



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA July 12, 2005

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 advised that six months earlier he came before the Board to say that we needed something for the tourists to do and see when they come to the County. On today's agenda is a request from the Tourism Coordinator to hire a consulting firm. He stated he feels that we need to clean up town and fix the streets to get people here, and the shops need to sell things that people want to buy.

Board Information

Supervisor Fritz commented on the July 4th celebration, and she advised of a letter that was received from visitors from Hawaii congratulating the Kiwanis on the successful event. The visitors also noted a concern as to whether there was adequate insurance on photos that are displayed in the Courthouse.

Supervisor Stetson advised that he attended the YARTS meeting on Monday, and there is funding for another season. He also noted that the ridership was up by 12% in June. He advised that there is a Town Planning meeting in El Portal this evening, and Steve Engfer/PWD-Solid Waste and Recycling Manager, will explain the new recycling program. He provided a report on the Sierra Nevada Conservancy meeting he attended a couple of weeks earlier, and the sub-region meetings that were held in Bishop and Susanville. The sub-region meeting for our area will occur on July 28th in Sonora at the Elks Lodge at 6 p.m. He advised that there is a Gateway meeting on Thursday in Yosemite.

Supervisor Bibby advised that she attended the Mental Health Board Association meeting in Modesto on Friday and Saturday, along with Undersheriff Muller and members of the Mental Health Board. She advised that First 5 will hold an information meeting on July 13th in the afternoon to review the grant process. She read a portion of a letter that was received from landowners commending the Sheriff and his Department for the successful eradication of a marijuana garden, and offering the use of their ranch for training purposes. She advised that a meeting is scheduled for Thursday with Dinah Bortner/CalTrans to discuss the crosswalk issues, and they would welcome any letters of support. She also advised that at its meeting on Monday, First 5 decided to pursue the development of a pre-school in town, and they are working with the School District. On Wednesday, she plans to attend the Mother Lode Job Training Board meeting. The Airport Advisory Committee meeting is scheduled for Wednesday at 5:00 p.m.

Supervisor Turpin advised that they held a very successful barbeque in Coulterville Park on July 2nd for the Fire Brigade. In a week from Thursday, he will hold a District meeting in Greeley Hill, and the Sheriff will give a presentation on the property identification program. On Saturday, he attended the retirement party for Mike Birmingham from Merced Irrigation District at McSwain. He also noted that he passed five loaded logging trucks this morning. He advised that Lake McClure came within three feet of being full.

Supervisor Pickard advised that he attended the Gateway Partners meeting. He also asked Supervisor Bibby to look at the Pedestrian Plan for the town relative to the crosswalk issue and long-term planning.

Supervisor Turpin thanked the Sheriff's Department for their work in the recent eradication of the marijuana garden.

Susan Crain, Tourism Coordinator;
Presentation by Hospitality Marketing Associates (HMA) Relative to Services Outlined in the Marketing/Promotional Support Program Proposal; and Authorize the County Administrative Officer to Enter into Negotiations with HMA for those Services

BOARD ACTION: Susan Crain introduced Michelle Heuer and Rick Heuer from HMA, and they gave a presentation on the services that they propose to provide. Discussion was held relative to the proposal, obtaining support from the businesses and impact on Visitor's Bureau staff. Debbie Bryson-Mustapich, Marketing Manager for Tenaya Lodge and member of the Tourism Advisory Council, stated she feels this program will make the Visitors' Bureau staff more efficient and will provide additional information. (M)Stetson, (S)Fritz, direction was give for the County Administrative Officer to take questions that individual Board members may have on this matter for inclusion in negotiations with HMA, and to bring a draft contract back for further consideration/Ayes: Unanimous.

10:29 a.m. Recess

10:52 a.m. Approval of Minutes 6-7-05, Regular Meeting

BOARD ACTION: (M)Stetson, (S)Bibby, the minutes were approved/Ayes: Unanimous.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Chairman Pickard advised of the addendum to the agenda that added Consent Agenda item 15 - a contract with the Chamber of Commerce for operation of the visitor's centers in Mariposa and Coulterville. Supervisor Bibby pulled item 15. (M)Stetson, (S)Bibby, the balance of the items was approved/Ayes: Unanimous.

Consent Agenda item 15 – Supervisor Bibby initiated discussion, and she asked about the status of payments and monitoring the extended hours. Susan Crain, Tourism Coordinator, responded to the questions. Chairman Pickard and Supervisor Turpin asked that the statistical information on the visitors' centers be provided to the Board. (M)Fritz, (S)Turpin, item 15 was approved/Ayes: Unanimous.

11:01 a.m. Public hearing to consider General Plan/Zoning Amendment No. 2005-23 and Commercial-Industrial-Manufacturing (CIM) Plan No. 2005-73; John Moore & Joseph McGrath, dba Yosemite Ridge Resort was opened and continued until after the following matters.

Rich Inman, County Administrative Officer;

Discussion and Direction Concerning Use of Safety Equipment at Skate Park

BOARD ACTION: Rich Inman initiated discussion relative to the use of safety equipment at the skate park, and the option of closing the park if the skaters do not comply. Supervisor Bibby stated she feels that if the park is going to be closed, that it should come back to the Board for discussion. Dana Hertfelder, Public Works Director, provided input and he presented a draft flyer that was prepared for distribution relative to use of the park and safety gear requirements. Supervisor Bibby requested that staff see how other jurisdictions handle these issues. Tom Guarino, County Counsel, stated he would need to review issues if the Board moves toward a supervisory role for the park. Supervisor Bibby requested that information be provided relative to the indemnity. (M)Stetson, (S)Fritz, direction was given for the County Administrative Officer and the Public Works Director to commence with an educational campaign concerning the use of safety equipment and the use of the skate park/Ayes: Unanimous.

Kris Schenk, Planning Director;

A) PUBLIC HEARING to Consider General Plan/Zoning Amendment No. 2005-23 and Commercial-Industrial-Manufacturing (CIM) Plan No. 2005-73; John Moore & Joseph McGrath, dba Yosemite Ridge Resort; Project includes Waiver of First Reading and Introduction of an Ordinance and Adoption of a Resolution to Change the Land Use Designation and Zoning District of 4.63 Acre Portion of a 43.65 Acre Parcel from Mountain Home (MH) to Resort Commercial (RC) and to Approve a CIM Plan to Bring into Conformance an Existing Restaurant, General Store, and Supporting Buildings (Which have Been in Existence 30+ Years) and Construct and Install an Above-Ground 10,000 Gallon Gasoline Storage Tank, a Two-Pump Gas Island, and a Swimming Pool; Subject Property Located at 7589 State Highway 120, Across from the Junction of this Highway with Hamilton Station Loop Road, in Buck Meadows; Assessors Parcel Number 004-020-010

BOARD ACTION: Sarah Williams, Deputy Planning Director, presented the staff report, and she reviewed the project. Staff responded to questions from the Board relative to the status of the parcel

being split between different zones and the process to correct this; whether the mobile home spaces are included in the area to be re-zoned; whether the removal of the underground tank has been done; and relative to the existing encroachment and requirements by CalTrans. Sarah Williams advised that it is her understanding that the underground tank has been removed; however, she will not schedule the adoption of the Ordinance until she has something from the Health Department verifying that the removal has occurred. The public portion of the hearing was opened. There was no input. The public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to a question from the Board relative to written input that was received and the drainage issue. (M)Turpin, (S)Fritz, Res. 05-327 was adopted adopting a mitigated negative declaration and approving General Plan/Zoning Amendment No. 2005-23 and Commercial-Industrial-Manufacturing Plan No. 2005-73 with findings and conditions as recommended/Ayes: Unanimous. (M)Turpin, (S)Stetson, the first reading was waived and an Ordinance introduced approving an amendment to the Mariposa County Zoning Map pursuant to General Plan/Zoning Amendment No. 2005-23. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous. The hearing was closed.

B) Adopt a Resolution Approving the Proposed Road Name, “Gold Mine Place”
BOARD ACTION: Following discussion with Meagan Tennermann, Planner, Res. 05-328 was adopted approving the request/Ayes: Unanimous.

C) Adopt a Resolution Approving the Proposed Road Name, “Lopa Road”
BOARD ACTION: Following discussion with Meagan Tennermann, Planner, Res. 05-329 was adopted approving the request/Ayes: Unanimous.

Dianne Fritz, District IV Supervisor;

Discussion and Direction Concerning the Field of Dreams and Alternative Proposals

BOARD ACTION: Supervisor Fritz advised of her discussions with Dieter Dubberke and his offer to donate seven acres of land by the High School, and subsequent discussions relative to the “field of dreams” project and thoughts on what could be placed on each of the sites – the existing Parks and Recreation site with the swimming pool, the property by the High School, and the property purchased off of Highway 49 North. Dana Hertfelder, Public Works Director, provided input relative to the status of the consultant’s work for the property located off of Highway 49 North. Supervisor Bibby asked about grant requirements for the funding that was used to purchase the property and about the LAFCo and annexation issues. She also asked whether the Parks and Recreation Commission, stakeholders/steering committee, and field of dreams advisory committee have provided input on this matter. Supervisor Fritz advised that Dieter Dubberke is working on a formal presentation for the Board, and would be able to help with answering questions relative to the offer to donate the land. Chairman Pickard noted that Supervisors Bibby and Fritz serve on the ad hoc committee for the field of dreams project, and he referred to previous discussions and actions relative to pursuing heating of the swimming pool at the Park and retrofitting it. He stated he would like to see the ad hoc committee review these issues. Supervisor Turpin noted the need to keep up with the maintenance at existing facilities and not just focusing on the field of dreams project. Supervisor Bibby asked that the County Administrative Officer contact the School District to seek their approval in concept for coordinating the use of the donated land. Supervisor Stetson asked that it be determined whether there are any contingencies with the offer. Supervisor Bibby noted that this area was not available for consideration when sites were reviewed for the field of dreams project, and she requested that MPUD be involved in the process. (M)Stetson, (S)Bibby, direction was given to the County Administrative Officer and the Public Works Director to work with the ad hoc committee (Supervisors Bibby and Fritz) to identify issues for the land; to work with the School District, and to review the Parks Master Plan, and to come back to the Board with recommendations/Ayes: Unanimous.

Discussion Regarding the Format and Current Practices Followed in Preparing Certificates of Recognition (Supervisor Bibby)

BOARD ACTION: Supervisor Bibby initiated discussion relative to the format and current practices for handling certificates of recognition, including memorial certificates. Discussion was held relative to handling requests that arrive too late for inclusion on the agenda, and scheduling them retroactively. Discussion was also held relative to consideration of establishing alternative procedures that would not require Board action. The Board concurred with the following: formal resolutions need to have action taken by the Board prior to presentation; memorial certificates are to be signed by all Board members,

with the accompanying cover letter signed by the members that wish to do so; and all other certificates and documents being signed by the Board need to have approval by the Board, and in those cases when the matter is not known about to be scheduled timely, the matter shall be scheduled for action retroactively.

Discussion and Possible Further Action Regarding the Local Emergency Due to the Flooding that Occurred throughout the County (County Counsel)

BOARD ACTION: Tom Guarino, County Counsel, recommended that this matter be approved while we are working through the process for getting reimbursement. Dana Hertfelder, Public Works Director, advised of the status of their evaluation of Merced Falls, Old Toll, Hornitos and Bear Valley Roads to prepare plans and specifications for going out to bid for the repairs, and he advised that this matter will be brought back to the Board. Discussion was held relative to the timeframes. Supervisor Turpin asked about the status of staffing. Board members complimented the road crews for their continued efforts. (M)Bibby, (S)Turpin, Res. 05-330 was adopted continuing the local emergency due to the flooding that occurred/Ayes: Unanimous.

12:54 p.m. Rich Inman, County Administrative Officer;

CLOSED SESSION: Conference with Legal Counsel: Anticipated Litigation/Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 Relative to a Workers' Compensation Case; and

CLOSED SESSION: Conference with Legal Counsel: Anticipated Litigation/Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 Relative to a Workers' Compensation Case;

CLOSED SESSION: Conference with Real Property Negotiator: Description of Real Property – 5101/5099 Bullion Street, Mariposa; Name of Party who will Negotiate with County: SPCA; Closed Session will Concern Price and Terms of Purchase (County Administrative Officer);

CLOSED SESSION: Conference with Legal Counsel; Existing Litigation: California Government Code Section 54956.9(a); Dean v. County of Mariposa (Continued from -28-05) (County Counsel); and
CLOSED SESSION: Conference with Legal Counsel Relative to Anticipated Litigation/Significant Exposure to Litigation for a Case Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel)

BOARD ACTION: (M)Bibby, (S)Stetson, the closed sessions were held, following a short recess, with Sandi Laird/Administration-Administrative Analyst, to be present for a portion of the session/Ayes: Unanimous.

1:04 p.m. The closed sessions were held.

2:27 p.m. Chairman Pickard announced that direction was given to staff as a result of the closed session matters.

CONSENT AGENDA:

- CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential Public Service Until the Bidding Process is Completed (Public Works Director); Res. 05-312
- CA-2 Approve Change Order No. One to the Agreement with Intermountain Concrete, Increasing the Contract Amount by \$1,500 for Additional Excavation and Concrete Needed for the Handicap Parking Project at the Amphitheater (Public Works Director); Res. 05-313
- CA-3 Approve Budget Action for Fiscal Year 2004-2005, Transferring Funds from the Coulterville Utility Capital Fund to the Coulterville Service Area Budget to Cover

the Cost of Professional Services for the Water and Sewer Divisions through June 30, 2005 (\$20,000) (4/5ths Vote Required) (Public Works Director); Res. 05-314

- CA-4 Effective July 1, 2005, Delete the Allocation of One Maintenance Supervisor – Facilities Position and One Maintenance Worker III – Facilities Position from the Facilities Division and Allocate these Two Positions in Solid Waste (Public Works Director); Res. 05-315
- CA-5 Authorize an Increase to the Petty Cash for the Building Department from \$50 to \$200 in Order to Assist the Public in Making Change for Payment of Building Fees when Paying with Cash (Building Director); Res. 05-316
- CA-6 Approve Budget Action for Fiscal Year 2004-2005 Transferring Funds within the Fire Department Budget Unit to Adjust Line Items due to Unanticipated Expenses (\$5,500) (Fire Chief); Res. 05-317
- CA-7 Authorize the Human Services Department to Enter into a Professional Services Agreement with Allen, Polgar, Proietti and Fagalde for Continued Legal Services for the Child Welfare/Protection Unit (Human Services Director); Res. 05-318
- CA-8 Approve an Application for a CalTrans Encroachment Permit in Support of Closing Highway 140 from 11:00 a.m. – 12:30 p.m., Saturday, September 3, 2005, between Coakley Circle and 3rd Street for the Labor Day Fair Parade and Authorize the Chairman of the Board of Supervisors to Sign a Letter to the Department of Transportation, Documenting the Board’s Support and Approval (Technical Services Director); Res. 05-319
- CA-9 Approve the Mariposa County GIS Base Parcel Map Agreement between the County of Mariposa and Sierra Telephone Company, Inc. for the Exchange of County GIS Data and Authorize the Chairman of the Board of Supervisors to Sign the Agreement (Technical Services Director); Res. 05-320
- CA-10 Approve Contract for Services with Clara Mossman for Janitorial Services at the Health Department and Authorize the Chairman of the Board of Supervisors to Sign the Agreement (Health Officer); Res. 05-321
- CA-11 Approve Contract for Services with Ray Kapahi, dba Air Permitting Specialist, for Provision of Air Pollution Engineering Consultation and Plan Review and Authorize the Chairman of the Board of Supervisors to Sign the Agreement (Health Officer); Res. 05-322
- CA-12 Approve Agreement for Special Services between Merced County and Mariposa County for the Storage of Human Remains and Authorize the Chairman of the Board of Supervisors to Sign the Agreement (Sheriff); Res. 05-323
- CA-13 Approve Budget Action Transferring Funds for Fiscal Year 2004-2005 within the Sheriff’s Budget Unit due to the Increase in the Number of Arrests Associated with the Use of Illegal Drugs and Alcohol (\$3,000) (Sheriff); Res. 05-324
- CA-14 Approve Contract for Services with Norman Savage for General Maintenance Services at the Mariposa County Adult Detention Facility and Authorize the Chairman of the Board of Supervisors to Sign the Agreement (Sheriff); Res. 05-325

CA-15 Authorize the Chairman of the Board of Supervisors to Sign the Contract between the County of Mariposa and the Mariposa County Chamber of Commerce for the Operation of the Visitors Centers in the Towns of Mariposa and Coulterville, Effective July 1, 2005 – June 30, 2010 (Tourism Coordinator); Res. 05-326, with direction for the statistical information on the visitors centers to be provided to the Board

2:28 p.m. Adjournment in memory of Everett Hershell Anthony, Marge Blanke, John C. Seidlitz, Gertrude “Trudy” Christine Thompson, and Jack Neil Autrand.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA

July 19, 2005

Time Description

9:10 a.m. Meeting Called to Order at the Mariposa County Government Center, with Supervisor Stetson excused to attend the National Association of Counties (NACO) Conference.

Pledge of Allegiance
Introductions

Bob Pickard, Chairman and Janet Bibby, Supervisor District III;
Adopt a Certificate of Appreciation Recognizing the Mariposa Division of the California Highway Patrol for Their Thirty-Years of Continuous Support of the Annual Mariposa County Pioneer Wagon Train by Providing Safe and Courteous Service to the Event
BOARD ACTION: (M)Bibby, (S)Fritz, the Certificate was approved and presented to Lt. Jennie Baldon and Sgt. Michael Chatty, and Officer Al Arredondo was present/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson. Ron Wilson and Becky Crafts, Wagon Train committee, were present, and Ron thanked the CHP for their assistance. Chairman Pickard also acknowledged the assistance of the Sheriff's Department with this annual event. Lt. Baldon thanked the Board and the Sheriff's Department for support of this historic event.

Cathi Boze, Agricultural Commissioner;
Adopt a Resolution Proclaiming July 18th through 24th, 2005, as "California Invasive Weed Awareness Week"

BOARD ACTION: (M)Fritz, (S)Turpin, Res. 05-331 was adopted and presented to Cathi Boze/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

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

Annie Durazo, representative for health care workers in Mariposa County, commented on the status of the budget for the State and she advised that the IHSS budget has not been cut. She also advised that settlement has been reached with Amador County and the health care workers.

