

## General Plan Implementation

Issue: A General Plan is only effective if it is implemented.

Constraint: Historically, the County has been lax in enforcing building codes, setbacks, and permit conditions. The 1996 General Plan was never fully implemented through a conforming Zoning Code. The County has generously granted general plan amendments, sacrificing community visions and values on behalf of private profits.

Opportunity: The General Plan Update provides the County with the chance to turn over a new leaf. The General Plan Update can be accompanied by an implementation schedule that identifies when tasks will be completed, which department will do them, and how this will be reflected in County budget proposals.

**Joyce Techel**

---

**From:** "Joyce Techel" <jaytee@caltel.com>  
**Sent:** Tuesday, April 10, 2007 12:55 AM  
**Subject:** Report slams county building, planning -fyi-jt

Report slams county building, planning

**Published: April 9, 2007**

By KATY BRANDENBURG

The Union Democrat

Calaveras County's planning and building departments lack accountability, are poorly supervised and are generally "adverse" places to work or do business with, states a final report on the departments that was ordered last fall.

"We observed many encounters with fellow employees and customers at the front counter that were very unprofessional and confrontational," states the report, released Thursday.

Community Development Director Stephanie Moreno ordered the review last fall to assess the state of the department. Soon after, Chief Building Official Ray Waller was put on administrative leave and later fired. Senior Plans Checker Martin Redmond remains on paid administrative leave.

Consultants at JAS Pacific, which produced the report, found permit technicians and plan-check staff lacking in proper training and knowledge of code issues. Both the planning and building departments' front-counter employees were unqualified to give advice on permit requirements, as well as what paperwork customers would need to fulfill the obligations of other county departments, the report says.

Within both departments is a general "adverse work environment," and both lack accountability, supervision, communication and professionalism, "created and perpetuated by the senior plan-check staff," the report states.

County officials are still mum on whether Redmond will be reinstated or fired. The report, however, is critical of him: "The senior plans examiner or plan check staff does not attend regular building inspection meetings ... The senior plans examiner is very confrontational at the front counter."

The report states county policies did not meet state Health and Safety Code requirements, citing sections of the law governing fire code and code changes. An interim report released in December said officials were not enforcing fire and safety code standards, giving examples, but the final report did not mention specifics. Ric Buchanan, one of the JAS consultants who conducted the review, said counties are allowed to alter building codes somewhat, but must provide a reason why the change is necessary and get state approval. Calaveras County was not doing that, he said.

"Personnel involved with writing, changing, approving and signing policies should adhere to documented procedures," the report states.

Buchanan said it is not enough for building inspectors to only be certified in residential building inspection, as the current inspectors are. Although the state now allows inspectors with other certifications to be grandfathered in, when the state building code changes in 2008, inspectors will have to be certified in accordance with International Code Council standards, already required in Los Angeles County, said Franklin Harris, building and safety supervisor for Los Angeles County.

Inspectors should be certified separately in the inspection of residential and commercial buildings, Buchanan said, and have three other certifications — all governed by different standards boards and organizations — for plumbing, mechanical and electrical code. The way the county applies JAS's recommendations is its own choice, he said.

The findings of the report came as no surprise to county officials, who have already begun work on restructuring some areas of the departments. This includes having plan checking

again done in-house, Moreno said. Plans are now processed by outside companies, a practice that has caused miscommunication and frustration, builders have said.

However, some recommendations in the report — such as certifications for permit techs and more advanced certifications for building inspectors — have never been implemented before, and give the department concrete standards to work toward. Consistency of policies and regulations, according to both county and state regulations, is one of the department's primary goals, Moreno said.

"We're taking it as a positive thing," she said. "I see it as a blueprint of things I need to work on. We will continue to work as a team to give more training to our staff and improve the department."

Moreno said she agreed with most findings in the report, but disagreed that the county needs to hire an interim chief building official until a permanent replacement for Waller's position is hired.

Jeff Walker, former supervising building inspector, has been acting as the department head and is qualified for the position, Moreno said.

