

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

August 7, 2018 SPECIAL 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

1. Public Employee Discipline/Dismissal/Release, pursuant to Government Code 54957.(b)(1) ; Board action:
There was no reportable action taken.
2. Pursuant to Government Code Section 54956.9 (d)(1): conference with legal counsel re: existing litigation; Dennis Ponte v. County of Calaveras, et al. - Calaveras County Superior Court, Case No. 12CV38597 - Dennis Ponte v. Kenneth M. Foley, Calaveras Superior Court Case No. 17CV42927; Board action:
Supervisor Clapp recused himself from the discussion of this item. There was no reportable action taken.
3. Conference with legal counsel; anticipated litigation – significant exposure to litigation, (two cases) pursuant to Government Code section 54956.9 (d)(2); Board action:
There was no reportable action taken.
4. Public Employee Performance Evaluation: (Government Code §54957(b)(1)) Title: Building Official; Board action:
This item was not heard during the 8:00 AM closed session and will be heard after the completion of the regular agenda.
5. Public Employee Performance Evaluation: (Government Code §54957(b)(1)) Title: Health & Human Services Director; Board action:
This item was not heard during the 8:00 AM closed session and will be heard after the completion of the regular agenda.

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 Garamendi expressed concern for the victims of the fires throughout the State.

9:23 AM: PUBLIC COMMENT - 30 MINUTES

Bonita Lopez commented on a parcel split that she and her husband are trying to complete. Ray Lopez commented that he had met with Robert Pachinger in Public Works regarding his proposed parcel split and that the mylars from his previous surveyor and asked the Board to grant him a continuance for his application while his new surveyor works on the application.

Jason Campbell, District 5, expressed his concern on the state of the county and his opinion regarding the selective enforcement currently in practice. He is concerned that small businesses will not be able to survive.

Pat Gordo, Burson, stated that the fires are not being responded to in a timely manner.

Trent Fiorino asked if political signs are allowed in the Board Chambers.

Bonnie Newman, Double Springs, new system for verifying IHSS services will be implemented by the State within the next 18 months. She also commented that garbage is being dumped in Double Springs, near the pond and asked who enforces clean up.

A man commented on the actions of supervisors when interacting with the public and then when voting on matters in a meeting.

Danielle Maxwell, Avery, added comments on the new reporting program for IHSS services and urged the Board to research the matter further. She added that her son, JJ, represents 1/3 of the IHSS Consumers within the county and the recent comments from the Clerk regarding her son's application not being considered at this time, as he is still a minor. She expressed her concern that he is being discriminated against. Counsel Stedtfeld clarified that citizens appointed to bcc's are considered appointed to public office and minors are not able to fill that role.

Al Segalla, Calaveras Taxpayers Association, speculated that if our children could inherit a free society, as we did, it would be a wonderful thing. He invited all to attend the upcoming annual Taxpayers Barbeque.

Trevor Wittke, CCA, commented on the Industry Working Group meeting and his opinion that the upcoming Town Hall meetings scheduled to discuss modifications to Code 8.06 are a violation of the Brown Act. He presented a cure and correct letter.

Beth Wittke commented on access to her property that has been closed off. She added that she doesn't believe that the Building Department is not being run fairly.

Tom Griffing commented on the artwork in the Board Chambers and agreed with the previous speaker regarding the Building Department.

9:56 AM: CONSENT AGENDA

6. Item Pulled from Consent

7. Item Pulled from Consent

9:24 AM: Items Pulled from Consent

COUNTY COUNSEL Authorize the Chair and Vice Chair to sign a letter to Co-Chairs Dodd and Holden of the Wildfire Conference Committee highlighting significant concerns with the Governor's July 24, 2018 proposal, specifically that the proposal to change inverse condemnation liability is unconstitutional, impractical and unfair to private property owners as well as public entities.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Tofanelli, John Garamendi
SECONDER:	Dennis Mills, District 4 Supervisor
AYES:	Tofanelli, Garamendi, Oliveira, Mills, Clapp

ADMINISTRATIVE OFFICE Approve an Agreement for Coroner Services between the County of Calaveras and Calaveras Mortuaries, Inc. for the period of July 1, 2017 through October 31, 2018 and authorize the County Coroner to sign the Agreement.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael C. Oliveira, District 3 Supervisor
SECONDER:	Clyde Clapp, District 5 Supervisor
AYES:	Tofanelli, Garamendi, Oliveira, Mills, Clapp

REGULAR AGENDA

8. **ADMINISTRATIVE OFFICE** Update on Award of Bid for Tax Collector Security Window/Wall Project.
9. **ADMINISTRATIVE OFFICE** Authorize the Auditor-Controller to make short-term transfers from General Fund monies to meet certain FY 2017-18 operating expenses, which short-term transfers shall be repaid when the related grant or other reimbursements are received. Authorize the Auditor-Controller to transfer funds from the General Fund to cover obligations for the outstanding operating expenses of certain departments for which no grant or other funds are available or expected to be received. Authorize the Auditor-Controller to make certain technical adjustments that will not have an effect on the General Fund. Approve a temporary loan in the not-to-exceed amount of \$160,000.00 from the General Fund 1010 to the Transit Services Fund No. 1021 to be repaid during FY 2018-19, and authorize the Auditor-Controller to effect the related transactions. Requires a 4/5 vote affirmative of the Board.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Mills, District 4 Supervisor
SECONDER:	Clyde Clapp, District 5 Supervisor
AYES:	Tofanelli, Garamendi, Oliveira, Mills, Clapp

CLOSED SESSION CONTINUED

5. Public Employee Performance Evaluation: (Government Code §54957(b)(1)) Title: Health & Human Services Director; Board action:

The Board recessed at 11:09 AM and reconvened to closed session. This item was heard before Item 4 on the agenda.

The Board reconvened to open session at 3:11 PM.

There was no reportable action taken.

4. Public Employee Performance Evaluation: (Government Code §54957(b)(1)) Title: Building Official; Board action:

Supervisor Garamendi left the closed session at 2:49 PM, during the discussion of Item 4. There was no reportable action taken.

The meeting was closed at 3:13 PM



Gary Tofanello, District 1 Supervisor

8/7/2018



Rebecca Turner, Clerk-Recorder

8/7/2018

ATTEST