Board Information

Supervisor Fritz advised that the Republican Central Committee picnic is scheduled for Wednesday evening at the Fairgrounds. Senator Poochigian is scheduled to be at the Government Center on Thursday morning to give an update on issues. The July 4th celebration planning committee met last Wednesday, and they have decided to change their name to the "event committee for Mariposa" and will work on events for each quarter. She also advised that the Mariposa t-shirts are still available for sale with proceeds to go to the Kiwanis to help with the costs of the fireworks for next year.

Supervisor Bibby read a letter that was submitted as an addendum to a previous letter from property owners in the North County commending the Sheriff's Department for the marijuana eradication and requesting commendation for the Sheriff's staff that was involved in the raid. She advised that Catheys Valley is scheduled to have a community meeting on Wednesday, and that it may need to be continued.

Supervisor Turpin commended the Sheriff's Department for the professional procedures used in the eradication of the marijuana. He also noted that his son, Jason, and grandson, Shey, were present. A District II meeting is scheduled for Thursday in Greeley Hill, and there will be presentations by the Sheriff on the property identification project, and by Kim Bullock of the Fire Safe Council, with support staff and agencies, on the fuel reduction project.

Approval of Minutes 6-14-05, Regular Meeting

BOARD ACTION: (M)Bibby, (S)Turpin, the minutes were approved/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Pickard pulled items 13 and 16. Supervisor Turpin pulled items 2 and 13. (M)Bibby, (S)Turpin, the balance of the items was approved/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

Consent Agenda item 13 – Supervisor Pickard initiated discussion relative to the spread of the seeds from the invasive weeds. Cathi Boze, Agricultural Commissioner, noted that seeds spread from the right-of-ways along roads. Supervisor Turpin noted the need to work with CalTrans on this issue. Supervisor Bibby advised that during her meeting with Dinah Bortner of CalTrans, this issue was discussed and she will review their existing spraying activities in the County. (M)Bibby, (S)Fritz, item 13 was approved with direction to add Senator Poochigian and Assemblyman Cogdill to the distribution of the letter/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

Consent Agenda item 16 – Supervisor Pickard acknowledged the accomplishment of Muddie Wold reaching 103 years of age. Supervisor Bibby advised of the upcoming birthday party. (M)Bibby, (S)Fritz, item 16 was approved/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

Consent Agenda item 2 – Supervisor Turpin initiated discussion relative to the walkway project. Dana Hertfelder, Public Works Director, provided input relative to the status of the design of the project. (M)Turpin, (S)Bibby, item 2 was approved/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

Blaine Shultz, Fire Chief;

Establish an Additional Volunteer Fire Company in the Department, Company 24 Don Pedro, to Meet Standard Level of Service; Authorize Storage of Engine 24 at the Sheriff's Substation on Merced Falls Road; Authorize Expenditure of \$7,000 to Construct a Cover to House Engine 24; and Discussion of the Status of the California Department of Forestry (CDF) Amador Contract for the Blanchard CDF Station

BOARD ACTION: Discussion was held with Blaine Shultz relative to fire protection for the Lake Don Pedro area. Supervisor Turpin clarified that the formation of Company 24 is to compliment/enhance the services provided to the North County, and is not to do away with the Amador contract. Discussion was held. Input from the public was provided by the following:

Jim Haden asked why the firefighters left Tuolumne County to provide service through Mariposa County; and he asked if the Blanchard CDF station is changing its location. Blaine Shultz responded that he does not know why the firefighters are requesting to provide service through Mariposa County; and he advised that there has been some discussion on moving the Blanchard Station, but he is not aware of any plans in the near term. Gary Marshall, CDF Division Chief, advised that the State is rebuilding all of the old fire stations, and he will obtain more information on the proposal for the Blanchard Station. He also noted that if they move a station, it is kept within the area.

Discussion was held relative to the Amador contract and fire services and options for funding the cost of the contract. Carl Casey/PWD-Fiscal Officer, provided input relative to the Amador contract and the charges for six captains, and the financial impact of the contract on the 1M Fund. Supervisor Bibby commented on the status of the Bridgeport Fire Station project and the impact it has had on the residents since it is not up and running. She also asked that the Fire Chief provide information for the future – whether volunteers would be paid to cover the stations, and stated she feels that these issues need to be reviewed on a countywide basis. Supervisor Turpin noted that the Amador contract guarantees medical services to the area. Discussion was held. Dana Hertfelder, Public Works Director, provided input relative to the formation of the Lake Don Pedro subdivision and the provision for fire protection services.

George Wesley "Wes" Snyder reviewed the history of the 1M formation; and he noted that with the increase in population, there is a growing need for the Amador contract and the provision of medical services. He suggested that the 1M Fund contribute \$10,000 toward the Amador contract and that the County pay the rest. He noted that he feels that the golf course will be open in four to six months and the condominiums are being renovated and this will increase the 9-1-1 calls for service. He also commented on his personal history with being saved by the medical services in the area. He noted that he has served as a volunteer firefighter, EMT, ambulance driver, and reserve deputy sheriff for the area.

Sally Punte referred to her letter that she distributed to the Board, and she advised that she may have been off on a couple of things relative to the 1M funding and she feels it is good that the Service Area contributes to the Amador contract; however, she noted that they have two lakes and the golf course in their area that increase the need for services. She asked about the response statistics for Engines 24

and 26; the training levels for the firefighters; and she asked for clarification of the CDF paid staffing under the contract. Blaine Shultz responded to the questions.

Jim Haden provided input on the status of Tuolumne County maintaining the Amador contract and their actions to try to renegotiate the cost of the contract.

Wes Snyder provided input on the IM Committee's request for the County to investigate the possibility of a parcel tax in both counties, and he advised that they never received a response. Chairman Pickard advised of County Counsel's review of the issues and the Proposition 218 process.

Sally Punte asked that the Board get back to the community with a local meeting. Supervisor Turpin noted that the membership is current on the Don Pedro IM Committee and can facilitate keeping in touch with the community.

Further discussion was held.

Blaine Shultz initiated discussion relative to request to expend funds to construct a cover to house Engine 24. He advised that the funds can come from their Building Maintenance line item and he is not requesting additional funding. Supervisor Bibby asked Public Works to research the status of property that Boise Cascade gave to the County and/or the IM Service Area during the formation of Lake Don Pedro.

(M)Turpin, (S)Fritz, Res. 05-347 was adopted establishing Volunteer Fire Company No. 24 in the Don Pedro area; and authorizing \$7,000 to be expended to construct a cover for the engine from the FY 2005-06 budget. Supervisor Turpin clarified that the establishment of this Company does not replace the Amador contract, but is to compliment service for the area. Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

10:56 a.m. Dana Hertfelder, Public Works Director;

A) PUBLIC HEARING Regarding the Report of Delinquent Fees, and Board Approval to Add the Delinquent Fees to the Appropriate Property Tax Roll for Collection

BOARD ACTION: The public hearing was opened and continued to after a recess.

10:57 a.m. Recess

11:15 a.m. PUBLIC HEARING Regarding the Report of Delinquent Fees, and Board Approval to Add the Delinquent Fees to the Appropriate Property Tax Roll for Collection. The Delinquent Fees are Unpaid Water, Sewer, Road, and Standby Fees Charged to Property Owners in Several County Special Districts.

BOARD ACTION: Dana Hertfelder, Public Works Director, presented the staff report. Carl Casey, PWD-Fiscal Officer, responded to questions from the Board relative to the reduction in the delinquent fees over the years, and relative to collecting for the interest and collection costs. The public portion of the hearing was opened. There was no public input. The public portion of the hearing was closed, and the Board commenced with deliberations. (M)Fritz, (S)Turpin, Res. 05-348 was adopted approving the addition of the delinquent fees for unpaid water, sewer, road, and standby fees in the County special districts to the appropriate property tax roll for collection/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson. The hearing was closed.

B) Approve Budget Action for Fiscal Year 2004-2005 for the Don Pedro 1-M Budget Decreasing Reserves by \$16,000 and Increasing Appropriations for Fire Protection Agreement in Order to Pay the Annual Invoice from Tuolumne County for Off-Season Fire Protection in the Lake Don Pedro Subdivision.

BOARD ACTION: Discussion was held with Dana Hertfelder relative to the status of the budget for Lake Don Pedro 1-M and the fire protection services. (M)Turpin, (S)Bibby, Res. 05-349 was adopted approving the request. Supervisor Turpin asked that this issue be referred to staff to review. Rich Inman, County Administrative Officer, advised that direction could be given to him and he could work with other staff, as necessary, to look at these issues and bring back an item for this and other districts. The Board concurred with this direction. Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

Discussion and Possible Further Action Regarding the Local Emergency Due to the Flooding that Occurred throughout the County (County Counsel)

BOARD ACTION: Tom Guarino, County Counsel, advised that this action is still necessary while claims and other requests are being submitted to the State. (M)Bibby, (S)Fritz, Res. 05-350 was adopted

continuing the local emergency due to the flooding that occurred throughout the County/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

Discussion, Direction, and Action with Respect to Initiating Discussions with the United States Department of Agriculture (USDA) and the American Indian Council of Mariposa County Regarding the Preservation, Environmental Enhancement, and Economic Development for the Area Known as Jordan Creek/Bower Cave Special Interest Area (Supervisor Turpin)

BOARD ACTION: Supervisor Turpin initiated discussion, and he suggested that the reference to other entities be deleted in the MOU. Tom Guarino, County Counsel, clarified that the recommended action is to authorize Supervisor Turpin to engage in negotiations with the USDA Forest Service and the American Indian Council of Mariposa County and to bring back an MOU. (M)Fritz, (S)Bibby, authorization was given to Supervisor Turpin as recommended/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

Discussion and Direction Relative to Revising Chapter 3.08 of the Mariposa County Code Entitled, "Purchasing" (County Counsel)

BOARD ACTION: Discussion was held with Tom Guarino, County Counsel, relative to the recommended revisions, and he advised that a \$10,000 cap is being suggested for the County Administrative Officer, with a \$1,000 cap for department heads for contracts for services. Supervisor Bibby clarified that County Counsel will still review every contract thoroughly, and she asked about the contract renewal process. Tom Guarino advised that any contract over one year in length would need to come to the Board. Discussion was held relative to the recommended process and handling contracts that may have sensitivity issues with Board members; and providing public notification of the contracts being awarded. Rich Inman, County Administrative Officer, advised that the Board could take action to include direction that he report to the Board on pending contracts to give the Board members an opportunity to provide input or express concern. (M)Fritz, (S)Turpin, direction was given for County Counsel to bring back an ordinance to revise the County Code relative to the purchasing process as discussed, and with direction for the County Administrative Officer to bring an item back relative to processing the contracts that he will have authority to sign. Tom Guarino advised that the item could include processing the contracts that the department heads will have the authority to sign. He also advised that when the ordinance comes back, the Board could adopt a policy document in the form of a resolution to implement this. Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

12:04 p.m. CLOSED SESSION: Conference with Legal Counsel Relative to Anticipated Litigation/Significant Exposure to Litigation for a Case Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel)

BOARD ACTION: Tom Guarino, County Counsel, advised that this closed session is not needed.

CLOSED SESSION: Conference with Legal Counsel Relative to Anticipated Litigation/Initiating of Litigation for a Case Pursuant to Subdivision (c) of Government Code Section 54956.9 (County Counsel)

BOARD ACTION: (M)Bibby, (S)Fritz, the closed session was held/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson.

12:14 p.m. Lunch

2:10 p.m. Chairman Pickard announced that action was taken by unanimous vote to initiate litigation against the Adamson's for code violation.

Rich Inman, County Administrative Officer and Dana Hertfelder, Public Works Director; PUBLIC HEARING Involving Community/Public Participation to Develop and Submit a Possible Planning and Technical Assistance Grant (PTA) Application to the State Community Development Block Grant Program for the Purpose of Developing Drainage Study for the Town of Mariposa

BOARD ACTION: Marilyn Lidyoff, Administration-Business Development Coordinator, presented the staff report and reviewed the purpose of the public hearing and the grant requirements. Marilyn responded to a question from the Board and advised that she will check to see whether a special district could apply for this grant. Dana Hertfelder, Public Works Director, provided input relative to the drainage problems in town and in Coulterville, and relative to the purpose of this study. Gwen Foster/PWD-Associate Engineer, provided detailed information on the purpose of the drainage study and

what it will accomplish. Staff responded to questions from the Board relative to the grant funding and what is expected to be accomplished with the study; impacts this project will have on staff and the existing workload; whether staff would be compensated through the grant for their work on the study; relative to the possibility of coordinating with the Resource Conservation District for a joint project and for staff assistance; coordinating with MPUD; process for selection of the consultant if the grant is awarded; timeframes for completion of the study; consideration of implementation of recommendations resulting from the study; and clarification of the number of grants that can be submitted per year.

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

Paul Chapman provided input on "Darcy's Law" – the physics of hydrology.

Staff responded to a question from the Board and advised that a grant application from Human Services for the Mother Lode Job Training program would not affect this application.

The public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to additional questions from the Board relative to the timeline for the grant application and process; and the availability of staffing. (M)Fritz, (S)Bibby, Res. 05-351 was adopted authorizing the submission of the grant application for the towns of Mariposa and Coulterville/Ayes: Turpin, Bibby, Fritz, Pickard; Excused: Stetson. The hearing was closed.

CONSENT AGENDA:

- CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential Public Service Until the Bidding Process is Completed (Public Works Director); Res. 05-332
- CA-2 Authorize the Chairman of the Board of Supervisors to Approve the First Amendment to the Professional Service Agreement with Roger Stephens Engineering for the Design of a Walkway along and next to Fiske, Holtzel, and Greeley Hill Roads, by Extending the Completion Date (Public Works Director); Res. 05-346
- CA-3 Approve Budget Action for Fiscal Year 2004-2005, Transferring Funds within the Yosemite West Budget to Cover the Cost of Professional Services and Equipment Maintenance through June 30, 2005 (\$11,000) (Public Works Director); Res. 05-333
- CA-4 Approve Budget Action for Fiscal Year 2004-2005, Transferring Funds within the Facilities Budget to Cover Expenditures through June 30, 2005 (\$6,800) (Public Works Director); Res. 05-334
- CA-5 Approve Budget Action for Fiscal Year 2004-2005, Transferring Funds within the Mariposa Pines Sewer Budget to Cover the Cost of Professional Services through June 30, 2005 (\$3,000) (Public Works Director); Res. 05-335
- CA-6 Approve Budget Action for Fiscal Year 2004-2005, Transferring Funds within the Transit Budget to Cover Unanticipated Expenditures when North County Transit Drivers had to Utilize Personal Vehicles when doing Bus Exchange (\$90) (Community Services Director); Res. 05-336
- CA-7 Authorize the Chairman of the Board of Supervisors to Sign the Amended Agreement between Mariposa County Community Services and Area 12 Agency on Aging and Approve Budget Action for Fiscal Year 2004-2005 Reducing the Funding for the Number of Senior Restaurant Meals Served at the Coulter Café from Seven Thousand to Four Thousand (\$5,420) (4/5ths Vote Required) (Community Services Director); Res. 05-337

- CA-8 Approve Rental Agreement and Authorize the Chairman of the Board of Supervisors to Sign Agreement with 35-A District Agricultural Association for Right to Occupy Informational Booth during the Mariposa County Fair and Homecoming (Community Services Director); Res. 05-338
- CA-9 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 in the North County with Hot Meals (County Counsel); Res. 05-339
- CA-10 Authorize the Chairman of the Board of Supervisors to Sign an Agreement with the 35-A District Agricultural Association for a Booth at the 2005 Mariposa County Fair for Use by the Elections Department for the Display and Demonstration of the New Voting System (County Clerk); Res. 05-340
- CA-11 Authorize the District Attorney to Hire Lloyd Myers as the District Attorney Investigative Assistant at Range 206, Step 5, based on his Extensive Experience and Extraordinary Qualifications (District Attorney); Res. 05-341
- CA-12 Authorize the Human Services Department to Enter into an Agreement with Mother Lode Job Training (MLJT) to Provide Assessment Services for Individuals in the CalWORKs Program that Totals \$22,000 for Fiscal Year 2005-2006 and Authorize the Chairman of the Board of Supervisors to Sign the Agreement (Human Services Director); Res. 05-342
- CA-13 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign a Letter to the California Department of Transportation District 10, Requesting their Assistance in the Control of Invasive Weeds on State Right-of-Ways (Agricultural Commissioner); Res. 05-345, with direction to expand distribution of the letter
- CA-14 Adopt a Resolution Accepting Funding for Fiscal Year 2005-2006 in the Amount of \$48,697 for the Continuation of the Mariposa County Juvenile Justice Crime Prevention Act (JJCPA), Administered by California Board of Corrections (BOC) to be used for Personnel, Benefits, Services, and Supplies within the Probation Department (Chief Probation Officer); Res. 05-343
- CA-15 Approve Budget Action for Fiscal Year 2004-2005 Transferring Funds within the Fire Budget Unit to Adjust Line Items due to Unanticipated Expenses (\$400) (Fire Chief); Res. 05-344
- CA-16 Approve Certificate of Recognition and Congratulations to Muddie Wold on Celebrating her 103rd Birthday on July 20, 2005 (Supervisor Bibby)

2:52 p.m. Adjournment in memory of Victor DeLeon, Dorothy Odgers, and Sue Phillips.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA

July 26, 2005



Time Description

9:11 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance
Introductions

Board Information

Bob Pickard, Chairman;

Approval and Presentation of Letters Recognizing Evan Barrett and Derek Segó for Obtaining the Rank of Eagle Scout

BOARD ACTION: (M)Bibby, (S)Stetson, the letters were approved and presented to Evan Barrett and Derek Segó, along with a Courthouse pin/Ayes: Unanimous.

Supervisor Fritz commended the parents of the Eagle Scouts. Supervisor Bibby complimented both the community and youth, and recognized that there have been several young men, in Mariposa County, that have achieved the rank of Eagle Scout.

Chairman Pickard commented on the tragedy at the Boy Scout Jamboree and stated that prayers go out to the families.

Supervisor Bibby recognized Teacher Linda in the audience and announced that she is from the First 5 Greeley Hill Pre-School.