Mike Borean, president of the Calaveras County Builders Association, disagreed with much of the report.

"The whole thing is a list of ideas, unsubstantiated conclusions and recommendations without backing," Borean said. "I've personally had staff at the front counter tell me when I was missing documents ... I don't know what they're talking about."

He said the county's policy gives plan checkers two years to earn certification after they've been hired, which is why the checkers weren't certified. If the consultants doing the report had done their homework, they would have known that, he said.

The claims of missing building plans, department files and

other violations mentioned in the interim report are not specifically addressed in the final report.

"I'm really disappointed," Borean said. "We've all been waiting for this a long time. I wish it had more facts, figures and justifications. It's like conclusions being made with no argument."

Moreno said the county began restructuring the permit technician positions this year to divide them into three grades based on technical skill level. As the techs attend more training and receive higher levels of certification, they can move upward through the levels, she said.

The county's fee schedule, which the report cited as nonexistent, is still being calculated, a process that started in 2006, at the orders of Redmond and Waller, she said.

Waller's attorney, Chris Williams, said the report is a slap in the face to all building department employees, past and present. He said the building community is suffering while the department attempts to function "after the baby has been thrown out with the bathwater."

The Community Development Department will present a staff report, in response to the review, to the Board of Supervisors within the next 30 days, Moreno said.

Contact Katy Brandenburg at  
kbrandenburg@uniondemocrat.com or 736-0916.



51°

WEATHER | TRAFFIC



HOME NEWS SPORTS ENTERTAINMENT LIFESTYLES BUSINESS OPINION YOUR TOWN SPECIAL REPORTS INTERACT CLASSIFIEDS SUBSCRIBER TOOL Local News Crime/911 Government Education Commuting Growth Environment Urban Affairs Columnists State Nation/World Obituaries Archive

# Report slams Calaveras County building agency

Print this Article Email this Article Text Size: A | A | A

By Dana M. Nichols  
Record Staff Writer  
April 07, 2007 6:00 AM

SAN ANDREAS - The Calaveras County Building Department is so dysfunctional that virtually the entire staff must be retrained, according to a report commissioned by the county and released Thursday.

Several department employees have spouses in the building industry, and some of those employees helped approve permits for projects their spouses were involved in; the report recommended that the county end that practice.

Among its other conclusions was that department employees have been abusive to customers and staff.

Drafted by Nevada-based JAS Pacific consulting, the report also says many department policies are inadequate, outdated or missing.

For example, it says the county lacks a current schedule of the fees for building permits and inspections.

It also said permit technicians don't perform such essential tasks as checking a building's square footage so they can calculate permit fees.

The report comes six weeks after former Chief Building Official Ray Waller was fired amid allegations that during his watch Calaveras building inspectors approved substandard and shoddy construction.

Communicating through his attorney, Waller and his allies in the building industry say the report is filled with inaccuracies.

"I am just pretty disappointed," said Mike Borean, president of the Calaveras County Builders Association.

He said errors within the report make him doubt its conclusions. As an example, Borean said the department's building inspectors are adequately certified; the report stated otherwise.

But Community Development Director Stephanie Moreno said the report's findings come as no surprise. "I don't find fault with much he has in his report," she said.

Moreno said while inspectors do have basic credentials, many lack specialty certification.

"It says adequately certified, and that is a big difference," she said. "It is possible to get more. It is possible to get specialty certifications. The more training we can get our staff, the better equipped they will be to do a good job."

It was Moreno who hired JAS to review the Building Department. She placed Waller on administrative leave in October, about the same time the firm started its work. She fired Waller in February.

Moreno said she's already addressing the problems outlined in the report. For example, any department employee with spouses in the industry won't be able to work on those projects.

