



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA April 6, 2004



Time      Description

**9:09 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance  
Introductions

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda - none

Adopt a Resolution Authorizing the Chair to Sign a Letter Opposing the Proposed Amendment to 9 CFR 93, 94, and 95 to Recognize a New Category of Regions Presenting Minimal Risk of Introducing Bovine Spongiform Encephalopathy (BSE) into the United States, via Live Ruminants and Ruminant Products and Byproducts from such Regions Under Certain Conditions, as Published in the Federal Register on November 4, 2003 (Supervisors Bibby and Pickard)

**BOARD ACTION:** Supervisor Bibby initiated discussion relative to the proposed amendment and concerns. Art Richards, Mariposa Farm Bureau President, provided input on this matter. Cathi Boze, Agricultural Commissioner, also provided input. (M)Pickard, (S)Bibby, Res. 04-123 was adopted authorizing the Chair to sign a letter opposing the proposed amendment as recommended, with the addition of a sentence as requested by Supervisor Bibby and including the following distribution: our legislators, Farm Bureau, Cattlemen's Association, and R-CALF United Stockgrowers of America. The motion was amended, agreeable with the maker and second, to include a sentence suggested by Supervisor Stetson relative to timely and sound scientific testing needing to be implemented. It was noted that responses are due by April 7<sup>th</sup> and that the Deputy County Administrative Officer would distribute the letter. Ayes: Unanimous.

Board Information

- Supervisor Stetson advised of an informal meeting with citizens in El Portal this evening; that he plans to attend the Gateway Conference on Thursday in Yosemite and a High-Speed Rail discussion in Merced in the evening; and he advised that the amphitheater grand opening is scheduled for May 22<sup>nd</sup>.

Mary Hodson, Deputy County Administrative Officer, was present on behalf of Rich Inman, County Administrative Officer;

Approve Budget Action Transferring Funds from Contingencies to Professional Services in Administration Budget for Restoration of "Las Mariposas" Map as Requested by the California State Mining and Mineral Museum Association (\$5,000) (4/5ths Vote Required)

**BOARD ACTION:** Ron Iudice, President of the California State Mining and Mineral Museum Association, presented the Association's request and showed a copy of the map. He advised of their plans to duplicate the map for display and to have a stand made to hold the map.

(M)Pickard, (S)Stetson, Res. 04-124 was adopted approving the request/Ayes: Unanimous. Ron advised that a copy of the map will be provided for display at the Government Center. Supervisor Bibby requested that a copy also be displayed at the Courthouse.

Approval of Minutes 3-16-04, Regular Meeting

**BOARD ACTION:** Approved.

Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Supervisor Stetson pulled item 8. Supervisor Bibby pulled item 13. (M)Stetson, (S)Pickard, the balance of the items were approved/Ayes: Unanimous.

Supervisor Stetson asked that the years of the grant for item 8 be corrected so that the staff report matches the dates on the grant information. (M)Stetson, (S)Bibby, item 8 was approved with the noted correction/Ayes: Unanimous.

Supervisor Bibby initiated discussion relative to item 13. Jim Petropulos, Public Works Director, responded to questions relative to the change and the bid process. Joe Halencak, PWD/Fleet Superintendent, responded to questions relative to the emission requirements. (M)Stetson, (S)Bibby, item 13 was approved/Ayes: Unanimous.

Supervisor Balmain advised of a grammatical error in section 4 of the resolution preliminarily approving the Engineer's report and directing related actions in item 14. (M)Stetson, (S)Pickard, the correction to the resolution was approved/Ayes: Unanimous.

**9:50 a.m.** Bob Pickard, Supervisor District V;

Presentation by California Department of Forestry (CDF), Providing Update and Information Relative to Future Fire Protection and Use of California Youth Authority (CYA) Camp

**BOARD ACTION:** Supervisor Pickard introduced Candace Gregory, Assistant Regional Chief for CDF. Candace provided an update on their planning efforts to provide for fire protection and prevention with the closure of the Mt. Bullion CYA Camp. She advised that they are looking at a short-term plan of using firefighter 1's for the fire season. They will have five ten-person modules or three fifteen-person modules at a cost of 1.5 to 1.7 million dollars for this fire season only (six months). They do not have these costs in their budget and are working with the State Department of Finance to obtain the additional funding. She also noted that they have had preliminary discussions with the Department of Corrections (CDC) to provide year-round coverage; however, CDC is also facing their own budget challenges and inmate population changes. She advised that the location of the Mt. Bullion facility is important to CDF as other facilities are located quite a distance from Mariposa. She responded to questions from the Board relative to their proposals; current CDF staffing of the Camp facility; and as to whether CDF is still having discussions with CYA to retain the Camp facility.

Jacque Meriam, Librarian;

Authorize the County Librarian to Apply for a Library Services and Technology Act (LSTA) Grant, "Services for Small Businesses in a Box"

**BOARD ACTION:** Discussion was held with Jacque Meriam relative to the request. Jacque responded to questions from the Board as to whether a match is required for the grant; whether there is a possibility of out-of-class duty issues for the employees with this program; and as to whether there are on-going costs. (M)Balmain, (S)Stetson, Res. 04-140 was adopted authorizing submittal of the grant application with direction that acceptance of the grant be brought back to the Board for further action, and with review and an analysis to be done by Administration/Personnel of the out-of-class issue; and with information on the on-going costs to be brought back/Ayes: Unanimous.

**10:20 a.m.** Recess

**10:51 a.m.** Charles Mosher, Health Officer;

Information Relative to the Health Department Workload and Progress (Continued from 3-9-04)

**BOARD ACTION:** Dr. Mosher provided a report on the Department's workload and progress. Supervisor Pickard asked about the possibility of expanding the needle disposal program to

surrounding areas. Supervisor Parker asked about getting burn day information out in advance. Discussion was held relative to the report.

Ken Hawkins, Auditor;

Approve Reorganization and Internal Adjustments Regarding Positions in the County Auditor's Office; Approve Budget Action Transferring Funds from Contingencies to the Auditor's Budget to Adjust Budget for Reorganization (\$1,987) (4/5ths Vote Required)

**BOARD ACTION:** Chairman Parker advised that this item was pulled at the request of the Auditor.

**11:14 a.m.** Recess

**11:28 a.m.** Sarah Williams, Interim Planning Director;

Initiate Amendment to Mariposa County Road Improvement and Circulation Policy to Create County Road Frontage Improvement Requirements for Minor Subdivisions. Action will Authorize Staff to Process the Amendment and Schedule Future Public Hearings

**BOARD ACTION:** Sarah Williams presented the staff report. Chairman Parker suggested that this matter be included with the development services issues being scheduled for discussion during workshops, with this being the first topic.

Input from the public was provided by the following:

- Ken Melton stated he agrees with having a workshop on this matter, and he commended Sarah for giving a fair presentation.
- Don Starchman, Starchman Law Offices, stated he is not representing anyone. He stated he feels we are headed in the right direction, and he referred to the County Administrative Officer's comments that he would like to look at fee alternatives. He stated he also agrees with holding a workshop on this matter.

Supervisor Bibby requested that Planning copy to the Board members the information it has received on this issue. Chairman Parker requested that the Board considering scheduling the workshop separate from the regular Tuesday meetings.

**11:40 a.m.** Recess

**11:42 a.m.** Further discussion was held relative to scheduling the workshop. The Board concurred with holding the workshop on Monday, April 19, 2004 at 2:00 p.m.

**11:45 a.m.** CLOSED SESSION: Conference with Legal Counsel for a Case Relative to Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 and Initiation of Litigation Pursuant to Subdivision (c) of Government Code Section 54956.9 (County Counsel); and

CLOSED SESSION: Conference with Legal Counsel; Existing Litigation: California Government Code Section 54956.9(a); California Farm Bureau Federation, et al v. California Department of Forestry and Fire Protection, State of California, Mariposa County, et al (56 other counties involved) (County Counsel)

**BOARD ACTION:** (M)Pickard, (S)Stetson, the closed sessions were held/Ayes: Unanimous.

**11:56 a.m.** Lunch

**1:20 p.m.** The Board reconvened in closed session.

**2:05 p.m.** Recess

**2:22 p.m.** Chairman Parker announced that direction was given to staff as a result of the closed session matters.

Approve the Second Round of Proposed Job Descriptions Prepared by HDC & Associates, the Consultant Hired to Perform the Classification and Internal Compensation Study, to be Effective Immediately (County Administrative Officer)

**BOARD ACTION:** Mary Hodson, Deputy County Administrative Officer, presented the staff report, and she advised that once the job descriptions are all adopted, they will start on the compensation study. Supervisor Bibby advised that she has several questions that may result in changes. Supervisor Balmain noted that he also has corrections to the descriptions. Chairman Parker suggested that the Board members review any questions and/or changes they have with Administration and then the proposed job descriptions could be brought back for action, and the Board concurred.

Supervisor Pickard advised that he and Supervisor Bibby are planning to go to Sacramento on April 12<sup>th</sup> to lobby in support of retaining the Mt. Bullion CYA Camp; and he advised that the Assembly Sub-Budget Committee will consider the CYA budget on April 21<sup>st</sup>. He provided a copy of a draft cover letter to go with the Board's previously adopted resolution that supports retaining the Mt. Bullion CYA Camp, and the Board concurred with distribution of the letter.

Jim Petropulos, Public Works Director;

A) Approve Budget Action Transferring Funds from the Zone of Benefit Revolving Fund to the Don Pedro Wastewater Facility Project (\$260,980) (4/5ths Vote Required); Authorize the Purchase of 38.95-Acre Land Parcel 01-260-16 in the Amount of \$227,200 for the Purpose of Providing Necessary Land for a Portion of the Wastewater Facility; Authorize the County Administrative Officer to Sign All Documents Associated with the Purchase; Authorize the Public Works Director to Award a Contract to Mr. Michael Skenfield to Provide the Necessary Environmental Documentation for the Project in the Amount of \$26,280; and Authorize Public Works to Solicit Proposals and Award a Contract to a Yet to Be Determined Cultural Resources Consultant in an Amount Not to Exceed \$7,500

**BOARD ACTION:** Discussion was held with Jim Petropulos. Tom Guarino, County Counsel, requested that action include the findings that were made and outlined in Fred Solomon's memorandum for the \$2,500 difference in the fair market value and the purchase offer for the property. Fred Solomon responded to questions from the Board and advised that the funds being transferred for this project are being considered a loan, and they will be paid back from the USDA loan proceeds. He also responded to questions relative to contingencies for the offer of purchase and status of the USDA loan. Tom Guarino clarified for the record that there has been no discussion of eminent domain and he advised of review of the Williamson Act contract cancellation. Supervisor Bibby clarified that a formal lease will be drawn up for use of the property for grazing. (M)Balmain, (S)Bibby, Res. 04-141 was adopted approving the recommended actions, including the findings that were made for the difference between the fair market value and purchase offer for the property/Ayes: Unanimous. Jim commended his facilities staff, Dana Hertfelder and Fred Solomon for their work on the Don Pedro wastewater facility.

B) Status Report on Yosemite West Wastewater Facilities Project, Including an Update on the Proposition, Finances, and Public Response to Date

**BOARD ACTION:** Jim Petropulos provided a status report.

C) Authorize the Public Works Director to Sign Supplemental Lease Agreement No. 1 with the United States Department of Agriculture for the Purpose of Extending the Lease for the Helibase at Mariposa/Yosemite Airport for an Additional Three Years

**BOARD ACTION:** (M)Balmain, (S)Stetson, Res. 04-142 was adopted/Ayes: Unanimous.

Discuss and Provide Direction to Staff Regarding Prioritizing Projects for Proposition 40 Funds (County Administrative Officer)

**BOARD ACTION:** Mary Hodson, Deputy County Administrative Officer, presented the staff report. Supervisor Balmain requested that consideration be given to adding the Don Pedro equestrian/pedestrian trail system to the project list. Rich Begley/PWD-Deputy Director of Parks and Recreation, provided input relative to the development of the potential list of projects, and other grant funds that are available for projects under Proposition 40. Chairman Parker suggested that Board members discuss potential projects they would like to see on the list with Public Works and that the list come back for further consideration. Supervisor Bibby requested that the Parks and Recreation Commission review the draft list. Supervisor Stetson asked about restroom facilities for the amphitheater. Supervisor Pickard asked that consideration be given to funding the next phase of the Mariposa Creek Parkway project in the amount of \$100,000. Supervisor Parker asked that consideration be given to the Womack property across from Stroming Road for parking. Supervisor Pickard stated he would like to see more funding allocated to the Regional Recreation Complex. The Board concurred with providing more input to staff and having the list come back for further consideration. Supervisor Parker asked about the status of the Arts Park project. Jim Petropulos and Fred Solomon provided input and advised of a request for the Sesquicentennial/Butterfly event to be held at the Arts Park on April 24<sup>th</sup> and of concerns with keeping people off of the newly-planted lawn area. Supervisor Stetson noted that the amphitheater will be available and it was agreed that it be requested that the event be moved from the Arts Park.

Adopt a Resolution Authorizing County Counsel to Continue to Provide Legal Services on Behalf of Mariposa County to the Area 12 Agency on Aging Joint Powers Authority (JPA), First Five of Mariposa County (Prop 10 Commission), Mountain Valley Emergency Medical Services Agency, and the Yosemite Area Regional Transportation Systems (YARTS) JPA (County Counsel)

**BOARD ACTION:** (M)Pickard, (S)Stetson, Res. 04-143 was adopted/Ayes: Unanimous.

Review and Discuss Mid-Year Financial Analysis (County Administrative Officer)

**BOARD ACTION:** Mary Hodson, Deputy County Administrative Officer, presented the staff report, and discussion was held. Supervisor Pickard asked about the schedule for the FY 2004-05 budget.

**INFORMATION** – No action was necessary on the following:  
Information Hearing Schedule (Clerk of the Board)

**CONSENT AGENDA:**

- CA-1            Adopt a Resolution Certifying the Industrial Disability Retirement of Sheriff's Sergeant William Green, Effective March 14, 2004 (County Administrative Officer); Res. 04-125
  
- CA-2            Approve an Unemployment Compensation Services Agreement with TALX Corporation Doing Business as TALX UC eXpress and CPAAC (County Personnel Administrators Association of California) (County Administrative Officer); Res. 04-126
  
- CA-3            Authorize Chair to Sign an Agreement for Special Services with Liebert Cassidy Whitmore, Effective January 1, 2004 (County Administrative Officer); Res. 04-127

- CA-4 Adopt a Resolution Authorizing Chairman to Sign Agreement with Yosemite Area Regional Transportation System (YARTS) Joint Powers Authority (JPA) to Continue Providing Round Trip Transit Services from Mariposa County to Merced Junior College, as well as Providing Transportation for Cal WORKs Participants (County Counsel); Res. 04-128
  
- CA-5 Adopt a Resolution Authorizing the Sheriff to Sign a Contract to Participate in Boating Safety and Enforcement Financial Aid Program for Fiscal Year 2004-05 (Sheriff); Res. 04-129
  
- CA-6 Approve Budget Action Transferring Funds Between Various Accounts within the Sheriff's Budget to Adjust Salary Accounts (\$77,277) (Sheriff); Res. 04-130
  
- CA-7 Authorize Chair to Sign a Service Contract with Ivers and Alcorn Funeral Home for Coroner Transport Services (Sheriff); Res. 04-131
  
- CA-8 Adopt a Resolution Authorizing an Application to Receive Funding in the Amount of \$527,237, through the U.S. Department of Justice – Office on Violence Against Women (OVW) for Mariposa County to Redevelop the Family Violence Response Team (MCFVRT) for Grant Year 2004-2006 (District Attorney); Res. 04-138, with direction to correct the dates of the grant in the staff report.
  
- CA-9 Approve Renewal of Service Agreement with Hewlett-Packard for Extended Warranty and Service of Office Computer Equipment at a Monthly Cost of \$245.60 (Child Support Services Director); Res. 04-132
  
- CA-10 Adopt a Resolution Authorizing Chair to Sign Agreement for the Rental of Facilities for the Mariposa County Health Information Fair on April 29, 2004, in the Amount of \$85 at the Best Western, Yosemite Way Station, LLC Conference Room, and to Provide Proof of Insurance Coverage (Health Officer); Res. 04-133
  
- CA-11 Approve Using Funds in the Technical Services Budget Unit that were Approved for an Email Server, to Instead Purchase a Replacement Printer for the Building Department (\$2,500) and Replacing the Department of Public Works Server (\$8,000) (Technical Services Director); Res. 04-134
  
- CA-12 Adopt a Resolution Authorizing Mariposa County Employees to Donate Vacation and/or Compensatory Time to Dan Marszalek, Maintenance Worker II in the Road Division of Public Works (Public Works Director); Res. 04-135
  
- CA-13 Authorize Fleet Services to Purchase Replacement Loaders Approved in 2003-2004 Budget at a Higher Cost Due to New Emission Requirements (Public Works Director); Res. 04-139
  
- CA-14 Approve Conformed Copies of Resolutions Relative to the Proposition 218 Process and the Yosemite West Wastewater Facilities Project for Resolution No. 04-88/Proposition 218 Process; No. 04-89/Intent to Form Assessment District 01-1 – Yosemite West Wastewater Facilities Project; and No. 04-90/Preliminarily Approving the Engineer's Report, to Incorporate Final Changes in the Documents (Public Works Director); Res. 04-136; 04-144; and 04-145

CA-15            Adopt a Resolution Approving the Statement of Votes Cast as Certified to the Secretary of State on March 2, 2004, and Declare Elected Those Persons in Local Races as set out in the Statement (County Clerk/Registrar of Voters); Res. 04-137

**3:40 p.m.** Adjournment in memory of Judith Patricia “Irish” Forbes, Frances “Dora” Johnson, Marilyn DeCaro, Gary Irwin Law, William Donald Williams, CM “Curly” Dierksen, Kent Stoel, Lavonne Campbell, Clarence Benson, Mary Kenney, and John Fiske.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA April 13, 2004



Time      Description

**9:07 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda

- Paul Chapman expressed concern with the agenda item to amend the contract with Fred Solomon for additional costs for the recreational sports complex and with the amount of work that is contracted to Fred versus being done by Public Works; and with the item to apply for a GPS system for the Airport, and he asked how many pilots are rated to use the system. Supervisor Pickard noted that he feels outsourcing this work is of a benefit to the County.

Board Information:

- Supervisor Pickard advised that he and Supervisor Bibby and Bob Kirchner from the Mt. Bullion CYA Camp met at the Capital with Sub-budget 4 Committee members of the Assembly relative to retaining the Camp. He noted that they also met with Assemblyman Cogdill and Senator Poochigian, and that Assemblyman Cogdill will try to get the April 21<sup>st</sup> agenda item to consider the CYA budget postponed to allow time to meet with the Agency Secretary and the Secretary of Resources and a representative of the Governor to try and find a solution to keep the Camp open. Supervisor Bibby complimented the County's lobbyists for their assistance in this matter. She also noted that they would welcome any specific questions that they could present during this process. Supervisor Parker asked about Congressman Radanovich's visit to the Camp last week. Supervisor Pickard commented on the visit, along with representatives and staff from CYA and the press, and he advised that Congressman Radanovich is in support of the Camp.
- Supervisor Stetson thanked Supervisors Bibby and Pickard for their efforts to retain the CYA Camp; and he advised of the Yosemite West meeting scheduled for April 19<sup>th</sup> at the Wawona Community Center.
- Supervisor Bibby advised of plans to attend the Mother Lode Work Force meeting in Sonora on Wednesday, the Air Resource Study Agency meeting in Fresno on Thursday, and the CYA Citizens Advisory Group meeting at the Mt. Bullion Camp on Friday.
- Chairman Parker advised of the workshop scheduled on the Board's agenda for Monday, April 19, 2004, at 2:00 p.m. to discuss road issues and he invited the public to participate.

Dick Kunstman advised that the Bass Lake Ranger District will be conducting a field trip to the Sunny Meadows Fuel Reduction project on April 29<sup>th</sup> and he invited the Board members to participate.

Jim Petropulos, Public Works Director, advised of his contact with Congressman Radanovich's Office relative to legislation for TEA-21 funding, and he advised that he will keep the Board informed of the status of this funding.



Garry R. Parker, Board of Supervisors Chairman;  
Proclaim the Month of April 2004, as “Sexual Assault Awareness Month” and April 21, 2004, as  
“Denim Day”

**BOARD ACTION:** (M)Bibby, (S)Stetson, the Proclamation was approved and presented to Chevon Kothari/Executive Director, and Cindy Robles, representing Mountain Crisis Services/Ayes: Unanimous. Chevon thanked the Board for the proclamation and presented “Why Denim” buttons, and she thanked Supervisor Pickard for assisting with the Safe at Home event on Saturday.

Approval of Minutes 3-23-04, Regular Meeting

**BOARD ACTION:** Approved.

Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Supervisor Parker pulled item 13. (M)Pickard, (S)Bibby, the balance of the items were approved/Ayes: Unanimous.

Supervisor Parker initiated discussion relative to item 13 and whether it affects funding requested for the reorganization in the Auditor’s Department. Supervisor Pickard asked whether the request could be held pending the budget hearing process or for review of the reorganization request. Mary Hodson, Deputy County Administrative Officer, advised that she did not feel there would be a problem holding this matter. Supervisor Bibby requested that the matter be continued to later today for discussion with the Auditor, and the Board concurred.

Supervisor Balmain asked about the costs for item 12. Marjorie Wass, Treasurer/Tax Collector, and Keith Williams, Assistant Treasurer/Tax Collector, responded to questions relative to the costs for the upgraded postage machine and software.

Tom Guarino, County Counsel;

Waive First Reading and Introduce Ordinance Amending Section 10.08.020 of the County Code, Formally Establishing a “No Parking” Area at the Location of State Highway 49 South and Whitmore Drive to Alleviate Congestion Caused by Uncontrolled Parking

**BOARD ACTION:** Discussion was held with Tom Guarino, and the matter was continued for discussion with Public Works later this date.

Mary Williams, Community Services Director;

A) Authorize Community Services Director to Sign Area 12 Agency on Aging Amended Agreements for 2003-2004, Reducing Restaurant Meals Funding for Projected Meals (\$5,162) and Increasing Home Delivered Funding for Projected Meals (\$4,912), and Approve Budget Actions Adjusting Budgets (4/5ths Vote Required)

**BOARD ACTION:** Following discussion with Mary Williams, (M)Balmain, (S)Pickard, Res. 04-153 was adopted/Ayes: Unanimous.

B) Authorize Community Services Director to Sign an Amended Agreement with the Area 12 Agency on Aging Approving Additional Funding for the Assisted Transportation, Northside Services; and Approve Budget Action Increasing Revenue (\$15,514) for Transit Services and Transferring Funds between Various Accounts (4/5ths Vote Required)

**BOARD ACTION:** Discussion was held with Mary Williams and Mary Hodson/Deputy County Administrative Officer. (M)Pickard, (S)Balmain, Res. 04-154 was adopted/Ayes: Unanimous.