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

- Jim Dulcich, owner of Coast Hardware, advised that he intends to invite additional members of the Downtown Association to come forward to speak about the parking lot issues. He stated that funds were previously received by the county to build a parking lot at Stroming Road, but to date nothing has been done. He advised that the Mariposa merchants have received notice that the parking lot behind the Chevron will be fenced off. He commented that towns along the San Joaquin Valley are fighting to keep business in their towns by promoting business and building parking areas. He further stated that local roads need repaired; overhead in the Government Center needs to be trimmed; and asked where the parking issue stands. He further stated that the repairs done on Hornitos Road need to be re-done. Chairman Pickard advised that the Womack parking lot issues are moving forward and should be before the Board of Supervisors in a few weeks. He further stated that the Public Works Department is to look at the cost of improving that lot. He explained that Proposition 40 Initiative funds were identified for funding of the Womack parking lot last year, that per capita funding is identified for all counties and that the Public Works Department has been advised to submit requests. Jim questioned whether the Garber property could be re-entered into negotiations for parking or purchase of the property by the County. Chairman Pickard advised that Supervisor Fritz and Supervisor Bibby are working with the downtown property owners and that it has been financially unfeasible to include the Garber parking lot. Supervisor Bibby advised that the Parking Committee would bring this matter back to the Board to address among other things, the limitations of public funds.
- Patti McElligott McGregor advised that she grew up in this community and her children make six generations of her family. She stated that life seemed simpler when she was growing up and that community officials such as Sheriff Whitley, Captain Bud Johnstone, and Chick Ellingham of the

California Highway Patrol (CHP) were known as friends and authorities. She stated that Winnie Williams was also someone, who was not an official authority, who had a lot of influence in the community and that this year marks the first anniversary of his death. She provided information relative to Winnie's life. She stated that he was regularly recognized by the community and invited the public to join the Museum Board and his family to enjoy a celebration of his life and re-visit his barbershop on Monday night from 5 to 7 p.m., at the Museum.

Board Information:

- Supervisor Fritz advised that there would be a Chamber Business After Hours, hosted by the Chamber of Commerce, at John C. Fremont Hospital this evening from 5 to 7 p.m. and thanked Marjorie and Keith from the Treasurer's Office for demonstrating the new voting machines at a picnic last Wednesday night. She stated that she likes the idea that the public will get to use the machines at the fairgrounds prior to the special election.
- Supervisor Stetson stated that on Thursday night, the Sierra Conservancy will hold their third forum, which is related to Mariposa County in particular. He further stated that 250 people are expected and the intent is to inform people about the nature of the Conservancy and what it will ultimately provide in the nature of funding, programming, and to understand how the local participation will work within the Conservancy. He further advised that on Saturday, he would be at the North Lake Tahoe Sierra Alliance on panel for the Conservancy and that he had just returned from a NACO conference in Honolulu, where discussion included problems of Methamphetamine, rural transportation, and public land issues. He brought back information relative to the NACO discount prescription drug program and advised of a symposium he attended relative to problems of workforce housing and the reality of homeownership in this county. He further stated that he would be bringing an item relative to a strategic and comprehensive neighborhood program back before the Board.
- Supervisor Bibby thanked Senator Poochigian for hosting a public forum last week and advised that she attended the School Board Meeting last week. She encouraged the public to voice their opinions about school transportation and restricted routes.
- Supervisor Turpin advised that he will be attending the Sierra Nevada Conservancy meeting on Thursday in Sonora. He thanked the Sheriff's Office for being at the Greeley Hill District meeting on Thursday night and stated that Joe Williams presented the identification program and Sheriff Allen advised of the activities going on in Mariposa County.

Approval of Minutes 6-21-05, Regular Meeting

BOARD ACTION: (M)Bibby, (S)Turpin, the Minutes were approved/Ayes: Unanimous.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Chairman Pickard pulled items 14 and 15, advising that they were no longer necessary at this time, and advised of item 19 on the Addendum. Supervisor Bibby pulled item 19 and Supervisor Turpin pulled items 2 and 3 for clarification. (M)Fritz, (S)Stetson, the balance of the items was approved and the Deputy Clerk to the Board read the title of Ordinance 1020 into the record for Consent Agenda item 9/Ayes: Unanimous.

Consent Agenda item 2 – Supervisor Turpin initiated discussion relative to any additional cost. Dana Hertfelder, Public Works Director advised that the Contractor is only asking to extend the term of the agreement.

Consent Agenda item 3 – Dana advised that Concept Designs is preparing an operation manual for the compost facility and answered Supervisor Turpin's questions relative to the process and the timeframe. (M)Turpin, (S)Fritz, Resolution 05-364 was approved extending the term of the contract with Concept Designs Company for ongoing consulting services to the Solid Waste & Recycling Division for the Composting Facility and Resolution 05-365 was approved extending the term of the contract with Concept Designs Company for ongoing consulting services to complete the Composting Facility, Landfill & Recycling Center Request for Proposals/Ayes: Unanimous.

Consent Agenda item 19 – Supervisor Bibby advised that although the items were marked July 25th, she had verified with Planning staff that the matter was posted timely, that there is no safety risk as

to the two-foot setback, and that there is adequate parking. (M)Bibby, (S)Stetson, Resolution 05-366 was adopted approving the subdivision map/Ayes: Unanimous.

Susan Crain, Tourism Coordinator:

Approve the Remodel of the Visitors Bureau at a Cost Not to Exceed \$4,000 and Approve an Increase in the Amount of \$84.66 per month in the Monthly Lease

BOARD ACTION: Rich Inman, County Administrative Officer introduced the item and answered questions from the Board relative to the costs and funding. Supervisor Bibby questioned the proposed size of the office space and the need for a glass French door as opposed to a regular door. Rich stated that if a new building is built, the Visitor's Bureau may relocate into it. Chairman Pickard confirmed that the amount of lease space and additional monthly charge will not interfere with the operations of the Chamber of Commerce. (M)Fritz, (S)Stetson, Resolution 05-367 was adopted approving the item/Ayes: Stetson, Turpin, Fritz, Pickard, Noes: Bibby.

Rich Inman, County Administrative Officer;

Discussion with Bill May, Consultant and Direction Regarding HDC Equity Study

BOARD ACTION: Rich Inman introduced Bill May of HDC and Associates and gave the staff report. Bill provided background of his firm and history of personnel experience, listed the counties his firm has worked with, and provided his own personal experience. He described how classification surveys are initially determined and that they are adjusted on the negotiating cost of living and can be adjusted because of equity issues, reclassifications, or because of an internal salary relationship analysis as was done for Mariposa County. He further advised of the methodology of the analysis, specifically excluding sworn Sheriff's Office positions but including Merit System Services classifications, as the County retains absolute control over the salaries. He further advised that current Memorandums of Understanding (MOU's) and existing classifications were reviewed, as well as the existing position allocation list and departmental organizational charts. Calculations were done of every salary differential between positions and department lines, looking to see if any salaries were linked and why, and a conclusion was drawn as to where salaries should be linked.

Chairman Pickard questioned the timing and relationship of the study from when the study was first initiated.

Supervisor Bibby asked whether job descriptions were reviewed for consistencies in educational requirements and substitution allowances, and whether each department head was interviewed. She questioned why the allowance of substitutions was not equal between classifications and why certain classifications were linked to each other as opposed to other classifications within the county.

Supervisor Turpin questioned why some classifications were not compared.

Supervisor Bibby asked whether HDC & Associates was recommending an external study and questioned how the salary of "Y" rated positions would affect new employees.

Kris Schenk, Planning Director advised that all members of the Planning staff have concerns with the study. He advised that the Planning Department continues to have difficulty recruiting for a Senior Planner and believes that an external market study is critical for the success of the recruitment. He further advised that although he was interviewed by HDC & Associates, he had no information to work from and disagrees with direction of the "Y" ratings and freezing of salaries. He stated that the tremendous workload and understaffing, along with the recommendation of HDC & Associates is detrimental to the process of moving forward. He further stated that major market forces will be descending on this county and the property that is left available is because it was overlooked for previous planning or developmental reasons. He advised that the job descriptions are not accurate as to what the duties of the Planning Department staff actually are.

Becky Crafts, Supervising Appraiser appearing on behalf of Bob Lowrimore, Assessor/Recorder, echoed the Planning Director's points. She advised that she has worked for the Assessor's Office for 22 years and this is the first year that an extension has been necessary. She requested that all positions be reviewed.

Bob Brown, District Attorney, thanked Supervisor Bibby for raising her concerns relative to the District Attorney's Office and stated that his primary concern was salary compaction in his office. He stated that he performed a survey of five surrounding counties on his own and feels that the growth difference between the District Attorney's salary and County Counsel's salary is disturbing. He further stated that he believes that this was an opportunity to correct issues and that it is a significant fault to not link the two salaries.

Karen Robb, Farm Advisor stated that the county is facing huge changes and that these salaries will not attract necessary individuals.

Marjorie Wass, Treasurer/Tax Collector/County Clerk advised that although the internal study corrects the situation in her office, she cannot support the recommendations as a whole. She stated that current employees are committed to their work and that government process is a partnership. Every department will be affected by issues and every department employee must multi-task. She also stated that now is the time to correct structure errors.

Deborah Rockwood, representing local 535 SEIU, commented that the fact that the lowest paid employees, who have to pay for benefits out of pocket was not addressed.

Kristy Waskiewicz, MCMCO-AFSME Bargaining Unit, stated that she was disappointed with the report, that the classifications must be maintained, and that the unexplained delay was the responsibility of the county. She further stated that from a practical standpoint, the recommendations are not realistic, salary recommendations are useless, that Mariposa County is not competitive with salaries and an external study should be done. She advised that she has sent a letter requesting the opening of negotiations for an accessory agreement to the MOU, which expires shortly and extended an invitation to Board members to attend the negotiations.

Chairman Pickard opened the item to the public and Ruth Sellers stated that she is concerned as to why the county spent \$42,000 for a salary that in her opinion has no meaning. She further stated that the survey did not address salaries for County Administrative Officer or County Counsel and that she was appalled at the lack of respect given to the Planning Department. She further stated that the survey did not address salary needs that would bring Planners to the county.

Paul Chapman stated that the survey is flawed and that the county should request a refund.

Supervisor Bibby confirmed that incentive pay was also not included in the survey, if each position completed a questionnaire and whether every classification was interviewed. She also asked whether the recommendation to transfer the Safety Officer position to the CAO office, and whether there were any other recommendations relative to classification changes.

Chairman Pickard stated that the concern with filling the County Administrative Officer position may have reflected a delay and that the study needs to be used at least as a threshold as to what needs to be addressed. He further stated that timing is a critical problem and that differentials with department heads and employees need to be addressed. He advised that a lot of things have changed since the survey was started and although Mariposa County needs to be considerate of salaries, it must also match what is needed for Mariposa County. He further advised that he is not able to adopt the survey at this time.

Rich Inman, County Administrative Officer (CAO) stated that uniformity is necessary and that a pyramid of county organization needs to be done. He suggested that the matter return to discussions with the Board's committee.

Supervisor Stetson stated that the study is not useful at this time and should return to the CAO to extract usefulness.

Supervisor Bibby recommended that an external recommendation be done so that information can be gained from surrounding communities.

It is the concurrence of the Board that the matter be reviewed and return at a later date.

11:42 a.m. Recess

11:56 a.m. LOCAL AGENCY FORMATION COMMISSION (LAFCo) Meeting (Planning Director)
(See Separate Minutes)

12:37 p.m. BOARD ACTION: (M)Turpin, (S)Bibby, the Board approved holding the closed session at 2:00 p.m./Ayes: Unanimous.

2:12 p.m. CLOSED SESSION: Conference with County Labor Negotiator: Name of Employee Organization: SEIU Local 250 – In-Home Supportive Services (IHSS); Name of County Designated Representative: Jeff Green (County Administrative Officer);
CLOSED SESSION: Conference with County Labor Negotiator: Name of Employee Organization: Deputy Sheriff's Association, Sheriff's Management and MCMCO; Name of County Designated Representative: Rich Inman (County Administrative Officer); and

CLOSED SESSION: Conference with Legal Counsel Relative to Anticipated Litigation/Significant Exposure to Litigation for a Case Pursuant to Subdivision (b) of Government Code Section 54956.9 (Continued from 7-19-05) (County Counsel)

BOARD ACTION: (M)Stetson, (S)Fritz, the closed session were held/Ayes: Unanimous.

3:48 p.m. Chairman Pickard announced that direction was given to staff as a result of the closed sessions.

Discussion and Possible Further Action Regarding the Local Emergency Due to the Flooding that Occurred throughout the County (County Counsel)

BOARD ACTION: Tom Guarino, County Counsel advised that he spoke with Dana Hertfelder, Public Works Director and the recommendation is to continue the matter to 8-2-05. (M)Stetson, (S)Bibby, Resolution 05-368 was adopted continuing the local emergency due to the flooding that occurred/Ayes: Unanimous.

Discussion, Direction, and Action Relative to Courthouse Transfer Issues and Letter to Administrative Office of the Courts (AOC) Regarding the Historic County Courthouse (Chairman Pickard and Supervisor Bibby)

BOARD ACTION: Chairman Pickard introduced the item and advised that an invitation was extended to meet with an architect to design a new courthouse. He said that prior negotiations were held relative to the purchase of the property and that the Director of Finance was uncomfortable with Mariposa County being bumped from the list.

Supervisor Bibby stated that she was concerned that items don't leave the courthouse after the new building is built and at the advice of Tom Guarino, County Counsel, the phrase "as part of the historic courthouse" be added on page 6. She also recommended that the letter be copied to the District Attorney, as his office has a meeting room inside the courthouse. She complimented County Counsel for putting in the timeline and documenting the sections.

County Counsel advised that he has received correspondence targeting October 1, 2005, as the date to finalize the agreement. He stated that he reviewed previous discussions with the AOC and the County was told things were not negotiable and he has been unable to find anything in the statutes to counter.

Supervisor Fritz requested that the Mariposa Gazette let readers know that Mariposa is in danger of losing its courthouse. She stated that the courthouse is tied to the community and will announce this matter at the Chamber of Commerce function this evening. (M)Bibby, (S)Turpin, Resolution 05-369 was adopted approving the letter with the changes as discussed/Ayes: Unanimous.

Discussion and Direction Relative to Providing Recognition for the First Mariposa Residents to Complete the 25-Mile and 50-Mile "2005 Mariposa Run for the Gold" Endurance Rides (Chairman Pickard)

BOARD ACTION: Chairman Pickard introduced the item and stated that he prefers the standing tradition of presenting a tile plaque. (M)Bibby, (S)Stetson, approving two tile plaques annually to the first Mariposans to finish the 25 mile and 50 mile Run for the Gold/Ayes: Unanimous.

CONSENT AGENDA:

- CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential Public Service Until the Bidding Process is Completed (Public Works Director); Res. 05-352
- CA-2 Approve the Fifth Amendment to the Existing Contract for Services with Concept Designs Company for Ongoing Consulting Services to the Solid Waste & Recycling Division for the Mixed Solid Waste Composting Facility, Extending the Term of the Contract to June 30, 2006 (Public Works Director); Res. 05-364

- CA-3 Approve First Amendment to the Existing Contract for Services with Concept Designs Company for Ongoing Consulting Services to Complete the Mixed Solid Waste Composting Facility, Landfill & Recycling Center Request for Proposals, Extending the Term of the Agreement to June 30, 2006 (Public Works Director); Res. 05-365
- CA-4 Approve the Second Amendment to the Existing Contract for Services with Integrated Recycling, Inc. for Ongoing Consulting Services to the Solid Waste & Recycling Division for the Mixed Solid Waste Composting Facility Permitting Process, Extending the Term of the Contract to June 30, 2006 (Public Works Director); Res. 05-353
- CA-5 Approve the Second Amendment to the Existing Contract for Services with California Waste Associates, Jim Greco, for Ongoing Consulting Services Being Provided to the Solid Waste & Recycling Division, Extending the Term of the Contract to June 30, 2006 and Increasing the Contract Amount by \$12,000 (Public Works Director); Res. 05-354
- CA-6 Approve First Amendment to the Existing Contract for Services with Fred Youngren for Ongoing Solid Waste & Recycling Services, Extending the Term of the Agreement to June 30, 2006 and Increasing the Amount of the Contract by \$24,000 (Public Works Director); Res. 05-355
- CA-7 Adopt a Resolution Approving the Proposed Road Name “Parker Drive” for the Westerly Easement of Land Division Application No. 2003-260; Parcel is Located in Ponderosa Basin, 300 Feet South of the Ponderosa Court Cul-de-Sac; APN 015-350-069; Enefus and Betty Parker, Applicants (Planning Director); Res. 05-356
- CA-8 Adopt a Resolution Approving the Proposed Road Name “Parker Drive” for the Northernmost Easement of Land Division Application No. 2004-5; Parcel is Located in Ponderosa Basin, 0.5 Miles East of the Ponderosa Court Cul-de-Sac; APN 015-350-064; Alfonse Castaldi, Applicant (Planning Director); Res. 05-357
- CA-9 Waive Second Reading and Adopt an Ordinance Changing the Land Use Designation and Zoning District of 4.63 Acre Portion of a 43.65 Acre Parcel from Mountain Home (MH) to Resort Commercial (RC); Subject Property is Located at 7589 State Highway 120, Across from the Junction of this Highway with Hamilton Station Loop Road, in Buck Meadows; Assessors Parcel Number 004-020-010 (Planning Director); Ord. 1020
- CA-10 Approve Budget Action for Fiscal Year 2004-2005 Transferring Funds within the County Library Budget to Cover the Cost of Unanticipated Expenses (\$923) (Librarian); Res. 05-358
- CA-11 Approve the Contract with Mountain Valley Emergency Medical Services Agency (MVEMSA) for Fiscal Year 2005-2006 for Support Services and Authorize the Chairman of the Board of Supervisors to Sign the Contract (Health Officer); Res. 05-359
- CA-12 Approve a Behavioral Health Contract for Psychiatric Inpatient Services with Stanislaus County’s Behavioral Health Center and Authorize the Chairman of the Board of Supervisors to Sign the Contract (Human Services Director); Res. 05-360

- CA-13 Approve the Training Services Agreement with UC Davis and Authorize the Chairman of the Board of Supervisors to Sign the Agreement (Human Services Director); Res. 05-361
- CA-14 Approve Budget Action for Fiscal Year 2004-2005 Transferring Funds within the Sheriff's Budget to Cover the Increase in the Cost of Jail Utilities (\$4,100) (Sheriff); Item was Pulled from agenda
- CA-15 Approve Budget Action for Fiscal Year 2004-2005 Transferring Funds within the Sheriff's Budget to Cover the Increase in the Cost of Medical and Laboratory Services at the Jail (\$4,564) (Sheriff); Item was Pulled from agenda
- CA-16 Approve Budget Action for Fiscal Year 2004-2005 Transferring Funds within the Sheriff's Budget to Cover the Increase of the Cost of Fuel (\$7,472) (Sheriff); Res. 05-362
- CA-17 Adopt the Program Manager I Job Description Prepared by Merit System Services (MSS); Approve the Use of the Job Title of Program Manager, and Allocate the Program Manager Classification to the Human Services Department in Place of the Program Assistant Classifications (County Administrative Officer); Res. 05-363
- CA-18 Appoint Al Handy to the Assessment Appeals Board, Representing District V (Chairman Pickard)
- CA-19 Approve the Bella Sienna Townhouse Subdivision Map, Application No. 2003-137 per Mariposa County Code Section 16.20.232 (Public Works Director); Res. 05-366

4:23 p.m. Adjournment in memory of Vera Bolek, Phyllis McNally, Jacklyn Pioske, and Andrew Love.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BY: RACHEL PETTY
Deputy Clerk to the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA

August 2, 2005



Time Description

9:15 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

Jim Dulcich provided input on the Parking District status and he referenced the situation with the other parking lots in town. He asked about the status of funding for developing the Womack property as a parking lot. He provided input on the Board's previous direction to authorize the County Administrative Officer to approve contracts up to \$10,000, and he stated he feels that authority should remain with the Board. However, he does not have a problem with the department heads being authorized to approve contracts up to \$1,000. He also referred to recent purchases and stated he feels that more funds should be expended on road maintenance. Chairman Pickard advised that development of the Womack property will be from Proposition 40 funds, and that this matter will be brought to the Board to proceed with the project.