Moreno also said she expects by July 1 to comply with the report's recommendation that the department review building plans in-house, rather than sending them to outside firms. The use of outside firms

## TODAY'S MOST VIEWED

- Inmate switches clothes, escapes County Jail (10 p.m.)
- Gang member sentenced to 104 years for murder (12:51 p.m.)
- Stabbing victim seeks help at Manteca eye clinic (5:19 p.m.)
- Man, 33, charged with molesting 13-year-old

## THIS WEEK'S MOST VIEWED

- Man arrested for alleged sex with 10-year-old girl
- Stockton teen accidentally kills herself
- Worker arrested over videotaping female staff
- Crime Stoppers -- Published April 2, 2007

## THIS MONTH'S MOST VIEWED

- Crime Stoppers -- Published March 19, 2007
- Crime Stoppers -- Published March 12, 2007
- Teen struck, killed by train
- Crime Stoppers -- Published April 2, 2007

## PHOTO GALLERIES

MORE GALLERIES



Ports at the ballpark · 2 NEW



Spring in the Valley · 4 NEW

## READER INTERACTION

- Read our blogs written by Record staff.
- Send us your snapshots for publication in our readers' photo galleries.
- Submit events for our online calendar.
- Share your thoughts about Record articles in our forums.
- Write a letter to the editor.
- Suggest a poll question.
- Have a story idea? Tell us about it!

SEARCH RECORDNET.COM HOMES AUTOS JOBS WEB

search recordnet.com

Click here to view our 14-Day Archive

The Dell™ Dimension™ E520  
featuring the power and productivity of Windows Vista™

Customize one from only **\$699** or as low as \$23/month\*

Offer ends 5/2

Purely You

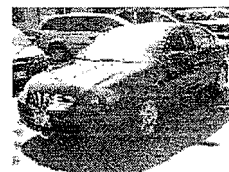
Click for Details

**Bear Valley**  
Mountain Resort

Get a Chance to Win Lift Tickets for Bear Valley Mountain Resort

The Record Click Now

FEATURED CARS from ValleyAutoFinder.com



- 2005 Nissan Altima - Black - 30,608 mi. - \$17,995  
Get a Quote
- 2007 Nissan Altima - Winter Frost - \$23,834
- 2007 Dodge Caliber - Black - 8 mi
- 2001 Mercedes-Benz S-Class - Black - 84,500 mi. - \$24,995

FEATURED JOBS from ValleyJobFinder.com

DENTAL Sterilization  
Stockton, CA  
Classified Ad

CARE PROVIDER In-home  
Stockton, CA  
Classified Ad

BUSINESS ANALYST  
Modesto, CA  
Classified Ad

CABLE/ PHONE INSTALLERS  
Stockton, CA  
Classified Ad

FEATURED HOMES from ValleyHomeFinder.com

has been a sore point with builders, who say inconsistent standards have delayed their permits

The review of the Building Department comes amid continuing political fallout from Waller's firing. Some in the building business have said Waller is the victim of a witch hunt and that problems with the department are more recent.

"Everything was just fine when Ray Waller was up there. They've got this gal (Moreno) up there now and she's just trouble," said Dave Anderson, a builder in the Valley Springs area.

The report is likely to generate public debate for weeks. Both Rod Weathers, a contractor based in Murphys, and Borean say they plan to make detailed written responses.

Weathers and Borean say they are particularly suspicious that the relatively brief 10-page report has no background evidence, such as transcripts from interviews to support its conclusions.

"It is a slap at the building inspectors," Weathers said. "These are opinions in here. Nothing substantiated at all."

But at least some builders say the report rings true.

"I think they need to standardize and I have been saying that for years," said John Ellis, a developer in the Arnold and Avery area. "They don't have standard procedure policies. When you go up to pull a permit, they should have a list that says this is what you need to complete an application. It is not rocket science."

Ellis said obtaining permits in other California counties is more straightforward and efficient than in Calaveras.

"There's a high level of arrogance (among department employees)," Ellis said. "But that is not unique to just their department. I would say it is more predominant in this county than in other counties."

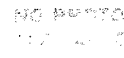
Contact reporter Dana M. Nichols at (209) 754-9534 or [dnichols@recordnet.com](mailto:dnichols@recordnet.com). Visit his blog.