Cheryle Rutherford-Kelly, Human Services Director;

Approve Inpatient Psychiatric Services Agreements between BHS Heritage Oaks, Inc. dba Heritage Oaks and Mariposa County Behavioral Health and Recovery Services and between BHC Sierra Vista Hospital, Inc. dba Sierra Vista Hospital and Mariposa County Behavioral Health and Recovery Services; Approve Agreement between County of Tuolumne, through its Tuolumne General Hospital and Mariposa Behavioral Health Center (MBHC) to Provide Medically Necessary Psychiatric Inpatient Services; Approve Agreement between County of Mariposa dba Mariposa County Behavioral Health and Recovery Services and Merced Manor dba Merced Behavioral Health Center for the Provision of

IMD/Special Treatment; Approve Lease Agreement with Gordon and Shelly Dulcich; Approve First Amendment to Commercial Lease between County of Mariposa and Yosemite Management Group, LLC; and Authorize the Human Services Director or the County Administrative Officer to Sign the Agreements

**BOARD ACTION:** Chairman Parker advised that this matter was pulled and continued to April 20<sup>th</sup>.

**9:45 a.m.** CLOSED SESSION: Conference with Legal Counsel; Existing Litigation: California Government Code Section 54956.9(a); Mike Bird v. County of Mariposa, et al (County Counsel)

**BOARD ACTION:** (M)Pickard, (S)Balmain, the closed session was held/Ayes: Unanimous.

**10:07 a.m.** Recess

**10:17 a.m.** The Board reconvened in open session, and Chairman Parker announced that direction was given to staff as a result of the closed session.

Doug Balmain, Board of Supervisors Vice-Chair;  
Presentation by Ted Hogan, President of Yosemite Valley Railroad Co. and Discussion of High Speed Rail through Merced

**BOARD ACTION:** Ted Hogan advised that he is present as a member of the Merced High Speed Rail Committee, and he asked for support of the Committee. He provided information relative to consideration of routes for a high speed rail and of the elimination of the Altamont Pass route. He referenced the fax received from Rudy Trevino, Mayor of the City of Atwater. Supervisor Bibby provided input on her conversation with Mr. Trevino. Tom Guarino, County Counsel, advised that this matter was not scheduled for action, and that direction could be given to staff. Discussion was held. Ted advised that he would like an opportunity to have members of the Committee come to the Board with more information. Supervisor Stetson commented on the meetings he attended in Merced and Fresno on this issue, and he stated he feels there should be an environmental review of the Altamont Pass route. Supervisor Parker suggested that the Committee provide information on the proposal to the San Joaquin Valley Regional Association of California Counties and to the Great Valley Center. Supervisor Pickard requested that a written copy of the Merced High Speed Rail Committee's recommendation be provided to the Board for further consideration. Supervisor Balmain will work with Ted Hogan to bring the matter back and to have members of the Committee present.

Consent Agenda item 13 – Discussion was held with Ken Hawkins, Auditor, relative to request for software training with HTE. (M)Bibby, (S)Stetson, to approve the request. Further discussion was held relative to the request, whether other departments would benefit from HTE training here, and whether the request should be considered with the final budget hearing process. Supervisor Parker requested that possibility of coordinating the training with other departments be reviewed with Administration. Ayes: Stetson, Balmain, Bibby; Noes: Parker, Pickard. Mary Hodson, Deputy County Administrative Officer, clarified that the motion requires a 3/5ths vote. Supervisor Balmain changed his “aye” vote to “no”, and the motion failed.

**10:56 a.m.** Recess

**11:10 a.m.** Discussion was held with Dana Hertfelder/Assistant Public Works Director, relative to the request for establishing a “No Parking” area at the location of State Highway 49 South and Whitmore Drive to alleviate congestion caused by uncontrolled parking. Discussion was held relative to obtaining an encroachment permit from CalTrans for the signs, whether the request was presented in writing, and whether CHP has been contacted on this matter. It was agreed that Supervisor Pickard would work with staff to try to resolve this matter.

Supervisor Parker asked about the status of the review of placing a stop sign at Sierra Pines and Clouds Rest in Lushmeadows. Dana Hertfelder advised of their study on this issue.

Jim Petropulos, Public Works Director;

A) Adopt a Resolution Amending the Professional Services Agreement with Fred Solomon for the Recreational Sports Complex

**BOARD ACTION:** Discussion was held with Jim Petropulos relative to the request and the status of meeting the terms and conditions of the agreement with the First Baptist Church. (M)Pickard, (S)Bibby, Res. 04-155 was adopted approving the agreement. Supervisor Bibby asked that the motion include a condition that the waiver of the insurance is contingent upon review of the Risk Manager. Tom Guarino, County Counsel, noted that the amendment in the amount of \$10,000 could be approved today, with the waiver of insurance being subject to approval by the County Administrative Officer and the County Counsel. The motion was amended, agreeable with the maker and second, to include the waiver of the insurance as noted by County Counsel. Supervisor Pickard asked that future agenda items include consideration of waiving the insurance condition, if it is applicable. Ayes: Unanimous.

B) Authorize Public Works to Apply for Global Positioning System (GPS) Instrument Approach at the Mariposa/Yosemite Airport from the Federal Aviation Administration

**BOARD ACTION:** Discussion was held with Jim Petropulos, and he advised that the Airport Advisory Committee is aware of the request. (M)Balmain, (S)Stetson, Res. 04-156 was adopted approving the request/Ayes: Unanimous.

**11:39 a.m.** CLOSED SESSION: Conference with Legal Counsel for a Case Relative to Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel) and

**BOARD ACTION:** (M)Bibby, (S)Stetson, the closed session was held/Ayes: Unanimous.

**12:27 p.m.** Chairman Parker announced that direction was given to staff as a result of the closed session.

### **CONSENT AGENDA:**

- CA-1 Approve Rental Agreement in the Amount of \$850 Between the 35-A District Agricultural Association and the Mariposa County Board of Supervisors for the Sons of the San Joaquin Concert and Barbecue During the Sesquicentennial Celebration and Authorize Chairman's Signature on Agreement (County Administrative Officer); Res. 04-146
- CA-2 Approve Budget Action Transferring Funds within the Board of Supervisors' Budget Unit from the District 4 Travel Account to the District 1 Travel Account to Cover Unanticipated Travel Expenditures for the National Association of Counties (NACo) Conference (\$1,000) (County Administrative Officer); Res. 04-147
- CA-3 Re-Appoint Gale Banks, Chuck Jones, Susan Baker, and Roger Soulanille to the Wawona Town Planning Advisory Committee (Supervisor Pickard)
- CA-4 Re-Appoint Catherine Collamer, Marty Acree, Ron Skelton, Dennis Waheed, Martha Lee, Brian Grogan and Gail Dreifus to the El Portal Town Planning Advisory Committee (Supervisor Stetson)
- CA-5 Re-Appoint Robert Woolard, Louise Bond and Kenneth LeBlanc to the Yosemite West Planning Advisory Committee (Supervisor Stetson)
- CA-6 Re-Appoint Carol Davis, Don Fox, Charles Lammers, Douglas Chappell, Nancy Jones, Lucy Anne Otto, and Jerry Progner to the Midpines Community Planning Advisory Committee (Supervisor Stetson)

- CA-7 Accept the Resignation of Barbara Miranda and Mark Butler from the Midpines Community Planning Advisory Committee (Supervisor Stetson)
- CA-8 Authorize the Community Services Director to Sign Rental Agreement in the Amount of \$242 with 35-A District Agricultural Association for the Annual Senior Exposition and Health Fair Scheduled for May 7, 2004 (Community Services Director); Res. 04-148
- CA-9 Approve Budget Action Transferring Funds within Fund 335 to Cover Additional Program Expenses for the Weatherization and Community Services Block Grant Programs (\$24,650) (4/5ths Vote Required) (Human Services Director); Res. 04-149
- CA-10 Approve Budget Action Transferring Funds within Fund 332 to Cover Additional Program Expenses for the Section 8 Housing Choice Voucher Program (\$61,223) (Human Services Director); Res. 04-150
- CA-11 Adopt a Resolution Authorizing Public Works to Advertise for Liquid Petroleum Gas Heating Fuel for County Facilities; Award the Contract to the Lowest Responsible Bidder; and Authorize the Public Works Director to Execute the Agreement (PublicWorks Director); Res. 04-151
- CA-12 Authorize Chairman to Sign Agreement with Pitney Bowes for Upgraded Postage Machine and Software (Treasurer/Tax Collector); Res. 04-152
- CA-13 Approve Budget Action Transferring \$4,900 in Appropriations from Salary Savings Resulting from Staff Turnover and Applying those Savings toward Payment for Software Training from the County's Software Provider, Sungard HTE, Inc., and Approve Contract with HTE to Provide this Training (Auditor); Motion to approve the request failed

**12:28 p.m.** The meeting was recessed in memory of Fletcher Augustine Favier and Richard George Kleinsmith, and was continued to Monday, April 19, 2004, at 2:00 p.m. for workshop and discussion initiating amendment to Mariposa County Road Improvement and Circulation Policy to create county road frontage improvement requirements for minor subdivisions.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS



### CONFORMED AGENDA

April 19, 2004

(Continued from 4-13-04)

Time                      Description

**2:12 p.m.** The Board met in continued session from April 13, 2004.

Sarah Williams, Interim Planning Director;  
Workshop and Discussion Initiating Amendment to Mariposa County Road Improvement and Circulation Policy to Create County Road Frontage Improvement Requirements for Minor Subdivisions. Action will Authorize Staff to Process the Amendment and Schedule Future Public Hearings

**BOARD ACTION:** Sarah Williams advised that this workshop was scheduled to discuss development impacts on narrow County-maintained roads, and she reviewed the staff report. Supervisor Parker advised of a suggested alternative to have a fee for when a building permit is pulled to address development of existing parcels and the impacts on the narrow County-maintained roads. He further suggested that consideration be given to setting aside one million of the 1.6 million dollars that the County contributes from the General Fund to road maintenance annually for improving County-maintained roads on a countywide basis to mitigate the impacts of development on those roads. Sarah commented on the CEQA requirements and how this alternative would work. Supervisor Bibby asked about assessments for commercial versus residential development, and whether consideration could be given to constructing dirt pull-outs on the narrow roads in the interim of improving the roads. Supervisor Pickard asked about establishing a policy to preserve our rural quality and lifestyle with the narrow, winding roads, and have it take more to trigger an impact. Supervisor Bibby commented on the traffic impact study for Old Highway and areas of concern that it did not address. It was noted that it needs to be determined as to whether the improvements are keeping up with the development that is occurring; and if not, what programs and what level of improvements are appropriate for the County. Discussion was held. Supervisor Stetson asked whether the proposal to take one million dollars would take away from the maintenance that is currently being done with that funding.

Input from the public was provided by the following:

- Frank Long stated he feels that a simple problem is being made difficult. He stated he thought this issue came up because the lot splits are impacting the roads. He noted the Old Highway needs maintenance. He stated he agrees that when someone subdivides property, they make a profit and they create an impact and should pay for it. He stated he does not agree that transient occupancy tax should be used – when someone stays in Yosemite, they should not have to pay for someone to subdivide property. He stated he feels that lot splits on private roads also need to be addressed as they will impact the public roads. He commented on the other alternatives that were provided in the staff report, and he stated he does not feel that there is any such thing as a “fair tax.”
- James Upperman referred to a June 1995, Modesto Bee story relative to imposing permit fees on development. He stated he feels that by allowing five-acre zoning, the impacts should have been considered. He also stated he feels that consideration could be given to imposing a toll on roads such as Dog Town Road that has impacts from off-road vehicle traffic. He stated he feels that some people are subdividing because they are scared about zoning changes. He expressed concern with the potential for lawsuits. He stated he feels that everyone that has submitted an application for a minor subdivision should be allowed to continue with the process; and then a public forum could be held on how to address these roads.

- Ken Melton stated he feels that Supervisor Parker's proposal is excellent, and that the other alternatives have problems. He stated he agrees with all of the comments made by the Board; and he agrees with addressing the "threshold" issue now.
- Don Starchman stated he feels that Supervisor Parker's proposal is as close as you can get. He referred to a commercial development that he worked on twenty-years ago and the problems that were encountered with the frontage improvements that were going to be required. He stated he feels that the Board is headed in the right direction with this.
- Donn Harter, of Fish Camp, stated he agrees with the comments provided by Supervisor Pickard and the actions being considered. He feels that the people that are developing should pay for the improvements. He express concern with bringing the roads up to standard. He referred to a road that is nine-feet wide that serves an education camp and a motel. He also noted that the existing paved roads need to be maintained.
- Peter Thomas asked that the Board allow projects that are already in process to continue and to be exempt from any future requirements. Chairman Parker clarified that the Board is not placing a hold on any project; and he advised that the subject of projects in progress is scheduled to be discussed on April 20<sup>th</sup>. Sarah noted that a finding will need to be made for each application that is being reviewed.
- Mark Lamb commented on his measurements of Dog Town Road, and he noted that narrow roads have existed in the County for years and have not created a problem. He commented on the timeframes for processing his application and stated he does not feel he should be penalized if responses are not received timely. Sarah provided input on the timeframes for processing subdivisions and of the status for this application.
- Gene Mickel stated he does not feel that the parcels create road impacts, that people do. He asked if there is a fee for every parcel how it would be equalized for people who build two homes on one parcel. He stated he agrees with the proposal for a fee on each building permit. He also noted that the County does not have a requirement for business licenses. Supervisor Bibby commented on the consideration of establishing business license requirements in the General Plan Update, she noted that the visitors to the County also use the County roads, and she expressed concern with the proposal to use one million dollars of the 1.6 million because we are not getting ahead with the road maintenance. Gene stated he thought that part of the transient occupancy tax increase was going to be used for road maintenance.

Supervisor Parker stated he agrees with having a different fee for commercial versus residential development, but is not sure about home enterprise. Supervisor Pickard advised of his work with the County Administrative Officer to try to get more projects accomplished with the road maintenance funds and of concerns with continuing with ongoing maintenance if one million dollars is taken from the annual contribution to the Road Fund. Sarah commented on including CDF in establishing the minimum thresholds to meet the PRC 4290 standards and addressing those roads that existed prior to 1992. Further discussion was held relative to these issues and the options for addressing the funding. Supervisor Bibby requested that staff bring back information on the costs for an average residential building permit.

- James Upperman provided additional input relative to parcel fees and maintenance of pedestrian/equestrian trails and toll charges. He asked if a road is widened, if the paving could be deferred.
- Ken Melton commented on the County's responsibility to maintain roads; and he stated he does not feel that the options should be used to cover the estimated 22 million dollar deficit to bring County roads up to current road standards, but as a supplement. He also stated he feels the PRC 4290 regulations only apply to roads constructed after its implementation and not to pre-existing roads. He also stated he finds it interesting that subdivisions have been allowed since 1972 and now projects are being turned down because of something that was implemented without a policy change by the Board.

Further discussion was held. Supervisor Parker clarified that the proposal is to address cumulative impacts. The Board concurred with directing staff to work on the proposal presented by Supervisor Parker and to come back with a recommended building permit fee to

cover the development impacts. Supervisor Bibby requested that the County Administrative Officer bring back information on what the impact will be if one million of the 1.6 million dollar contribution from the General Fund to the Road Fund is used for this proposal. Supervisor Parker noted that a workshop still needs to be scheduled to discuss zone of benefit issues.

**3:51 p.m.** Adjournment

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA April 20, 2004



Time                      Description

**9:13 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Garry R. Parker, Board of Supervisors Chairman;

A) Proclaim the Week of April 18<sup>th</sup> through 24<sup>th</sup>, 2004, as “Week of the Young Child” in Recognition of National Week of the Young Child;

B) Proclaim April 26<sup>th</sup> through May 2, 2004, as “Mariposa – Clean and Proud” Week; and

C) Proclaim May 7, 2004 as, “Child Care Provider Appreciation Day”

**BOARD ACTION:** (M)Stetson, (S)Balmain, the three proclamations were approved/Ayes: Unanimous. The “Child Care Provider Appreciation Day” proclamation was presented to Connie Nielson, Coordinator for the Mariposa Local Child Care Planning Council. The “Week of the Young Child” proclamation was presented to Angie Steele, representing Child Care Resource and Referral. The “Mariposa – Clean and Proud” proclamation was presented to Chris Todd and Norm Murrell, representing the Clean and Proud Committee. Chris and Norm advised of the activities planned for May 1<sup>st</sup>.

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda

- Lyle Turpin commented on the removal of the County from the San Joaquin Valley Air Pollution Control District. Supervisor Pickard announced that the resolution for the change in the designation of the County back to the Mountain Counties Air Pollution Control District was officially signed last Thursday while he was at the Regional Council of Rural Counties (RCRC) meeting. Supervisor Stetson commended the Health Department for their efforts in this matter.
- Dr. Mosher, County Health Officer, advised that grant funds that were given to the County to address emissions and ozone problems were used to purchase a hybrid vehicle for use in the Department. The vehicle operates with an electric and gasoline motor.

**9:27 a.m.** **CLOSED SESSION:** Conference with Legal Counsel for a Case Relative to Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel); and

**CLOSED SESSION:** Conference with Legal Counsel; Existing Litigation: California Government Code Section 54956.9(a); Mike Bird v. County of Mariposa, et al (County Counsel)

**BOARD ACTION:** (M)Bibby, (S)Stetson, the closed sessions were held following the recess/Ayes: Unanimous.

**9:28 a.m.** The Board recessed to look at the hybrid vehicle being used by the Health Department.

**9:40 a.m.** The Board convened in closed session.

**9:51 a.m.** The Board reconvened in open session. Chairman Parker announced that County Counsel will make a public report as a result of the closed session matters after the following items.

Board Information – none.



Approval of Minutes 4-6-04, Regular Meeting

**BOARD ACTION:** Approved.

Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Supervisor Balmain pulled item 2 and asked what the reference to “FBO” means. Jim Petropulos, Public Works Director, advised that he will check on this abbreviation and let the Board know. (M)Pickard, (S)Balmain, all items were approved/Ayes: Unanimous.

Tom Guarino, County Counsel;

A) Discussion and Possible Action Relative to Extending the Lease Agreement for the Offices of the Agricultural Commissioner and Farm Advisor

**BOARD ACTION:** Discussion was held. Gary Hickman, Farm Advisor, provided input and advised of the agreement with the Fair to add 1,000 square feet to the building from a grant, and he noted that no work has been done. In the interim, he advised that the Agricultural Commissioner has discussed with the Fire Chief the possibility of relocating to the Airport. Cathi Boze, Agricultural Commissioner, provided input and advised of the need for additional space. Brian Bullis, Fair Manager, advised that the grant award for the building addition was received on January 29, 2004, and that they need a five year contract to repay the loan. Supervisor Pickard requested that information come back to the Board, including a proposal for looking at a long-term lease at the Fairgrounds and information relative to the status of the facilities at the Airport. Tom Guarino recommended that the existing lease be renewed with a condition that the agreement would be modified to reflect the additional space to be constructed. Supervisor Balmain requested that paragraphs 24, 29, and 30 of the agreement be reviewed. (M)Pickard, (S)Stetson, Res. 04-163 was adopted approving the renewal of the existing lease agreement as recommended by County Counsel. Chairman Parker requested that the County Administrative Officer work with the affected departments and come back with a report and recommendation on the issues that were discussed. Ayes: Unanimous.

B) Request for Direction from the Board of Supervisors to County Counsel Relative to the Retention of Appellate Counsel and Discussion Relative to Appeal (Bird v. County of Mariposa)

**BOARD ACTION:** Chairman Parker advised that County Counsel will give a report as a result of the closed session on this matter and the following matter. Tom Guarino advised that a closed session was held due to the noticing of an appeal of the Court’s action on this matter. He reviewed the history and Court actions on this case and advised that the County has incurred \$38,000 in costs, plus staff time to this point in defending the case. Discussion was held relative to the costs and the portion the County is attempting to recover. Rich Inman, County Administrative Officer, advised that the recommended action includes an appropriation of \$25,000 from the Insurance Liability Fund for the appellate costs to defend this appeal. (M)Stetson, (S)Pickard, Res. 04-164 was adopted authorizing County Counsel to retain appellate counsel as necessary for the defense of the County, and appropriating \$25,000 as recommended for the costs to defend this appeal/Ayes: Unanimous.

C) Adopt a Resolution Authorizing an Amendment to the Parsons NBA, Inc. Contract for Services; Approve Budget Action Reducing General Contingency and Increasing Appropriations in Planning for the Completion of the General Plan (\$38,000) (4/5ths Vote Required)

**BOARD ACTION:** Tom Guarino provided input relative to the status of the contract with Parsons and the public comments by the Auditor relative to payments made on amendments to the contract that were not approved by the Board, but signed by the former Planning Director. He recommended that the Chairman be authorized to sign an amendment to the agreement with Parsons and advised that the amendment will incorporate the change in the business name for Parsons, with the final language of the amendment to be subject to approval by County Counsel. He advised that this amendment will settle and cure any questions as to whether prior expenditures were authorized. He recommended that direction be given to Planning and Administration for the final process of the General Plan Update as outlined in the memorandum. Discussion was held relative to the process and distribution of the document for review; and discussion was held relative to the request for funding to complete the process. (M)Pickard,

(S)Stetson, Res. 04-165 was adopted authorizing the amendment to the contract with Parsons, as recommended; direction was given to Planning and Administrative staff for the final process of the General Plan Update as recommended; and the budget action was approved as recommended. The motion was clarified to reflect that the budget action is not to exceed \$38,000. Ayes: Unanimous.

Ken Melton noted that he has purchased two copies of the document already, and questioned whether he would have to pay for a third version. Further discussion was held relative to distribution of the document.

Bob Pickard, Supervisor District V;

Discussion with Dave Martin, District Ranger Bass Lake Ranger District Sierra National Forest, Relative to the Future of Forest Service Presence at the Visitor's Bureau Office

**BOARD ACTION:** Dave Martin advised of the staffing and funding issues that the Forest Service is facing. He advised of the current staffing at the Visitor's Bureau Office and of his efforts to discuss staffing with all people that they can partner with for the various visitor's centers. He advised that they have a new Forest Supervisor, Ed Cole, starting June 1<sup>st</sup>. He requested that the Board consider sending something in writing that explains what the Forest Service presence means here; and he asked that the Board designate a contact to work with through this process. He also noted that there are no anticipated changes in fire suppression. The Board concurred with having Supervisor Pickard continue with his efforts to work on this issue. Supervisor Stetson also offered his assistance. Supervisor Pickard advised that he would bring a letter back for the Board to take action to continue to support the Forest Service presence here.

**10:54 a.m.** The three public hearings scheduled for 11:00 a.m. by the Planning Department were opened and continued until after the following items, and the Board recessed.

**11:10 a.m.** Cheryle Rutherford-Kelly, Human Services Director;

Approve Inpatient Psychiatric Services Agreements between BHC Heritage Oaks, Inc. d.b.a. Heritage Oaks, Inc. d.b.a. Heritage Oaks and Mariposa County Behavioral Health and Recovery Services and between BHC Sierra Vista Hospital, Inc. d.b.a. Sierra Vista Hospital and Mariposa County Behavioral Health and Recovery Services; Approve Agreement between County of Tuolumne, through its Tuolumne General Hospital and Mariposa Behavioral Health Center (MBHC) to Provide Medically Necessary Psychiatric Inpatient Services; Approve Agreement between County of Mariposa d.b.a. Mariposa County Behavioral Health and Recovery Services and Merced Manor d.b.a. Merced Behavioral Health Center for the Provision of IMD/Special Treatment; Approve Lease Agreement with Gordon and Shelly Dulcich; Approve First Amendment to Commercial Lease between County of Mariposa and Yosemite Management Group, LLC; and Authorize the Chairman to Sign the Agreements

**BOARD ACTION:** Supervisor Pickard advised that there were typographical corrections to be made.

(M)Pickard, (S)Stetson, Res. 04-166 was adopted/Ayes: Unanimous.