Lyn Maccarone stated she supports what Jim Dulcich said about the parking lots. She expressed concern that time is getting away without anything happening. Supervisor Bibby noted that correspondence has been received from individual property owners; and she asked, that if anything has changed, that they be advised. She also noted that they are continuing to meet and Public Works is checking on the measurements of the lots.

Marjorie Wass, County Clerk, provided an update on the status of receiving the Sequoia voting system – "Edge" equipment for the November election, and she advised of plans for special training for the election workers and for demonstrating the new system throughout the County.

Board Information

Supervisor Stetson advised that he attended a sub-regional meeting of the Sierra Nevada Conservancy in Sonora on Thursday, and there will be a meeting in Lake Tahoe. He also advised of the status of organization of the Conservancy – recruitment for an Executive Director and search for location for the headquarters. Supervisor Pickard asked about the status of funding for the Conservancy.

Supervisor Bibby advised that she plans to attend the Mental Health Board meeting at noon this date. She noted that the School District will hold a special meeting on Saturday with a study session on the busing situation, and she encouraged interested citizens to attend. She advised of discussions with TDS Telephone Company relative to the telephone system for Hornitos, Mt. Bullion, and Bear Valley areas relative to outages and 9-1-1. She also extended congratulations to Jill Ballinger for receiving a National Newspaper Award.

Supervisor Turpin thanked Supervisor Stetson for his work with the Sierra Nevada Conservancy; and he advised of the Sultry Summer Shindig event scheduled to be held in Coulterville this weekend. He also thanked Public Works for fixing the water system in Coulterville late Thursday.

Supervisor Pickard advised that he has been working with the Jerseydale/Mariposa Pines community on discussing the formation of a volunteer fire station for the area. He advised that the Fish Camp Fire Station does not have some of the amenities that are desirable for a station, and the community has been successful in its fundraising efforts, and they are hoping to be able to construct a new firehouse. He also noted that there is the discussion of the possibility of a joint station with the Westfall Station. He invited everyone to the upcoming fundraising event for the Fish Camp station. He also advised that he plans to attend the Area 12 Agency on Aging meeting on Thursday.

Supervisor Bibby commented on the Bridgeport Fire Station project, and stated she hopes that progress can be made on that station. She further noted that Supervisor Turpin and the Technical Services Director are working with the TDS Telephone Company, and she asked that anyone who has experienced problems send a letter to her and Supervisor Turpin so that they can help resolve the issues.

Approval of Minutes 6-28-05, Regular Meeting; and

Approval of Minutes 7-12-05, Regular Meeting

BOARD ACTION: (M)Bibby, (S)Stetson, the minutes were approved/Ayes: Unanimous.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: (M)Bibby, (S)Stetson, all items were approved/Ayes: Unanimous.

Rich Inman, County Administrative Officer;

Discussion and Direction Concerning the Development of an Impact Fee Ordinance on New

Development and Authorize the Issuance of a Request for Proposal for a Consultant

BOARD ACTION: Rich Inman initiated discussion, and he advised that there is no commitment of funds at this time. This is to start the process to look at this matter. Supervisor Stetson asked that consideration be given to the impact that this may have on affordable housing costs for the workforce in the County. Supervisor Bibby stated she would like to encourage the consultant to come to the County and see firsthand the distance and terrain issues; and she asked about collection enforcement. Supervisor Turpin stated he would like to see community involvement in this matter before soliciting a consultant so that the consultant will know where we are coming from and what the community sees the issues as being.

Input from the public was provided by the following:

John Croll stated he agrees that the impact fees are a means for government to be able to finance facilities. He noted that roads are of concern, as well as fire and public safety, including the Sheriff's Department. But, he stated he is not sure that hiring a consultant is necessary; and he feels that there is information available on-line and that staff can begin the process. He agrees with getting input from the citizens, and that a consultant may need to be hired down the road.

Ken Melton stated he agrees with John Croll and Supervisor Turpin. He noted that many things have been done in the County without consultants. He stated he feels that the County has spent too much on consultants where it hasn't resulted in anything, and he referenced the Airport Master Plan.

Further discussion was held, including staffing concerns with adding this project. Supervisor Bibby asked Administration to check to see how many counties have an enterprise fund for their Building Department in addition to impact fees. She noted that Planning is involved in the process of checking the parcels; however, is not included in the enterprise fund. Supervisor Pickard noted that the same situation exists with Environmental Health. Rich Inman commented on the difference between fees being charged for services and fees being assessed for something in the future; and he asked for direction on whether the Board wishes to pursue having an impact fee.

(M)Bibby, (S)Stetson, direction was given to solicit a Request for Proposals for a consultant, with further direction given to request that department heads provide information on what they need from an impact fee to support their departments/Ayes: Unanimous.

Jim Allen Sheriff;

Approve for Fiscal Year 2005-2006 the Allocation of Two New Deputy and Two New Jail Officer

Positions and Allow the Sheriff to Hire as Soon as Possible

BOARD ACTION: Sheriff Allen advised that they did receive the Rural Crime funding from the State in the amount of \$500,000. He requested that the new jail officer positions be funded from the General Fund and that the new deputy positions be funded from the Rural Crime funding. He further advised of his meeting with the Board's law enforcement liaison committee. He further advised of the increase in calls for service and changes with the jail facility and staffing. Supervisor Bibby stated she feels the Board needs to make a commitment that if the Rural Crime funding goes away, that the County will continue funding the deputy positions. Chairman Pickard called for public input on this matter, and none was received. (M)Bibby, (S)Turpin, Res. 05-376 was adopted approving the allocation of the four positions that were requested, with direction they be included in the Final Budget adjustments; the two deputy positions are to be funded from the Rural Crime funding and the jail officer positions are to be funded from the General Fund; and a commitment is made that if the Rural Crime funding goes away, that the positions will be retained/Ayes: Unanimous.

10:40 a.m. Recess

11:08 a.m. Kris Schenk, Planning Director;
Adopt a Resolution Establishing County Policy for Maximum Timeframes for Planning Department Permit Application Inactivity

BOARD ACTION: Discussion was held with Kris Schenk relative to the request.

Input from the public was provided by the following:

Ken Baker stated he was representing several property owners in the County, and they like the resolution because it clarifies the policy for them. He noted that several of his clients are present today. However, he stated he is concerned that someone not get caught by this action by surprise. He stated he feels that there needs to be some type of notification, and he noted that not everyone reads the Gazette.

Trish Oakander advised that she is dealing with an issue in Fresno County that could not be resolved in six months. She suggested that one-year be used for the timeframe; and she asked what the safeguards would be to prevent a future Planning Commission that may be “no growth” from kicking things back. Chairman Pickard noted that the Planning Commissioners are appointed by the Board members, and that the Board members are elected by the citizens. Trish further asked for clarification of who determines “progress.”

Theresa Castaldi stated she is a property owner and has concerns about some of the details of this, and she requested that the Board take time to carefully consider this matter.

Norm Miller stated he is a property owner, appreciates the concerns, and he hopes that things can be resolved.

Discussion was held.

Ken Baker advised of a question relative to the status of the rules that are in place at the time an application is approved for processing. Chairman Pickard provided input relative to the process for tentative maps.

Further discussion was held. Supervisor Bibby clarified that the number of extensions and timelines would still need to be complied with. (M)Stetson, (S)Bibby, Res. 05-377 was adopted with direction for staff to include language relative to proper notification. The motion was amended, agreeable with the maker and second, to include language in the resolution that planning project applications which are “on-hold” or inactive for a period of six consecutive months or more may be closed by the Mariposa Planning staff after written notification to the applicant or agent without the consent of the applicant. Supervisor Turpin asked about having acknowledgement that contact was made. Tom Guarino, County Counsel, stated the notification safeguards should be in place with the current practice. Supervisor Bibby clarified that notes will be made in the file relative to the notification and decision. Ayes: Unanimous.

Discussion and Possible Further Action Regarding the Local Emergency Due to the Flooding that Occurred throughout the County (County Counsel)

BOARD ACTION: Tom Guarino, County Counsel, stated it is his understanding that Public Works is providing follow-up information to the State on the damages. Supervisor Bibby advised of a recent tour with Public Works and the recurring failure on Hornitos Road. (M)Stetson, (S)Bibby, Res. 05-378 was adopted continuing the local emergency due to the flooding that occurred/Ayes: Unanimous.

Discussion and Provide Direction Relative to the San Joaquin Valley Rail Committee’s (SJVRC) Request for the Mariposa County Board of Supervisors to Adopt a Resolution Calling Upon Congress to Provide Adequate Operating and Capital Funding for Amtrak in the FFY 2006 Federal Budget (Chairman Pickard)

BOARD ACTION: Supervisor Pickard initiated discussion. (M)Stetson, (S)Fritz, Res. 05-379 was adopted calling upon Congress to provide adequate operating and capital funding for Amtrak in the FFY 2006 Federal Budget. Supervisor Bibby stated she would like to see more information on how the funding has been expended that has been received and relative to the funding request. Ayes: Stetson, Turpin, Fritz, Pickard; Noes: Bibby.

CONSENT AGENDA:

CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential

Public Service Until the Bidding Process is Completed (Public Works Director);
Res. 05-370

- CA-2 Appoint Maria Jimenez to the Historic Sites and Records Preservation Commission as an Alternate, Representing the Butterfly Garden Club (Chairman Pickard)
- CA-3 Approve the Renewal of a Professional Service Agreement with Long Beach Genetics (LBG) for Parentage Testing Services and Authorize the Board of Supervisors Chairman to Execute the Agreement (Child Support Services Director); Res. 05-371
- CA-4 Approve the Professional Service Agreement with Betty Massey, LCSW, for Clinical Supervision of the Social Workers Towards Their Licensure and Authorize the Board of Supervisors Chairman to Execute the Agreement (Human Services Director); Res. 05-372
- CA-5 Authorize the County Librarian to Apply for a Mariposa County First 5 Grant in the Amount of \$5,000 (Librarian); Res. 05-373
- CA-6 Authorize the County Librarian to Apply for a Mariposa County First 5 Grant in the Amount of \$210,000 (Librarian); Res. 05-374
- CA-7 Approve Budget Action for Fiscal Year 2004-2005, Transferring Funds from the Fire Budget Unit to the Fire Truck Replacement Fund 702, a Fund Intended for the Transactions and Purchases of all Fire Trucks and Attached Equipment for those Trucks (4/5ths Vote Required) (\$47,352) (Fire Chief); Res. 05-375

11:46 a.m. Adjournment in memory of Malcolm J. Fulmer, Ursula “Pat” Carter, and Cathleen “Cait” McNamara.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA

August 9, 2005

Time Description

9:08 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 commented as to Consent Agenda item 7, stating it would wipe out the already approved creek project and recommended the Board not approve this item.
- Blaine Shultz, Fire Chief, advised that Deputy Sheriff Lisa Sullivan responded to a fire in the Pino Blanco and Granite Springs area and on two occasions, drove her vehicle through active fire to rescue Alice Holmes. He further advised that volunteer fire fighters, Scott Turpin and Jake Crabtree entered a burning structure and rescued Vernon Holmes. Captain Steve Sula began medical treatment and transferred Mr. Holmes to Deputy Sullivan, who again drove through smoke and flames to reach a helispot where he was transported to Doctor's Hospital. Blaine recommended commendation for the individuals involved in the rescue, and will prepare an item for the Board's agenda. Chairman Pickard thanked Blaine for bringing this matter to the attention of the Board and thanked the individuals involved. Supervisor Bibby thanked everyone and wished the best for Mr. and Mrs. Holmes.

Board Information

- Supervisor Fritz advised that she just returned from the Great Valley Institute Seminar at Tenaya Lodge. She further advised that the Chamber of Commerce is sponsoring their 911 Dinner on September 11th and that due to a death in the family, she will be covering the restaurant for the next couple of weeks.
- Supervisor Stetson advised that the regular meeting of the Mountain Valley Emergency Medical Services Agency is on Wednesday at 10:00 a.m. in Alpine.
- Supervisor Bibby provided an update relative to the School District meeting on Saturday concerning Ben Hur Road bussing and encouraged everyone to voice their opinions. She stated there was an Agriculture Advisory Committee meeting last week concerning the Williamson Act and if people have less than 160 acres, they should check with the Planning Department for restrictions. She also advised of the Mental Health meeting this afternoon.
- Supervisor Turpin thanked the Sheriff's Office, County Fire and volunteers and announced that Coulterville lost the Black Oak Market to fire. He stated that 9 volunteers responded immediately to the fire and that the Holmes' house burnt 2 years ago. He commented that Mariposa County has hundreds of stock ponds and that they are being used to fight fires.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION:

Supervisor Bibby pulled item 7 and Supervisor Turpin pulled items 5 and 7.

Consent Agenda item 3 – Chairman Pickard congratulated Manuela Ortiz on 57 years of business. Supervisor Bibby stated that she will present the certificate and encouraged others to stop by and congratulate Manuela. She stated that Manuela has contributed to both the Patron's Club and Stagg Hall in Hornitos. She complimented the Cathey's Valley Historical Society and recognized Caroline Korn regarding the new blacksmith's shop. (M)Fritz, (S)Stetson, the balance of the items were approved and

the Deputy Clerk to the Board read the title of Ordinance 1021 into the record for Consent Agenda item 6/Ayes: Unanimous.

Consent Agenda item 5 – Supervisor Turpin questioned the rate per mile on page 9. The matter was continued until the Agricultural Commissioner could be present.

Consent Agenda item 7 – Supervisor Bibby asked if this matter had to go through the Local Agency Formation Commission (LAFCo).

Kris Schenk, Planning Director advised that the elements to be reviewed will require LAFCo action, as well as the Board of Supervisors and Planning.

Rich Inman, County Administrative Officer (CAO), stated that the law requires an analysis to be done to make sure of adequate service and will then be evaluated by LAFCo. He advised that if the jurisdiction of the area is not in Mariposa Public Utility District (MPUD), then it is under the jurisdiction of the Planning Commission. He further advised that the contract is a result of interest by the Public Works Department to extend services to facilities on Ben Hur Road.

Supervisor Bibby questioned whether funds have been set aside in previous budgets through the Water Agency. County Administrative Officer is to confirm and advise the Board.

Dana Hertfelder, Public Works Director, advised that the Water Agency has already set aside approximately \$75,000 and it is expected that MPUD will make up the difference in the cost.

Supervisor Bibby stated that it is contingent upon the Water Agency documents confirming the funding and asked whether there is availability to obtain a grant. (M)Stetson, (S)Fritz, Resolution 05-384 was adopted, authorizing the Chairman of the Board of Supervisors to sign the agreement/Ayes: Unanimous.

Bob Pickard, Chairman;

Authorize the Addition of Two Commissioners to the Mariposa First 5 Commission; Appoint Judy Freitas as a Parent Representative; and Appoint Lydia Woolsey as a Member at Large

BOARD ACTION: Supervisor Bibby introduced the item and encouraged members of the public to become part of the committee.

Supervisor Stetson advised that 2 candidates have been interviewed.

Supervisor Bibby announced that vacancies have been advertised and 1 additional candidate was interviewed last night and can be appointed if the Board does approve the additional positions. She advised that the city of San Benito went to this format and has expanded its membership. She confirmed that this would cause a need to amend the by-laws to make the representation of 9 members. (M)Bibby to appoint Judy Freitas to the Commission as a parent member/individual with early childhood development background and provide direction to County Counsel to bring back the other vacancies, the amendment to the by-laws, and the re-appointment of the agencies back before the Board, (S)Stetson. The motion was amended by the maker and the second to clarify that the changes should come from the agency/Ayes: Unanimous.

Tom Guarino, County Counsel;

Waive First Reading and Introduce an Ordinance Amending Chapter 3.08 of the Mariposa County Code Entitled, "Purchasing"

BOARD ACTION: Tom Guarino, County Counsel, introduced the item and advised that when this matter returns to the Board for second reading and adoption, it will also include a resolution for the reporting and apprising of the Board of which agreements are executed under the authority of the CAO so that both resolutions can be enacted at the same time.

Rich Inman, County Administrative Officer read into the record, the resolution relative to service contracts.

There was no public input.

Supervisor Bibby requested that staff report back to the Board as to the amount of work the new policy creates.

Chairman Pickard thanked the CAO for bringing the item to the Board. (M)Fritz, (S)Stetson, the Deputy Clerk to the Board read the title, introducing the ordinance into the record/Ayes: Unanimous.

Discussion and Possible Further Action Regarding the Local Emergency Due to the Flooding that Occurred throughout the County (County Counsel)

BOARD ACTION: Tom Guarino, County Counsel recommended the Board continue the finding of the local emergency, as documents are still being processed and roads repaired.

Supervisor Bibby advised that White Rock Road has sustained significant damage and sections of road are gone. She stated that the Public Works Department is in the process of a road study to make the road passable.

Supervisor Turpin questioned whether there is a timeframe scheduled for the process of going to bid for the 4 major roads damaged in the flood.