Stockton, CA  
Huston Assoc. Real Estate Inc.  
Norbert G. Huston, CCRM  
[Read more...](#)



Stockton, CA  
Huston Assoc. Real Estate Inc.  
Norbert G. Huston, CCRM  
[Read more...](#)



Stockton, CA  
The Record  
[Read more...](#)

**Reader Reaction**

These discussions and our forums are not moderated. We rely on users to police themselves, and [flag inappropriate comments and behavior](#). You need not be registered to [report abuse](#). In accordance with our [Terms of Service](#), we reserve the right to remove any post at any time for any reason, and will restrict access of registered users who repeatedly violate [our terms](#). Click [here](#) if you wish to report inappropriate comments or behavior.



**bobcat185** *April 10, 2007 01:49 AM*  
I really think people should read the actual report and the interim report and then just simply ask for the actual documentation that backs up their claims and opinions. I think people when they read what is printed in the papers believe it as the actual truth! Come on people, when the papers print something, I ask that you research it for yourself, in depth! ie: If I told all of you that you won the lottery...would you believe me? wouldn't you want the proof? in writing? or if I told you the sky was falling...wouldn't you want the proof?

**Calnative** *April 09, 2007 06:50 PM*  
To quote the County; "The Mission of Calaveras County Government is to provide service, infrastructure and leadership necessary to advance a safe community, maintain a high quality of life, and to protect personal liberties for all of its citizens." I guess they forgot everything between the quotation marks...

**rsmom** *April 08, 2007 12:11 PM*  
When we built our Calaveras home in 2000, the inspection was a joke. We had a leak in the propane line and after 3 failures, the inspector said "your contractor is working on it, I will go ahead and sign off now since I don't know when I will be over here again". My husband went ballistic and threatened to report him if he did, any delays would be the contractor's problem but the inspector would be back as often as needed to get the problem fixed. It finally was and the inspector came back but our house could have exploded because of his laziness.

**Digger** *April 08, 2007 01:14 AM*  
At the risk of revealing more than people want to know, thank you Ms Moreno for starting to address this problem. I would hold our "tenured" supervisors responsible for some of this as it has happened on their watch too. Does this mean we will retain our documents which may be the subject of future litigation rather than burning them?

**judy** *April 07, 2007 09:44 PM*

eyewhitie - I concur with your opinion about Lodi. The relationship isn't just with inspectors and developers though. ANY contractor (roofing, heating/ac installers, etc.) has the inside track with inspection dept. Homeowners ARE NOT protected by an inspection from city - please don't think you are.

**Skooter23g** *April 07, 2007 03:16 PM*  
DAV...the req's are the three r's "Read, Rite and RUDENESS"

**DAV** *April 07, 2007 01:10 PM*  
What are the 'certification requirements' for Building Official and Director of Planning?

**Calaveras03** *April 07, 2007 11:58 AM*  
I have not come across many employees that work for Calaveras County that are very nice! They think they can talk to you how ever they want! One lady at animal control there is awful! Almost everytime I go in there is she is rude and insulting someone! How she keeps her job is beyond me!

**eyewhitie** *April 07, 2007 11:30 AM*  
Sounds like the developer-inspector relationship in Lodi. You build it, for a dinner or two, they'll approve it.

**madpuppy** *April 07, 2007 07:36 AM*  
I for got to mention the million dollar " Barns ", I guess the farm animals need stained glass windows ,wrap around decks and swimming pools ect. I guess Happy Cows Do come From California !

**madpuppy** *April 07, 2007 07:26 AM*  
Ray Waller is just the tip of the ice burg, welcome to the Mother Load !

† Posts do not appear immediately.