Garry R. Parker, Board of Supervisors Chairman;

Discussion and Direction Concerning Pending Planning and Public Works Projects and Standards Being Applied to Evaluate and Process These Projects

**BOARD ACTION:** Supervisor Parker initiated discussion and advised of efforts to have a smooth process, and to reiterate the Board's direction that projects be processed with current rules and regulations and not proposed changes. Supervisor Pickard suggested that this issue be included with the workshops. Supervisor Parker noted that a workshop still needs to be scheduled to discuss zone of benefit issues. Discussion was held relative to CDF's input during the subdivision process and again at the building permit process; and relative to input by Fish and Game. Sarah Williams, Interim Planning Director, commented on the pre-established mitigation measure system that Tuolumne County uses as an option. She reviewed the status of the processing of the pending land division applications and the options the applicants have been given for continued processing. She also provided information on the option that was discussed during Monday's workshop. Tom Guarino, County Counsel, advised that the Board could give interim policy direction to make these options available to the applicants for continued processing.

Supervisor Balmain asked about the use of County funds for mitigating the issues, and Tom Guarino advised that he would need to review this issue.

Input from the public was provided by the following.

- Ken Melton stated he is happy to see this agenda item. He questioned the frontage improvements and stated he feels the Board should establish the fee before the option is given to the applicants. He also questioned the fairness of the frontage improvements as parcels have differing amounts of frontage to County roads and the impacts from the parcels is the same. He referred to the use of 18-foot road width by CDF as the County standard, and stated he has been trying for years to get something on the record that existing County policy will be followed.

Supervisor Bibby asked whether these issues have been reviewed by Public Works. Jim Petropulos, Public Works Director, provided input relative to his review of these issues. Chairman Parker suggested that later today the Board establish a workshop schedule. Following further discussion, (M)Pickard, (S)Bibby, direction was given to staff relative to making the options available to the applicants for continued processing of the land division applications, as discussed. Supervisor Bibby asked about looking at other mitigation measures such as speed reductions, etc. She asked for clarification of enforcement of deferred fees/indemnification or some other mechanism. Supervisor Parker asked whether pulling a building permit would be the trigger mechanism for the fees. Tom Guarino advised that a trigger mechanism could be linked to the impact for each project, and the Board concurred. Ayes: Unanimous. Supervisor Parker asked that the issue of timely recordation of maps be scheduled for a workshop, and he advised that the Board would schedule the next workshop later today.

**12:21 p.m.** Sarah Williams, Interim Planning Director;

A) PUBLIC HEARING to Consider General Plan/Zoning Amendment #2003-239 and Land Division Application #2003-240; Adopt Resolution Approving Project, Including a Negative Declaration; Waive First Reading and Introduce an Ordinance Amending Zoning Map Changing the General Plan Land Use Map and Official Zoning Map of the County for a Property Located One-Quarter Mile South of the Intersection of Chowchilla Mountain Road, Harris Cut-Off Road, and Leaning Pine Way, from Mountain General (MG) to Mountain Transition (MT); Assessor Parcel Number 15-350-046; Jon and Melinda Turcsanyi, Applicants

**BOARD ACTION:** Bill King, Senior Planner, presented the staff report. The public portion of the hearing was opened and there was no public input. The public portion was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to the State Firesafe Regulations requirement for a 2500 gallon water storage tank, and relative to appeal provisions for these types of conditions. Sarah Williams advised that the water storage tank language gives constructive notice that CDF reviews the building permits and may require the storage tank; however, it does not affect the subdivision. (M)Pickard, (S)Stetson, Res. 04-167 was adopted approving the project with the recommended findings, including a negative declaration; and the first reading was waived and an ordinance introduced amending the Zoning Map as recommended; with the removal of the water storage tank language in the conditions. The Clerk of the Board read the title of the ordinance into the record. Ayes: Unanimous. The hearing was closed.

B) PUBLIC HEARING to Consider General Plan/Zoning Amendment #2003-182; Adopt a Resolution Approving Project, Including a Finding that the Project is Exempt from Environmental Review; Waive First Reading and Introduce an Ordinance Amending the General Plan Land Use Map and Official Zoning Map of the County for a Property Located West of William's Peak Lookout at 7831 Hunters Valley Road from Mountain General (MG) to Agricultural Exclusive (AE); Assessor Parcel Number 007-090-021; Ronald Enos, Applicant

**BOARD ACTION:** Bill King, Senior Planner, presented the staff report. Staff responded to a question from the Board relative to the status of the Williamson Act contract. The public portion of the hearing was opened and there was no public input. The public portion was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to use of the parcel for the last three years, and whether any written objections were received regarding the project. (M)Balmain,

(S)Pickard, Res. 04-168 was adopted approving the project with the recommended findings, including a finding that the project is exempt from environmental review; and the first reading was waived and an ordinance introduced approving the project's changes to the General Plan Land Use Map and the County's Official Zoning Map. The Clerk of the Board read the title of the ordinance into the record. Ayes: Unanimous. The hearing was closed.

C) PUBLIC HEARING to Consider General Plan/Zoning Amendment #2003-271, Land Division #2004-63, and Design Review #2003-272; Adopt Resolution Approving Project, and a Mitigated Negative Declaration; Waive First Reading and Introduce an Ordinance Amending the General Plan Land Use Map and Official Zoning Map for the Project Site from Mountain Home (MH) to Public Sites (PS); Approving a Land Division and the Construction of a Park-n-Ride Lot for a Property Located at 5033 Colorado Road, Midpines, on the Southwest Side of the Highway at the Intersection of State Highway 140 and Ponderosa Way (Northwest of the Midpines Post Office); Assessor Parcel Number 8-400-023; Yosemite Area Regional Transportation System, Applicant

**BOARD ACTION:** Bill King, Senior Planner, presented the staff report. Staff responded to a question from the Board as to whether any comments were received on this project. The public portion of the hearing was opened and no input was received. The public portion was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to comments contained in correspondence that was received relative to visibility and the possible removal of trees and whether any changes were made in the project; relative to maintenance, including trash removal and restrooms and their location; what happens to the site if YARTS goes away; plans for water for the site; what will happen if the property is not suitable for the project due to archaeological resources; and relative to the condition to minimize exposure of diesel fumes from sensitive receptors such as the lobby of the Post Office. (M)Stetson, (S)Pickard, Res. 04-169 was adopted approving the project with the recommended findings, including a mitigated negative declaration; and the first reading was waived and an ordinance introduced approving the project's changes to the General Plan Land Use Map and the County's Official Zoning Map. The Clerk of the Board read the title of the ordinance into the record. Ayes: Stetson, Balmain, Parker, Pickard; Noes: Bibby. The hearing was closed.

**12:50 p.m.** Recess

**1:06 p.m.** Chairman Parker initiated discussion relative to scheduling a workshop as a result of the earlier discussion on development impacts on narrow County-maintained roads and relative to zone of benefit issues. The Board concurred with scheduling the workshop for May 4<sup>th</sup> at 2:00 p.m.

Jim Petropulos, Public Works Director;

A) Direction Relative to the Disposition of Eight Ground Leases with Improvements at the Mariposa/Yosemite Airport due to Expire on December 31, 2004

**BOARD ACTION:** Discussion was held with Jim Petropulos, and he advised of the letter received from Eric Gourley on this matter. Discussion was held relative to possible funding sources for purchasing the hangars; the value of the land that the hangars occupy; the history of these hangars and the charges; relative to obtaining a recommendation from the Airport Advisory Board; and options for dealing with the hangars – remove them, continue with the lease, or have the County purchase them. Supervisor Balmain suggested that Public Works explore a reversion clause with the hangar owners; and he requested that the hangars on the Northside of the Airport be looked at to determine if they are safe for continued use. Supervisor Parker suggested that the agreements include a clause that does not allow for subleasing. Supervisor Bibby asked that this matter come back with additional information, including an inventory and condition of the hangars and whether they are subleased. Supervisor Pickard asked that consideration be given to working out a solution of mutual benefit for replacing the hangars that need to be replaced. Supervisor Balmain requested that the information that is brought back include terms of the existing contracts. The Board concurred with having this matter come back with the additional information that was requested.

B) Adopt the Policies, Procedures, and Authority for the Operation and Allocation of the Equivalent Dwelling Unit (EDU) Reserve Capacity for Yosemite West Wastewater Facilities Project  
**BOARD ACTION:** Discussion was held with Jim Petropulos, and he advised that this EDU reserve bank is for approximately 33 EDU's at a cost of about \$300,000 to the project. Discussion was held relative to clarifying the EDU information, including correcting the minimum price for an EDU in the attachment. Supervisor Parker suggested that the cost be higher for EDU's used for commercial operations versus residential. (M)Stetson, (S)Balmain, Res. 04-170 was adopted approving the policies, procedures, and authority for the operation and allocation of the EDU reserve capacity, with the changes as discussed/Ayes: Unanimous. Jim Petropulos advised that the EDU reserve may vary depending on the final allocation for existing uses. He further advised that an agenda item is scheduled for April 27<sup>th</sup> to establish a process for amending the assessments.

**CONSENT AGENDA:**

- CA-1 Authorize the Human Services Department to Apply to the State for a License Necessary to Manage the Driving Under the Influence (DUI) Programs; Authorize Mariposa County Human Services Department to Hold the License; and Authorize the Human Services Director to be Named Administrator for Program Direction (Human Services Director); Res. 04-157
- CA-2 Authorize Public Works to Enter into an Agreement with Borick Electric, Inc. in the Amount of \$32,875 to Provide Electrical Construction Work for the Rock House Remodel (Public Works Director); Res. 04-158
- CA-3 Adopt a Resolution Authorizing the Public Works Director to Sign a Funds Transfer Agreement with the State of California for the State Transportation Improvement Program (STIP Planning, Programming and Monitoring (PPM) Program for the Fiscal Year 2003-2004 (Public Works Director); Res. 04-159
- CA-4 Approve Budget Action Allocating Funds Between Fixed Assets Accounts and Materials, Services, and Supplies Accounts within the Fire Protection Budget Correcting the Classification of Funds from the Weapons of Mass Destruction/Terrorism Grant and Making Internal Adjustments in Services and Supplies Accounts (\$49,097) (Fire Chief); Res. 04-160
- CA-5 Authorize the Fire Chief to Apply for an On-Line Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant to Replace 70 Structure Protective Ensembles with a Ten Percent Match of \$14,000 (Fire Chief); Res. 04-161
- CA-6 Approve Budget Action Increasing Revenue and Appropriation for Senior Services by Accepting Unanticipated Revenue Donation of \$3,730 from Sierra Tel Business Systems (4/5ths Vote Required) (Community Systems Director); Res. 04-162

**1:48 p.m.** Adjournment in memory of Donald Carl Bushfield, Paul Dustin Chapin III, Syble M. Wright, Joseph Robert Hern, Thomas Palmer Herman, Barbara Locke, and Ann Gorman.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA April 27, 2004



Time                      Description

**9:07 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance  
Introductions

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda - none

#### Board Information

- Supervisor Pickard advised that he attended the San Joaquin Valley Regional Association of California Counties conference at Bass Lake last week, and there was a lot of discussion relative to pending legislation and the status of the State's budget. He noted that Supervisor Bibby also attended the conference.
- Rich Inman, County Administrative Officer, provided a status report on the State's budget and the projected impact to the County. Supervisor Stetson commented on the proposal to restore funding for covering mandated costs and to cap ERAF.
- Supervisor Bibby advised of the "Clean and Proud" activities scheduled for Saturday.

Jim Petropulos, Public Works Director;

Appoint a New Member to Fill a Vacancy on the Mariposa County Airport Advisory Committee

**BOARD ACTION:** Discussion was held with Jim Petropulos, and he advised of the receipt of four applications for the position. Discussion was held relative to the interest that was expressed for filling the vacancy and relative to increasing membership on the Committee to give all of the applicants an opportunity to serve. (M)Balmain, (S)Pickard, Jason Randal was appointed. Ayes: Unanimous. Direction was given to staff to bring back a resolution to allow for the appointment of additional members to the Committee.

Approval of Minutes 4-13-04, Regular Meeting

**BOARD ACTION:** Approved.

Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Chairman Parker noted that there was a correction submitted for the budget line item number for item 4. (M)Pickard, (S)Stetson, all items were approved/Ayes: Unanimous.

Lee Stetson, Supervisor – District 1;

Update by Tony Radanovich, Director, on the Rural Media Arts and Education Project (6<sup>th</sup> Street Cinema)

**BOARD ACTION:** Tony Radanovich provided a status report on their activities; and he thanked the Board for its support of the Rural Media Arts and Education Project. Supervisor Stetson commended Tony and staff for their efforts with this project.

Discuss and Provide Direction Relative to the Request of Keith M. Bertken Post #6042 Veterans of Foreign Wars to Participate in the Annual Mariposa County Memorial Day Ceremony on May 29, 2004 (Supervisor Parker)

**BOARD ACTION:** Discussion was held. Supervisor Pickard advised that he could participate in this ceremony. Supervisor Bibby offered to handle getting a wreath for presentation. The Board concurred.

**9:34 a.m.** CLOSED SESSION: Conference with Legal Counsel for Four Cases Relative to Initiation of Litigation Pursuant to Subdivision (c) of Government Code Section 54956.9 (County Counsel);  
CLOSED SESSION: Regarding Conference with County Labor Negotiator, Name of County Designated Representative: Rich Inman (County Administrative Officer); and  
CLOSED SESSION: Liability Claim Relative to Stan Pearce/Mariposa Photographic, Claim Number C04-3 (County Administrative Officer)

**BOARD ACTION:** (M)Balmain, (S)Bibby, the closed sessions were held following a recess, and the Public Works Director and Assistant Director were present for a portion of the session/Ayes: Unanimous.

**9:35 a.m.** Recess

**9:45 a.m.** The Board convened in closed session.

**10:52 a.m.** Lunch

**2:00 p.m.** Chairman Parker announced that action was taken by the Board to authorize County Counsel to initiate litigation on four cases with a vote of four “ayes” and Supervisor Parker voting “no”; direction was given to staff on the matter of conference with labor negotiator; and action was taken by the Board to reject Claim No. C04-3/Pearce-Mariposa Photographic.

Jim Petropulos, Public Works Director;

A) Adopt a Resolution Directing Corrections to Proposed Assessments, Assessment District No. 01-1 Yosemite West Wastewater Facilities Project

**BOARD ACTION:** Jim Petropulos introduced Steve Casaleggio, Bond Counsel with Jones Hall; and he advised that Ed Wilson of Wilson and Associates, and Dana Hertfelder, Assistant Public Works Director, were present to respond to questions. Jim advised of typographical errors in the formal resolution that need to be corrected. Steve Casaleggio responded to questions relative to this process. (M)Stetson, (S)Balmain, Res. 04-177 was adopted/Ayes: Unanimous.

B) PUBLIC HEARING Relative to Creating the Assessment District No. 01-1, Yosemite West Wastewater Facilities Project; the Levy of Assessments and to Collect any Remaining Assessment Ballots  
**NOTE:** Ballots are Scheduled to be Tabulated on Wednesday, April 28, 2004 at 10:00 a.m.

**BOARD ACTION:** Jim Petropulos presented the staff report. Steve Casaleggio, Bond Counsel with Jones Hall, explained the hearing and Proposition 218 process, and he advised of the assessment ballot procedure in this process. He stressed that the assessment ballots must be received before the close of this public hearing today to be counted. Staff responded to a question from the Board as to whether a ballot could be cast orally or just in writing. The locked ballot box was placed on the table in the front of the room for access for depositing assessment ballots during the hearing.

The public portion of the hearing was opened and input was provided by the following:

- Richard Long stated he and his wife have lived in Yosemite West for over ten years as full-time residents and they have owned property in the County for 25 years. He noted his grandchildren live here and attend local schools – they are living in a manufactured home and are not serviced by electricity. He advised they are concerned about busing and the school programs. He stated he feels we must have growth. He advised that he has been asked how he voted his assessment ballots, and he asked those people whether they could wait another five to ten years for the system to be fixed. He expressed concern that the system does not allow for future growth in Yosemite

West. He stated he feels they have lost the battle, but not the war; and he recommended a “yes” vote.

- Debbie Hagen stated she feels that two issues should have been addressed earlier:
  - 1) Bond Counsel has informed the County that ballots must be cast today and weighted on the assessed equivalent dwelling unit (EDU). Because of the inaccuracies in the EDU assessments, those that do not have correct assessments will not have their votes counted and weighted accurately.
  - 2) She noted that it is her understanding that the ballots and votes are public information, and she does not feel that this is a legal vote.

Chairman Parker again advised that this is the last opportunity to submit an assessment ballot, change a vote, or to make any comments on this matter.

- Peter Regla, member of the Yosemite West Maintenance Advisory Committee, asked about procedures for changing a vote. Steve Casaleggio responded and advised that a replacement ballot could be obtained and cast prior to the close of this hearing. Peter Regla commented on the Committee’s work and he noted that this project affects their property rights for future development and possible future changes by the Advisory Board.

Tom Guarino, County Counsel, advised of the receipt of a letter from the Regional Water Quality Control Board that stated they would not agree to an increase in usage at this time.

- Peter Regla commented on the limitation of two transient occupancy tax permits. Chairman Parker stated that matter has not been brought to the Board; that the Board is dealing with the current requirements.

Chairman Parker advised that the Board would take a recess to allow for replacement ballots to be obtained and for ballots to be cast. He admonished the Board members that since the hearing is still in progress, they are not to speak with anyone relative to the hearing.

**2:28 p.m.** Recess

**2:42 p.m.** Chairman Parker asked if there was anyone else who wished to provide input. Steve Casaleggio responded to the questions raised by Debbie Hagen and advised of the process established to handle inaccuracies in the EDU’s and correcting those assessments; and relative to the difference in voting and the assessment ballot process set out Proposition 218.

- Peter Regla asked whether the bond assessment stays with the original property owner, transfers to a new owner in a sale, or has to be satisfied upon sale. Steve Casaleggio responded and advised that the assessment lies with the land and transfers with the title; and it would be between a buyer and seller to agree as to whether it is to be paid off in a sale.

The public portion of the hearing was closed at 2:58 p.m. Chairman Parker announced that the ballots are scheduled to be tabulated at 10:00 a.m. on April 28, 2004; and every effort will be made to have the results available to the public. The hearing was closed.

### **CONSENT AGENDA:**

- CA-1 Approve the Second Round of Proposed Job Descriptions Prepared by HDC and Associates, the Consultant Hired to Perform the Classification and Internal Compensation Study, to be Effective Immediately (County Administrative Officer); Res. 04-171
- CA-2 Approve Budget Action Transferring Funds within the Personnel Budget from Labor Negotiations to Publications/Legal Notice due to Additional Advertising Expenses (\$2,500) (County Administrative Officer); Res. 04-172



- CA-3 Approve Budget Action Transferring Funds in the Assessor/Recorder Budget Unit for the Purchase of Three Replacement Computers and Four Flat Screen Monitors (\$6,983) (Assessor); Res. 04-173
- CA-4 Approve Budget Action Transferring Funds within the Probation and Juvenile Detention Budget Units from Salary Savings to Various Service and Supply Line Items and Fixed Assets to Account for Unanticipated Expenses (\$15,550) (Chief Probation Officer); Res. 04-174
- CA-5 Approve Lease Agreement Extension between William A. Freeman and the County of Mariposa for Property Used by Animal Control, Located at 5012 Fairgrounds Road, Mariposa (Sheriff); Res. 04-175
- CA-6 Approve Budget Action Transferring Funds within the Technical Services Budget (\$7,550) from Professional Services to Communications (\$4,000), Software (\$150), and Payroll-Standby Time to Cover Unanticipated Expenses (\$3,400) (Technical Services Director); Res. 04-176

**2:49 p.m.** Adjournment in memory of Dr. John “Doc” McGonigle.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA May 4, 2004



Time      Description

**9:06 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance  
Introductions

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda - none

Bob Pickard, Board of Supervisors, District V;

Presentation by Patty Manfredi, Executive Director of Ronald McDonald House Charities

**BOARD ACTION:** Patty Manfredi thanked the Board for its support; advised that they are celebrating twenty years; and she advised of their activities.

#### Board Information

- Supervisor Pickard advised that Bob Kirchner from Mt. Bullion CYA Camp and Assemblyman Cogdill gave testimony before the Assembly Budget Subcommittee 4 meeting on April 28<sup>th</sup>, and that this followed lobbying efforts by Strategic Local Government Services, Supervisor Bibby and himself. He advised that they were able to convince the Committee to hold on any decision, and they are still pursuing reinstatement of funding for the Mt. Bullion CYA Camp operations. Supervisor Bibby commented on direction that was given to cease activities on the closure.
- Supervisor Bibby commented on the success of the Clean and Proud event that was held on Saturday, and she thanked everyone who participated. She noted that SCOPE and the Mariposa Revival Center assisted. Supervisor Pickard also thanked Sheriff Allen and his department. He provided a reminder that loads need to be covered during transport to the landfill
- Supervisor Stetson advised that Tioga Pass and Glacier Point Road are scheduled to be open on May 14<sup>th</sup> this year. He advised that the Midpines Advisory Committee meeting and El Portal Advisory Committee are scheduled for May 11<sup>th</sup>.

Garry R. Parker, Board of Supervisors, Chairman;

A) Proclaim May 4, 2004, as "World Asthma Day"; and

B) Proclaim the Week of May 9<sup>th</sup> through 15<sup>th</sup>, 2004, as "Wildfire Awareness Week"

**BOARD ACTION:** (M)Pickard, (S)Bibby, both proclamations were approved/Ayes: Unanimous.

The World Asthma Day proclamation was presented to Alicia Bohlke, Program Manager for the Merced/Mariposa County Asthma Coalition. Alicia advised of the status of air monitoring in the County and of their "asthma - friendly flag" program to let the public know the hazard level of the air quality each day. The Wildfire Awareness Week proclamation was presented to Blaine Shultz, Fire Chief. Blaine provided input relative to the fires that are occurring in Southern California, and expressed concern with the potential for this to be a bad fire season. Supervisor Pickard commented on the Healthy Forest Initiative, and legislation to expand the thirty-foot clearance to 100 feet. Supervisor Bibby asked about the fire that occurred on La Paloma Road on Monday. She also

commented on the field trip to Sunny Meadows with the Forest Service to see the fuel reduction project.

Approval of Minutes 4-19-04, Regular Meeting (Meeting Continued from 4-13-04)

**BOARD ACTION:** Approved.

Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Supervisor Balmain pulled item 6. (M)Pickard, (S)Stetson, the balance of the items were approved/Ayes: Unanimous. The Clerk of the Board read the titles and numbers assigned to the Ordinances in items 4 and 5. (M)Bibby, (S)Pickard, item 6 was approved.

Discussion was held with Sarah Williams, Interim Planning Director, relative to the term of the contract with Mike Coffield and the duties. The motion was clarified to reflect June 30, 2004, as the termination date of the contract/Ayes: Stetson, Bibby, Parker, Pickard; Noes: Balmain.

Waive Second Reading and Adopt an Ordinance Amending the General Plan Land Use Map and Official Zoning Map for the Project Site from Mountain Home (MH) to Public Sites (PS); Approving a Land Division and the Construction of a Park-n-Ride Lot for a Property Located at 5033 Colorado Road, Midpines, on the Southwest Side of the Highway at the Intersection of State Highway 140 and Ponderosa Way (Northwest of the Midpines Post Office); Assessor Parcel Number 8-400-023; Yosemite Area Regional Transportation System, Applicant

**BOARD ACTION:** (M)Stetson, (S)Pickard, second reading was waived and Ordinance No. 1006 was adopted/Ayes: Stetson, Balmain, Parker, Pickard; Noes: Bibby. The Clerk of the Board read the title and number assigned to the Ordinance into the record.