Supervisor Bibby stated that the Hornitos Bridge and Schoolhouse Road have areas under study. (M)Turpin, (S)Bibby, Resolution 05-385 was adopted continuing the local emergency due to the flooding that occurred throughout the County/Ayes: Unanimous.

Discussion and Direction Regarding the Replacement of the Current Representative of the Mariposa County Board of Supervisors on the San Joaquin Valleywide Air Pollution Study Agency; Discussion and Direction Regarding Mariposa County's Continued Participation with this Agency (Supervisor Bibby)

BOARD ACTION: Supervisor Bibby introduced the item and stated that movement has been to include additional counties to join the San Joaquin Valleywide Air Pollution Governing Board. She questioned whether the Board wanted to continue on the Study Agency or align the Board with the Mountain Counties Air Basin and request Dr. Mosher, Environmental Health Officer, to monitor the activities of the Study Agency. She advised that she has a conflict attending the meetings, because of Mother Lode Job Training and Community Action Agency meetings, which are always the same day. She recommended that the Board align itself with the Mountain Counties Air Basin because as long as the Board participates in the San Joaquin Valleywide Air Pollution Study Board and not the Governing Board, businesses and other counties are wondering why Mariposa County does not adhere to the rules and regulations of the governing board. She referred to the agendas and that they typically do not include items that will affect the actual governing board, and usually contain requests for the extension of study agreements.

(M)Stetson, (S)Fritz, Resolution 05-386 was adopted authorizing Mariposa County to no longer participate in the sessions, but continue to monitor and directing Dr. Mosher to send a letter that Mariposa County would like to continue to receive correspondence and agendas/Ayes: Unanimous.

Discussion and Possible Action to Cancel the Board's Regularly Scheduled Meeting for September 6, 2005 (Chairman Pickard)

BOARD ACTION: (M)Stetson, (S)Fritz, Resolution 05-387 was adopted, canceling the meeting/Ayes: Unanimous.

Consent Agenda item 5 – It was brought to the attention of the Board that the Agricultural Commissioner was not available. (M)Turpin, (S)Bibby, Resolution 05-383 was adopted approving the agreement with verification of the mileage/Ayes: Unanimous.

10:15 a.m. CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: Appointed Department Heads; Name of County Designated Representative: Rich Inman, CAO (County Administrative Officer)

BOARD ACTION: The closed session was not held.

CLOSED SESSION: Conference with Legal Counsel Relative to Anticipated Litigation/Initiating of Litigation for a Case Pursuant to Subdivision (c) of Government Code Section 54956.9 (County Counsel)

BOARD ACTION: (M)Bibby, (S)Fritz, the Board recessed into Closed Session/Ayes: Unanimous.

11:03 a.m. Chairman Pickard announced that direction was given to staff as a result of the closed session matters.

CONSENT AGENDA:

- CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential Public Service Until the Bidding Process is Completed (Public Works Director); Res. 05-380
- CA-2 Approve Transfer of the Cathey's Valley Blacksmith Shop from Cathey's Valley Historical Society to the County of Mariposa and Authorize the Chairman of the

Board of Supervisors to Sign an Agreement between Cathey's Valley Historical Society and the County of Mariposa (County Administrative Officer & Supervisor Bibby); Res. 05-381

- CA-3 Approve a Certificate of Recognition for Manuela Ortiz, Recognizing her 57 Years of Business and Community Support in Mariposa County (Supervisor Bibby)
- CA-4 Adopt a Resolution Authorizing the Tax Collector to Place "Right to Agricultural" Activity Language on the Tax Bill Envelopes (County Counsel); Res. 05-382
- CA-5 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign Detection Trapping Contract No. 05-0250 for Fiscal Year 2005-2006 with California Department of Food and Agriculture (CDFA) (Agricultural Commissioner); Res. 05-383
- CA-6 Waive Second Reading and Adopt an Ordinance Approving an Amendment to Mariposa County Zoning Map Pursuant to General Plan/Zoning Amendment No. 2004-212; Suzanne Richardson, Applicant; Freeman & Seaman, Land Surveyors, Agent; Project Site Includes Assessor Parcel's Number (APN) 011-300-019 and APN 011-310-019, Located Adjacent to and Easterly of Hornitos Road near McCay Road in the Cathey's Valley Area (Planning Director); Ord.1021
- CA-7 Authorize the Chairman of the Board of Supervisors to Execute an Agreement with Provost & Pritchard Engineering Group to Produce a Feasibility Study and Concept Plans for Public Water and Wastewater Services for the Mariposa Town Planning Area in the Amount of \$77,145 (Public Works Director); Res. 05-384

11:05 p.m. Adjournment in memory of Wallace Stiers, "Rose" Marie Elsegood, Pauline Pisano, Harold Brown, and Carol Calder.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BY: RACHEL PETTY
Deputy Clerk to the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA

August 16, 2005

Time Description

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

4-H All-Stars Christy Smith, Elizabeth Asbury, and Denise Hamilton led in the Pledge of Allegiance.

Introductions

Bob Pickard, Chairman;

Board and California Department of Forestry (CDF) Presentation of Certificate of Recognition to Shawn Knell for his Lifesaving Efforts Performed Following a Call for Roadside Assistance;
Proclaim the Month of August 2005, as "Child Support Awareness Month" – item was continued to August 23, 2005.

BOARD ACTION: (M) Bibby, (S) Turpin, the certificate of recognition was approved and presented to Shawn Knell/ Ayes: Unanimous. Kevin Smith, Battalion Chief with CDF thanked Shawn for his efforts and presented him with a certificate from CDF. Kevin gave a summary of the incident and stressed the importance of Shawn's actions in saving Mr. Toby D'Amico's life. Mr. D'Amico thanked Shawn, CDF, and Mercy Ambulance for their efforts in saving his life.

Karen Robb, Farm Advisor;

4-H All-Stars Presentation Relative to the 4-H State Leadership Conference at UC Davis and their All-Star Responsibilities in the Mariposa County 4-H Youth Development Program

BOARD ACTION: Karen Robb introduced three of the five 2005 4-H All Stars from Mariposa County – Christy Smith, Elizabeth Asbury, and Denise Hamilton. The 4-H All-Stars gave a presentation on their activities while attending the 4-H State Leadership Conference. Board members thanked the 4-H All Stars for their dedication and efforts. Karen Robb introduced Donna Wice, 4-H Program Coordinator and thanked her for her work with the 4-H program. Becky Crafts, 4-H Community Leader and Project Leader thanked the Board members for supporting the 4-H program.

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

- Paul Chapman commented on Consent Agenda item 7 and the Yosemite Area Regional Transportation System.
- Susan Crain, Tourism Coordinator announced that the Mariposa County booth at the Sacramento State Fair received a Silver Award. She encouraged the Board members to attend the State Fair and visit Mariposa's booth and thanked Dorothy Kuhnel, Bob Perez, Walt Bonner, and Mark and Jan Gafney for their work on the booth. Susan presented the Silver Award to the Chairman.

Board Information

Chairman Pickard asked Board members to keep Board Information short and succinct during the absence of the Clerk of Board and the Deputy Clerk to the Board.

Supervisor Fritz advised that she will be attending the School Board meeting to present the alternate Field of Dreams plan and she attended a Parks and Recreation meeting.

Supervisor Bibby advised that she will be attending a leadership training for 4-H and announced that there is a school district meeting and encouraged people to attend if they were concerned about busing and the school's budget.

In compliance with the American Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board's Office.

Supervisor Turpin advised that he is working with the County Clerk and there will be informational meetings this month and the first part of next month in Hunters Valley, the Coulterville - Don Pedro area, and in Greeley Hill on the new voting machines.

Chairman Pickard received consensus for Board Information to be temporarily suspended until staff in the Clerk of the Board's office have returned to work.

Supervisor Stetson clarified that no Board Information items should be offered unless the item is of vital importance.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Bibby pulled item 10. Supervisor Fritz pulled item 6. Supervisor Turpin pulled item 2. (M) Fritz, (S) Turpin, the balance of the items were approved/Ayes: Unanimous.

Consent Agenda Item 2 – Supervisor Turpin expressed concern regarding having sufficient staff to work on the project. (M) Turpin, (S) Fritz, item 2 was approved/Ayes: Unanimous.

Consent Agenda Item 6 – Supervisor Fritz complimented Marilyn Lidyoff, Business Development Coordinator on the success of the previous P.G.&E. grant and noted that downtown Mariposa is doing very well. (M) Fritz, (S) Stetson, item 6 was approved/Ayes: Unanimous.

Consent Agenda Item 10 – Supervisor Bibby advised of corrections to text. (M) Bibby, (S) Fritz, item 10 was approved with direction to the District Attorney to make the necessary corrections to the narrative regarding the county's population and the reference to cities / Ayes: Unanimous.

Discussion and Possible Further Action Regarding the Local Emergency Due to the Flooding that Occurred throughout the County (County Counsel)

BOARD ACTION: County Counsel advised that this item needs to remain on the agenda. (M) Bibby, (S) Fritz, Res. 05-401 was adopted continuing the local emergency due to the flooding that occurred. Dana Hertfelder, Public Works Director answered questions from Board members.

MARIPOSA COUNTY WATER AGENCY (Chair-Director Bibby; Vice-Chair-Director Turpin)

A) Public Presentations – none.

B) Adopt a Resolution Amending Section 6-a of Resolution No. 23, Amending the Regular Meeting Place to the Board of Supervisors Meeting Room, Mariposa County Government Center, Mariposa, California

AGENCY ACTION: County Counsel explained the reason for the amendment. Chair Bibby noted a text correction on circle page 3. (M) Stetson, (S) Fritz to adopt Res. WA 05-2 amending Section 6-a of Resolution No. 23. Following Board discussion, Supervisor Stetson withdrew his motion and Supervisor Fritz withdrew her second. Direction was given to County Counsel to review the ordinance and statute that created the Water Agency to determine what actions are necessary to give the Water Agency Advisory Committee flexibility in their meeting place and to work with Chair Bibby on a solution.

The Board of Supervisors reconvened.

CONSENT AGENDA:

CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential Public Service Until the Bidding Process is Completed (Public Works Director); Res. 05-388

CA-2 Authorize Public Works to Prepare an Application for Proposition 50 Funds for Mariposa Creek Parkway Phase III, Eighth Street to 49 North via a Revised Route to Include the Cemetery (Public Works Director); Res. 05-389

- CA-3 Approve the Agreement with Yosemite Area Regional Transportation System (YARTS) Joint Powers Authority (JPA) to Continue Providing Transportation Services within Mariposa County and between Merced and Mariposa County, and Authorize the Chairman of the Board of Supervisors to Sign the Agreement (Public Works Director); Res. 05-390
- CA-4 Adopt a Resolution Designating 15-Percent of the “Full” Payment the County Receives through Participation in the Secure Rural Schools and Community Self-Determination Act of 2000 to Title III Projects (County Administrative Officer); Res. 05-391
- CA-5 Approve a Liability Claims Administration Agreement with Freese & Gianelli Claim Service, Effective July 1, 2005 (County Administrative Officer); Res. 05-392
- CA-6 Approve the Economic Development Grant Application to Pacific Gas & Electric (PG&E) Requesting \$10,000 to Create Basic Business Attraction Marketing Material and Implement a Next Level Business Training Program (County Administrative Officer); Res. 05-393
- CA-7 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign a Contract for Services with Dana Tafoya for an Amount not to Exceed \$5,000, for Public Health Emergency Preparedness (Bio-Terrorism) (Health Officer); Res. 05-394
- CA-8 Authorize the Chief Probation Officer to Overfill a Deputy Probation Officer III Position due to the Extended Leave of the Deputy Probation Officer III Incumbent (Chief Probation Officer); Res. 05-395
- CA-9 Authorize the District Attorney to Hire Ross Simonet as an Extra-Help Deputy District Attorney III at Range 56, Step 5, based on his Extensive Experience and Extraordinary Qualifications (District Attorney); Res. 05-396
- CA-10 Adopt a Resolution Authorizing Approval of the 2005-2006 Office of Emergency Services District Attorney Statutory Rape Vertical Prosecution Program Grant in the Amount of \$22,221 for the Grant Period July 1, 2005 to June 30, 2006 (District Attorney); Res. 05-397
- CA-11 Accept the Resignation of Dr. Robert Rose from the Alcohol and Drug Advisory Board (Human Services Director);
- CA-12 Adopt a Resolution Consolidating Lake Don Pedro Community Services District Election, and the Coarsegold Union School District and Yosemite Union High School District Elections (of which the Wawona-Fish Camp Area is a Part of these School Districts) with the November 8, 2005, Statewide Special Election, Pursuant to Election Code 10401; (2) Direct County Clerk to Canvass Returns of

Said Election Pursuant to Election Code 10411 and 15301; and (3) Direct County Clerk to Bill the Lake Don Pedro Community Services District and the Madera County Office of Education in Full for Out of Pocket Costs and Services Performed in the Conduct of the Portion of the Election Relating to Each of Their Respective Districts (County Clerk); Res. 05-399

CA-13 Adopt a Resolution Approving Guidelines and Authority of County Administrative Officer to Inform Board of Supervisors and the Public of Pending and Executed Service Contracts (County Administrative Officer); Res. 05-400

Adjournment in memory of Elmer J. Specht, Milton Thomas Marshall, and Thomas Richard Wentworth.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA August 23, 2005



Time Description

9:00 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 Recognition to Jill Ballinger, Managing Editor of the Mariposa Gazette and Miner for Her First Place Writing Award From the California Newspaper Publishers' Association and for Her Honorable Mention in the 2005 National Newspaper Association's Better Newspaper Contest
BOARD ACTION: (M) Bibby, (S) Stetson, the Certificate was approved and presented to Jill Ballinger/
Ayes unanimous. Supervisor Bibby commended Jill, Dan Tucker, and the staff at the Mariposa Gazette and Miner for the wonderful job they do. Jill Ballinger thanked the people of Mariposa County for allowing her the opportunity to report on all the good things they do.

Bob Pickard, Chairman;

A) Approve Certificates of Recognition to Lisa Sullivan -- Mariposa County Deputy Sheriff, Scott Turpin -- Mariposa County Volunteer Fire Fighter, Jake Crabtree -- Mariposa County Volunteer Fire Fighter, Steve Sula -- Mariposa County Volunteer Fire Fighter, and Casey Wilson -- California Department of Forestry and Fire Protection (CDF) Fire Fighter Recognizing them for Acts of Valor in Rescuing Vernon and Alice Holmes from a Wild Land Fire

BOARD ACTION: (M) Turpin, (S) Fritz, the Certificates were approved and presented to Lisa, Scott, Jake, and Casey. Steve Sula was unable to attend/Ayes: Unanimous. Chairman Pickard thanked the recipients for their acts of heroism on August 7, 2005. Jim Allen -- Mariposa County Sheriff, Blaine Shultz -- Mariposa County Fire Chief, and Kevin Smith -- CDF Battalion Chief congratulated the recipients and thanked the Board for recognizing these individuals.

B) Proclaim the Month of August 2005, as "Child Support Awareness Month"

BOARD ACTION: (M) Bibby, (S) Fritz, August 2005 was proclaimed as "Child Support Awareness Month"/Ayes: Unanimous. Chairman Pickard presented the proclamation to Debra Walton, Mariposa County Child Support Services Director and thanked her and her department for their work. Debra gave a power point presentation on the services provided by her department and introduced and thanked staff from her department -- Susan Asher, Mary Berkhoudt, Debra Berlt, Ginny Carpenter, and Tonya Harmon-Knox.

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

Dr. Mosher, Mariposa County Health Officer gave a brief update on the status of the West Nile Virus in Mariposa County and will be requesting the Board to approve an application for grant funding for the eradication of mosquitoes on September 13, 2005. Chairman Pickard commented that the Board supports Dr. Mosher's efforts and any emergency work that may be necessary as a result of the West Nile Virus.

Individuals from the Service Employees International Union (SEIU) United Healthcare Workers West, and individuals either receiving or providing In-Home Supportive Services spoke about the importance of approving a contract with a sufficient wage and healthcare benefits for Mariposa County's In-Home Supportive Services workers. These individuals were: Frank Martinez, Karen McClure, Annie Durazo, Patrick Scott Edwards, Roberta Lynn, Carol Willis Gonzales, and Patrick Vincent Ragsdale.

10:10 a.m. Recess

10:28 a.m. Approval of Consent Agenda (See End of Agenda)

BOARD ACTION: Supervisor Bibby pulled items 5, 14, 15, and noted that item 19 is to be continued to September 13, 2005, due to text changes in the agreement. (M) Fritz, (S) Stetson, the balance of the items were approved/Ayes: Unanimous.

Consent Agenda item 5 – Supervisor Bibby initiated discussion regarding the county’s liability with regards to necessary improvements that are still required to make the building habitable and the effect these agreements will have on existing grant agreements between the Mariposa County First 5 Commission and the Acorn pre-school. She also noted the dollar difference in paragraph 2 of the Custodian Agreement. Board discussion followed with input from County Counsel and the County Administrative Officer. (M) Fritz, Chairman Pickard passed the gavel to the Vice Chairman, (S) Pickard to approve the Reversion Agreement. Following Board discussion, Pickard withdrew his second and suggested the item be continued, Fritz withdrew her motion. Additional Board discussion followed and Dana Hertfelder, Public Works Director answered Board questions and provided additional information on Proposition 40 funding. (M) Fritz, (S) Pickard, Res. No. 05-406 was adopted approving the Reversion Agreement/ Ayes: Stetson, Turpin, Fritz, Pickard; Noes: Bibby.

There was further discussion regarding correcting the dollar amounts in paragraph 2 and adding term language to the Custodian Agreement. (M) Pickard, (S) Fritz approving the Custodian Agreement. Additional information was provided by County Counsel. Supervisor Pickard withdrew his motion and Supervisor Fritz withdrew her second. Direction was given to further investigate any existing funding agreements with the Mariposa County First 5 Commission and the Acorn pre-school and what effects this agreement may have on this funding. Vice Chairman Stetson returned the gavel to Chairman Pickard.

Consent Agenda item 14 – Supervisor Bibby noted that paragraph 11 of the agreement was not applicable to this grant. (M) Bibby, (S) Stetson, item 14 was approved with corrections as noted/ Ayes: unanimous.

Consent Agenda item 15 – Supervisor Bibby noted that paragraph 11 of the agreement was not applicable to this grant and that item number 3 on circle page 4 was missing. (M) Stetson, (S) Bibby item 15 was approved with corrections as noted/ Ayes: unanimous.

Consent Agenda item 19 – Supervisor Bibby stated that this item has been continued until September 13, 2005.

