

# Calaveras Local Agency Formation Commission

## Meeting Minutes – Monday, November 21, 2022

- 1. Call to Order/Roll Call** – Order was called by Vice Chair Smith at 6:03 p.m. on Monday, November 21, 2022.

### Commissioners Present

Kirk Smith, Spec. Dist. Mem., Vice Chair  
Merita Callaway, County Member  
Amanda Folendorf, County Mem. Alt  
Isabel Moncado, City Member  
Jennifer Herndon, City Member (arrived late)  
Tony Tyrrell, Special District Member  
Ralph Copeland, Public Member Alt.

### Commissioners Absent

Anita Paque, Public Member, Chair  
Gary Tofanelli, County Member  
Alvin Broglio, City Member Alt.  
Jon Dashner, Special District Mem. Alt.

### Staff Present

John Benoit, Executive Officer  
Nancy Mees, LAFCO Clerk

### Others Present

- 2. Public Comment:**

There was no public comment.

- 3. Consider Minutes of September 19, 2022, LAFCo meeting:**

**MOTION** by Commissioner Folendorf to approve the minutes of the September 19, 2022, LAFCo meeting as presented, second by Commissioner Callaway. Motion passed 5 yes, 0 no, 1 absent, 1 abstention.

- 4. Consent Agenda:**

- Review and authorize claims for September and October 2022.*
- Resolution 2022-0010 authorizing teleconference for the November 21, 2022, meeting.*

**MOTION** by Commissioner Callaway to approve the Consent Agenda and Claims for September and October 2022 as presented, and Resolution 2022-0010 authorizing teleconference for the November 21, 2022, meeting, second by Commissioner Tyrrell. Motion passed 7 yes, 0 no, 0 absent.

**5. Correspondence:**

There was no correspondence.

**Workshop**

**6. Sphere of Influence update for Road Community Services Districts in Calaveras County including Appaloosa Road (ARCSD), Circle XX (CXXCSD), Copper Cove Rocky Road (CCRRCSD), Lynn Park Acres (LPACSD), Middle River (MRCSD), Mountain Ranch Subdivision (MRSCSD), Three Cent Flat (TCFCSD), and Wallace (WCSD):**

*Receive Executive Officer's report.*

Executive Officer Benoit reported that there were numerous deficiencies with the districts, however many are improving. He met with Copper Cove Rocky Road CSD in Copperopolis and was surprised by the number of people in attendance. One of the districts (Three Cent Flat) does not have a board anymore as all members had quit.

Mr. Benoit's initial recommendation is that Wallace CSD would have an annexable sphere, while the other seven districts would have coterminous spheres of influence. Because Three Cent Flat CSD does not have a board of directors, perhaps the recommendation for that district should be a zero SOI in order to send them a message that they should dissolve. Commissioner Smith recommended looking at Section 845 of the Civil Code as an alternative for providing services if Three Cent Flat does not wish to continue as a special district.

Mr. Benoit suggested a bylaws template for use by the districts, and will share it initially with Commissioner Folendorf and the Commission. He concluded by stating that there will be a workshop with the districts at the January 2023 LAFCo meeting.

**7. Review of the Calafco Annual Conference in Orange County:**

Executive Officer Benoit explained that SB 938 will change the way LAFCOs will operate with respect to protest proceedings. There was discussion about fire district consolidations. Mr. Benoit stated that there will be an effort to use email rather than postal mail when commenting on legislation. There is also a proposal out regarding indemnity agreements.

**8. Executive Officer's Report:**

*a. Bylaws update.*

Executive Officer Benoit reported that there will be a bylaws update ready for the January 2023 meeting.

*b. UPUD MSR.*

Executive Officer Benoit explained that he met with the General Manager for UPUD, Summer Nicotero, and that he will send the district a list of items needed by

LAFCo and the district will respond.

c. *Report: Meeting with Copper Cove Rocky Road CSD October 13.*

Mr. Benoit reported on the meeting with Rocky Road CSD on October 13.

d. *SB 938, LAFCo Protest Proceedings.*

Executive Officer Benoit stated that this had already been discussed under Agenda Item 7.

e. *Nancy's last day as Clerk. New Clerk to be Paige Hensley.*

The Commission thanked Clerk Mees for her years of service to the Commission, and she responded that she had enjoyed working with Calaveras LAFCo.

**9. Commissioner Reports:**

Commissioner Callaway presented Executive Officer Benoit with a small gift in appreciation for all the work he has done for her as a Commissioner, as well as for the Commission.

**10. Adjournment:**

Meeting was adjourned at 6:45 p.m. The next regular meeting will be Monday, January 31, 2023, at 6:00 p.m. in San Andreas.

Minutes submitted by Nancy Mees.

**DATED:**

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**APPROVED:**

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Anita Paque, Chair,  
Calaveras Local Agency Formation