Garry R. Parker, Supervisor, Chairman;

Approve the Request from the E. Clampus Vitus Matuca Chapter 1849 to Place a Monument at the Courthouse as a Part of the Mariposa County Courthouse Sesquicentennial Celebration on June 5, 2004

**BOARD ACTION:** Discussion was held with Skip Skyrud relative to the request. Skip advised that the proposed wording for the monument has been approved by the Historical Sites and Records Preservation Commission and reviewed by Scott Pinkerton and Leroy Radanovich. They are working with Tom Spacke/PWD Maintenance on the location of the monument. Discussion was held relative to verification of the historic accuracy of the wording for the monument and the Latin wording and relative to the timeframes for installing the monument. (M)Pickard, (S)Stetson, Res. 04-183 was adopted approving the wording and placement of the monument as requested. Further discussion was held. Ayes: Stetson, Bibby, Parker, Pickard; Noes: Balmain.

**10:04 a.m.** Recess

**10:20 a.m.** Supervisor Pickard advised of the receipt of a formal certificate from Los Angeles County recognizing the Mariposa County Courthouse and the Mariposa Gazette on their 150<sup>th</sup> anniversary this year.

Dana Hertfelder, Assistant Public Works Director, appeared on behalf of Jim Petropulos, Public Works Director;

Adopt a Resolution Adopting the Engineers' Report; Confirming the Assessment; Ordering the Improvements; and Directing Related Actions for Assessment District No. 01-1 Yosemite West Wastewater Facilities Project

**BOARD ACTION:** Dana Hertfelder advised of the ballot tabulation results for the Yosemite West Wastewater Facility Project – 73% of the parcel owners submitted ballots, with 81% voting in favor and 19% voting against. He advised of the status of bid process for the project. (M)Stetson, (S)Pickard, Res. 04-184 was adopted/Ayes: Unanimous.

Blaine Shultz, Fire Chief;  
Presentation of Accomplishments to Date Relative to the Southwest Interface Team (SWIFT)  
Project

**BOARD ACTION:** Chairman Parker advised that this matter was continued to May 25<sup>th</sup>.

**10:28 a.m.** CLOSED SESSION: Conference with Legal Counsel; Existing Litigation: California Government Code Section 54956.9(a); Cooper, et al v. County of Mariposa, et al (County Counsel)

**BOARD ACTION:** (M)Bibby, (S)Pickard, the closed session was held/Ayes: Unanimous.

**11:09 a.m.** The Board reconvened in open session. Chairman Parker announced that direction was given to staff as a result of the closed session.

Debbie Walton, Child Support Services Director;  
Approve Lay-Off of the Child Support Services Compliance Technician Effective June 1, 2004 and Through the 2004-2005 Fiscal Year and Until Such Time as Funds are Made Available from the State to Refill the Position

**BOARD ACTION:** Discussion was held with Debbie Walton, and she advised that the affected employee, Tammie Guenthart, was present. Discussion was held relative to efforts to transfer the affected employee to another department or to coordinate with another County. Chairman Parker called for input from the public, and none was received. (M)Pickard, (S)Stetson, Res. 04-178 was adopted approving the lay-off of the position as recommended/Ayes: Unanimous. Supervisor Bibby asked that Personnel continue to work with the employee to try and find another position.

Workshop

Continued Discussion of Development Impacts on Narrow County-Maintained Roads, and Discussion Relative to Zone of Benefit Issues

**NOTE: Workshop will be Re-scheduled**

**INFORMATION** – No action was necessary on the following:

Implementation of the Statewide Electronic Benefit Payment System by Managing Benefits with Direct Deposit and/or a Card that Works very much like an ATM Bank Card, for People Needing Assistance (Human Services Director)

**CONSENT AGENDA:**

- CA-1 Adopt a Resolution Authorizing Air Pollution Control Officer to Apply for Moyer Funds for Fiscal Year 2004-2005 (Health Officer); APCD Res. 04-1
- CA-2 Adopt a Resolution and Approve a Tile Plaque Recognizing Roy Wilson Briese upon his Retirement from Mariposa County Department of Public Works (Public Works Director); Res. 04-179
- CA-3 Approve Budget Action Transferring Funds within the Roads Budget from Fuel Expense to Various Line Items to Cover Anticipated Expenditures for the Remainder of the Fiscal Year (\$7,000) (Public Works Director); Res. 04-180
- CA-4 Waive Second Reading and Adopt an Ordinance Amending the General Plan Land Use Map and Official Zoning Map of the County for a Property Located One-Quarter Mile South of the Intersection of Chowchilla Mountain Road, Harris Cut-Off Road, and Leaning Pine Way, from Mountain General (MG) to Mountain Transition (MT); Assessor Parcel Number 15-350-046; Jon and Melinda Turcsanyi, Applicants (Interim Planning Director); Ordinance 1004

- CA-5 Waive Second Reading and Adopt an Ordinance Amending the General Plan Land Use Map and Official Zoning Map of the County for a Property Located West of William's Peak Lookout at 7831 Hunters Valley Road from Mountain General (MG) to Agricultural Exclusive (AE); Assessor Parcel Number 007-090-021; Ronald Enos, Applicant (Interim Planning Director); Ordinance 1005
- CA-6 Approve Extra-Help Agreement with V. Michael Coffield for Staffing of the Mariposa Advisory Task Force and Approve Budget Action Transferring Funds within the Planning Department Budget from Benefits to Extra Help to Fund the Extra-Help Agreement (\$3,750) (Interim Planning Director); Res. 04-182
- CA-7 Approve Budget Action Transferring Funds within the District Attorney Statutory Rape Vertical Prosecution Program Grant, with the Office of Emergency Services/Office of Homeland Security, between Various Categories and Line Items to Expend Remaining Grant Funds through the June 30, 2004 Grant End (\$12,476) (District Attorney); Res. 04-181

**11:26 a.m.** Adjournment in memory of Carol Kidwell, Joseph Harold Mason, and Bill Saye.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA May 11, 2004



Time                      Description

**9:06 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance  
Introductions

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda – none.

#### Board Information

- Supervisor Pickard advised that as a result of previous hearings in the Senate and Assembly Subcommittees, CYA was asked to look at policies and procedures to see how they could be more active in looking at wards that could be placed in camps; and it is his understanding that they have found additional wards that are eligible for placement in camps. He noted that the Subcommittees are scheduled to meet again on Wednesday and Thursday; and he is hoping they will vote to restore the funding for the Mt. Bullion CYA Camp facility. He also noted that Congressman Radanovich has been asked to lend his support through the Administration/Governor's Office. Supervisor Pickard acknowledged the wonderful work that has been done at the Arts Park.
- Rich Inman, County Administrative Officer, advised of information received from CSAC relative to the impact of the State budget on the County – it is about \$80,000 less than what it was thought it would be.

Approval of Minutes 4-20-04, Regular Meeting

**BOARD ACTION:** Approved with the correction of a typographical error.

Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Supervisor Bibby pulled item 1. Supervisor Parker asked the County Administrative Officer about item 4 and the process for the appointment of a committee member being submitted by a department versus coming through a Board member. (M)Bibby, (S)Stetson, items 2, 3, and 4 were approved/Ayes: Unanimous. Supervisor Bibby initiated discussion relative to item 1, and she asked about the status of the dedication plaque. Rich Inman, County Administrative Officer, advised that the plaque issue was referred to Rich Begley, and he is working with Rotary. Supervisor Stetson advised that he does not think that the plaque will be a part of the opening ceremony. Chairman Parker commented on needing to include the State in the wording for the plaque due to the grant funding; and he requested that the wording come to the Board for approval. Supervisor Bibby asked that all appropriate departments be notified of the event. Chairman Parker asked about covering the cost of the permit fee for the event. Rich Inman advised that if there is a fee, he will return with the appropriate budget transfer to cover the fee. (M)Stetson, (S)Bibby, item 1 was approved/Ayes: Unanimous. Chairman Parker advised that there was a change in the budget line item for item 2 submitted by the Treasurer/Tax Collector, and that the change was included in the action taken by the Board.

Rich Inman, County Administrative Officer;

Approve Budget Action Reducing General Fund Contingency by \$16,500 and Transferring Funds from the District Attorney's Budget Unit, Tax Collectors Trust Fund, Records Modernization Fund, and Penalties – Property Tax Fund into the Rock House Remodel Capital Improvement Project (CIP) Fund and Approve the Purchase of the New Telephone System for the Rock House, Hall of Records, and the Government Center (\$63,500). Waive the Formal Bid Process and Accept Bid from SierraTel Business Systems as Sole Source Vendor (4/5ths Vote Required)

**BOARD ACTION:** Discussion was held with Mary Hodson, Deputy County Administrative Officer, relative to the request. Rick Peresan, Technical Services Director, responded to questions relative to the system. Matt Jenkins, SierraTel Business Systems, provided input relative to the possible use of the existing equipment in other County facilities. (M)Pickard, (S)Bibby, Res. 04-188 was adopted approving the requested actions/Ayes: Unanimous.

Authorize Three Percent (3%) Cost of Living Adjustment (COLA) for County Department Heads Effective May 1, 2004 (County Administration Officer)

**BOARD ACTION:** Rich Inman, County Administrative Officer, advised that this is not a COLA, but is a salary adjustment. He advised that the Board Committee (Supervisors Bibby and Pickard) could revisit equity adjustments once more information is known on the status of the budget. Supervisor Pickard noted the need to look at the Human Services Director with the addition of Mental Health. Supervisor Bibby noted the need to review job duties and tasks along with the salary survey information; as well as other benefits that other counties provide. Discussion was held relative to the recommendation; and relative to the Auditor's request to not receive an increase due to his request for reorganization. (M)Pickard, (S)Bibby, Res. 04-189 was adopted approving the 3% salary adjustment as recommended. Chairman Parker suggested that the Board Committee continue to work on salary issues. Supervisor Bibby asked about the status of the Auditor's request for reorganization; and Rich Inman advised that he does not feel that it is a reorganization. Ayes: Stetson, Bibby, Pickard; Noes: Balmain, Parker.

**INFORMATION** – No action was necessary on the following:

Board of Supervisors will Serve Lunch at the Mariposa County Senior Center on May 18, 2004

**9:49 a.m.** CLOSED SESSION: Public Employee Performance Evaluation – Human Services Director (County Administrative Officer)

**BOARD ACTION:** (M)Pickard, (S)Stetson, the closed session was held with the Human Services Director present/Ayes: Unanimous.

**10:58 a.m.** Chairman Parker announced that direction was given to staff as a result of the closed session.

**CONSENT AGENDA:**

- CA-1 Adopt a Resolution Waiving the Assemblage Permit Requirement for the Gala Opening of the Amphitheater on May 22, 2004; and Declaring the Event a County-Sponsored Event (Supervisor Stetson); Res. 04-187
- CA-2 Approve Budget Action Transferring Funds from Expense Items to Fixed Assets and Authorize the Treasurer/Tax Collector/County Clerk to Purchase One Computer, and Six Flat Screen Monitors (\$5,631) (Treasurer/Tax Collector/County Clerk); Res. 04-185
- CA-3 Approve the Substance Abuse and Crime Prevention Act (SACPA Prop 36) Program Plan for the Fiscal Year 2004-2005 (Human Services Director); Res. 04-186
- CA-4 Appoint Linda D. Murdock to the Alcohol and Drug Advisory Board (Human Services Director)

**10:59 a.m.** Adjournment in memory of Bess Robinson.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA

May 18, 2004



Time                      Description

**9:10 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda

Mary Williams, Community Services Director, introduced Alex Cann, Associated Student Body member from the High School. Alex advised of the senior citizens' prom scheduled for May 21<sup>st</sup> and invited the public to attend.

Mary Williams introduced Larry Todd, Commander of the VFW and the American Legion. Larry introduced Robert "Bob" Johns, the new Veteran Services Officer.

#### Board Information

- Supervisor Bibby advised that the Relay for Life walk held this past weekend was a great success. She also complimented the Mariposa Museum and History Center on their open house activities. She also commented on statistical information received from the Storytelling event relative to attendance from the various areas.
- Supervisor Balmain advised that he plans to attend the Bio-Diversity Council meeting scheduled for this evening in Sacramento, and he advised that tomorrow he plans to attend the California Fire Alliance Leadership meeting in Sacramento.
- Supervisor Pickard provided a status report on efforts to retain the Mt. Bullion CYA Camp. He advised that last week, the Assembly Subcommittee voted to support the Governor's proposal to not fund the Camp. He advised of his conversation with CYA Director Allen relative to the County's concerns, and is expecting a call back as to whether the department is willing to complete the screening/analysis process of the 1710 wards to determine camp eligibility. He also noted that the Senate Sub-Budget 2 Committee is scheduled to meet on Thursday – he will be in Sacramento on Wednesday to meet with legislative representatives and Thursday for the meeting. He also noted that the remaining wards were moved from the Camp on Friday. Supervisor Bibby asked whether there was any information on the status of CDF acquiring funding for placing firefighter I's at the Camp.
- Supervisor Stetson reminded everyone of the gala opening scheduled for the Amphitheater on May 22<sup>nd</sup>. He thanked Public Works and Parks and Recreation staff for getting the facility prepared for the event.

Garry R. Parker, Board of Supervisors, Chairman;

Proclaim the Month of May 2004, as "Mental Health Awareness Month"

**BOARD ACTION:** (M)Pickard, (S)Bibby, the proclamation was approved and presented to Joan Conlan/Chair of the Mental Health Board, Pastor Theiss/Vice-Chairman of the Mental Health Board, and Candy Carlson/Membership Chair of the Mental Health Board/Ayes: Unanimous. Joan thanked the Board for its support and provided input on Mental Health issues.

Approval of Minutes 4-27-04, Regular Meeting

**BOARD ACTION:** Approved.



Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Supervisor Bibby pulled item 22. Supervisor Parker pulled item 2. (M)Balmain, (S)Stetson, the balance of the items were approved/Ayes: Unanimous.

Supervisor Parker initiated discussion relative to item 2, and he suggested that the time limitation be removed from the agreement. Supervisor Bibby asked that status reports be provided periodically. Rich Inman, County Administrative Officer, suggested deleting item 4 – the timeframe in the agreement. Tom Guarino, County Counsel, advised that making this change would leave an open ended agreement without the County having the ability to terminate the contract in the future. Supervisor Parker suggested that the right to place a timeframe in the agreement in the future be reserved. Supervisor Pickard noted that the funding would need to be renewed each budget year. (M)Pickard, (S)Stetson, item 2 was approved with the elimination of the termination clause; and with direction for the County Administrative Officer to identify a budget unit where the funds can be re-authorized each year for the relocation of the Parish Hall/Ayes: Unanimous.

Supervisor Bibby initiated discussion relative to item 22, and she noted that the safety trailer was purchased with grant funds from the First 5 Commission. Blaine Shultz, Fire Chief, provided input relative to the budget action request. (M)Bibby, (S)Pickard, item 22 was approved/Ayes: Unanimous.

Becky Crafts, Mariposa Pioneer Wagon Train Director, commented on item 5, and she advised of the Wagon Train activities and invited the Board members and the public to attend. She thanked Public Works/Roads and Parks and Recreation and Community Services for their support. Supervisor Bibby expressed appreciation to the Sheriff's Department and CHP for their support of this event.

Doug Balmain, Board of Supervisors Vice-Chair;  
Presentation by Merced High Speed Rail Committee

**BOARD ACTION:** Ted Hogan, President of Yosemite Valley Railroad Co., introduced Dr. Lee Boese, Jr./Chair of the Merced High Speed Rail Committee; Bert Crane, Jr., member; and Elaine Trevino, consultant, for the high speed rail project. Dr. Boese noted that he also serves on the UC Merced Committee. He provided input on the Rail Commission and process for this project; the status of the routes that were considered and the environmental review process. He noted that this is the largest environmental review project in the United States. Bert Crane, rancher in Merced for several years, provided information on the project. Elaine Trevino, economic development consultant, advised of their efforts to educate the public about this proposal and its importance to the Valley. Discussion was held relative to the Altamont Pass route that was eliminated as an alternative, and the two routes that are being considered. Dr. Boese asked that the Board consider taking action prior to the close of the public portion of the EIR process on August 31, 2004; and he advised of the remaining two hearings scheduled for May 26<sup>th</sup> in San Jose and June 23<sup>rd</sup> in Los Angeles. Supervisor Balmain suggested that other actions (resolutions) on this project be reviewed and that a recommendation be brought back to the Board. Supervisor Bibby noted that others have requested agenda time on this matter. The Board concurred with having Supervisor Balmain further review the matter and with bringing back a proposed resolution for action.

**10:29 a.m.** Recess

**10:45 a.m.** Marsh Pitman stated he wanted an opportunity to speak on the high speed rail issue. Chairman Parker advised that discussion on the high speed rail issue was concluded prior to the recess, and that it was scheduled as a presentation by the Merced High Speed Rail Committee and the Board did not take any action. He further noted that the TIE group has asked to be scheduled on the Board's agenda and time will be made available when the TIE's scheduling allows. Tom Guarino, County Counsel, commented on the public process for providing input at meetings. Marsh referred to a recent story in the Modesto Bee relative to high speed rail and a binder of information. Chairman Parker requested that the information be provided to the Clerk of the Board for distribution.

Jim Petropulos, Public Works Director;

A) Authorize the County to Purchase Assessor's Parcel Number 01-260-16, in the Amount of \$202,500 and Authorize the County Administrative Officer to Execute All Documents Associated with the Purchase

**BOARD ACTION:** Chairman Parker advised that this matter was pulled and will be rescheduled.

B) Presentation and Request for Approval of Recycling Logos and Draft Web Page Design for the Mariposa County Solid Waste and Recycling Division and Overview of the Collaboration with Designer, Mariposa County High School Student Carl Boyer

**BOARD ACTION:** Steve Engfer, Solid Waste and Recycling Manager, introduced Carl Boyer, Mariposa High School student, who worked on the logo and web page design as a part of his studies with a multi media class. Steve gave a presentation on the draft logo and web page design. Discussion was held and suggestions offered for changes. (M)Stetson, (S)Pickard, Res. 04-212 was adopted approving the logo design as discussed/Ayes: Unanimous. Supervisor Parker suggested that the County Administrative Officer and Technical Services Director be involved in the web page design.

Jacque Meriam, Librarian;

Approve Policy for Access and Use of Facilities for Branch Libraries

**BOARD ACTION:** Discussion was held with Jacque Meriam. (M)Pickard, (S)Bibby, Res. 04-213 was adopted approving the policy/Ayes: Unanimous.

Kathryn Herman;

Request by "Northside Committee" for the County to Consider Providing Reimbursement for Expenses Incurred from the August 2003 Sultry Summer Shindig Event

**BOARD ACTION:** No one was present and no action was taken.

Rich Inman, County Administrative Officer and Doug Balmain, Board of Supervisors Vice-Chair; Provide Direction and Approval for County Administrative Officer to Negotiate an Agreement with the Greeley Hill Community Club to Transfer the Community Club Buildings to the County of Mariposa

**BOARD ACTION:** Discussion was held. Rich Inman provided information on the liability insurance costs. (M)Balmain, (S)Pickard, direction was given to negotiate an agreement as requested/Ayes: Unanimous.

Discussion and Direction Concerning Amendments to Resolution No. 93-387 Establishing the Airport Advisory Committee (County Administrative Officer)

**BOARD ACTION:** Discussion was held. The Board concurred with staff bringing back an amendment to add two at-large members, to include information on selection of the Chair, and to delete the requirement to advertise in the newspaper, etc.

Oppose Senate Bill 744 (Dunn) Granting Authority to California Department of Housing and Community Development (HCD) the Authority to Overturn Local Land Use Decisions Relating to Housing Development Projects (County Administrative Officer)

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Pickard, Res. 04-214 was adopted opposing Senate Bill 744/Ayes: Unanimous.

Chairman Parker announced that the Board members will serve lunch at the Senior Center and have been invited to attend an open house at the Mariposa Creek Parkway this afternoon.

### **CONSENT AGENDA:**

CA-1 Proclaim the Month of May 2004, as "Older American's Month" (Supervisor Parker)

- CA-2        Extend the Existing Agreement between Mariposa County and the Mariposa United Methodist Church from June 30, 2004 to December 21, 2004 (County Administrative Officer); Res. 04-210, with direction given for changes
  
- CA-3        Approve the Detour of Traffic from State Routes to Utilize Mariposa County Roadways for Duration of Sesquicentennial Parade to be Held on June 12, 2004, and Authorize County Administrative Officer to Submit Letter to CalTrans Stating the County will Hold CalTrans Harmless for any Damages to the County Roadways (County Administrative Officer); Res. 04-190
  
- CA-4        Accept the Resignation of Carolyn Feroben from the Historic Sites and Records Preservation Commission (Supervisor Parker)
  
- CA-5        Adopt a Resolution Approving the Annual Mariposa County Pioneer Wagon Train Event as a County Activity and Authorize the Chairman to Execute Agreements with the Kiwanis Club, Sally Wallace, 35-A District Agricultural Association, and the U.S. Forest Service (County Counsel); Res. 04-191
  
- CA-6        Adopt a Resolution Extending the Agreement for Small Claims Legal Advisors through Fiscal Year 2004-2005 (County Counsel); Res. 04-192
  
- CA-7        Approve Budget Action Transferring Funds within the Sheriff's Budget from Jail Officer to Overtime to Cover the Anticipated Cost of Overtime (\$2,500) (Sheriff); Res. 04-193
  
- CA-8        Approve Service Agreement with John C. Fremont Healthcare District to provide Medical Services to the Mariposa County Adult Detention Facility through June 30, 2005 (Sheriff); Res. 04-194
  
- CA-9        Approve Service Contract with John C. Fremont Healthcare District to Provide Dietary Services to the Mariposa County Adult Detention Facility through June 30, 2005 (Sheriff); Res. 04-195
  
- CA-10       Approve and Accept the Revised Investment Policy and Guidelines for the County of Mariposa (Treasurer); Res. 04-196
  
- CA-11       Approve Budget Action Appropriating Unanticipated Revenue and Transferring Funds within the Yosemite West Maintenance District to Allow for Hiring a Paving Contractor to Repair Certain Sections of the Roads (\$21,000) (4/5ths Vote Required) (Public Works Director); Res. 04-197
  
- CA-12       Approve Budget Action Transferring Funds within the Airport Operations Budget from Professional Services to Extra-Help to Staff the Airport for a Period of Six Weeks during the Airport Manager's Absence (\$1,500) (Public Works Director); Res. 04-198
  
- CA-13       Approve Budget Action Transferring Funds within the Facilities Maintenance Budget from Standby/Callback to Extra-Help to Allow Public Works to Continue to Use Extra-Help Staff through the End of the Fiscal Year (\$3,500) (Public Works Director); Res. 04-199
  
- CA-14       Approve Budget Action Requesting \$7,000 from General Contingency for the Red Cloud Restroom Project (#PW-03-02), due to the Failure of the Existing Septic System Located at Red Cloud Park (4/5ths Vote Required) (Public Works Director); Res. 04-200

- CA-15 Approve the Overfill of a Building Inspector Position due to a Vacancy, with Funds to be Paid from Salary Savings (Building Director); Res. 04-201
- CA-16 Appoint Robert Jensen as District II Member to the Building Department Advisory and Appeals Board with a Term Commensurate with the Supervisor's Term (Building Director)
- CA-17 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign Organic Program Agreement No. 04-0023 for Fiscal Year 2004-2005 with California Department of Food and Agriculture (CDFA) (Agricultural Commissioner); Res. 04-202
- CA-18 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign Weighmaster Audit Agreement No. 04-0097 for Fiscal Year 2004-2005 with California Department of Food and Agriculture (CDFA) (Agricultural Commissioner); Res. 04-203
- CA-19 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign Petroleum Products Agreement No. 04-0152 for Fiscal Year 2004-2005 with California Department of Food and Agriculture (CDFA) (Agricultural Commissioner); Res. 04-204
- CA-20 Authorize the Mental Health Department, Alcohol and Drug Programs to Accept Contract Amendment #1 with the State Department of Alcohol and Drug Programs to Decrease Funds Available for the Alcohol and Drug Programs by \$19,401 (Human Services Director); Res. 04-205
- CA-21 Authorize the Mental Health Department, Alcohol and Drug Programs to Accept the Multi-Year Negotiated Net Amount Contract with the State Department of Alcohol and Drug Programs (ADP) for Fiscal Years 07/04 through 06/08 and Authorize the Human Services Director to Sign any Subsequent Amendments that may be Required by ADP (Human Services Director); Res. 04-206
- CA-22 Approve Budget Action Transferring Funds within the Fire Budget and Increasing Safety Trailer Account for Sales Tax Not Allocated at time of Budget (\$21,500) (Fire Chief); Res. 04-211
- CA-23 Authorize the Chairman of the Board of Supervisors to sign a Personal Services Contract with Retired CDF Captain Larry Muenster to Teach Two Wildfire Operations and Safety Courses of Instruction (Fire Chief); Res. 04-207
- CA-24 Authorize the Chairman of the Board of Supervisors to Sign a Personal Services Agreement with Dan Michael to Test and Re-Build Self-Contained Breathing Apparatus for the County Fire Department and Outside Agencies as an Enterprise Opportunity (Fire Chief); Res. 04-208
- CA-25 Approve Budget Action Transferring Funds Between Categories and Line Items of the District Attorney Victim/Witness Program to Expend Remaining Grant Funds through June 30, 2004 and Purchase a Wireless Data System to Link the Victim/Witness Program with the District Attorney's Office Future Case Management System (\$3,415) (District Attorney); Res. 04-209

**11:30 a.m.** Adjournment in memory of Howard S. McClain, Lydia Elizabeth Harris, and Jack Nathan Bryant.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA May 25, 2004



Time                      Description

**9:06 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda

- Dick Kunstman provided input relative to the high speed rail issue and consideration of the alternate routes. He suggested that the Board follow the lead of the Atwater City Council and support the project contingent upon the inclusion of the Altamont route being added to the EIR.