Blaine Shultz, Fire Chief:

Discussion and Direction Regarding the Replacement of the Fish Camp Fire Station

BOARD ACTION: Blaine Shultz acknowledged Bob Keller with Mountain Ranch Association and gave a brief history and the current status of the Fish Camp Fire Station. The Board discussed the status of the proposed fire station in the Bridgeport area, the commitment of the Forest Service to occupy a portion of the Fish Camp Fire Station, and the possibility of obtaining grant funding to build new fire stations.

There was no public comment.

(M) Stetson, (S) Fritz to develop a site plan, meet with Mountain Ranch Association regarding availability of leased land, and to develop a cost plan analysis for the Fish Camp Fire Station. Further Board discussion followed regarding the time line for completion of all proposed fire stations. Supervisor Bibby noted that the motion does not include language that states all fire stations are to be treated equally and that the Fish Camp Fire Station should not be given priority. Supervisor Stetson withdrew his motion and Supervisor Fritz withdrew her second.

(M) Stetson, (S) Fritz, Res. 05-423 was adopted giving direction to the Fire Chief to develop a site plan, meet with Mountain Ranch Association regarding availability of leased land, and to discuss with the Forest Service the possibility of a joint fire station all relating to the Fish Camp Fire Station; Develop a cost plan analysis and funding mechanism for all proposed county fire stations/ Ayes: unanimous. Supervisor Bibby also noted that the date needed to be corrected on the agenda action form.

Noon: Recess

12:20 p.m. Dana Hertfelder, Public Works Director

Approve an Agreement with Wilson and Associates for Assessment Engineering Consultant Services for the Don Pedro Wastewater Treatment Plant in an Amount Not To Exceed \$65,000 and Authorize the

Chairman of the Board of Supervisors to Sign the Agreement; Commit \$65,000 as a Loan from the Water Agency to the Don Pedro Wastewater Treatment Plant Fund to Cover this Cost.

BOARD ACTION: Dana Hertfelder clarified that the \$65,000 loan was to come from the General Fund because procedurally it could not come from the Water Agency. He then gave a brief update on the status of the Don Pedro Wastewater Treatment Plant and responded to questions from the Board regarding the Proposition 218 process. Carl Casey, Fiscal Officer responded to questions regarding available money in the Water Agency fund. Supervisor Bibby noted the potential impacts that AB 1492 may have on this project.

(M) Bibby, (S) Turpin, Res. 05-420 was adopted approving the requested actions with the loan to come from the General Fund, interest will be charged on the loan, and the Water Agency will be asked to reimburse the General Fund/ Ayes: unanimous.

Cheryle Rutherford-Kelly, Human Services Director

Approve the County's Child Abuse Prevention, Intervention and Treatment (CAPIT), Community Based Child Abuse Prevention (CBCAP), and Preserving Safe and Stable Families (PSSF) Three-Year Plan for the 2005-2008 Funding Cycle; Review the Community Proposals Submitted for the CAPIT and CBCAP Three-Year Funding Cycle and Approve Funding Based on the Respective Recommendations Made By the Child Abuse Prevention Council (CAPC) and the Human Services Director for the Distribution of the Funds; Authorize the Human Services Director to Submit this Plan to the State and to Enter into Service Agreements with Approved Sub-Contractors; Authorize that all Subcontracts or Memorandums of Understandings (MOUs) for Parenting Classes that will be Funded with CAPIT or CBCAP Dollars be Approved by the Mariposa County Board of Supervisors Prior to Execution.

BOARD ACTION: Cheryle Rutherford-Kelly gave an overview of the three-year plan and her recommendations and responded to Board questions.

Katherine Collier, Executive Director of Mariposa Safe Families presented the recommendations of CAPC and responded to Board questions. After further Board discussion regarding child abuse prevention efforts, direction was given to the Human Services Director to strengthen the collaboration process.

Denise Conway, Chair of the Mariposa Safe Families provided information on primary child abuse prevention efforts.

Supervisor Bibby made a motion to accept the Human Services Director's recommended three-year plan. Further Board discussion followed.

Stephanie Holland provided information on the work of Court Appointed Special Advocates (CASA).

Chairman Pickard passed the gavel to Vice Chairman Stetson.

(M) Pickard, (S) Fritz, Res. 05-421 was adopted approving the recommendation of the Child Abuse Prevention Council and the other actions as recommended/Ayes: Stetson, Turpin, Fritz, Pickard, Noes: Bibby.

Vice Chairman Stetson returned the gavel to Chairman Pickard.

Discussion and Possible Further Action Regarding the Local Emergency Due to the Flooding that Occurred throughout the County (County Counsel)

BOARD ACTION: Supervisor Turpin stated the importance of identifying a contractor prior to October. (M) Turpin, (S) Stetson, Res. 05-422 was adopted continuing the local emergency due the flooding that occurred/Ayes: unanimous.

Tom Guarino, County Counsel;

Waive Second Reading and Adopt Ordinance Amending Chapter 3.08 of the Mariposa County Code entitled, "Purchasing"

BOARD ACTION: (M) Stetson, (S) Fritz, the second reading was waived and Ordinance No. 1022 was adopted. The Clerk of the Board read the Ordinance number and title into the record. Ayes: unanimous.

1:33 p.m. CLOSED SESSION: Conference with County Labor Negotiator: Name of Employee Organization: Appointed Department Heads; Name of County Designated Representative: Rich Inman (County Administrative Officer)

BOARD ACTION: (M) Turpin, (S) Bibby, the Board would recess until 2:30 p.m. and then go into closed session/Ayes: unanimous

3:53 p.m. Supervisor Pickard announced that direction was given to the County Administrative Officer as a result of the closed session

CONSENT AGENDA:

- CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential Public Service Until the Bidding Process is Completed (Public Works Director); Res. 05-402
- CA-2 Approve Budget Actions for Fiscal Year 2004-05 Transferring Funds Within Various Public Works' Budget Units to Account for Actual Expenditures (\$60,783) and in the Solid Waste Fund Increasing Revenue for Recyclables and the Corresponding Expenditure Accounts (4/5ths Vote Required) (\$72,570) (Public Works Director); Res. 05-403
- CA-3 Approve an Agreement with the Environmental Services Joint Powers Authority (ESJPA) to Continue Assisting the Mariposa County Solid Waste and Recycling Division in the Implementation of the Department of Conservation (DOC) City/County Payment Program and Authorize the Chairman of the Board of Supervisors to Sign the Agreement; Authorize the Payment to the ESJPA Once the Agreement is Executed (Public Works Director); Res. 05-404
- CA-4 Adopt a Resolution Proclaiming August 22nd Through August 28th, 2005, as Public Safety Officers Recognition Week (Chairman Pickard); Res. 05-405
- CA-5 Adopt a Resolution Accepting the Reversion of the Darrah Schoolhouse and Property and Authorizing the Chairman of the Board of Supervisors to Sign the Reversion Agreement; Authorize the Chairman of the Board of Supervisors to Sign the Agreement Making the Kiwanis Club the Official Custodian of the Facility for its Operations (Chairman Pickard and Supervisor Fritz); Res. 05-406
- CA-6 Approve an Amendment to the Assessment Office Manager Job Description by Amending the Minimum Qualifications to Reflect Equivalency Experience (County Administrative Officer); Res. 05-407
- CA-7 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign Pierce's Disease Control Program/Glassy-Winged Sharpshooter Contract No. 05-0399 for Fiscal Year 2005-06 with the California Department of Food and Agriculture (CDFA) (Agricultural Commissioner); Res. 05-408
- CA-8 Authorize the Chairman of the Board of Supervisors to Sign a Contract with Barclay Mapworks, Incorporated in an Amount of \$700 to Update the County's

Geographic Information System (GIS) Parcel Layer for the 190 Parcel Changes that Were Completed in 2004 (Technical Services Director); Res. 05-409

- CA-9 Authorize the Payment of an Invoice in the Amount of \$1,119.76 for a Replacement Tape Drive on the County's File Server Prior to the Adoption of the Final Budget (Technical Services Director); Res. 05-410
- CA-10 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign a Certification of Funding Under Health and Safety Code 123945 for the State-Mandated Children's Medical Services (CMS) Program (Health Officer); Res. 05-411
- CA-11 Adopt a Resolution Authorizing the Health Officer to Sign a Contract with the State of California Emergency Medical Services Authority for Automatic Electric Defibrillators (AED) to be Used in a Public Area in Mariposa County (Health Officer); Res. 05-412
- CA-12 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Apply for Certified Unified Program Agency (CUPA) Reimbursement Funds and to Sign the Disbursement Worksheet for Rural CUPA Reimbursement Funds for Fiscal Year 2005-06; and Authorize the Health Officer to Submit and Sign Additional Documents as Necessary to Secure Funding (Health Officer); Res. 05-413
- CA-13 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign a Declaration of Intent Not to Apply for Rural Health Services Program Funding for Fiscal Year 2005-06 (Health Officer); Res. 05-414
- CA-14 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign an Agreement with the Mariposa County First Five Commission for \$1,000 in Funding for West Nile Virus Educational Materials (Health Officer); Res. 05-415
- CA-15 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign an Agreement with the Mariposa County First Five Commission for \$30,000 in Funding for the Public Health Visiting Nurse Program (Health Officer); Res. 05-416
- CA-16 Approve the Annual Section 8 Management Assessment Program (SEMAP) Report and Authorize the Chairman of the Board of Supervisors to Sign the Self Certification Form (Human Services Director); Res. 05-417
- CA-17 Approve a County Alcohol and Drug Program Certification and Authorize the Chairman of the Board of Supervisors and the Human Services Director to Sign the Certification Forms (Human Services Director); Res. 05-418

- CA-18 Approve a Behavioral Health Contract for Crisis Support Telephone Services with Alameda County in an Amount of \$15,240 and Authorize the Chairman of the Board of Supervisors to Sign the Contract (Human Services Director); Res. 05-419
- CA-19 Rescind Resolution #04-463 Approving Assignment and Assumption of Lease with Dell Financial Services Due to Date Changes and Authorize the Chairman of the Board of Supervisors to Sign the Lease and Certificate of Incumbency and Authority (Human Services Director)
- CA-20 Accept the Resignations of Angela Heiss, Lynn DeLeon, and Jodi Locke from the Mental Health Board (Human Services Director)

3:54 p.m. Adjournment in memory of Carol McNally Franks.

Respectfully Submitted

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA September 13, 2005



Time Description

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

Bridgett Carpenter led the Pledge of Allegiance

Introductions

Supervisor Turpin advised that the Board of Supervisors had purchased the Reserve Champion Pen of Rabbits at the Junior Livestock Auction at the Mariposa County District Fair. Supervisor Turpin introduced Bridgett Carpenter as the exhibitor of the Reserve Champion Pen of Rabbits and then introduced Bridgett's mother Katy and her sister Brooke. Bridgett thanked the Board for supporting the youth of Mariposa County and presented to the Board the Reserve Champion ribbon, a gift basket, baseball cap, t-shirt, and the pen of rabbits. Chairman Pickard thanked the youth who participated in the Junior Livestock Auction and for their efforts in raising funds to benefit the victims of Hurricane Katrina. Supervisor Bibby advised that over \$40,000 was raised for Hurricane Katrina victims and that the sale of the animals in the auction totaled approximately \$144,000 with an additional \$35,000 in bumps.

Bob Pickard, Chairman;

Proclaim September 17 – 23, 2005 as "Constitution Week"

BOARD ACTION: (M) Bibby, (S) Stetson, Resolution No. 05-424 was adopted proclaiming September 17 – 23, 2005 as "Constitution Week"/Ayes: Unanimous. Connie Waldron a member of the Daughters of the American Revolution accepted the proclamation and presented to the Board pocket size books of the Constitution of the United States and a poster proclaiming "Constitution Week."

Karen Robb, Farm Advisor;

Presentation regarding the 4H School Enrichment Program "Ag in the Classroom"

BOARD ACTION: Donna Wice, 4H Coordinator provided an update on Ag in the Classroom and gave examples of the types of projects that are occurring in the local schools as a result of this program. She thanked the Board for their support of this program and responded to questions from the Board.

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

Robin Smith with the Yosemite Sequoia Resource Conservation District introduced the newest Americorps Volunteers in Service to America (VISTA) volunteers Charlotte Hodde and Scott Weicksel. Charlotte and Scott each gave a brief background on their college education and their home town. Robin advised that on September 24, 2005, at the North Fork Town Hall, there will be a scholarship fund raising dinner to support students in the natural resources field.

Lowell Young with the Kiwanis Club gave an update on the work that the Kiwanis Club had completed to date on the Darrah School House. He advised that the asbestos had been removed by a professional company, the lead paint had been removed and the areas re-painted, and that the ground had tested negative for lead. He stressed that the Kiwanis' goal was to get to the building back into public service and responded to questions from Board members on the condition of the school house and the status of the grants that the Kiwanis Club had received for the school house.

Susan Crain, a member of the Mariposa Miners Special Olympics Booster Club advised that they are putting in bocci ball court at the Darrah School House and assured Board members that all work will be coordinated through the Public Works Department.

Pam Whalen, Service Employees International Union (SEIU) – In-Home Supportive Services (IHSS) representative advised that they have not yet completed negotiations with the county. She provided information on the results of SEIU’s Washington DC visit and their success in gaining additional federal dollars and federal waivers for the IHSS program. She stated that with these federal dollars the County can afford the proposal that is on the table and stressed the importance of medical insurance benefits for IHSS workers.

Angie Gustafson, Karen McClure, Margaret Donkerslay, and Linda Erhardt urged the Board to complete IHSS negotiations and to provide a livable wage and medical benefits to IHSS workers.

Paul Chapman provided comments on Item 3 – Department Head salaries, Item 8 – mosquito abatement grant, Consent Agenda Item 2 – March flood damage repairs contract, Consent Agenda Items 3 and 4 – Mariposa Airport contracts, Consent Agenda Item 6 – Landfill contract, and Consent Agenda Item 15 – Workers’ Compensation benefits to Sheriff Community Organized Policing Efforts (SCOPE) volunteers.

10:00 A.M. Chairman Pickard opened the Public Hearing for the proposed road name “Ramblin’ Road” for the existing road within the easement from Mt. Lilac Road and continued it until the completion of items 3, 4, 5, and 6.

Rich Inman, County Administrative Officer

Discussion, Direction and Possible Action Concerning the Adoption of a System for Establishing Department Head Salaries

BOARD ACTION: Rich Inman provided information on the methodology used to establish Department Head salaries and explained the options available for implementing the recommended increases. He stressed the need to continue to review and re-evaluate the department head salary schedule on an annual basis. Board discussion followed regarding the salary increase implementation options. Marjorie Wass, Treasurer/Tax Collector; Bob Brown, District Attorney; and Jim Allen, Sheriff provided positive comments on the salary schedule and thanked the Board for addressing the issue. Kristy Waskiewicz, Business Agent for AFSCME and representative for the Mariposa County Managerial and Confidential Organization (MCMCO) advised of the need for an objective salary survey and the need to apply this same approach to management positions. She believes this is the first step in addressing salary issues. (M) Stetson, (S) Fritz, Res. 05-425 was adopted approving the recommended salary adjustments and to use Option 4 – Implement half of the recommended salary adjustments on November 1, 2005, provide a two-percent (2%) Cost of Living Adjustment on January 1, 2006, and implement the balance of the recommended salary adjustments on July 1, 2006. Further Board discussion followed regarding the salary adjustment implementation options. The motion was amended, agreeable with the maker and the second, to include the language in Intent Number 1 – Establishes a “system” that could allow for subsequent compensation adjustments for other management and rank and file employees/Ayes: Unanimous.

10:50 A.M. The Board recessed.

11:10 A.M. The Board reconvened.

Approval of Minutes 8-16-05, Regular Meeting and Minutes 8-23-05, Regular Meeting

BOARD ACTION: (M) Fritz, (S) Stetson, the minutes were approved with a correction to the 8-16-05 minutes/Ayes: Unanimous.

Approval of Consent Agenda (See End of Agenda)

BOARD ACTION: Chairman Pickard pulled item 15; Supervisor Bibby requested that items 3 and 4 be taken individually so she could be excused from voting on these items; Supervisor Turpin pulled items 2, 3, and 15; Supervisor Stetson pulled items 12 and 15. (M) Stetson, (S) Turpin, the balance of the items were approved/Ayes: Unanimous.

Consent Agenda items 3 and 4 – Supervisor Bibby excused herself. (M) Stetson, (S) Turpin, items 3 and 4 were approved/Ayes: Stetson, Turpin, Fritz, Pickard, Excused: Bibby.

Consent Agenda item 2 – Supervisor Turpin initiated discussion regarding cost estimates for repairs. Dana Hertfelder, Public Works Director provided information regarding CalTrans’ estimates on the repairs. Supervisor Turpin stressed the importance of hiring a good contractor and putting down sufficient amounts of asphalt. (M) Turpin, (S) Bibby, item 2 was approved/Ayes: Unanimous.

Consent Agenda item 12 – Supervisor Stetson questioned what was changed in the amended contract. Supervisor Bibby noted that section 5.10 had been inadvertently omitted and that this had now been corrected. (M) Stetson, (S) Fritz, item 12 was approved/Ayes: Unanimous.

Consent Agenda item 15 – Chairman Pickard asked if there were any requirements for physical exams prior to being accepted as a Sheriff Community Organized Policing Effort (SCOPE) volunteer. Rich Inman stated that there is no pre-employment physical required and stressed the importance of providing Workers’ Compensation benefits to the SCOPE volunteers. Further Board discussion followed. (M) Bibby, (S) Fritz, item 15 was approved with the County Administrative Officer to bring back information regarding pre-employment physicals for SCOPE volunteers after meeting with the Sheriff and the Health Officer/Ayes: Unanimous. Sheriff Allen stated that Search and Rescue volunteers are covered under the County’s Workers’ Compensation insurance plan.

11: 20 A.M. Chairman Pickard opened the Public Hearing for the Community Participation for Application Submittal in the Amount of \$35,000 in Fiscal Year 2005 for Community Development Block Grant (CDBG) Planning and Technical Assistance Grant to Conduct a Drainage Study for the Towns of Mariposa and Coulterville and continued it until after items 7 and 8.

Dr. Mosher, Health Officer

A) Adopt a Resolution Authorizing the Health Officer to Apply for a State Grant to Finance Mosquito Abatement Activities in the Amount of \$54,000, if Necessary to Combat the Spread of the West Nile Virus.