[Add Comment](#)

[Browse News Forum](#) | [Browse all Forums](#) | [Report Abuse](#)

Ads By Google

**Introducing NGP Field**  
Bar-coded Walk Lists, GOTV Tools  
Harness Your Voter File's Potential  
[ngpsrftware.com](http://ngpsrftware.com)

**Lead Church Volunteers**  
Great ideas for church leaders.  
Thousands of resources!  
[www.ChurchVolunteerCentral.com](http://www.ChurchVolunteerCentral.com)

[Advertise through Google AdWords on this Site.](#)

- [Go Back to Calaveras County](#)



**Joyce Techel**

---

**From:** "Joyce Techel" <jaytee@caltel.com>  
**Sent:** Sunday, April 29, 2007 5:09 PM  
**Subject:** Residents voice concern about Trinitas proposal-FYI-JT--JUST REFRESHING MY MEMORY

## Residents voice concern about Trinitas proposal

By Nick Baptista

Gauging by public sentiment at A Feb. 2 initial planning meeting on the proposal to build a golf resort off Ospital Road, it will be an unwelcome addition to the area if it gets past environmental review and county planners.

Mike Nemees, chairman of Trinitas Olive Oil Co., has proposed subdividing 280 acres off Ospital Road between Warren and Southworth roads into 14 parcels, 13 of which will be single-family residential lots, each approximately two acres in size. The remaining 244-acre parcel would include what is now a personal 18-hole golf course with a driving range, clubhouse and lodge with overnight accommodations. The two-story, 18,000-square-foot clubhouse facility would include a tasting room for olive oil products produced on the property, retail space, a restaurant and banquet facilities.

However, Nemees's neighbors who attended Thursday's "public scoping session" at the Burson Firehouse voiced concerned the development will deplete the area's limited groundwater supply, significantly increase traffic, wear and tear on the area's roads and create a market for other golf community-type projects in their agricultural area.

Highway 26 and Ospital Road are "too dangerous as it is today," said Lynette Ospital. She said the roads are too narrow and have too many blind areas. They both need to be widened and improved before such a project is considered.

She added the county needs to preserve the area's natural beauty and take into consideration what impact the proposal will have on the area's water supply.

Although the Nemees have several sources of surface water for the golf course, area resident Kent Shelton asked what assurances would be made that groundwater would not be used to water the holes when surface water is depleted.

"Will he let his golf course go brown?" Shelton asked.

Ospital Road resident Beverly Durr expressed her dissatisfaction with the way the Nemees apparently circumvented the county's planning process by installing what was first called a personal golf course that did not need a permit and now it is the cornerstone of their proposed development.

At the beginning of the meeting, Calaveras County land-use planner Shaelyn Strattan said that because the golf course was already in place, its construction would not be subjected to study in the EIR. However, its operation would be part of the EIR review.

Some residents said it appears work is continuing on the golf course and it should be halted now that the Nemees want to turn it from a personal to a private facility.

Durr also expressed her fears that the golf course and associated olive orchard would deplete the area's water table. In addition, she said olive processing creates tons of highly toxic waste and asked which government entity

5/29/2007

would oversee the processing operation.

Mike Milne, staff biologist for the Central Sierra Environmental Resource Center, said the center was upset that work on the golf course may have already disturbed wetlands. He added history shows similar destination golf course-type projects fuel suburban growth around them. He said the upcoming Environmental Impact Report should contain an analysis of the proposed project's cumulative impacts on water quality, future residential growth, traffic and wildlife.

Area Realtor and resident Paula Davis said the county should also look at traffic impacts on several nearby roads, such as Southworth and Pettinger, which will feed off Highway 12 to the proposed golf facility.

Calaveras County Supervisor Bill Claudino and Interim Planning Director Bob Sellman were in attendance and fielded questions about the county's oversight of the project to date.

Sellman said the land is zoned agriculture at this time and that permits many uses without permits, such as constructing a personal golf course.

Residents said the county should keep a close eye on what is being done on the property and make sure it is in compliance with the law and county regulations.

Strattan encouraged the audience to sign in and provide their addresses so the county can appraise them as the project moves forward through the necessary studies, comment periods and possible hearings.

# Trinitas moves ahead without county's OK

By Nick Baptista

Published in The Valley Springs News-5/2/07

Efforts are under way to market memberships and solicit tournament and group play at Trinitas Golf Club, although the owner has not completed the county's approval process for such a commercialized venture in what has been a rural and agricultural area.