Garry R. Parker, Board of Supervisors, Chairman;

Adopt a Resolution and Approve a Tile Plaque Recognizing Thomas G. Spacke upon his Retirement from Mariposa County Department of Public Works

**BOARD ACTION:** (M)Balmain, (S)Stetson, Res. 04-215 was adopted and presented to Tom Spacke along with the Tile Plaque/Ayes: Unanimous.

**9:19 a.m.** Recess

**9:33 a.m.** Board Information

- Supervisor Pickard provided a status report on the Mt. Bullion CYA Camp. He advised that the Senate Budget Committee rejected the Governor's proposal and voted to restore 2.4 million dollars to the budget to keep the Camp open. He commended Bob Kirchner, Mt. Bullion CYA Camp, for his efforts. He advised that the issue will go to the Conference Committee. They are working with Senator Poochigian and Assemblyman Cogdill to get the message to the Governor of the value of the program that the Camp offers. He noted that we need to keep a strong and vigilant letter writing campaign to the Governor and the Budget Committee members.
- Supervisor Stetson noted that the gala opening of the amphitheater was a tremendous success. He also noted that he had missed thanking the Mining and Mineral Museum docents and volunteers at the opening for their contributions.
- Supervisor Bibby commended Supervisor Stetson and others that made the opening of the amphitheater a success. She also thanked Supervisor Pickard to his work and trips to Sacramento to support the CYA Camp. She noted that there was coverage on the Camp issue by KSEE 24 last week. She referred to a recent Sun Star story on Hornitos and suggested that additional coverage from the papers be pursued for the Sesquicentennial Celebration events. She commented on the information item on today's agenda relative to the Child Welfare and Protection/Drowning Prevention, Designated Buddy Program, and she encouraged citizens to take advantage of this program.

Donna Brownell, Mariposa County Arts Council;

Express Appreciation to the Board of Supervisors Relative to the Mariposa County Arts Park

**BOARD ACTION:** Donna Brownell thanked the Board for its support for the Arts Park. The following persons also spoke and thanked the Board: Nancy Radanovich, as a member of the downtown business community and as a citizen; Alinda Franklin, with a doll – alias "Cousin Jack"; and

Chris Hutcheson. It was noted that the Arts Council will be holding the “Mariposa Evening on the Green” events there starting in July.

Tom Guarino, County Counsel;  
Presentation Relative to Brown Act and Board Procedures

**BOARD ACTION:** Tom Guarino gave a presentation on the organization and duties of the Office of County Counsel; reviewed procedural issues, County processes, and contract forms. He also reviewed the Open and Public Meetings Act requirements (Brown Act).

**10:15 a.m.** Recess

**10:32 a.m.** Rick Peresan, Technical Services Director;  
Approve New Visitor’s Bureau Web Site Content for Internet Publication

**BOARD ACTION:** Rick Peresan gave a presentation on the existing web page design for the Visitors’ Bureau and the proposed design and its capabilities and suggestions for the next phase of the project. Discussion was continued for the following hearings to be opened.

**11:00 a.m.** Public hearings to consider Ordinances to increase the Transaction and Use Tax for the benefit of the John C. Fremont Healthcare District and the Mariposa County Unified School District were opened and continued until after the following items.

Further discussion was held relative to the web site design project. Judy Beliera/Visitors’ Bureau, and Peter Geis, web page consultant, were thanked for their efforts, along with others who assisted in this project. (M)Pickard, (S)Stetson, Res. 04-216 was adopted approving the web site content/Ayes: Unanimous.

Chairman Parker congratulated Dorothy Kuhnel/Chamber of Commerce Executive Director, on her birthday today.

**11:03 a.m.** Recess

**11:16 a.m.** Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Chairman Parker advised that the Building Department Director withdrew item 4. Supervisor Bibby pulled items 7, 8, 14 and 15. Supervisor Balmain commented on items 11 and 13. Supervisor Bibby pulled item 11. (M)Pickard, (S)Stetson, the balance of the items was approved/Ayes: Unanimous.

- Consent Agenda item 7- Supervisor Bibby initiated discussion and suggested that since the amendment wasn’t included in the package, that approval be contingent upon County Counsel and County Administrative Officer’s review of the amendment.
- Consent Agenda item 8 – Supervisor Bibby asked whether this brings disposal of the surplus vehicles current. Joe Halencak/PWD-Fleet Superintendent, advised that it does bring everything current.
- Consent Agenda item 14 – Supervisor Bibby asked for clarification of the grant and timeframe. Blaine Shultz, Fire Chief, responded to the questions.
- Consent Agenda item 15 – Supervisor Bibby asked whether there is a County match for the grant, what the items will be used for and where they will be stored. Blaine Shultz responded to the questions and advised that the ATV’s will be distributed to the Sheriff and Agricultural Commissioner, and the squeeze chute and panels will be distributed to the Agricultural Commissioner. The departments will be responsible for storage of the items.
- Consent Agenda item 11 – Supervisor Bibby asked whether the language in the contract could be changed to reflect California versus Utah to resolve complaints. Tom Guarino, County Counsel, and Cheryle Rutherford-Kelly, responded to the question.

(M)Bibby, (S)Pickard, the following items were approved: item 7 – with approval of the amendment contingent upon review by County Counsel and County Administrative Officer; item 8; item 11; item 14 and item 15/Ayes: Unanimous.

Tom Guarino, County Counsel;

Tom Guarino advised that the following matters were placed on the agenda by his office as has been the past practice, and that he asked the John C. Fremont Healthcare District and the Mariposa County Unified School District to give a presentation on their requests.

A) PUBLIC HEARING to Waive First Reading and Introduce an Ordinance Increasing the Transaction and Use Tax by One-Half (1/2) of One Percent (1%) for the Benefit of the John C. Fremont Healthcare District for a Twenty Year Period and Placing the Ordinance Before the Electorate of Mariposa County and Approve the Indemnity Agreement Between the John C. Fremont Healthcare District and the County of Mariposa

**BOARD ACTION:** The public portion of the hearing was opened and input was provided by the following:

Elnora George, Chief Executive Officer of the John C. Fremont Healthcare District, provided input on their request for the sales tax to keep the hospital in operation. She reviewed the improvements that were made in the last four years with the sales tax that was received, and she reviewed the planned improvements for the future.

Suzette Prue, Chair of the Board for the John C. Fremont Healthcare District, advised that the hospital has been declared economically fragile according to a report just issued by the California Healthcare Association, and she noted that it is a Critical Access Hospital. She explained these designations, and she asked for the Board's support of this request.

Candy O'Donel-Browne, member of the Board for the John C. Fremont Healthcare District, presented a "question and answer" position paper on Measure "G", the sales tax ballot measure.

The public portion of the hearing was closed and the Board commenced with deliberations. Tom Guarino responded to a question from the Board as to whether the Ordinance and Indemnity Agreement meet the requirements and have his recommendation for approval. (M)Pickard, (S)Bibby, first reading was waived and the Ordinance was introduced as recommended; and Res. 04-231 was adopted approving the Indemnity Agreement. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous. The hearing was closed.

B) PUBLIC HEARING to Waive First Reading and Introduce an Ordinance Increasing the Transaction and Use Tax by One-Quarter (1/4) of One Percent (1%) for the Benefit of the Mariposa County Unified School District for a Period Not to Exceed Four Years and Placing the Ordinance Before the Electorate of Mariposa County and Approve the Indemnity Agreement Between the Mariposa County Unified School District and Mariposa County

**BOARD ACTION:** The public portion of the hearing was opened and input was provided by the following:

Patrick Holland, Superintendent of the Mariposa County Unified School District, thanked the Board for placing this item on the agenda, and he thanked County Counsel for his assistance with this matter. He provided statistical information on the need for the bus system and on the status of the bus fleet.

The public portion of the hearing was closed and the Board commenced with deliberations. Tom Guarino responded to a question from the Board as to whether the Ordinance and Indemnity Agreement meet the requirements and have his recommendation for approval. (M)Pickard, (S)Stetson, first reading was waived and the Ordinance was introduced as recommended; and Res. 04-232 was adopted approving the Indemnity Agreement. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous. The hearing was closed.

Rich Inman, County Administrative Officer;

Adopt a Resolution for Transition of Employees from Kings View Corporation to Mariposa County and Authorize Payment of Health Insurance for Kings View Employees for the Month of June 2004

**BOARD ACTION:** Rich Inman reviewed the recommendations for the transition. Cheryle Rutherford-Kelly, Human Services Director, provided input relative to the transition and the job



descriptions. Discussion was held. Rich noted that the job descriptions will need to be revisited, probably within three to four months. Supervisor Bibby asked about the impact this transition will have on the other departments and whether the employees would receive safety training, etc. that was provided for County employees. (M)Pickard, (S)Balmain, Res. 04-233 was adopted approving the recommended actions/Ayes: Unanimous.

Approval of Minutes 5-4-04, Regular Meeting; and  
Approval of Minutes 5-11-04, Regular Meeting  
**BOARD ACTION:** Minutes were approved.

Jim Petropulos, Public Works Director;  
Adopt a Resolution to Fund the Debt Service Requirements of the “Reserve Capacity Bank” of the Yosemite West Wastewater Facilities Project  
**BOARD ACTION:** Chairman Parker asked that the Board consider taking this matter up at this time versus this afternoon when the Public Works Director is scheduled to be present. Rich Inman, County Administrative Officer, noted that if revenue is not received as anticipated, the General Fund could be at risk for about \$20,000 a year. (M)Stetson, (S)Pickard, Res. 04-234 was adopted/Ayes: Unanimous.

CLOSED SESSION: Conference with Legal Counsel for a Case Relative to Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel)  
**BOARD ACTION:** Chairman Parker advised that it is not necessary to hold the closed session.

Approve Budget Action Reducing General Fund Contingency to Correct an Overpayment to Sandy’s Fund (\$2,000) (4/5ths Vote Required) (Supervisor Parker)  
**BOARD ACTION:** (M)Pickard, (S)Bibby, Res. 04-235 was adopted. Discussion was held. Ayes: Unanimous.

**12:04 p.m.** Lunch

**2:06 p.m.** Blaine Shultz, Fire Chief;  
Presentation of Accomplishments to Date on the Southwest Interface Team (SWIFT) Project  
**BOARD ACTION:** Blaine Shultz gave the power point presentation on the SWIFT project. Tom James, Coordinator of the project, provided input, and he noted the project includes South Tuolumne County and Northern Mariposa County. He thanked the Board for its support of the project. Input was also provided by Bill Hodson, CDF Battalion Chief; Allan Johnson, USFS Groveland District Division Chief; and Jan Hamilton, Fire Safe Council. Other individuals that were present for this matter introduced themselves. Lyle Turpin asked about the Creek Fire and the affect the fuel breaks provided. Bill Hodson responded. Discussion was held relative to mitigating the wildland fire problems. Board members expressed appreciation for the presentation.

**INFORMATION** - No action was necessary on the following:  
Update Relative to the Child Welfare and Protection/Drowning Prevention, Designated Buddy Program (Human Services Director)

**CONSENT AGENDA:**

CA-1 Approve Budget Action Transferring Funds within the Board of Supervisors Budget Unit to Cover Unanticipated Increase in Publications/Legal Notices Expenses (\$500) (County Administrative Officer); Res. 04-217

- CA-2 Approve Amendment to Personal Services Agreement with Susan Crain to Extend Termination Date and Increase Compensated Hours (County Administrative Officer); Res. 04-218
- CA-3 Adopt a Resolution Authorizing the Chairman to Sign a Renewal Lease Agreement with Kenneth and Lamerna Mari for Office Space Occupied by the Grand Jury (County Counsel); Res. 04-219
- CA-4 Adopt a Resolution Approving a Professional Services Agreement with the Mariposa County Resource Conservation District for Fiscal Year 2004-2005 for Services Rendered to the Building Department for Grading and Erosion Control Services, Not to Exceed \$18,000 (County Counsel); Item was withdrawn by the Building Department Director
- CA-5 Approve Budget Action Transferring Unspent Monies from Various Line Items within the Auditors Budget to Purchase Three Replacement Computers (\$4,454) (Auditor); Res. 04-220
- CA-6 Approve Budget Action Transferring Funds within the Public Works Administration Budget from Salary Savings for the Assistant Director to Software to Allow for Purchasing a Software Interface for the CAMS and H.T.E. Programs (\$4,000) (Public Works Director); Res. 04-221
- CA-7 Approve Proposed Rate Changes to the Contract for Thunder Ridge (Donn Harter) for Snowplow Operations in Fish Camp (Public Works Director); Res. 04-226, with approval of the amendment contingent upon review by County Counsel and County Administrative Officer
- CA-8 Adopt a Resolution Declaring Vehicles to Be Surplus; Authorize the Public Works Director to Dispose of Same Vehicles through the Off-Site Auction Process as per Contract with Roger Ernst Auctions and Authorize the Fleet Superintendent to Sign-Off on Vehicle Titles as the County Representative (Public Works Director); Res. 04-227
- CA-9 Approve Budget Action Increasing Revenue in the Amount of \$27,491 for Roads to be Used for Snow Removal (\$12,200) and Materials (\$15,291) (4/5ths Vote Required) (Public Works Director); Res. 04-222
- CA-10 Approve Budget Action Transferring Funds within the Public Works Administration Budget from Salary Savings for the Assistant Director to Fixed Assets to Allow for Replacement of Two Outdated Computers (\$2,500) (Public Works Director); Res. 04-223
- CA-11 Approve Behavioral Health Contracts for Residential Inpatient, Board and Care, and Professional Services which are Necessary for Program Operations (Human Services Director); Res. 04-228
- CA-12 Approve Budget Action Transferring Funds within the Human Services Department to Fund Caseload Driven Costs in Adoption and Child Care Activities in Welfare to Work (\$56,000) (Human Services Director); Res. 04-224
- CA-13 Authorize the Mental Health Department to Continue to Contract with the State Department of Mental Health to Receive Funds for the Delivery of Community Mental Health Services, Including Managed Care, for the Entire County (Human Services Director); Res. 04-225

CA-14 Authorize the Fire Chief to Apply for the FY 2004 Emergency Management Performance Grant from State Office of Emergency Services (OES); Value of Grant is \$22,497 (Fire Chief); Res. 04-229

CA-15 Authorize the Fire Chief to Apply for the FY 2004 State Homeland Security Grant; Value of Grant is \$225,206, and Requires No Match (Fire Chief); Res. 04-230

**2:44 p.m.** Adjournment

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA

June 1, 2004



Time                      Description

**9:06 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance  
Introductions

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda - none

#### Board Information

- Supervisor Pickard advised of an appointment scheduled for Wednesday with the representatives of the Governor's Office and the Cabinet Secretary to urge reinstatement of funding for the Mt. Bullion CYA Camp. He also noted that the equipment is being removed from the Camp.
- Supervisor Stetson advised of upcoming community meetings for Yosemite West, Midpines, and El Portal.
- Supervisor Bibby advised that she plans to attend the Foreign Trade Zone meeting in Fresno on Wednesday.

Garry R. Parker, Board of Supervisors, Chairman;

Adopt a Resolution and Approve a Tile Plaque Recognizing Ed Berentsen upon his Retirement as a Mariposa County Jail Officer

**BOARD ACTION:** (M)Bibby, (S)Pickard, Res. 04-236 was adopted and presented to Ed Berentsen, along with the tile plaque/Ayes: Unanimous. Jim Allen/Sheriff, presented Ed with a Sheriff's Department tile and thanked him for his years of service.

Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Supervisor Stetson pulled items 3 and 7. Rich Inman, County Administrative Officer, advised of a word change in the formal resolution for item 2. (M)Bibby, (S)Pickard, the balance of the items were approved, including item 2 with the word change/Ayes: Unanimous.

Supervisor Stetson initiated discussion relative to item 3 and the possibility of looking at a longer-term lease. Bob Brown, District Attorney, advised that the lease is contingent on the annual funding of a grant for the program. Supervisor Bibby advised of a correction to the street number in the Exhibit to the lease agreement. (M)Bibby, (S)Stetson, item 3 was approved/Ayes: Unanimous.

Supervisor Stetson initiated discussion relative to item 7. Dana Hertfelder, Assistant Public Works Director, advised of the process. (M)Pickard, (S)Stetson, item 7 was approved/Ayes: Unanimous.

Dana Hertfelder, Assistant Public Works Director, appeared on behalf of Jim Petropulos, Public Works Director;

Informational Overview Relative to Regional Council of Rural Counties (RCRC), Environmental Services Joint Powers Authority (ESJPA) Activities Important to Mariposa County, including Grant Programs; CRT's/E-Waste Recycling Regulations; Diesel Emission Regulations and Impacts to Solid Waste Hauling and Manager of Landfill Operations Training for Rural Counties

**BOARD ACTION:** Supervisor Pickard introduced the item and as Chair of the ESJPA, he commented on issues that are being reviewed. Steve Engfer, Solid Waste and Recycling Manager, presented the informational overview and responded to questions.

**9:40 a.m.** Recess

**9:57 a.m.** Bob Brown, District Attorney;

Adopt a Resolution Approving an Agreement for Services Contract with Constellation Justice Systems to Provide "Damion Prosecutor", a Case Management System (\$36,180) and to Purchase a Database Server (\$8,820), and Approve Budget Action Transferring Funds within the District Attorney Budget from Various Line Items to Fixed Assets to Purchase Said Items (\$45,000) (District Attorney)

**BOARD ACTION:** Discussion was held with Bob Brown relative to the request. (M)Stetson, (S)Bibby, Res. 04-251 was adopted. Rick Peresan, Technical Services Director, provided input relative to his review of the system and recommendation. Supervisor Parker advised that he feels these types of requests should be presented for consideration during the final budget hearings. Ayes: Unanimous.

Cathi Boze, Agricultural Commissioner/Sealer;

A) Adopt a Resolution Asking Congressman George Radanovich to Support a Request for an Increased Federal Continuous Appropriation of \$3,200,000 to the USDA/APHIS/Wildlife Services Budget to Support California's Cooperative Wildlife Services Program and Thanking him for his Efforts to Secure Federal Funding for Statewide Invasive Noxious Weed Eradication and Management Programs

**BOARD ACTION:** Cathi Boze introduced Wade Carlson, California Wildlife Services - Central District Supervisor, and advised that Don Simms, Wildlife Services - Trapper, was present for the discussion. She also presented a revised draft letter. Following discussion, (M)Bibby, (S)Balmain, Res. 04-252 was adopted, and direction was given for the County Administrative Officer to prepare the letter in final form/Ayes: Unanimous.

D) Approve Resolution Authorizing the Chairman of the Board of Supervisors to Sign Agreement No. 05-73-06-0260-RA, the Cooperative Service Agreement, the Annual Financial Plan, and a Letter of Intent for FY 2004-2005 with USDA/APHIS/WS (Wildlife Services)

**BOARD ACTION:** Discussion was held with Cathi Boze, and she presented informational folder material on the California Wildlife Services Program. Wade Carlson provided input on the folder material, and advised of their disease biologist program. (M)Pickard, (S)Bibby, Res. 04-253 was adopted. Supervisor Stetson asked about programs to control wildlife damage. Wade provided input relative to the research center in Colorado that looks for new innovative methods; and Don Simms stated he provides recommendations for non-lethal methods to landowners. Ayes: Unanimous.

B) Approve Budget Action Transferring Funds within the Agricultural Commissioner/Sealer Budget from Trapper to Fixed Assets to Purchase a Laptop Computer (\$2,500)

**BOARD ACTION:** Discussion was held concerning the request and options for funding sources. (M)Pickard, (S)Balmain, Res. 04-254 was adopted approving the purchase and budget action, with direction for the County Administrative Officer to work with the Agricultural Commissioner to work out the budget transfer details, keeping in mind that the Trapper budget is subsidized by the County's General Fund/Ayes: Unanimous.

C) Approve Budget Action Transferring Funds within the Agricultural Commissioner/Sealer Budget to Fund California Agricultural Commissioners and Sealers Association (CACASA) Processional Services Study of CalTrans Unclaimed Gas Tax Revenue Calculation (\$1,885)

**BOARD ACTION:** Discussion was held concerning the request. (M)Bibby, (S)Stetson, Res. 04-255 was adopted approving the request, with direction for the County Administrative Officer to work with the Agricultural Commissioner to work out the budget transfer details, keeping in mind that the Trapper budget is subsidized by the County's General Fund/Ayes: Stetson, Balmain, Bibby, Parker; Noes: Pickard. Further discussion was held. Chairman Parker asked Supervisor Pickard to check with RCRC on this issue.

Direction Concerning Schedule for Interviewing Candidates for Planning Director (County Administrative Officer)

**BOARD ACTION:** Rich Inman, County Administrative Officer, advised that five qualified applications were received – one from Georgia, one from Maine, and three from California. He recommended that the Board interview the three applicants from California first because of knowledge of CEQA, etc. He further recommended that he and County Counsel interview the applicants in the morning and that the full Board conduct interviews in the afternoon. Discussion was held relative to scheduling the interviews. Further discussion was continued until after the recess.

**11:09 a.m.** Recess

**11:13 a.m.** The Board concurred with scheduling interviews on Monday, June 21, 2004, at 1:00 p.m., and concurred with the process recommended by the County Administrative Officer.