B) Adopt a Resolution Authorizing the Health Officer to Sign a Memorandum of Understanding (MOU) with the Merced County Mosquito Abatement District.

BOARD ACTION: Dr. Mosher stated that mosquito abatement services are available and provided an update on the West Nile Virus stating that one horse and several birds have been infected with the virus, but no humans. Dr. Mosher then presented pictures to the Board of a pond that is infested with mosquito larvae and posing a threat to several senior citizens who live in the pond’s vicinity. His staff is currently working on providing mosquito larvae control to the infected pond and stressed that no aerial spraying is being used or will be used until the Board and the affected community is notified. Dr. Mosher responded to questions from the Board regarding the grant funding and time limits on the grant. (M) Stetson, (S) Fritz, Res. 05-445 and 05-446 were approved authorizing the Health Officer to apply for a state grant to finance mosquito abatement activities and for the Health Officer to sign an MOU with the Merced County Mosquito Abatement District/Ayes: Unanimous.

Dr. Mosher responded to questions from the Board regarding the County’s emergency preparedness in the wake of the disaster of Hurricane Katrina. Dr. Mosher provided information on the draft of the County’s emergency response plan and the activities of our local Red Cross chapter. He stated that the County’s emergency response plan will be brought for the Board’s approval when completed.

11:40 A.M. Kris Schenk, Planning Director

PUBLIC HEARING Regarding Adopting a Resolution Approving the Proposed Road Name “Ramblin’ Road” for the Existing Road within the Easement from Mt. Lilac Road.

BOARD ACTION: Megan Tinnerman, Assistant Planner provided information and on the proposed road name and advised that one property owner objected to the change. Supervisor Bibby asked if the property owner who objected had an alternate name. Megan responded that there was no alternate name and that the property owner who objected did not want any change to the road name. The public portion of the hearing was opened. There was no public input. The public portion of the hearing was closed and the Board commenced deliberations. (M) Stetson, (S) Bibby, Res. 05-444 was adopted approving the proposed road name “Ramblin’ Road” for the existing road within the easement from Mt. Lilac Road.

11:44 A.M. Rich Inman, County Administrative Officer and Dana Hertfelder, Public Works Director

PUBLIC HEARING regarding Community Participation for Application Submittal in the Amount of \$35,000 in Fiscal Year 2005 for a Community Development Block Grant (CDBG) Planning and Technical Assistance Grant (General Allocation) to Conduct a Drainage Study for the Town of Mariposa and the Town of Coulterville; Adopt a Resolution Approving the Application for Funding, Execution of a Grant Agreement and Any Amendments thereto from the Planning/Technical Assistance Allocation of the State CDBG Program, and Designating an Official to Authorize the Documents.

BOARD ACTION: Marilyn Liddyoff, Business Development Coordinator and Gwen Foster, Associate Engineer, explained the requested action. The public portion of the hearing was opened. Paul Chapman questioned the rationale of using money and resources on a project that in his opinion did not need to be accomplished right now. There was no additional public input. The public portion of the hearing was closed and the Board commenced deliberations. Supervisor Turpin asked if staff was aware of existing drainage problems. Gwen responded that staff has identified sites with existing drainage problems. (M) Stetson, (S) Turpin, Res. 05-447 was adopted approving the requested action with the designated official being the Chairman of the Board/Ayes: Unanimous.

Discussion and Possible Further Action Regarding the Local Emergency Due to the Flooding that Occurred throughout the County (County Counsel)

BOARD ACTION: County Counsel advised that the Board needs to continue the local emergency and that county staff is still dealing with effects of the flood. (M) Bibby, (S) Turpin, Res. 05-448 was adopted continuing the local emergency due to the flooding that occurred through out the County/Ayes: Unanimous.

Approve Budget Action for Fiscal Year 2004-05 Transferring Money from General Contingency to Indigent Defense to Account for Unanticipated Expenses (\$38,719) (4/5ths Vote Required) (County Administrative Officer)

BOARD ACTION: Rich Inman, County Administrative Officer initiated discussion regarding Indigent Defense costs. He relayed that these costs continue to rise each year and advised the Board that he will continue to meet with the Superior Court Judges and the District Attorney on ways to control these costs. (M) Bibby, (S) Fritz, Res. 05-449 was adopted approving the requested budget action/Ayes: Unanimous.

Kris Schenk, Planning Director

PUBLIC HEARING for Appeal No. 2004-221; An Appeal of the Planning Commission's Actions to Deny Appeal No. 2004-40, Upholding the Planning Director's Notice of Violation and Modifying the Required Resolution and Required Timeframe for Resolution for APN 006-080-017, A Parcel Located at 7281 Yosemite Parkway, Yosemite West, Ken LeBlanc Property Owner and Appellant, Don Starchman, Agent

BOARD ACTION: Chairman Pickard announced that this Public Hearing will be continued until Tuesday, December 13, 2005, at 2:00 P.M. or as soon thereafter as possible.

CONSENT AGENDA:

- CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential Public Service Until the Bidding Process is Completed (Public Works Director); Res. 05-426

- CA-2 Adopt a Resolution Approving the Plans and Specifications for the March 2005 Flood/Storm Damage Repairs; Authorize the Public Works Director to Award the Contract to the Lowest Responsible Bidder Contingent Upon Approval of the Project by the Officer of Emergency Services (Public Works Director); Res. 05-427

- CA-3 Authorize the Public Works Director and County Counsel to Execute the Federal Aviation Administration Grant Officer and Related Documents for an Update of

the Mariposa-Yosemite Airport Master Plan and Approve Budget Action Establishing Special Revenue Fund #407 (4/5ths Vote Required) (Public Works Director); Res. 05-428

- CA-4 Authorize the Public Works Staff to Negotiate Scope of Work with Mead Hunt for the Update of the Mariposa-Yosemite Airport Master Plan and Engineering of the Airport Fire Suppression System (Public Works Director); Res. 05-429
- CA-5 Approve the Amendments and Authorize the Chairman to Sign the Professional Services Agreement with Einarson, Fowler, and Watson dba Conor Pacific to Reflect Change in Ownership, to Extend the Term Until June 30, 2006, and to Increase the Contract by \$26,400 (Public Works Director); Res. 05-430
- CA-6 Authorize the Public Works Director to Advertise the Request for Proposals (RFP) for the Mariposa County Solid Waste Compost Facility, Sanitary Landfill and Recycling Center (Public Works Director); Res. 05-431
- CA-7 Adopt a Resolution Designating the Method by Which the Appropriation Limits will be Calculated for the Fiscal Year 2004-05 (Auditor); Res. 05-432
- CA-8 Adopt a Resolution Establishing and Adopting Appropriation Limits for the 2004-05 Fiscal Year (Auditor); Res. 05-433
- CA-9 Approve the Plan of Cooperation Between Mariposa County Department of Child Support Services and Mariposa County Superior Court and Authorize the Chairman to Sign the Plan (Child Support Services Director); Res. 05-434
- CA-10 Approve and Authorize the Chairman to Sign an Amendment to the Lease Agreement Between Mariposa County and Marc and Tracy Lingenfelter for Office Space for the District Attorney – Victim Witness Division, Located at 5080 Jones Street, Mariposa (District Attorney); Res. 05-435
- CA-11 Approve and Authorize the Chairman to Sign a Service Contract with Forensic Nurse Specialists of Central California, Incorporated for Sexual Assault Examination Services (Sheriff); Res. 05-436
- CA-12 Approve and Authorize the Chairman to Sign a Service Contract with Merced Mobile Communications for Radio Equipment Maintenance and Repair Service (Sheriff); Res. 05-437
- CA-13 Authorize the County Administrative Officer to Sign a Grant Agreement Thereby Accept Funding from the Bureau of Justice Assistance for \$10,031 to Fund the Bicycle Patrol Program (Sheriff); Res. 05-438
- CA-14 Appoint Ellie McQuarrie and Charlotte Wilson as Members At Large on the Commission on Aging Committee (Chairman Pickard)

- CA-15 Authorize Providing Workers' Compensation Benefits to SCOPE (Sheriff Community Organized Policing Efforts) Volunteers Through the Self-Insurance Program As Well As Through the County's Excess Insurance Program Effective Immediately (County Administrative Officer/Risk Manager); Res. 05-439
- CA-16 Approve the Purchase of a New Computer from the Treasurer/Tax Collector Budget Unit Prior to the Adoption of the Final Budget for Fiscal Year 2005-06 (Treasurer/Tax Collector); Res. 05-440
- CA-17 Approve and Authorize the Chairman to Sign the California Department of Veterans' Affairs Subvention Certificate of Compliance and Medi-Cal Certificate of Compliance for Fiscal Year 2005-06 (Community Services Director); Res. 05-441
- CA-18 Authorize the Continuation of the Annual Contract with the State Department of Mental Health to Provide Community Mental Health Services to Mariposa County; and Authorize the Chairman to Sign the Contract and Certification form (Human Services Director); Res. 05-442
- CA-19 Approve and Authorize the Chairman to Sign a Behavioral Health Contract for Office Space in Coulterville (Human Services Director); Res. 05-443
- CA-20 Re-Appoint Joan Conlan and Carl Loeffler to Another Three-Year Term on the Mental Health Advisory Board (Human Services Director)

11:54 A.M. Adjournment in the memory of Pierce Ott, Jeff Miller, Jean Snapp, and Albert C. "Buddy" Sipes.

Respectfully Submitted

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA September 20, 2005

Time Description

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

Pledge of Allegiance

Introductions

Bob Pickard, Chairman;

Adopt a Resolution Recognizing Becky Bradshaw for her 20 years of service to Mariposa County
BOARD ACTION: (M) Stetson, (S) Bibby, Res. 05-450 was adopted recognizing Becky Bradshaw for her 20 years of service to Mariposa County/Ayes: Unanimous. Chairman Pickard presented Becky with the Resolution and Tile Plaque. Becky thanked the County and expressed her gratitude for working with some great co-workers.

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

Paul Chapman commented on Item 6 and questioned the noticing of the Final Budget

Adjustments.

Marjorie Wass, Treasurer/Tax Collector provided the Board with an update on the status of the touch screen voting implementation. She advised that her department is conducting community meetings to update the citizens on the new voting system and will soon be submitting reimbursement claims for the voting machines. Supervisor Bibby noted that on September 29, 2005, there will be a meeting in Catheys Valley on the new voting machines. Supervisor Turpin commented that there is a meeting scheduled in Hunters Valley and thanked the staff in the Treasurer/Tax Collectors office for holding these community meetings.

Tom Guarino, County Counsel;

Presentation by David Prentice of the Best Best & Krieger Law Firm Regarding the Proposition 218 Process

Tom Guarino introduced David Prentice with the Best Best & Krieger Law Firm. David explained the Proposition 218 process including the voting process, time frames, and financing options, and then responded to Board questions. Lyn Maccarone questioned the boundaries of the existing Parking District and about the possibility of expanding these boundaries. David explained the options for expanding the existing boundaries and responded to Board questions regarding annexing, liability insurance, and assessment engineering. Tom noted that he estimated the cost for assessment engineering to be between \$30,000 to \$40,000.

10:13 A.M. the Board of Supervisors recessed and convened as the Mariposa Parking District

MARIPOSA PARKING DISTRICT - Tom Guarino, County Counsel;

(A) Discussion, Direction, and Action Regarding Renewing Leases in the Parking District; Discussion Relative to the Proposition 218; Discussion Regarding Parking Lot Property Purchases/Leases

DISTRICT ACTION: Tom Guarino presented and explained the requested action. Supervisor Bibby presented a new lease option based on square footage and distributed a memorandum explaining the new option. Board discussion followed. (M) Stetson, (S) Fritz, Res. MPD 05-01 was adopted giving direction to staff to renew the leases and to request a loan from Mariposa County to initiate the Proposition 218 process/Ayes: Unanimous.

10:28 A.M. the Mariposa Parking District was adjourned and the Board of Supervisors reconvened.

(B) Discussion, Direction, and Action Regarding the Possible Funding of the Proposition 218 Process for the Mariposa Parking District; Discussion, Direction and Action Regarding a Loan to the Parking District
BOARD ACTION: Tom Guarino presented and explained the requested action. (M) Fritz, (S) Bibby, Res. 05-450A was adopted approving a loan from the General Fund to fund the Proposition 218 process for the Mariposa Parking District in an amount not to exceed \$50,000/Ayes: Unanimous. Rich Inman, County Administrative Officer stated that appropriations for the loan will be included in the Final Budget Adjustments.

10:29 A.M. Chairman Pickard opened the Public Hearing on the introduction of an ordinance to prohibit the installation of pre-1976 mobile homes in Mariposa County and continued the hearing until the conclusion of item 3.

10:30 A.M. the Board recessed.

10:47 A.M. Kris Schenk, Planning Director

Presentation by Linda Dahl, Chief Park Planner, Yosemite National Park Regarding Update and Discussion of Current and Upcoming Yosemite Planning Programs

Kris Schenk introduced Linda Dahl, Chief Park Planner with Yosemite National Park. Linda provided the Board with a brief background of her work experience and provided an update on the status of the Merced Wild and Scenic River plan. She stressed that she greatly valued community involvement and advised the Board of upcoming projects including the Tuolumne Wild and Scenic River Plan, Tuolumne Meadows, Town Concept Plan for El Portal, and Town Concept Plan for Yosemite Village. Supervisor Stetson commended Superintendent Tollefson for hiring good staff and increasing community communication and involvement. Linda then responded to questions from the Board. Supervisor Pickard thanked Linda for her presentation and also Yosemite National Park staff Jerry Mitchell and Gary Ingram.

11:08 A.M. Kris Schenk, Planning Director, John Davis, Building Director, Blaine Shultz, Fire Chief
PUBLIC HEARING: Waive First Reading and Introduce an Ordinance to Prohibit the Installation of Pre-1976 Mobile Homes Within Mariposa County; Adoption of a Resolution Approving Zoning Amendment No. 2005-121, With Findings, Adopting a Notice of Categorical Exemption (CEQA) and Establishing a Sale/Rental Disclosure Agreement

BOARD ACTION: Kris Schenk introduced the item and gave background information and an update on the item. John Davis responded to Board questions regarding the Owner/Rental Disclosure Notice and making the public aware of this new requirement. Supervisor Bibby clarified the time frames for getting existing mobile homes properly permitted prior to the ordinance going into effect.

The public portion of the hearing was opened.

- Gary Marshall, Merced-Mariposa-Madera Ranger Unit Chief with the California Department of Forestry (CDF) stated that he supports the ordinance.
- Gene Mickel, Real Estate Broker supports the ordinance and stated the importance of making the public aware of the disclosure notice.
- Bernard Barrier, with Northstar Network supports the ordinance and provided information on financing pre-1976 mobile homes.

The public portion of the hearing was closed and the Board commenced deliberations. Further Board discussion followed noting that this ordinance excludes mobile home parks and the item will be on the October 4, 2005, agenda allowing sufficient time for additional public comments. (M) Fritz, (S) Stetson, Res. 05-451 was adopted approving the requested action. The Deputy, Deputy Clerk to the Board introduced the ordinance. Bernard Barrier stated that the financing cut off date was June 15, 1976, rather than the January 1, 1976 date in the ordinance/Ayes: Unanimous.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Bibby pulled item 8. Supervisor Turpin pulled item 2. (M) Fritz, (S) Bibby, the balance of the items were approved/Ayes: Unanimous.

Consent Agenda Item 2: Supervisor Turpin asked about the timelines of the project and when Proposition 40 funding will be available. Dana Hertfelder, Public Works Director stated that it takes 2 to

4 weeks to determine project eligibility and that the project work is then reimbursed as its completed.
(M) Turpin, (S) Stetson, item 2 was approved/Ayes: Unanimous.

Consent Agenda Item 8: Supervisor Bibby questioned the amount listed for Superior Court Employees and if this was a county expense. Rich Inman, County Administrative Officer stated that this is not a county expense. He also noted corrections to the referenced Government Code Sections listed in the Resolution and that they should be 22892.A and 22892.B. (M) Bibby, (S) Stetson, item 8 was approved with corrections/Ayes: Unanimous

Discussion and Possible Further Action Regarding the Local Emergency Due to the Flooding that Occurred throughout the County (County Counsel)

BOARD ACTION: Tom Guarino, County Counsel advised that the county is still working through the claiming process with the Office of Emergency Services and this item needs to remain on the agenda. (M) Bibby, (S) Turpin, Res. 05-461 was adopted continuing the local emergency due to the flooding that occurred throughout the County/Ayes: Unanimous

11:42 A.M. Chairman Pickard recessed the Board of Supervisors and passed the gavel to Chair-Director Bibby of the Mariposa County Water Agency.

MARIPOSA COUNTY WATER AGENCY

(Chair-Director Bibby; Vice-Chair-Director Turpin)

A) Public Presentations – there were no public presentations.

B) Adopt a Resolution Amending Section 6-a and 6-b of Resolution No. 23, which Created the Mariposa County Water Agency Advisory Board and Terms, Rules, and Procedures for the Directors to Follow

AGENCY ACTION: Tom Guarino, County Counsel explained the requested action. (M) Pickard, (S) Fritz, Res. WA 05-02 was adopted amending Sections 6-a and 6-b of Resolution No. 23/Ayes: Unanimous.

11:44 A.M. Chair-Director Bibby adjourned the Mariposa County Water Agency and passed the gavel to Chairman Pickard. Chairman Pickard continued the recess of the Board of Supervisors and passed the gavel to Chairman-Commissioner Stetson of the Housing Authority of the County of Mariposa.

HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA

(Chairman – Commissioner Stetson; Vice-Chairman – Commissioner Bibby)

A) Public Presentations – there were no public presentations.

B) Ratify the Signature of Chairman of the Housing Authority of the County of Mariposa for the Fiscal Year 2004-2005 Section Eight Management Assessment Program (SEMAP) Certification

HOUSING AUTHORITY ACTION: (M) Bibby, (S) Fritz, Res. HA 05-02 was adopted approving the requested action/Ayes: Unanimous.

11:45 A.M. Chairman-Commissioner Stetson adjourned the Housing Authority of the County of Mariposa and passed the gavel to Chairman Pickard.

The Board of Supervisors reconvened.

CLOSED SESSION: Conference with Legal Counsel Relative to Anticipated Litigation/Significant Exposure to Litigation of Three (3) Cases Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel)

BOARD ACTION: (M) Bibby, (S) Stetson, the Board would go into closed session and would then recess until 2:30 p.m./Ayes: Unanimous.