Mike Nemeo, the owner and architect of Trinitas, has submitted an application to the county to turn what has been his personal 18-hole golf course off Ospital Road into a commercial venture offering private memberships and including development of a clubhouse, spa and lodge.

An environmental review of the proposed project is under way, but the proposal has not been before the county's Planning Commission or the Board of Supervisors for approval.

Although the project has not received county approval, the golf course's website-[www.trinitasgolf.com](http://www.trinitasgolf.com)- touts it is "Coming Soon" and has web pages for membership, tournament and group play inquiries.

Don Winter, Trinitas' head golf professional, says the operation is accepting members; people speak freely about obtaining \$50,000 memberships to the club, and others talk about playing \$150 rounds at the course, but Nemeo denies he is selling memberships, nor are people paying to play golf on his property.

Nemeo says the public can buy a bottle of olive oil at his property, take a tour of it and he won't charge them to play a round of golf. He is selling his olive oil for \$75 to \$80 a bottle, he added.

Nemeo termed what others called "memberships" as "founding investors."

Nemeo said they are loaning money to the project. Instead of buying traditional memberships that continue to charge fees, Nemeo said his "founding investors" could play golf free for the next 20 years on the course. At the end of that time, he will return them their money.

People in the golf industry have issues with Nemeo and the county.

Nemeo is selling memberships and opening the course to play without completing the public review process, they say.

Dave Tanner of Tanner Consulting Group, which provides golf-engineering services, said a lot of work has been done at the site without all the necessary permits, which were required by other golf courses before being built in the county.

He said Trinitas has not gone through a fraction of the public scrutiny Saddle Creek in Copperopolis went through and wondered why the county has turned a blind eye on the work that has already been done by Nemees.

He added that water should be a key environmental issue and Trinitas will use plenty of it. He said the county needs to determine whether watering of Trinitas will draw down the water table in the area and if so how that situation will be mitigated. If the county does not, there is plenty of case law that will hold the county and Nemees liable for damages to area property owners.

Rod Metzler, a general partner for La Contenta Golf Club, said he couldn't believe the county has not stepped in to stop Nemees from charging green fees and memberships without the proper permits.

The situation creates an unfair advantage to other courses in the area that have gone through the regulatory process, mitigated their impacts on the public, paid all their necessary fees, and also pay property taxes as commercial ventures, he said.

"It appears Mr. Nemees believes in asking for forgiveness instead of permission," Metzler said.

Trinitas is located within Supervisor Bill Claudino's district. Claudino said he had no problem with Nemees selling memberships prior to the county granting approval.

"We have no control over his business operation," Claudino said. "It will be a long and arduous process. He will have to be in compliance before he goes into business and there will be no shortcuts here."

The District One supervisor said, "I guess (Nemees) is optimistic about the project and is trying to raise capital."

District 5 Supervisor Russ Thomas said he has to keep an open mind as the project goes through the planning process, but he had a problem with the appearance of memberships being sold prior to any approval from the county.

He added that Nemees and his consultant had talked to county staff about some upcoming articles in several golf magazines. Thomas said it was his understanding that staff had advised Nemees or his representative not to give any appearance that the county had granted entitlements to the project.

Public sentiment toward the project has been less than enthusiastic.

A "public scoping session" was conducted in February of 2006 in the Old Burson Firehouse and nearby residents expressed their concerns with Nemees proposal.

In addition to issues over water, Nemees neighbors said Highway 26 and Ospital Road were already inadequate and could not handle any additional increases in traffic without major improvements.

Residents also complained about the way Nemees initially circumvented the county's planning process by installing what was first called a personal golf course that did not need a permit, and now it was the cornerstone of his proposed commercial development.

In addition to the golf course, Nemees plans to build 13 homes on the site.

## Tom Infusino

---

**From:** "Joyce Techel" <jaytee@caltel.com>  
**To:** <Undisclosed-Recipient:;>  
**Sent:** Thursday, March 15, 2007 8:11 AM  
**Subject:** Board aims to weed out ag disputes-fyi-jt

Board aims to weed out ag disputes

**Published: March 14, 2007**

By KATY BRANDENBURG

The Union Democrat

As Calaveras County's population continues to grow, it's sowing the seeds of discontent between neighbors — particularly those who didn't envision the consequences of living beside farmland.