**11:19 a.m.** Lunch

**2:09 p.m.** Jim Petropulos, Public Works Director;

A) Adopt a Resolution Authorizing Appropriation of \$25,000 from General Fund Contingency for Replacement of the Hornitos Community Hall (Stagg Hall) Roof (4/5ths Vote Required)

**BOARD ACTION:** Discussion was held concerning the request and the status of the roof and coordinating with weather and budget schedule. Jim Petropulos advised that the roof at the old Jail/Sheriff's Dispatch – Technical Services Department, will need to be replaced. Supervisor Bibby noted that the Patron's Club may be able to contribute to the Stagg Hall project. Mary Hodson, Deputy County Administrative Officer, provided input relative to timeframes for the final budget hearing process. Supervisor Parker asked that these types of requests be presented for consideration in context with the final budget process. (M)Bibby, (S)Stetson, Res. 04-256 was adopted approving the budget request for the Hornitos Community Hall roof replacement. Further discussion was held relative to timeframes and the budget process. Ayes: Stetson, Balmain, Bibby, Pickard; Noes: Parker.

B) Approve Budget Action Transferring Funds from General Contingency to the Facilities Division to Cover Anticipated Expenditures in Utilities and Household Expense (\$32,000) (4/5ths Vote Required)

**BOARD ACTION:** Following discussion, (M)Pickard, (S)Bibby, Res. 04-257 was adopted/Ayes: Unanimous.

C) Approve Budget Action Transferring the Remaining Funds from the Arts Park Project to the Amphitheater Project (\$5,000) (4/5ths Vote Required)

**BOARD ACTION:** Discussion was held. (M)Stetson, (S)Bibby, Res. 04-258 was adopted/Ayes: Unanimous.

D) Adopt a Resolution Amending the Contract by \$1,000 with Fred Solomon to Cover Incidental Expenses for the Arts Park Project

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Pickard, Res. 04-259 was adopted/Ayes: Unanimous.

E) Adopt a Resolution Approving Agreement for Transportation Planning Services with Merced County Association of Governments (MCAG) and Authorize the Board Chairman to Execute an Agreement Subject to Review by County Counsel

**BOARD ACTION:** Discussion was held with Jim Petropulos. (M)Pickard, (S)Stetson, Res. 04-260 was adopted/Ayes: Stetson, Balmain, Parker, Pickard; Noes: Bibby.

**2:54 p.m.** Recess

**3:07 p.m.** F) Discussion and Direction Concerning Park Projects Utilizing Proposition 40/2002 Resources Bond Act Per Capita Program

**BOARD ACTION:** Jim Petropulos advised of the timeframes for the Proposition 40 Bond funds, and he advised of the availability of other grant funds. The proposed project list was reviewed and discussion held. Rich Begley, PWD-Deputy Director of Parks and Recreation, provided input. Supervisor Pickard asked that consideration be given to heating the Mariposa pool and discussion was held. Rich Begley advised that the filtration system would need to be redone. Supervisor Parker suggested that consideration be given to coordinating the expansion of the Mariposa Creek Parkway project with MPUD's expansion of service to Public Works in the future. Discussion was held relative to using other funding sources for the next phase of the Mariposa Creek Parkway project, and for the Bear Creek Trail project. Discussion was held relative to the El Portal Toddler Park project and environmental work that would be required since the property is owned by the Federal Government.

**4:03 p.m.** Recess

**4:20 p.m.** Further discussion was held relative to the projects. Chairman Parker requested that a formal resolution be brought back to the Board with changes in the projects as discussed (deleting the El Portal Toddler Park, Bear Creek Trail, and Mariposa Creek Parkway Phase III; and adding the heating for the Mariposa pool), and with a better estimate of costs for the projects. He also asked that the status of the Mariposa Lighting District budget be reviewed and that information be brought back for consideration of funding the lighting portion of the Mariposa Park project. Discussion was held relative to the status of the parking lot lease and costs and development of the "Womack" property for parking.

**CONSENT AGENDA:**

- CA-1 Adopt a Resolution Recognizing the 150<sup>th</sup> Anniversary of the Mariposa County Courthouse (Supervisor Parker); Res. 04-237
- CA-2 Adopt a Resolution Recognizing the 150<sup>th</sup> Anniversary of the Mariposa Gazette (Supervisor Parker); Res. 04-238
- CA-3 Adopt a Resolution Authorizing the Chairman to Sign a Renewal Lease Agreement with Marc and Tracy Lingenfelter for Office Space Occupied by the Victim Witness Program and the District Attorney's Statutory Rape Vertical Program (County Counsel); Res. 04-249
- CA-4 Approve Budget Action Transferring Funds within the Tourism Budget to Cover Additional Postage and Copier Expense (\$2,650) (Tourism); Res. 04-239
- CA-5 Approve Budget Action Transferring Funds within the Boating Safety Budget to Purchase Four River Rescue Dry Suits (\$2,248) (Sheriff); Res. 04-240
- CA-6 Authorize the Sheriff to Enter into a Memorandum of Understanding with California Department of Forestry and Fire Protection, Allowing Access to the California Law Enforcement Telecommunications System (CLETS) (Sheriff); Res. 04-241
- CA-7 Adopt a Resolution Accepting the Arts Park as Substantially Complete (Public Works Director); Res. 04-250
- CA-8 Approve Budget Action Transferring Funds within the Public Works Administration Budget from Salary Savings to Various Expense Line Items to Cover Existing and Anticipated Expenditures for the Remainder of this Fiscal Year (\$7,100) (Public Works Director); Res. 04-242

- CA-9            Approve Professional Service Agreements with Inez Terra and Regina Taber to Provide Alcohol and Drug Counseling Services to the County Behavioral Health and Recovery Services Unit and Approve Professional Service Agreement with Amber Jones to Provide Child Care Services to Heritage House During Normal Hours of Operation (Human Services Director); Res. 04-243
  
- CA-10           Authorize the Contract for FY 2004-2005 between the County of Mariposa and Value Options for Medi-Cal Counseling for Foster Children Placed Out of County (Human Services Director); Res. 04-244
  
- CA-11           Approve Budget Actions in the Mental Health, Human Services Administration, and Proposition 36 Budget Units to Facilitate the Transfer of Mental Health Services from Kings View to the County and Allow for the Payment of Invoices and Salaries from the Appropriate Line Items (\$101,181) (4/5ths Vote Required) (Human Services Director); Res. 04-245
  
- CA-12           Adopt a Resolution Approving the Adoption of California Public Employee's Deferred Compensation Plan and Authorize the Chairman of the Board of Supervisors to Sign Employer Adoption Agreement (Auditor); Res. 04-246
  
- CA-13           Approve Budget Action Transferring Funds from Salary Savings to Extra-Help to Cover Emergency Extra-Help Needed for a Short Interim (\$3,337) (Community Services Director); Res. 04-247
  
- CA-14           Authorize the Chairman of the Board of Supervisors to Sign the Restaurant Meal Amended Agreement with Area 12 Agency on Aging and Approve Budget Action Reducing Both Grant Revenue and Expenditure Line Voucher Reimbursement (\$1,600) (4/5ths Vote Required) (Community Services Director); Res. 04-248

**4:34 p.m.** Adjournment in memory of Laurelyn Lacayo, Mary Mildred Ferri, and Danny Andrews.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board





## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA

June 8, 2004



Time                      Description

**9:05 a.m.** Meeting Called to Order at the Mariposa County Government Center

Randa Allen led in the Pledge of Allegiance  
Introductions

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda

- Judie Beliera, Visitors' Bureau, thanked the Board for the opportunity to host the Outdoor Writers Association Conference, and she commented on the activities. Rich Inman, County Administrative Officer, thanked Judie for her work with the Conference.
- Supervisor Pickard, on behalf of Assemblyman Dave Cogdill, presented a certificate to Randa Allen recognizing her perfect attendance throughout her school years and her other accomplishments. Supervisor Bibby commended Randa on her attendance; and she expressed safe and happy wishes to all of the graduates.

#### Board Information

- Supervisor Bibby advised of a photograph that Sheriff Allen gave her of former Board members (taken around 1976) which was signed by each of the members. She asked about doing a history area in the Government Center.
- Supervisor Pickard advised that the Conference Committee went with the Assembly version to not fund the Mt. Bullion CYA Camp. He stated he is working to get accolades out to special people who worked to retain the facility. He also noted that there is still discussion about a community service camp. He advised that CDF is having a difficult time obtaining funding for the firefighter I's, and we need to ensure adequate fire coverage. Supervisor Parker thanked Supervisors Pickard and Bibby for their efforts and hard work to retain the CYA Camp.
- Supervisor Stetson advised that he plans to attend the El Portal Planning Advisory Committee meeting this evening at 7:00 p.m. in El Portal, and he advised that the Midpines Community Planning Advisory Committee will meet at 7:30 p.m. in Midpines.
- Rich Inman, County Administrative Officer, advised that he is working on creating a gallery and identifying former Supervisors for the Government Center. Rich also advised of information received that declares Friday a National Day of Mourning for former President Ronald Reagan. The Board concurred with closing the offices on Friday for the National Day of Mourning.

Approval of Minutes 5-18-04, Regular Meeting; and

Approval of Minutes 5-25-04, Regular Meeting

**BOARD ACTION:** Approved, with correction to the May 18<sup>th</sup> minutes.

Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Supervisor Bibby pulled item 1. (M)Stetson, (S)Bibby, the balance of the items were approved. The Clerk of the Board read the titles and ordinance numbers into the record for items 6 and 7. Chairman Parker advised that there is a change in the transfer of funds for item 13, but that it does not affect the overall action. He also advised that separate action will be taken on items 14 and 15 by the Local Transportation Commission. Ayes: Unanimous.

**9:22 a.m.** The Local Transportation Commission convened. (M)Parker, (S)Pickard, Consent Agenda items 14 and 15 were approved/Ayes: Unanimous.

**9:24 a.m.** The Board reconvened. Supervisor Bibby initiated discussion relative to item 1, and asked that approval be contingent upon review of the agreement by the County Administrative Officer and County Counsel. (M)Bibby, (S)Stetson, item 1 was approved, contingent upon review of the agreement by the County Administrative Officer and County Counsel/Ayes: Unanimous.

Garry Parker, Board of Supervisors Chairman and Bob Pickard, Supervisor District V;  
Authorize the Expenditure of \$30,000 from Tobacco Settlement Funds to Support Mariposa County Unified School District's After-School Activities Transportation Program, Specifically the Sports Transportation Program and Continue with the "Yes on Sports/No on Tobacco" Campaign

**BOARD ACTION:** Rich Inman, County Administrative Officer, advised of survey responses relative to the success of the campaign, and he stated he would like to apply for another grant from the Health Department to purchase two more banners and expand the campaign to the Middle School. Discussion was held. Supervisor Bibby asked whether there would be increased costs for this program with the fuel costs, expansion of the program to the Middle School, and whether this program includes the sports programs for the boys and girls. Patrick Holland, Superintendent of Schools, advised that \$30,000 is the funding necessary to continue with all sports programs for the away games; however, they could use more with the increase in fuel costs – that could be addressed at a later time. (M)Bibby, (S)Pickard, Res. 04-269 was adopted approving the request/Ayes: Unanimous.

**INFORMATION** – No action was necessary on the following:

Inform the Board of Supervisors of the Current Library Hours for Mariposa Main Library, and the Branch Libraries of Red Cloud, El Portal, Bassett Memorial Library at Wawona, and Yosemite (Librarian)

**CONSENT AGENDA:**

- CA-1 Approve Renewal of Liability Claims Administration Agreement with Freese & Gianelli (County Administrative Officer); Res. 04-268, contingent on approval of agreement by the County Administrative Officer and County Counsel
- CA-2 Adopt a Resolution Recognizing Bobby Cooper upon his Retirement from Pacific Gas and Electric (PG&E) (Supervisor Stetson); Res. 04-261
- CA-3 Accept the Resignation of Jim Loeser from Coulterville Town Planning Advisory Committee (Supervisor Balmain)
- CA-4 Appoint Carmen S. Mecleary to the Midpines Community Planning Advisory Committee (Supervisor Stetson)
- CA-5 Appoint Laurel Anderson to the El Portal Planning Advisory Committee (Supervisor Stetson)
- CA-6 Waive Second Reading and Adopt an Ordinance Increasing the Transaction and Use Tax by One-Half (1/2) of One Percent (1%) for a Twenty Year Period and Placing the Ordinance Before the Electorate of Mariposa County (County Counsel); Ord. 1007
- CA-7 Waive Second Reading and Adopt an Ordinance Increasing the Transaction and Use Tax by One-Quarter (1/4) of One Percent (1%) for a Period Not to Exceed Four Years and Placing the Ordinance Before the Electorate of Mariposa County (County Counsel); Ord. 1008
- CA-8 Approve Budget Action Transferring Funds within the Juvenile Detention Budget to Cover the Cost of Extra-Help Employees (\$10,000) and Transferring Funds in the

Probation Budget to Purchase a Desk and Computer (\$1,693) (Chief Probation Officer); Res. 04-262

- CA-9 Approve Amended Two-Year Contract to Expand Services Provided by Lexis Nexis Internet Legal Research from “California Flat-Rate Library” to “California Enhanced Flat-Rate Library” (\$3,048) (District Attorney); Res. 04-263
- CA-10 Authorize the County Librarian to Close the Mariposa County Library System on Saturday, July 3, 2003 and Saturday, September 4, 2003 (Librarian); Res. 04-264
- CA-11 Approve Budget Action Transferring Funds between Various Line Items within the Library Budget to Purchase Additional Books, Cataloging Supplies, and Postage (\$2,375) (Librarian); Res. 04-265
- CA-12 Approve Budget Action Transferring Funds within the Building Budget from Equipment Under \$1,000 to Computer Fixed Assets to Purchase a 24-Inch LCD Monitor for Use when Scanning Building Permits and Plans to Improve Resolution and Provide Long Term Health Benefits (\$3,000) (Building Director); Res. 04-266
- CA-13 Approve Budget Action Increasing Revenue and Appropriations in the Fleet Services Fund to Cover Fuel Expenditures through the Remainder of the Fiscal Year (\$45,000) (4/5ths Vote Required) (Public Works Director); Res. 04-267
- CA-14 **LOCAL TRANSPORTATION COMMISSION**  
Adopt a Resolution Allocating the State Transit Assistance (STA) Funds for Fiscal Year 2003-04 (Public Works Director); LTC Res. 04-3
- CA-15 **LOCAL TRANSPORTATION COMMISSION**  
Adopt a Resolution Allocating the Transportation Development Act (TDA) Funds for Fiscal Year 2003-04 (Public Works Director); LTC Res. 04-4

**9:30 a.m.** Adjournment in memory of Kristopher C. Turner, Marjorie S. Friede, and Jane Gyer.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA

June 15, 2004



Time            Description

**9:05 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance  
Introductions

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda – None

Chairman Parker noted that the Board also sits as the governing body of various agencies and takes action for those agencies; i.e., Water Agency and Local Transportation Commission.

#### Board Information

- Supervisor Balmain advised that he plans to attend the Bio-Diversity Council meeting in Lake Arrowhead on Wednesday.
- Supervisor Bibby referred to an announcement in the Merced Sun Star – the Mariposa Funeral Home has a register for remembrances for Ronald Reagan. She thanked the Sheriff and staff for the recent marijuana eradication effort, and the Gazette for their coverage. She noted that the Sober Graduation Night for the High School seniors was successful with a great attendance. She advised that the Farm Bureau meeting is scheduled to be held at 7:00 p.m. this evening at the Government Center and the public is invited. She thanked Susan Crain/Sesquicentennial Coordinator and the Chamber of Commerce and Wagon Train Committee for the Wagon Train and parade events held over the weekend.
- Supervisor Stetson advised that the Sierra Nevada Institute is opening on Thursday at Wawona.
- Chairman Parker advised that Consent Agenda item 10 has been pulled from the agenda.

#### **LOCAL TRANSPORTATION COMMISSION**

Approve the Master Fund Transfer Agreement with State of California Department of Transportation (CalTrans) for Transportation Planning, and Authorize the Executive Director of the Local Transportation Commission to Sign the Agreement (Public Works Director)

**COMMISSION ACTION:** This matter was pulled from the agenda by Public Works and will be rescheduled in the future.

Supervisor Pickard and Supervisor Bibby;

Approve Recognition for the Following for Their Efforts to Retain the Mt. Bullion California Youth Authority (CYA) Camp: Assemblyman Dave Cogdill, Senator Chuck Poochigian, Strategic Local Government Services, and Employees of the Mt. Bullion CYA Camp

**BOARD ACTION:** (M)Pickard, (S)Bibby, the Certificates of Recognition were approved/Ayes: Unanimous. Chairman Parker commended Supervisors Pickard and Bibby for their efforts to retain the Camp. Supervisor Bibby extended the Board's appreciation to the community and to the County Departments for their assistance. Supervisor Pickard provided input on the process to retain the Camp and the importance the Camp has been to the community with its services and fire protection. He commended Assemblyman Cogdill and Senator Poochigian and Strategic Local Government Services/lobbying group that represents the County in Sacramento, for their efforts. The following individuals were also noted for their efforts: Candy O'Donel-Browne, Dianne Fritz, Sheriff Jim Allen,

Gail Neal/Chief Probation Officer, Mary Williams/Community Services Director, Jan Mennig, Neil Stonum, Roger Biery, Cindy Perkins and Dennis Baker. Certificates were presented to the following employees of the Camp that were present: Larry Rochelle/Assistant Superintendent, John Powell/Sergeant, and Tom Williams/Youth Correctional Officer. Supervisor Pickard noted that the Certificates for the other employees would be forwarded to them. Larry Rochelle thanked everyone for their efforts on behalf of the Camp, and he expressed special appreciation for Bob Kirchner and his efforts. Supervisor Pickard noted that Bob Kirchner's efforts were on behalf of the entire County. Supervisor Bibby thanked the families of the employees for their support, and she thanked the other Board members.

**9:29 a.m.** Recess

**9:45 a.m.** Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Item 10 was pulled earlier this date. Supervisor Balmain pulled item 8. Supervisor Stetson pulled items 1, 2, and 3. (M)Pickard, (S)Stetson, the balance of the items was approved/Ayes: Unanimous.

Consent Agenda items 1 and 2 – Supervisor Stetson initiated discussion, and stated he would like more information on the County's responsibilities that are a part of these leases. The items were continued for Supervisor Stetson to obtain more information.

Consent Agenda item 3 – Supervisor Stetson initiated discussion relative to the processing costs of this contract in relation to the small amount of revenue that is received (\$106.70). Rich Inman, County Administrative Officer, advised that he will review the benefits of the program in relation to the reimbursement. (M)Stetson, (S)Pickard, item 3 was approved/Ayes: Unanimous.

Consent Agenda item 8 – Supervisor Balmain initiated discussion relative to the portion of the request to transfer funds from the Cemetery line item, and he noted the maintenance that is needed at the Coulterville Cemetery. Supervisor Parker expressed concern that requests for purchases should be made during the Final Budget hearings. Dana Hertfelder, Assistant Public Works Director, provided input relative to the request and the status of maintenance at the Coulterville Cemetery. (M)Bibby, (S)Balmain, item 8 was approved/Ayes: Unanimous.

Jacque Meriam, Librarian;

Approve New Hours of Operation for the Mariposa County Main Library

**BOARD ACTION:** Discussion was held with Jacque Meriam relative to the request and the trial period that was held with the new hours. (M)Pickard, (S)Stetson, Res. 04-277 was adopted/Ayes: Unanimous.

Dana Hertfelder, Assistant Public Works Director, appeared on behalf of Jim Petropulos, Public Works Director;

Adopt a Resolution Authorizing Issuance of Improvement Bonds and Related Actions, and List of Unpaid Assessments Relative to the Yosemite West Wastewater Facilities Project

**BOARD ACTION:** (M)Balmain, (S)Stetson, Res. 04-278 was adopted/Ayes: Unanimous. Supervisor Parker asked whether each individual item for the Yosemite West Wastewater project needs to be brought to the Board for action. Rich Inman, County Administrative Officer, recommended that the Board take official action on each item and that the same be done for the Don Pedro Wastewater project.

Supervisor Balmain;

Adopt a Resolution in Support of California High Speed Rail System

**BOARD ACTION:** The following persons provided input.

- Rod Webster, Transportation Involves Everyone (TIE) special representative, encouraged the Board to support the High Speed Rail System. He referred to the history of the project and previous involvement by the Board to support the Highway 99 route versus Interstate 5.

(M)Balmain, to adopt Res. 04-279 was held pending further discussion.

- Marsh Pitman, TIE, provided input relative to changes he would like to see in the formal resolution, and he thanked the Board for its consideration of this matter.

Discussion was held, and the Board concurred with changes to the resolution. The motion was seconded by Supervisor Pickard/Ayes: Unanimous.

#### Discussion and Direction Regarding General Plan Process (County Counsel)

**BOARD ACTION:** Tom Guarino, County Counsel, initiated discussion relative to the General Plan process. He advised that he anticipates receiving the document shortly, and that there has been no changes from the January 3, 2003, version presented by the Planning Commission - however, it does contain suggested changes that are highlighted in red and blue. Discussion was held relative to timeframes, making copies and CD-ROMS available to the public, including distribution to the library branches, and posting on the internet. Supervisor Bibby requested that a copy be available at the Airport. The Board concurred with making 50 color copies and 50 CD-ROMS initially – these documents would be made available to the public at no cost. If more copies are needed, the matter will be brought back to the Board for further consideration. Tom recommended that at least two weeks be allowed for written comments after the document is made available to the public. Supervisor Parker suggested that the Board hold a workshop to get organized with the document prior to scheduling workshops for public input and with Parsons. Then workshops would be held to take public input with Parsons present, and for the Board to review the document. Then he suggested that the final changes be made, and that Parsons be invited back for another workshop to review the final draft. Discussion was held. Tom advised that he would work with staff to schedule the workshops separate from the regular Board meeting schedule on Tuesdays, probably in July. Supervisor Parker also asked about the Board meeting a couple of days just to receive public input. Rich Inman, County Administrative Officer, advised, for the record, that the suggested revisions that are in the document in red and blue and so forth, in no way affect the environmental document itself and/or compliance with the law in regard to the General Plan. Tom Guarino provided input relative to the hearing process and review by Parsons for compliance with the environmental review requirements. Sarah Williams, Interim Planning Director, responded to questions relative to the status of the budget for the General Plan. Tom Guarino clarified that use of time with Parsons is for a Board workshop session for the Board to work with Parsons and give direction on what needs to be done, and then staff will work into the schedule a day or so for additional public comment. Supervisor Stetson requested that a full two-week comment period be allowed for the public after the documents are made available.

