garamendi, District 2 Supervisor
<b>AYES:</b>	Tofanelli, Garamendi, Oliveira, Mills, Clapp

### SUPERVISOR ANNOUNCEMENTS

In compliance with AB1234, chaptered as Government Code Section 53232.3(d), Board members shall provide brief reports on meetings they attended at the expense of the local agency at the next regular meeting of the legislative body. This report is required to include meetings attended for which there has been expense reimbursement (mileage, meals, lodging, etc.), but may also, at the Board members discretion, include any other meeting attended by the Supervisor on behalf of the County.

*Supervisor Garamendi attended meetings with County staff meetings regarding OES and planning.*


*Supervisor Oliveira will be attending the CSAC Legislative Conference in the next few days.*

*Supervisor Mills attended the Hot Copper Car Show in Copperopolis, the Eastside JPA, Toulumne County meeting regarding a land issue on Lake Tulloch and a Stanislaus National Forest Tour.*

*Supervisor Clapp had nothing to report.*

*Supervisor Tofanelli met with constituents.*

The meeting was closed at 2:25 PM

  
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Gary Tofanelli, District 1 Supervisor

5/15/2018

  
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Rebecca Turner, Clerk-Recorder

5/15/2018

ATTEST