A county ordinance passed in May 2006 changed some areas zoned for residential use to residential agriculture. This has allowed vineyards, herds and orchards to flourish alongside houses and yards in some places — and caused an uproar from residents who wanted a quiet, rural life without odors or flies.

To address the resulting clashes, the county last year formed the Agriculture Dispute Resolution Committee, which has been preparing for the onslaught it may face in April, when dispute mediation is slated to begin. The committee aims to preserve agricultural land use by fostering neighborly relations between farmers and nearby residents. It also provides a forum for conflict resolution other than the courtroom, according to county Supervisor Steve Wilensky.

The committee is made up of seven members and seven alternates: four from agricultural organizations and three public representatives from neighborhoods that border on farmland. It will meet on an as-needed basis, but at least quarterly.

"Our goal is to have a mix of suburban and rural interface (in the county)," Wilensky said. "In the face of conflict, farmers get discouraged and sell their land, and then you have the onset of suburbia."

Mary Mutz, county agricultural commissioner and committee chairwoman, said mock negotiations practiced last week with the guidance of a professional mediator were "quite stressful," and showed committee members how tedious it could be to get two angry parties to reach common ground.

"It opened our eyes to how patient we will need to be," she said.

Listening skills are extremely important to the process, the mediator stressed.

The formation of the dispute resolution committee arose, in part, from the county's 2006 decision to allow small-scale agriculture on large parcels of rural residential land.

But County Farm Advisor Ken Churches said a committee may have been needed anyway, as more people move here from cities.

"In traditional farming areas, as new business moves in, there's always going to be a little friction," he said.

Some of that comes from a basic cultural difference between urban and rural society.

Churches recalled a woman calling him several years ago, appalled that the rancher next door allowed baby calves to nurse in public view of the highway.

"I really didn't know how to respond to that," he said. "She was lucky it wasn't breeding season!"

Rancher Dustin Cooper of Red Hill said 33 acres next to his 100-acre pasture went up for sale last year. But when the would-be home builders saw that their neighbors had cattle, they backed out.

"People from out of town buy these properties and don't do brush control because they want to preserve their 'pristine wilderness,' " not knowing they are creating a fire risk, Cooper said.

The hearing process can act as a forum for discussion and education, Churches said, while giving residents the chance to be heard. Parties with grievances can submit the issue in writing to the committee, and Mutz will decide if the dispute falls within the panel's jurisdiction.

"I think we have a real opportunity to be effective, but it requires willingness for both parties involved," Churches said.

Dan Hendrycks, a former county planner in Calaveras, Madera, Tulare and other counties, said agriculture and residential uses are not always the best of neighbors.

When he worked for Calaveras County, Hendrycks proposed quarter-mile buffer zones between agricultural and residential areas, so crop dusting and other farm activities wouldn't drift into people's yards. The idea was voted down.

"I think the activity of the county is way out of line and it's only a matter of time until we see more conflicts," Hendrycks said.

Small vineyard owners, like Bill Broll of Broll Mountain Vineyards and Nathan Carella of Chiarella Vineyards, say their activities benefit both themselves and their neighbors. Vineyards keep the neighborhoods quiet and rural and also contribute to the economy.

Neighbors still have complained of dust from his harvesting trucks and the activity of the workers, Broll said. They also didn't like the noise and traffic caused by the three weddings he held last year on his 25-acre Murphys-area property.

Small vineyard owners are limited to six weddings per year, no more than two per month, and must stop all music and festivities by 10 p.m.



"We've tried to be sensitive to our neighbors, the last thing I want to do is cause problems with them," Broll said. "Somehow people think this is open space they've paid for."

Contact Katy Brandenburg at  
kbrandenburg@uniondemocrat.com or 736-0916.

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.446 / Virus Database: 268.18.11/722 - Release Date: 3/14/2007 3:38 PM