**10:50 a.m.** CLOSED SESSION: Conference with Real Property Negotiator Relative to APN 012-110-006, Relative to Instruction to Negotiator Concerning Property on Agua Fria (County Administrative Officer);

CLOSED SESSION: Conference with Legal Counsel; Existing Litigation: California Government Code Section 54956.9(a); James B. Dean, Marion Ferri Dean v. County of Mariposa, et al, Case No. 8608 (County Counsel); and

CLOSED SESSION: Conference with Legal Counsel; Existing Litigation: California Government Code Section 54956.9(a); Allstate Insurance Company v. County of Mariposa, et al and Anticipated Litigation/Initiating of Litigation for a Case Pursuant to Subdivision (c) of Government Code Section 54956.9 (County Counsel)

**BOARD ACTION:** (M)Stetson, (S)Pickard, the closed sessions were held/Ayes: Unanimous.

**12:01 p.m.** Chairman Parker announced that direction was given to staff as a result of the closed session matters.

#### **CONSENT AGENDA:**

CA-1 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Execute a Lease Agreement with Mariposa Preschool Cooperative, a California Non-Profit

Corporation, for Use of the Woodland Community Building (County Counsel); Item was continued for more information to be obtained

- CA-2 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Execute a Lease Agreement with Almost Like Home, Inc., a California Non-Profit Corporation, for Use of the Woodland Community Building (County Counsel); Item was continued for more information to be obtained
- CA-3 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Execute High Risk Pest Exclusion Agreement No. 04-0341 for Fiscal Year 2004/2005 with California Department of Food and Agriculture (CDFA) (Agricultural Commissioner); Res. 04-275, with direction for the County Administrative Officer to review
- CA-4 Adopt a Resolution Accepting Funding for the Fiscal Year 2004/2005 in the Amount of \$48,894 for the Continuation of the Mariposa County Juvenile Justice Crime Prevention Act (JJCPA), Administered by the California Board of Corrections (BOC) (Chief Probation Officer); Res. 04-270
- CA-5 Approve Amendment to Minimum Bids for Tax-Defaulted Parcels Scheduled for Public Auction on August 27, 2004, to Reflect New California Department of Forestry (CDF) Fire Fee on 2004/2005 Tax Year and Higher Per Parcel Publication Charge to Meet Newspaper Publication Requirements (Tax Collector); Res. 04-271
- CA-6 Approve Budget Action Transferring Funds within the District Attorney Budget from Extra-Help and Overtime Line Items to Equipment Under \$1,000 to Purchase Two Flat Screen Monitors (\$1,024) (District Attorney); Res. 04-272
- CA-7 Adopt a Resolution Approving the District Attorney Statutory Rape Vertical Prosecution 2004/2005 Grant, in the Amount of \$22,221, Administered through the State of California Office of Emergency Services (District Attorney); Res. 04-273
- CA-8 Approve Budget Action Transferring Funds within the Parks & Recreation Budget from Various Line Items to Fixed Assets to Purchase a Pool Cover for the Mariposa Pool (\$3,100) (Public Works Director); Res. 04-276
- CA-9 Approve Budget Action Transferring Funds within the Coulterville Service Area Budget from Contingency to Professional Services (Sewer Division) to Cover Anticipated Expenditures through the End of this Fiscal Year (\$7,032) (4/5ths Vote Required) (Public Works Director); Res. 04-274
- CA-10 Authorize the Public Works Director to Amend the Existing Soil Cover Contract #03-056 with Mark Long Tractor & Hauling, to Increase the Amount of the Contract by \$13,050, to Gain Additional Soil Cover Material Required for the Landfill (Public Works Director); Item was pulled
- CA-11 Approve Certificate of Recognition for the Wawona Hotel on Celebrating its 125<sup>th</sup> Anniversary (Supervisor Pickard)
- CA-12 Approve Certificate of Recognition for the Dedication of the UC Merced/Wawona Research Center (Supervisor Pickard)

**12:02 p.m.** The Board continued the meeting to Monday, June 21, 2004, at 12:30 p.m. for closed session relative to Planning Director interviews (County Administrative Officer); and recessed in memory of Ruth Penney, Tommy Wolfe, Betty Lou Martin, Carl Arthur Agler, and Nanci Jeanne Spaulding.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board





MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA

June 21, 2004

(Meeting Continued from June 15, 2004)



Time            Description

**12:41 p.m.** Continued meeting, from June 15, 2004, was called to order at the Mariposa County Government Center with Supervisors Bibby and Pickard excused to arrive later.

CLOSED SESSION: Relative to Planning Director Interviews (County Administrative Officer)

**BOARD ACTION:** (M)Stetson, (S)Balmain, the closed session was held with all Board members present/Ayes: Stetson, Balmain, Parker; Excused: Bibby, Pickard.

**4:06 p.m.** Chairman Parker advised that the closed session was continued to June 22, 2004.

**4:07 p.m.** Adjournment

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA

June 22, 2004



Time                      Description

**9:07 a.m.** Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Janet Bibby, Supervisor District III;

Approve a Certificate of Appreciation to Carl Boyer for his Work on the Development of the Logo for the Solid Waste & Recycling Division and the Web Page for the Public Works Department and Solid Waste & Recycling Division

**BOARD ACTION:** (M)Bibby, (S)Stetson, the Certificate was approved and presented to Carl Boyer/Ayes: Unanimous.

Garry R. Parker, Board of Supervisors, Chairman;

Adopt a Resolution and Approve a Tile Plaque Recognizing Donna Lowrimore upon her Retirement from the Mariposa County Assessors Office

**BOARD ACTION:** (M)Balmain, (S)Pickard, Res. 04-280 was adopted and presented to Donna Lowrimore, along with a tile plaque/Ayes: Unanimous.

Public Presentations: For Non-Timed Agenda Items including Attention, Information, and Consent Agenda, and for Items Not on the Agenda

- Ken Melton advised that he is representing the applicants for Land Division Application No. 2002-517, and he expressed concern with condition No. 2 that was placed on the project relative to the CalTrans encroachment, and he requested that this matter be calendared on the Board's agenda. Chairman Parker referred the matter to County Counsel to work with the appropriate department to resolve the issue. Ken requested that he be involved in the process; and Tom Guarino, County Counsel, advised that he will contact Ken when he needs to speak with him. Ken stated he feels the Board should set a policy relative to imposing conditions for which there are no established requirements.

Board Information

- Supervisor Balmain reported on the Bio-Diversity Council meeting that he attended in Lake Arrowhead last week, and he advised that the issues with forest management and fire dangers were discussed.

Approval of Minutes 6-1-04, Regular Meeting; and

Approval of Minutes 6-8-04, Regular Meeting

**BOARD ACTION:** Approved

Approval of the Consent Agenda (See End of the Minutes)

**BOARD ACTION:** Supervisor Stetson pulled item 3. Supervisor Balmain pulled items 6 and 8. Supervisor Bibby pulled item 19. Supervisor Pickard pulled item 1. Supervisor Parker pulled item 18. (M)Pickard, (S)Bibby, the balance of the items was approved/Ayes: Unanimous.

- Consent Agenda item 1 – Supervisor Pickard initiated discussion, and he recommended that the Board continue with its past practice of approving a tile plaque for the first resident of Mariposa to finish the 25-mile and 50-mile endurance rides, and he suggested that the awards be presented to the

recipients at a Board meeting. Supervisor Parker suggested that framed certificates be presented in the future. (M)Pickard, (S)Bibby, the Board approved tile plaques to be presented, with the presentation to be made to the recipients at a Board meeting, and with direction that framed certificates be presented in the future/Ayes: Unanimous.

Consent Agenda item 3 – Supervisor Stetson initiated discussion relative to the methodology and whether it would be used for others. Rich Inman, County Administrative Officer, provided input relative to the Board Committee’s work on the salary issues for department heads. (M)Balmain, (S)Pickard, item 3 was approved/Ayes: Stetson, Balmain, Bibby, Pickard; Noes: Parker.

Consent Agenda item 6 – Supervisor Balmain initiated discussion and questioned terms of the contract relative to HVAC maintenance costs and taxes. Tom Guarino, County Counsel, responded to the questions. Discussion was held relative to planning for facilities for the future. (M)Balmain, (S)Pickard, item 6 was approved/Ayes: Unanimous.

Consent Agenda item 8 – Supervisor Balmain advised that a sentence was missing from paragraph 19 in the agreement. (M)Balmain, (S)Pickard, item 8 was approved with the correction noted by Supervisor Balmain/Ayes: Unanimous.

Consent Agenda item 18 – Supervisor Parker initiated discussion and stated he feels these types of requests should be considered during the final budget hearings. Dana Hertfelder, Assistant Public Works Director, responded to questions. (M)Stetson, (S)Balmain, item 18 was approved/Ayes: Unanimous.

Consent Agenda item 19 – Supervisor Bibby initiated discussion and suggested that other entities be contacted to participate in the Moyer/cleaner diesel engine program such as the Hospital (for their diesel generator) and the School District. Chairman Parker requested that the Health Officer be made aware of the requests so that others could be considered. (M)Bibby, (S)Pickard, item 19 was approved/Ayes: Unanimous.

James Petropulos, Public Works Director;

Approve Amendment to the Agreement with Wilson and Associates in the Amount of \$22,000 for Additional Services Associated with Assessment Engineering for Yosemite West Maintenance District Wastewater Treatment Facility Project

**BOARD ACTION:** Chairman Parker advised that Public Works pulled this matter. Dana Hertfelder, Assistant Public Works Director, advised that he is planning to reschedule the matter on July 6<sup>th</sup>.

**10:18 a.m.** Recess

**10:45 a.m.** Jacque Meriam, Librarian;

A) Authorize the County Librarian to Sign a Contract with Online Computer Library Center, Incorporated (OCLC) to Provide Interlibrary Loans for Mariposa County Library Patrons

**BOARD ACTION:** Following discussion with Jacque Meriam, (M)Balmain, (S)Stetson, Res. 04-299 was adopted/Ayes: Unanimous.

B) Authorize the County Librarian to Accept a Library Services and Technology Act (LSTA) Grant, Contingent upon Passage of the State Budget

**BOARD ACTION:** Following discussion with Jacque Meriam, (M)Bibby, (S)Stetson, Res. 04-300 was adopted/Ayes: Unanimous.

**10:55 a.m. LOCAL TRANSPORTATION COMMISSION**

Dana Hertfelder, Assistant Public Works Director, appeared on behalf of Jim Petropulos, Public Works Director;

Adopt the 2004-2005 Transportation Planning Overall Work Program (OWP) and Authorize the Executive Director of the Local Transportation Commission to Sign the Overall Work Program Agreement and the Transportation Planning Process Certification

**COMMISSION ACTION:** Commissioner Bibby requested that traffic count information be provided to the Commissioners. Commissioner Pickard asked about the Bike Plan status. Commissioner

Balmain advised that he will provide typographical corrections to Public Works. (M)Pickard, (S)Bibby, LTC Res. 04-5 was adopted/Ayes: Unanimous.

**11:02 a.m.** Dana Hertfelder, Assistant Public Works Director, appeared on behalf of Jim Petropulos, Public Works Director;

**PUBLIC HEARING** Relative for Approval of a Resolution Adopting a Negative Declaration for County Acquisition of Property on Ranchito Drive, County of Mariposa for Future Use and Development of a Wastewater Treatment Facility to Serve Sewer Zone I; Authorizing Acquisition of APN 001-260-16 in the Amount of \$202,500, Paying Broker's Commission of \$22,500, and Usual and Customary Closing Costs Estimated at \$2,200; Authorizing County Administrative Officer to Execute all Documents Associated with the Purchase; Authorizing Location of the Public Improvement, the Don Pedro Wastewater Treatment Facility on Williamson Act Contracted Land, APN 001-260-15 and 001-260-16, Pursuant to Findings Under Section 51292 of the Government Code

**BOARD ACTION:** Fred Solomon, Project Consultant, presented the staff report, and he advised that the recommended actions today do not implement the project itself. He noted that findings are included in the staff report to justify the purchase price of the parcel and for the proposed location of the wastewater treatment facility on parcels which are located on Williamson Act contracted land; and he advised of correspondence that was received. He advised of the concerns expressed in the correspondence received from the Farm Bureau and of his response and of correspondence received from the Department of Conservation.

The public portion of the hearing was opened and input was provided by the following:

- John Gamper, representing California Farm Bureau Federated on behalf of the Mariposa County Farm Bureau, expressed concern with protection of the Williamson Act contracted lands. He cited code sections relative to eminent domain in relation to Williamson Act contracts and the acquisition of land and commented on the required findings. He asked how the previously acquired 40-acre parcel will be used and whether the use would be compatible with Williamson Act. He also expressed concerns with the appraisal and the comparables that were used. He stated he would like to see Williamson Act contracted land protected so that it can't be parceled into smaller lots that could become home sites. Supervisor Bibby asked how he would deal with historical parcels that are split off. John advised that he supports only allowing one residential building permit per Williamson Act contract.
- Kevin Gile stated he is a resident of the area and expressed concern with the notification process. He advised that they were notified of two meetings that were held last year, but were not notified of this hearing. He asked that all of the owners be notified in the future. He noted that the recommended action would spend funds to acquire land that will need to be paid by a future assessment. He asked what would happen to the land if the assessment ballot vote doesn't pass.
- Cathie Pierce-Ragghianti, cattle rancher and a member of the Board of Directors of the Farm Bureau and taxpayer, said she is not sure how the action to purchase the first 40-acre parcel got by without their knowing. She expressed concern with the appraisal on the property and the comparables that were used. She suggested that another appraisal be obtained from someone who is familiar with agriculture land. She stated that if this is taken out of the Williamson Act contract, she would like to see some way to replace it with another parcel. She stated she disagrees with the negotiations that allow the property owner to lease-back the land for pasture for the cattle for ten years at no cost. She noted that spraying the water on the land will result in permanent pasture and that brings a high rent in the valley. She requested that the Farm Bureau be advised of any future changes that are proposed for Williamson Act contracted lands. She also stated that their office did not receive the response from Fred Solomon to their correspondence. Fred Solomon advised that he personally hand-delivered the response to the Farm Bureau Office.
- Paul Chapman expressed concern with the preservation of agricultural land; and he protested the purchase of this land at such an exorbitant price. He stated he feels it will

be the non-resident developer that will get the most use out of it. He questioned why the “defunct golf course” area isn’t being used for the project. He asked who has paid the penalties for the splitting of the original parcel. He stated he hopes the Board will use land that is not in the Williamson Act for this project.

The public portion of the hearing was closed and the Board commenced with deliberations. Sarah Williams, Interim Planning Director, asked for a recess. Chairman Parker provided a reminder that the Board is in the deliberation phase of the hearing and is unable to discuss this matter outside of the hearing.

**11:42 a.m.** Recess

**11:56 a.m.** Tom Guarino, County Counsel, addressed the following issues that were raised:

- issue of Government Code Section 51295 relative to eminent domain. He advised that the Board did not initiate eminent domain proceedings.
- concerns relative to the appraisal and acreage of 39 to 40 acres and whether a single-family dwelling could be constructed. He advised that the Contract permits compatible use and the appraiser took that and the single-family dwelling issue into consideration. He advised that it was found out later that the 39 acres was increased to 40 by a lot line adjustment. He noted that the appraisal was done by a licensed appraiser and the questions were previously raised and the appraisal was not changed.
- Pulling the land from the Williamson Act Contract to construct the wastewater treatment facility. He advised that if the land is not used for the facility, it would still be subject to the Williamson Act. He advised that the recommended action today proceeds with allowing a public facility on the land. He noted that the Board has the authority to determine what the compatible uses are for the land. When it is determined where to locate the facility, another action will need to be taken to determine the compatible use, i.e., public wastewater treatment facility.
- Use of the land for grazing purposes. He advised that this use was found to be compatible by the State, and was previously negotiated with the seller. Completion of these actions will occur with the action to come back relative to determining compatible use.

Tom Guarino responded to questions from the Board relative to his review of the Willits vs. Mendocino case that was referred to; relative to the lot line adjustment; and relative to the Land Conservation District. Tom also advised that he has not issued any written opinions on GC 51295 for the public or otherwise. Dana Hertfelder responded to questions from the Board relative to timeframes for the process; notification to the property owners; request for consideration of use of the golf course for the project; and relative to the Proposition 218 assessment process. Staff also responded to questions from the Board relative to the Cease and Desist Order that the State issued for this area and relative to the amount of land that would actually be used for the project and the portion that would remain for grazing. The hearing was continued for a lunch break, and Chairman Parker again reminded everyone that the Board is in the deliberation phase of the hearing and is unable to discuss the matter outside of the hearing process.

**12:19 p.m.** Lunch

**1:36 p.m.** The Board continued with deliberations. Tom Guarino provided information on his review of the Willits vs. Mendocino case and the eminent domain issue. He advised that the Board is not looking at a cancellation of the Williamson Act contract, and that would require a noticed, public hearing. The Board is going through the process for the wastewater treatment facility. He stated he feels that this type of purchase is permitted; and that the Board’s action is less than that taken by Mendocino County. He suggested that direction be given to staff to bring back a resolution with findings that the use of the land for the wastewater treatment facility is compatible with the current contract.

(M)Balmain, (S)Pickard, Res. 04-301 was adopted adopting a Negative Declaration for County acquisition of property on Ranchito Drive, County of Mariposa for future use and development of a wastewater treatment facility to serve Sewer Zone I; authorizing acquisition of APN 001-260-16 in the amount of \$202,500, paying Broker’s commission of \$22,500, and usual and customary closing costs

estimated at \$2,200; authorizing County Administrative Officer to execute all documents associated with the purchase; authorizing location of the public improvement, the Don Pedro Wastewater Treatment Facility on Williamson Act contracted land, APN 001-260-15 and 001-260-16, pursuant to findings under Section 51292 of the Government Code; and direction was given for staff to bring back a resolution with findings that the use of the land for the wastewater treatment facility is compatible with the current contract. Chairman Parker requested that all of the property owners receive notification of actions for this project in the future versus just those in the 600-foot area. Ayes: Unanimous. The hearing was closed.

Discussion and Direction Regarding General Plan Process (Continued from 6-15-04) (County Counsel)  
**BOARD ACTION:** Tom Guarino, County Counsel, initiated discussion relative to the General Plan process and workshop schedule. He thanked Sarah Williams and the Planning staff for their assistance. He advised that the draft Plan is posted on the County's website and has been distributed to the Library branches and the Airport. He also advised that a notice was placed in the Gazette relative to the availability of this document. He noted that the estimate previously given to the Board of \$2,000 for making 50 copies was for black and white copies – the color copy estimate is \$7,000 – so, the color, copy printing is being done in-house by staff to keep the costs to the estimated \$2,000. He advised that July 6<sup>th</sup> is the end of the two-week written comment period, and he advised of tentative scheduling with Parsons for the workshops. Discussion was held relative to the scheduling. Tom advised that the workshop schedule would be placed on the July 6<sup>th</sup> agenda for approval and posted on the website.

**2:02 p.m.** Recess

**2:11 p.m.** The Board concurred with the following tentative schedule for the workshops on the General Plan:

Monday, July 12<sup>th</sup> – workshop for a Board study session, with time to be allowed for conducting interviews for the Planning Director position

Tuesday, July 13<sup>th</sup> – workshop for a Board study session with Parsons following the regular agenda, approximately 10:00 a.m.

Wednesday, July 14<sup>th</sup> – continued workshop for a Board study session with Parsons at 9:00 a.m.

Friday, July 16<sup>th</sup> – continued workshop, if necessary

Monday, July 19<sup>th</sup> – workshop for public comment at 9:00 a.m.

**INFORMATION** – No action was necessary on the following:

Notification of Increase in Compensation of Superior Court Judges During the Fiscal Year 2003-04 and Effect on Board of Supervisors' Salaries (Auditor)

### **CONSENT AGENDA:**

CA-1 Approve Certificates of Recognition to be Presented to the First Residents of Mariposa to Finish the 25 Mile and the 50 Mile Endurance Rides, Scheduled for June 26, 2004 (Rich Theodore/4-H Equine Project); Board approved presentation of tile plaques at a Board meeting to the recipients, with direction given for framed, certificates to be presented in the future

CA-2 Approve Extended Time for Sarah Williams, Interim Planning Director, to Utilize Accrued Vacation from June 30, 2004 to December 31, 2004 (County Administrative Officer); Res. 04-281

- CA-3 Approve Adjustment of Salary for Director of Human Services to \$85,000 per year for Assumption of Behavioral Health Duties, Effective June 1, 2004 (County Administrative Officer); Res. 04-294
- CA-4 Appoint Robert “Bob” Jobe to the Coulterville Planning Advisory Council (Supervisor Balmain)
- CA-5 Appoint Jeannette L. O’Neil to the Greeley Hill Planning Advisory Committee (Supervisor Balmain)
- CA-6 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign a Renewal Lease Agreement with William Klump for Office Space Occupied by the Human Services Department (County Counsel); Res. 04-295
- CA-7 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Execute a Restaurant Meal Program Agreement with the Coulter Café to Provide Senior Citizens on the North Side of the County with Hot Meals (County Counsel); Res. 04-282
- CA-8 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Execute a Lease Agreement with James Bardini for a Social Services Classroom Site for a Five Year Period Commencing July 1, 2004 (County Counsel); Res. 04-296
- CA-9 Approve Amendment to Contract between Merced County and Mariposa County for Storage and Space for Autopsies (Sheriff); Res. 04-283
- CA-10 Authorize the Chairman of the Board of Supervisors to Sign a Three Year Agreement with Sierra Tel Networks for the Northland Cable Tower Wireless Relay, Pending County Counsel Approval (Technical Services Director); Res. 04-284
- CA-11 Authorize the Human Services Department to Enter into a Contract with Laura Donahue for Nursing Services, Effective June 2, 2004 and Authorize the Contract to be Continued on a Yearly Basis with the Approval of County Counsel and the County Administrative Officer (Human Services Director); Res. 04-285
- CA-12 Approve Budget Action Transferring Funds within the Child Support Services Budget within Various Line Items to Cover Existing and Anticipated Expenses for the Remainder of this Fiscal Year (\$4,900) (Child Support Services Director); Res. 04-286
- CA-13 Authorize the Chairman of the Board of Supervisors to Sign Renewal Contract for Janitorial Services with Clara Mossman for Child Support Services Building (Child Support Services Director); Res. 04-287
- CA-14 Authorize the Chairman of the Board of Supervisors to Sign the Congregate Meal Agreement, Home Delivered Agreement, Restaurant Meal Agreement, and the III B North Side Transportation Agreement with Area 12 Agency on Aging and Review Their Budget for Fiscal Year 2004-2005 (Community Services Director); Res. 04-288
- CA-15 Approve Amendments to the Existing Contract for Services with Integrated Recycling, Inc. for Ongoing Consulting Services Being Provided to the Solid Waste & Recycling Division for the Mixed Solid Waste (MSW) Composting Facility to Extend the Term of the Agreement to June 30, 2005; Amend the Compensation for the Term in the Amount Not To Exceed \$24,000 and to Add Wording to Allow for Additional Services if Necessary (Public Works Director); Res. 04-289

- CA-16 Approve Amendments to the Existing Contract for Services with Concept Designs Company for Ongoing Consulting Services Being Provided to the Solid Waste & Recycling Division for the Mixed Solid Waste (MSW) Composting Facility Extending the Term of the Agreement to June 30, 2005 (Public Works Director); Res. 04-290
- CA-17 Approve Amendments to the Existing Contract for Services with California Waste Associates for Ongoing Consulting Services Being Provided to the Solid Waste & Recycling Division Extending the Term of the Agreement to June 30, 2005 and Amending the Compensation for the Term in the Amount Not To Exceed \$12,000 (Public Works Director); Res. 04-291
- CA-18 Approve Budget Action Transferring Funds within the Facilities Maintenance Budget from Maintenance of Buildings to Clothing to Cover Expenditures for Uniforms (\$2,000) (Public Works Director); Res. 04-297
- CA-19 Adopt a Resolution Allowing Air Pollution Control District to Expand Availability of Moyer Funding for Cleaner Diesel Engines to Delaware North Corporation and to Total Waste, Inc. (Health Officer); Res. 04-298, with other entities to be reviewed for participation in this program
- CA-20 Adopt a Resolution Approving a Professional Service Agreement with the Mariposa County Resource Conservation District for Fiscal Year 2004-2005 for Services Rendered to the Building Department for Grading and Erosion Control Services Not to Exceed \$18,000 (Building Director); Res. 04-292
- CA-21 Adopt a Resolution Authorizing County Counsel to Retain Abbott and Kindermann, LLP and Authorize the Chairman of the Board of Supervisors to Sign a Legal Services Agreement to Represent the County of Mariposa (County Counsel); Res. 04-293

**2:19 p.m.** The Board recessed in the memory of Thomas Joseph Cosgrove and Jeanne E. Walton; and continued the meeting to Wednesday, June 23, 2004, at 9:00 a.m. for Final Budget Hearings (County Administrative Officer).

Respectfully submitted,

MARGIE WILLIAMS,  
Clerk of the Board





## MARIPOSA COUNTY BOARD OF SUPERVISORS



### CONFORMED AGENDA

June 23, 2004

(Meeting Continued from June 22, 2004)

Time            Description

9:18 a.m. Continued meeting, from June 22, 2004, was called to order at the Mariposa County Government Center

PUBLIC HEARING on the Final Budget for Fiscal Year 2004/05 (County Administrative Officer) **BOARD ACTION:** Ken Hawkins/Auditor, Chris Ebie/Assistant Auditor, and Mary Hodson/Deputy County Administrative Officer, were present to respond to questions and to track the budget changes.

Rich Inman, County Administrative Officer, presented the staff report on the proposed budget. He reviewed the six new position requests and recommendations. He advised that changes can be made in the final budget process; however, only those items introduced during the hearing, or submitted to the Clerk of the Board within the next ten days, can be considered in the final budget. After adoption of the final budget, a separate action would be required to implement other budget issues. He reviewed the status of the major revenue sources and major expenditure increases for salaries, benefits and insurance. Staff responded to questions from the Board relative to the proposed budget, including the formula used for calculating the insurance costs and the impacts to the departments.

Chairman Parker called for public comment.

- Debra Rockwood, SEIU representative, asked about providing input during the hearing process. Chairman Parker advised that input would be accepted during the hearing.

The Board reviewed the following budgets:

**Sheriff-Coroner-Public Administrator** – Discussion was held with Jim Allen, Sheriff; and he advised of concerns with the impact that the insurance increase has on his department's budget with the new formula, and he requested reconsideration of this matter. He also noted the minimal amount that was spent for repairing damaged vehicles in comparison with the high mileage for the department. He expressed concern with the proposal to decrease the line item for safety equipment for regular employees. Supervisor Pickard advised of a meeting that he and Supervisor Balmain held with the Sheriff relative to the budget; and he asked that if there are any available funds in the final budget, that this line item be restored. Sheriff Allen asked for funding to be restored to replace laptop computers. Supervisor Pickard recommended that if there are any available funds in the final budget, that this line item be restored. Supervisor Parker asked that alternatives be explored, such as leasing the laptops.

**Jail:** Discussion was held with Sheriff Allen, and he requested that the \$5,000 for extra help be funded so that a bailiff, at an hourly rate versus regular staff, could be used for out of County transports. Following discussion, the Board concurred with reducing the overtime line item by \$2,500 and placing the funds in the extra help line item, and with further reviewing this request in September.

Further discussion was held relative to the formula used to calculate the insurance costs for the departments and revisiting this matter. Supervisor Bibby requested a breakdown of costs for the departments and a history of the costs.

**Assessor-Recorder** – Bob Lowrimore, Assessor-Recorder, stated he feels the revenue projections could be high. The Board concurred with the budget as recommended.

**Technical Services** – Discussion was held with Rick Peresan, Technical Services Director. He requested that funding be restored for the tape drive, and he suggested that funding could be taken from the \$25,000 that was funded for GIS in Professional Services, and that no further work would occur on the GIS project this year. Discussion was held relative to the status of the GIS project, and the remaining funds in the Professional Services line item which are earmarked for the County website project. Discussion was held relative to the possibility of financing the AS400 new model. Rick also requested that the funding be restored for the network printers, with one printer to be used by the Auditor for printing vendor checks. It was noted that \$3,000 is funded in the Auditor’s budget for a printer. Rick requested that funding be restored in the communication line item for the Northland Cable tower. He also requested that \$10,000 be funded for the Probation case management system contingency for programming. Gail Neal, Chief Probation Officer, provided input on this request. Rick requested that funding be restored for the replacement computer for the department and that it be allocated to the Sheriff. Discussion was held relative to the request to fund an email server. Supervisor Bibby asked about exchanging the funding for the replacement computers for the Board with computers from the Auditor, so that the Auditor’s staff would have the new equipment. Rick reviewed the other items in his budget request that were not recommended for funding. He noted the staffing level of the department in comparison with other counties and the workload. Discussion was held relative to updating the aerial photographs of the County. The Board concurred with funding the following from the GIS project: \$7,000/tape drive; \$1,200/Northland Cable tower; \$10,000/Probation case management contingency; and \$6,800/email server. (The funding for the case management system was further adjusted during discussion of the Probation budget.)

**Probation** – Discussion was held with Gail Neal, Chief Probation Officer, and she requested funding for the sentencing program to cover a repair. Discussion was held relative to programming requests. The Board concurred with funding \$2,500, plus the recommended \$805, leaving the balance of \$7,500 from the GIS project available for further consideration in the budget process.

**10:42 a.m.** Recess

**11:01 a.m. Agricultural Commissioner** – Discussion was held with Cathi Boze, Agricultural Commissioner, relative to the request for an additional position and vehicles. Chairman Parker noted that the Agricultural Standards Inspector position was recommended for funding. Cathi advised that she does not need the 4x4 pickup as she can share one that is assigned to Animal Control for pulling the gooseneck equipment trailer; however, she requested that the SUV vehicle be funded in its place so that there is a vehicle available for the new position. The Board concurred with funding the SUV versus the pickup.

**Cooperative Extension (Farm Advisor)** – Discussion was held with Gary Hickman, Farm Advisor, relative to the status of rent for the facilities. Gary announced that his retirement will be effective July 5<sup>th</sup>, and he advised that a special exemption was granted by the Cooperative Extension to the hiring freeze and the position will be filled internally. In the interim, someone from an adjoining County will be assigned to do the administrative work. Supervisor Pickard stated he does not know if the Resource Conservation District is going to stay in the building and he requested that the rent issue be reviewed before the budget is finalized. Supervisor Bibby asked about supervision of the support staff in the interim of the position being filled.

**Tourism** – Susan Crain, Tourism Coordinator, was present for discussion and responded to questions. Rich Inman advised that there is not adequate space for this function in the existing facility and that there is inadequate equipment. He stated he would like to find space on the main street in town – he will work with the Board’s Space Needs Committee. Supervisor Bibby asked about the Sesquicentennial event funding. Rich Inman advised that the contract funds will not be expended; however, there will still be administrative expenses. Supervisor Bibby asked about the status of the sales of the medallions and suggested that they be made available in other locations. Discussion was

held. Rich advised that a meeting is scheduled with representatives of Yosemite National Park and Delaware North to coordinate advertising strategies.

**General Purpose Revenue** – Supervisor Bibby noted the projected increase in transient occupancy tax and the projected decrease in sales tax revenue. The Board concurred with the budget as recommended.

**Board of Supervisors** – Discussion was held relative to the request for the wireless microphones and the computers for the Board members. Ken Hawkins clarified that he is not asking for computers, only a printer in his budget. Supervisor Pickard initiated discussion relative to continued membership in the Yosemite - Sequoia Resource Conservation and Development District. The Board concurred with taking \$50 from the travel budget for each district and funding \$250 for the membership, and further concurred that this membership be funded on an on-going basis versus one-time.

**Administration** – Rich Inman noted that he is asking for an appropriation of \$20,000 for the Sesquicentennial celebration. Supervisor Bibby requested that a breakdown of the expenses for the celebration. The Board concurred with the budget as recommended.

**Annual Audit** – The Board concurred with the budget as recommended.

**Assessment Appeals** - The Board concurred with the budget as recommended.

**Auditor** – Discussion was held with Ken Hawkins relative to the request for HTE training and payroll programming. Ken also advised that he is planning to take over the SB-90 cost claiming work versus contracting out the claim preparation.

**Government Center Debt Service Fund** - The Board concurred with the budget as recommended.

**Treasurer-Tax Collector** - The Board concurred with the budget as recommended.

**County Clerk** – Supervisor Bibby asked about looking at fees. Rich advised that all of the fees in the County need to be reviewed.

**Elections** - The Board concurred with the budget as recommended.

**County Counsel** – Supervisor Parker noted that the training and seminar line items may need to be adjusted in the final budget.

**Personnel** - The Board concurred with the budget as recommended.

**District Attorney – SRVP Grant** - The Board concurred with the budget as recommended.

**Sund–Pelosso** – Ken advised of the balance and stated he does not know when the State will perform an audit of the account. The Board concurred with the budget as recommended.

**District Attorney – Prosecution** – Supervisor Pickard asked about restoration of the POST Certification Pay. Rich advised that the investigator position is excluded from this benefit by the MOU. The Board concurred with the budget as recommended.

**District Attorney – Drug Enforcement Grant** - The Board concurred with the budget as recommended.

**District Attorney – Victim Witness** - The Board concurred with the budget as recommended.

**District Attorney – Child Advocacy Center** - The Board concurred with the budget as recommended.

**Grand Jury** – Discussion was held relative to the increasing costs for this budget, and consideration of finding space in a County facility to save the rent costs. The Board concurred with the budget as recommended.

**Law Library** – Tom Guarino, County Counsel, responded to a question from the Board relative to staying current with the books. The Board concurred with the budget as recommended.

**Indigent Defense** – Rich advised that he is looking at ways to reduce or control the costs for this budget. The Board concurred with the budget as recommended.

**Child Support Services** - The Board concurred with the budget as recommended.

**Boating Safety** - The Board concurred with the budget as recommended.

**COPS Grant – Sheriff** - The Board concurred with the budget as recommended.

**SLESF Grant – Sheriff** - The Board concurred with the budget as recommended.

**Juvenile Detention** - The Board concurred with the budget as recommended.

**Juvenile Justice Crime Prevention Act – Probation** - The Board concurred with the budget as recommended.

**Fire** – Discussion was held relative to the budget. It was noted that the small tools line item was reduced to what is expected to be received in grant funds, and that the CDF contract amount increased.

**12:03 p.m.** Lunch

**1:12 p.m.** Chairman Parker called for public comment and none was received.

**Health – Air Pollution** – Discussion was held with Dr. Mosher, Health Officer, and he requested an adjustment to the software line item for tracking public health activities and to the CMSP fees line item. He requested that if an overall budget decrease is desired, that he be allowed to make adjustments within the total budgeted amount for his department. Rich advised that he could work with Dr. Mosher to make adjustments within the budget for approval during the final budget adjustments in September, and the Board concurred. Dr. Mosher advised the he will need an adjustment to the software line item prior to September, and anticipates needing a total of \$4,400. He also advised that an additional \$6,000 will be needed for the CMSP fee line item – the Board concurred with further reviewing this in September. Dr. Mosher advised that he will get information back to the Board before the end of this day for an adjustment in the software line item.

**Human Services Administration** – Cheryle Rutherford-Kelly, Human Services Director, advised that they only have planning estimates from the State at this time for allocations and will need to make budget adjustments in September.

**Planning** – Discussion was held with Sarah Williams, Interim Planning Director. She advised that based on notice that was received from the Gazette of an increase in the publication costs; she feels that line item is about fifty percent short. Rich advised that he will meet with Dan Tucker, Mariposa Gazette, relative to the publication costs and this line item could be further reviewed in September. Sarah advised that she feels that the fuel expense line item will need to be further reviewed in September, and she noted the change with the use of County vehicles versus private vehicles. She also noted that the extra help need will be based on filling the Planning Director position. Supervisor Parker asked about the Code Enforcement Officer position, and Sarah advised that she would come back with

a report. She also advised that she is looking at the fee schedule for the department. She advised that with the General Plan, the website costs have increased and the communication line item may need to be adjusted accordingly. Discussion was held relative to the request to add a Planning Technician position. Supervisor Parker suggested that review be given as to whether the Building Department could assist with the position, and it was noted that an update of the fee schedule may help offset costs. Supervisor Stetson asked about the status of the community plans.

**Public Works – Facility Maintenance** – Discussion was held with Dana Hertfelder, Assistant Public Works Director, relative to the request for additional staffing and overtime and extra help, and reimbursement from the special districts. The Board concurred with further reviewing this request in September.

**Public Works – Roads** – Discussion was held with Dana Hertfelder relative to the emergency services line item. The Board concurred with further reviewing this request in September.

Supervisor Pickard asked whether sufficient funding has been allocated to maintain the new Arts Park. Dana Hertfelder commented on the new facilities that have been added this year, including the Amphitheater and construction of the skate park. Supervisor Parker asked about contracting out some of the work. Dana advised that this could be reviewed.

**Library** - The Board concurred with the budget as recommended.

**Library Literacy Program** - The Board concurred with the budget as recommended.

**Fish and Game** - The Board concurred with the budget as recommended.

**Forest Reserve – HR2389** – Supervisor Bibby asked about using these funds to help offset search and rescues on Forest Service land. Mary Hodson advised of the process for utilizing the funds. The Board concurred with coordinating this request with Administration.

**Community Development Block Grant** - The Board concurred with the budget as recommended.

**Planning – SDA Camp EIR** - The Board concurred with the budget as recommended.

**Planning – Deerwood Corporation EIR** - The Board concurred with the budget as recommended.

**Planning – Silvertip Resort EIR** - The Board concurred with the budget as recommended.

**Planning – Vallecito Specific Plan EIR** - The Board concurred with the budget as recommended.

**Local Agency Formation Commission** - The Board concurred with the budget as recommended.

**Building and Permits** - The Board concurred with the budget as recommended.

**Behavioral Health** - The Board concurred with the budget as recommended.

**Alcohol and Drug** - The Board concurred with the budget as recommended.

**Social Services** - The Board concurred with the budget as recommended.

**Social Services Programs** - The Board concurred with the budget as recommended.

**Community Family Resources** - The Board concurred with the budget as recommended.

**Housing Development** - The Board concurred with the budget as recommended.

**Housing Authority Choice Voucher** - The Board concurred with the budget as recommended.

**Community Programs – CAA** - The Board concurred with the budget as recommended.

**Proposition 36 – Drug Court** - The Board concurred with the budget as recommended.

**Designated Buddy – Human Services** - The Board concurred with the budget as recommended.

**Veterans’ Services** - The Board concurred with the budget as recommended.

**Senior Services** - The Board concurred with the budget as recommended.

**Senior Nutrition** – Mary Williams, Community Services Director, was present. Supervisor Pickard commented on the reductions of reimbursement for the meals from the Area 12 Agency on Aging and of efforts to increase the reimbursement from the current \$2.00/meal to \$2.18/meal. The Board concurred with the budget as recommended.

**Transit** - The Board concurred with the budget as recommended.

**Airport Operations** – Supervisor Bibby asked for clarification relative to the miscellaneous revenue line item. Carl Casey/PWD-Fiscal Officer provided input relative to the revenue received from renting space for the helicopter during the fire season. Discussion was held relative to creating a separate line item for this revenue. The Board concurred with having Administration work with Public Works to adjust the revenue line items.

**Special Aviation** - The Board concurred with the budget as recommended.

**Airport Hangar Project** - The Board concurred with the budget as recommended.

**Public Works Administration** - The Board concurred with the budget as recommended.

**Regional Transit Services** - The Board concurred with the budget as recommended.

**Parks and Recreation** - The Board concurred with the budget as recommended.

**Local Transportation** - The Board concurred with the budget as recommended.

**State Transit Assistance** - The Board concurred with the budget as recommended.

**Transportation Planning** – Dana Hertfelder advised of the status of the contract with MCAG to provide these services. Discussion was held, and the Board concurred with the budget as recommended.

**2:17 p.m.** Recess

**2:30 p.m. Pedestrian Bikeway** – Supervisor Pickard initiated discussion relative to utilizing this funding for phase three of the Mariposa Creek Parkway project and relative to planning for the Bear Creek Parkway project. The Board concurred with the budget as recommended.

**Roads Special Projects** - The Board concurred with the budget as recommended.

**Solid Waste** - The Board concurred with the budget as recommended.

**Solid Waste Closure** - The Board concurred with the budget as recommended.

**Solid Waste Liner Replacement** - The Board concurred with the budget as recommended.

**Solid Waste Composting Project** – Fred Solomon, project manager, and Dana Hertfelder responded to questions relative to the status of the solid waste composting project. The Board concurred with the budget as recommended.

**Fleet Maintenance** - The Board concurred with the budget as recommended.

**Fire Vehicle Maintenance** - The Board concurred with the budget as recommended.

**Vehicle Replacement** – Discussion was held. Rich advised that he will bring back the take-home vehicle use authorization in September for annual approval. Supervisor Pickard asked if there were any other vehicle policies that needed to be reviewed. The Board concurred with the budget as recommended.

**Heavy Equipment Replacement** - The Board concurred with the budget as recommended.

**Water Agency** - The Board concurred with the budget as recommended.

**Coulterville Lighting** - The Board concurred with the budget as recommended.

**Coulterville Service Area** - The Board concurred with the budget as recommended.

**Don Pedro Service Area 1-M** - The Board concurred with the budget as recommended.

**Don Pedro Sewer** - The Board concurred with the budget as recommended.

**Hornitos Lighting** - The Board concurred with the budget as recommended.

**Mariposa Lighting** - The Board concurred with the budget as recommended.

**Mariposa Parking** – Supervisor Parker initiated discussion relative to the budget and the subsidy that the General Fund provides for a parking lot lease agreement. He requested that County Counsel review the status of the lease agreement with the Garber’s; and that staff review the status of the Proposition 40/Womack parking lot project, so that the General Fund contribution to this fund can be reduced. The Board concurred with the budget as recommended.

**Mariposa Pines Sewer** – Supervisor Pickard advised that the State Water Resources Control Board took action to reduce the fees following receipt of the Board’s letter outlining concerns with the increases. Dana Hertfelder advised that the new billings would be received in November. The Board concurred with the budget as recommended.

**Wawona Service Area** - The Board concurred with the budget as recommended.

**Yosemite West Maintenance** - The Board concurred with the budget as recommended.

**Capital Improvement Projects** – Supervisor Parker asked that the line item for the arts park project be shown as “Arts Park.” The Board concurred with the budget as recommended.

**Don Pedro Service Area 1-M** – Supervisor Balmain asked about the status of the weed control funding. Dana Hertfelder responded.

The Board reviewed the following **Capital Improvement Projects**:

**Land, Building and Improvements** - The Board concurred with the budget as recommended.

**Courthouse Construction** - The Board concurred with the budget as recommended.

**Old Jail Roof** – Supervisor Bibby asked about the status of reproofing the old jail that houses Sheriff’s dispatch and Technical Services. Dana Hertfelder advised that they have requested cost estimates. The Board concurred with reviewing this project in September.

**MCCJF Construction** - The Board concurred with the budget as recommended.

**Courthouse Renovation** - The Board concurred with the budget as recommended.

**Mariposa Creek Parkway** - The Board concurred with the budget as recommended.

**Sidewalk Project** – Discussion was held relative to the status of the projects – Mariposa Town sidewalk project and Greeley Hill sidewalk project. The Board concurred with the budget as recommended.

**Data Processing CIP** - The Board concurred with the budget as recommended.

**Bridgeport Fire Station** - The Board concurred with the budget as recommended.

**Haz Mat Cleanup** - The Board concurred with the budget as recommended.

**Coulterville Utility Capital** – The Board concurred with the budget as recommended.

**Don Pedro Utility Capital** – The Board concurred with the budget as recommended.

**Mariposa Parking Utility Capital** - The Board concurred with the budget as recommended.

**Mariposa Pines Utility Capital** – The Board concurred with the budget as recommended.

**Yosemite West Utility Capital** – The Board concurred with the budget as recommended.

**Don Pedro Waste Water Treatment Plant** – The Board concurred with the budget as recommended.

**Yosemite West Waste Water Treatment Plant** – The Board concurred with the budget as recommended.

**Mariposa Pines Waste Water Treatment Plant** – The Board concurred with the budget as recommended.

**Youth Facilities** – The Board concurred with the budget as recommended.

**Ballfield Lights** – The Board concurred with the budget as recommended.

**Airport Project** – The Board concurred with the budget as recommended.

**Mariposa Stage Improvements** – The Board concurred with the budget as recommended.

**Catheys Valley Park Expansion** – The Board concurred with the budget as recommended.

**Greeley Hill Library** – The Board concurred with the budget as recommended.

**Regional Recreation Sports Complex** – The Board concurred with the budget as recommended.

**Rock House Remodel** – Rich advised that he received a breakdown of the costs from the District Attorney for this project and it seems to be within budget thus far. The Board concurred with the budget as recommended.

**General Contingency** - The Board concurred with the budget as recommended.

**Interfund Transfers** - The Board concurred with the budget as recommended.

**Risk Management** - The Board concurred with the budget as recommended.

**Reclassification Requests** – Rich advised that the SEIU Union will submit a letter relative to their concerns on a reclassification request that was not recommended in Public Works Administration for an Account Clerk III, and this request can be further considered in September. The following reclassification requests were recommended: Health – Accounting Technician III to Accountant II; Fleet Maintenance – Account Clerk III to Accounting Technician I; and Public Works Administration – Accountant I to Accountant II. The Board concurred with the recommended reclassification requests. The balance of the reclassification requests were deferred to be considered during the final budget adjustments in September.



Rich Inman reviewed the adjustments that were made, the issues to be reviewed during the final budget adjustments in September, and the issues that were referred to staff for additional information.

**3:09 p.m.** Recess

**3:36 p.m.** Chairman Parker called for public comment and none was received.

Further discussion was held relative to the following budgets:

**Sheriff/Sund-Pelosso/District Attorney** – Supervisor Parker suggested that direction be given to close out the Sund-Pelosso fund of \$121,829 and that the funds be allocated to the Sheriff's budget as follows: \$7,000/safety equipment-regular employees and \$25,000/computer equipment. Ken Hawkins advised that insurance charges and cost allocation are included in the Sund-Pelosso budget in the total amount of \$22,062. Mary Hodson suggested that the \$50,000 allocated for miscellaneous expense in the Sund-Pelosso budget could be used for the Sheriff's budget; and that revenues and appropriations would need to be adjusted accordingly. The Board concurred the remaining amount of \$67,767/miscellaneous expense for application as a one-time expense to offset the insurance deficit. Rich noted that the Transfers-In would be increased by the \$99,767.

**Roads** – Supervisor Pickard requested that consideration be given to increasing this budget in the amount of \$150,000 for road maintenance and construction, and that revenues be increased accordingly. Rich advised that it is not known what revenue account to adjust at this time, and that the \$7,500 balance in the GIS project could be added to this budget. The Board concurred with adding \$130,000 to the materials line item and \$20,000 to the professional services/construction line item and with increasing revenues accordingly.

Discussion was held relative to the estimated fund balance. (M)Pickard, (S)Stetson, Res. 04-302 was adopted approving the proposed budget, with the changes as discussed, for Fiscal Year 2004-05. Further discussion was held. Rich thanked Mary Hodson and Ken Hawkins and Chris Ebie for their assistance with the budget. Board members also thanked staff. Supervisor Bibby expressed appreciation to the departments for being cautious in submitting their requested budgets. Mary Hodson advised that the final budget adjustments are being scheduled for September 14, and may continue to September 15, if necessary. Ayes: Unanimous.

**3:52 p.m.** Adjournment

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board