2:45 P.M. The Board of Supervisors reconvened. Chairman Pickard announced that direction was given to County Counsel as a result of the closed session.

Dana Hertfelder, Public Works Director
Presentation and Discussion Regarding the Current Organizational Structure and Workload of the Public Works Department

Dana Hertfelder gave a power point presentation on the current organizational structure of the Public Works Department, the projects that the department is working on and the impact these projects could have on the existing workload, issues facing the department and possible solutions to these issues. Board discussion followed and Dana responded to Board questions.

Chairman Pickard asked is there was any public comment.

- Paul Chapman commented that he felt the airport should be privatized, the road division should be a separate department, and that the engineers should be in a separate department.

Dana responded to Paul's concerns. Additional Board discussion followed. Rich Inman, County Administrative Officer advised that he and Dana will be presenting a reorganization proposal to the Board in two to three weeks. The Board thanked Dana for his presentation.

CONSENT AGENDA:

- CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential Public Service Until the Bidding Process is Completed (Public Works Director); Res. 05-452.

- CA-2 Authorize the Public Works Director to Forward the Proposition 40 Application for the Mariposa Creek Parking Project to the State Department of Parks and Recreation for Approval and Funding (Public Works Director); Res. 05-453

- CA-3 Approve and Authorize the Chairman of the Board of Supervisors to Sign an Amendment to the Contract with Yosemite Falls Well Drilling for Monitoring Well in Yosemite West by Extending the Term of the Contract to December 31, 2005 (Public Works Director); Res. 05-454

- CA-4 Approve and Authorize the Chairman of the Board of Supervisors to Sign and Amendment to the Contract with Sequoia Voting Systems Dated June 28, 2005, in the Amount of \$1,606.62, Due to a Sales Tax Rate Adjustment (County Clerk); Res. 05-455

- CA-5 Approve a Behavioral Health Contract for Residential Board and Care Services with K&R Manor and Authorize the Chairman of the Board of Supervisors to Sign the Contract (Human Services Director); Res. 05-456

- CA-6 Approve a Lease Agreement with Pitney Bowes to Provide Postage Meter Services to Mariposa County Child Support Services and Authorize the Child Support Services Director to Sign the Agreement (Child Support Services Director); Res. 05-457

- CA-7 Approve and Authorize the Chairman of the Board of Supervisors to Sign the Area 12 Agency on Aging Contracts for Congregate Meal Nutrition, Congregate Restaurant Nutrition, Home Delivered Meal Nutrition, and Transportation to the Adult Day Health Care in Groveland for the Northside Seniors for Fiscal Year 2005-2006 (Community Services Director); Res. 05-458

- CA-8 Adopt a Resolution Amending the Contribution for the Retirees of the Service Employees International Union (SEIU) Under the Public Employees' Medical and Hospital Care Act by Tiering the Contribution Amount for County and Superior Court Employees (County Administrative Officer); Res. 05-459
- CA-9 Approve the Proposed Job Description of Agricultural and Standards Inspector II, Set the Salary at Range 226 (\$2,912-\$3,539), Assign the Position to the Service Employees International Union (SEIU), and Allocate One Full Time Position to the Agricultural Commissioner Budget Unit (County Administrative Officer); Res. 05-460
- CA-10 Accept the Resignation of Martha Lee from the El Portal Planning Advisory Committee (Supervisor Stetson)

4: 27 P.M. Chairman Pickard continued the meeting until Monday, September 26, 2005, at 1:00 p.m. for Final Budget Adjustments.

RESPECTFULLY SUBMITTED

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA

September 26, 2005

(Meeting Continued from September 20, 2005)

Time Description

1:11 P.M. Continued meeting from September 20, 2005, was called to order at the Mariposa County Government Center

Public Presentations:

Jeri Lacayo, Ruby Viola Reeder, Diana Dobbs, Jim Landis, Pam Whalen representing United Healthcare Workers – Service Employees International Union (SEIU), Deborah Rockwood representing local 535 SEIU, and Marian Faulkner all voiced support for In-Home Support Services (IHSS) workers to make a livable wage and expressed the need for IHSS workers to have access to medical benefits. Over five hundred (500) cards signed by citizens residing in Mariposa County and supporting a livable wage with medical benefits were presented to the Board of Supervisors.

There were no other public presentations and the public presentation portion of the meeting was closed.

Rich Inman, County Administrative Officer
Fiscal Year 2005-2006 Final Budget Adjustments

Rich Inman gave an overview on the status of the budget and listed the policy issues for Board consideration.

Visitors' Bureau Presentation

Susan Crain – Tourism Coordinator, Rick Peresan – Technical Services Director, and Kevin Shelton – Director of Sales and Marketing for Yosemite Management Group and Chair of the Tourism Advisory Committee (TAC) gave a power point presentation on tourism activities including traditional promotional activities, Internet based tourism activities, and website design and content. Board discussion followed regarding continuing to develop Mariposa County's presence on the Internet and website development.

2:13 P.M. The Board recessed.

2:29 P.M. Rural Media Arts Request

BOARD ACTION: Barry Brouillette speaking in support of the 6th Street Cinema stated that he is requesting \$20,000 to aid in the purchase of the building that the Cinema is currently operating out of, and that this funding will help to secure a loan from the United States Department of Agriculture (USDA) – Rural Development Assistance (RDA). Tony Radanovich provided additional information on the loan stating that the USDA-RDA loan is predicated on receiving financial support from the county. He also advised that he has researched using Proposition 40 funding, but that there is insufficient funding from this source to purchase the building, but it may help with the restoration of the building. Further Board discussion followed. No Board action was taken on this request.

Grand Jury Office Space

BOARD ACTION: Rich Inman provided justification for the request stating that the current space is too small for conducting meetings and there were security issues. There is additional space available in the same complex for an additional \$190 a month or a total increase to the budget of \$1,330. By Board consensus this request was approved with direction to staff to amend the current lease agreement.

Capital Improvement Program and Impact Fee Ordinance

BOARD ACTION: Rich Inman stated that at the direction of the Board he had distributed Request for Proposals (RFP) for consultants to perform a study on impact fees and a capital improvement program. The consultants will be working with department heads to ascertain their needs based on the demands

brought on the department by population growth. (M) Bibby, (S) Stetson approving a not to exceed amount of \$60,000 in the County Administration budget unit for a consultant to perform a study on impact fees and a capital improvement program/Ayes: Unanimous.

Fire Stations

Rich Inman introduced the item by stating that the Bridgeport, Midpines, and Fish Camp Fire Stations all have infrastructure and development plans needs. Chairman Pickard stated that the Fire Truck Replacement fund is also in need of funding. Blaine Shultz, Fire Chief provided additional information on the need for a fire station in the Bridgeport area; that Hunters Valley Fire Station needs \$12,000 to complete the additional engine bay; that the Fish Camp Fire Station will need to be relocated; because the Midpines Fire Station is on National Forest land it will require National Environmental Policy Act (NEPA) review before building may commence. Rich advised that Madera County had bonded their tobacco settlement money to build their new government center and this could be a possible revenue source for Mariposa County. Board discussion followed regarding the exact funding amounts necessary for the fire stations mentioned, the need for fire truck replacement, and the status of the Don Pedro Fire Station shelter. Direction was given to Blaine to come back with the funding levels needed for the Bridgeport, Fish Camp, and Hunter Valley Fire Stations.

Fire Budget

Blaine Shultz provided information on the status of the water tender fleet and stated that the water tender at Greeley Hill was not classified to operate and that he has applied for a grant to replace the water tender, but is not hopeful due to the overwhelming need of all fire companies for replacement fire vehicles. If funding of \$95,000 is not found, then a water tender from another station will need to be moved to the Greeley Hill area. Blaine responded to Board questions regarding the fire vehicle fleet and the dispatching contract.

Strategic Local Government Services

BOARD ACTION: Rich Inman updated the Board on the status of the legislative services contract. Board discussion followed regarding the activity of the County's legislative representatives. (M) Stetson, (S) Fritz, to direct staff to terminate the contract resulting in a savings of \$11,250 in the County Administration budget unit/Ayes: Unanimous.

New Position Requests

BOARD ACTION: Rich Inman explained the recommendations and that the Health and Planning department new positions will be considered when the revised fee structure is reviewed by the Board. Marjorie Wass, Treasurer/Tax Collector stated that she would defer her request for an Election Specialist position until after the upcoming special election in November to identify the impact the new voting machines will have on the existing workload. Marjorie also advised that she is in need of a higher level of classification in her Elections department due to the change in work responsibilities. The Board directed the Treasurer/Tax Collector to work with the County Administrative Officer on the reclassification request. (M) Stetson, (S) Fritz, to approve the recommended new positions effective January 1, 2006, with the cost of the Fire position already included in the proposed budget and the Probation position having an additional general fund cost of \$20,000 – allocate to Fire – one Office Assistant I/II position (grant funded); allocate to Probation – one Office Assistant I/II position/ Ayes: Unanimous.

Reclassifications

BOARD ACTION: Rich Inman explained the reclassification recommendations. (M) Stetson, (S) Bibby to approve the recommended reclassification requests effective July 1, 2005, having an additional general fund cost of \$6,500 – Probation – Account Clerk III to Office Technician; Library – Library Assistant I to Senior Library Assistant/Ayes: Unanimous.

Mariposa Parking District Assessment Process – Proposition 218

BOARD ACTION: Rich Inman introduced the issue. (M) Fritz, (S) Bibby to approve a General Fund loan to the Mariposa Parking District of \$50,000 to hire a consultant to start the Proposition 218 process. Rich advised that he will inform the Board of the exact dollar amount when it is known. Supervisor Turpin stated that he would like to have the wording “not to exceed” in the motion. Motion was amended agreeable with the maker and the second to include the wording “not to exceed”/Ayes: Unanimous.

Special Election Expense

BOARD ACTION: Rich Inman provided information on the need for additional funding for election expenses that the County will incur as a result of the Governor's special election this November. These expenses may be reimbursable, but given the State's financial condition, it is unlikely. (M) Bibby, (S) Stetson, approving an additional \$50,000 in the Election budget unit to allow for the additional expenses incurred as a result of the special election this November/Ayes: Unanimous.

Other

BOARD ACTION: Rick Peresan, Technical Services Director advised the Board of additional costs to his original estimates to replace a failed server (\$5,400) and for the network equipment (\$1,242). He also advised the Board that the requested replacement printers were not included in the proposed budget and if any of the printers failed, then he would work with the department on identifying a funding source or come back to the Board to request additional funding to replace the printer. (M) Bibby, (S) Stetson, to approve additional funding of \$6,642 in the Technical Services budget unit for the network equipment and the replacement server/Ayes: Unanimous.

Supervisor Bibby questioned if funding had been budgeted for repairs to the Museum and History Center's porch. She then deferred this question to the budget review portion of the meeting.

Rich Inman initiated discussion on conducting a feasibility study on installing solar panels in county buildings to help defray utility costs. Following Board discussion, direction was given for the County Administrative Officer to provide additional information on the cost of installing solar panels and the amount of possible savings in utility costs. Rich also stated that he would be bringing back a revised lease agreement for the Grand Jury office space for Board review and approval.

4:08 P.M. The Board recessed.

4:33 P.M. Kris Schenk, Planning Director advised the Board of the need to revise planning development fees and of additional workload caused by new building developments and land divisions, the update of the General Plan, Title 17, and the community plans. The development fees will fund the new requested counter position and any needed contract personnel. Kris responded to Board questions regarding development fees, pending planning projects, and additional personnel. Following Board discussion, direction was given for the Planning Director to work with the County Administrative Officer and to bring back proposed development fees and staffing recommendations at a future Board meeting.

Fire Stations

BOARD ACTION: Blaine Shultz provided the dollar amounts needed to complete the Fish Camp, Bridgeport, and Hunters Valley fire stations. Board discussion followed on the need to establish a funding source for infrastructure and fire apparatus needs. Direction was given for the County Administrative Officer to identify potential funding options and sources and to bring this issue back for further discussion at a future Board meeting. Additional Board discussion followed on the need to replace the Greeley Hill Water Tender. (M) Turpin, (S) Fritz, to approve \$95,000 from the Tobacco Settlement fund be transferred to the Fire Vehicle Replacement fund to purchase a replacement water tender for Greeley Hill/Ayes: Unanimous.

Budget Review

BOARD ACTION: Supervisor Turpin initiated discussion regarding providing funding to complete the remodel of the Hunters Valley fire station. (M) Turpin, (S) Fritz to approve \$12,000 from the Tobacco Settlement fund be transferred to the Fire budget unit to complete the remodel of the Hunters Valley fire station/Ayes: Unanimous.

Supervisor Bibby questioned the \$5,800 increase in the Building Maintenance account in the Social Services budget unit. Cheryle Rutherford-Kelly, Human Services Director stated that the money was for painting the interior, an American with Disabilities Act (ADA) approved chair lift, and new carpeting.

Supervisor Bibby asked for information on the Other Equipment line item in the Mariposa Pines Sewer fund. Dana Hertfelder, Public Works Director responded that the money is for a small shed for storage of equipment. Dana also responded to Supervisor Bibby's earlier question regarding repairs to the Museum and History Center's porch. He explained the two repair options and advised that a structural engineering report will need to be performed because of the unique adobe structure of the building. Direction was given for the Public Works Director to determine the cost of the design/engineering aspect of the project and to bring this issue back for further review at a future Board meeting.

Supervisor Pickard received Board consensus to increase the General Fund Contingency by \$39,388 to balance the General Fund and approval of the recommended final budget adjustments.

Rich Inman advised that he would provide a synopsis of the Final Budget at tomorrow's Board meeting.

5:10 P.M. The Board meeting was adjourned.

Respectfully Submitted

MARGIE WILLIAMS
Clerk of the Board

By:

MARY HODSON
Deputy, Deputy Clerk to the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA September 27, 2005

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

- Paul Chapman commented that he believes there should be an oversight committee to monitor the County's spending.

Approval of Consent Agenda (See End of Agenda)

BOARD ACTION: Supervisor Bibby noted that corrections had been made to Consent Agenda Item 2 and Consent Agenda Item 3 and that the contracts had been amended with these corrections. (M) Bibby, (S) Turpin to approve the Consent Agenda with the corrections made to items 2 and 3/Ayes: Unanimous

Bob Pickard, Chairman; Lee Stetson, District I Supervisor; Rich Inman, County Administrative Officer Approve an Appropriation of \$30,000 from the Tobacco Settlement Fund to Fund the Mariposa Unified School District After School Sports Transportation Buses and Continue the "Yes on Sports/No on Tobacco" Campaign

BOARD ACTION: Rich Inman introduced the item and provided background on the request. Dr. Patrick Holland, Superintendent of the Mariposa County Unified School District provided information on the school district's budget and the district's transportation needs. He then introduced Kim Tucker, President of the Mariposa County Unified School District Board of Trustees and Bob Morse, Director of Maintenance-Operations-Transportation for the Mariposa County Unified School District. Board discussion followed regarding fuel prices, after-school transportation to the Northside and El Portal areas, and after-school and away transportation for other school activities besides sports programs. Chairman Pickard urged school district staff and county staff to hold substantive meetings to explore other funding options. Kim Tucker expressed her willingness to meet with members of the Board of Supervisors to discuss issues effecting both the county and school district. (M) Stetson, (S) Turpin, Res. No. 05-471 was adopted approving the recommended action/Ayes: Stetson, Turpin, Fritz, Pickard; Noes: Bibby.

Kris Schenk, Planning Director;

Adopt a Resolution Approving the Proposed Road Name Change from "Forest Drive Extension" to "Egan's Way" for the Subject Easement Located in Fish Camp

BOARD ACTION: Kris Schenk introduced the item and provided information on the selection of the road name and stated that his department had received the approval of the Egan family to use the name. There was no opposition to the road name change. (M) Stetson (S) Bibby, Res. No. 05-472 was adopted approving the proposed road name change/Ayes: Unanimous.

Rich Inman, County Administrative Officer

Approve Recommended Final Budget Adjustments; Approve Resolution Adopting the Final Budget for Fiscal Year 2005-2006 as Reviewed and Amended and Authorizing Certain Actions to Implement the Budget

BOARD ACTION: Rich Inman gave an overview of the policy issues that the Board had approved on September 26, 2005, and distributed the adjustments that balanced the budget. Chairman Pickard complimented the Department Heads on the smooth budget process and thanked the Board members for keeping health and safety issues at the forefront of budget considerations. Rich thanked the Department

Heads and the Deputy County Administrative Officer (CAO) for their work in balancing the budget. Supervisor Bibby also thanked the Department Heads, the Auditor, the Deputy CAO, and her fellow Board members. She also asked that departments keep the Board informed on the effect fuel prices will have on their budgets. Supervisors Turpin and Fritz also thanked fellow Board members and county staff for keeping safety issues at the forefront and making their first budget process a smooth job. There was no public comment. (M) Fritz, (S) Stetson, Res. No. 05-473 was adopted approving the recommended action/Ayes: Unanimous.

Discussion and Possible Further Action Regarding the Local Emergency Due to the Flooding that Occurred throughout the County (County Counsel)

BOARD ACTION: County Counsel advised that the Board needs to continue the local emergency due to the flooding. Supervisor Turpin requested an update on the Operation of Emergency Services (OES) claiming process. Dana Hertfelder, Public Works Director provided an update on the status of the county's claim and advised that he is still awaiting a decision to see if the repair work to Old Toll Road, Bear Valley Road, and Merced Falls Road is reimbursable. Dana also stated that the OES review and approval process is taking longer than anticipated due to changes in OES staff. Further Board discussion followed with Dana Hertfelder responding to Board questions regarding making safety repairs before actual approval is received from OES, a time certainty of OES approval so the County can take action, and the need to make repairs prior to bad weather causing more damage. Supervisor Turpin suggested that a letter be sent to state representatives detailing safety concerns caused by not receiving approval from OES in a timely manner to repair damages to roads. (M) Bibby, (S) Turpin, Res. 05-474 was adopted continuing the local emergency due the flooding that occurred throughout the county/Ayes: Unanimous.

Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Execute a Quit Claim Deed for the Penrod Family Trust (County Counsel)

BOARD ACTION: Tom Guarino introduced the item and explained the requested action. (M) Stetson, (S) Bibby, Res. 05-0475 was adopted approving the requested action/Ayes: Unanimous.

10:38 A.M. CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: SEIU Local 250 – In-Home Supportive Services (IHSS); Name of County Designated Representative: Jeff Green (County Administrative Officer)

BOARD ACTION: (M) Stetson, (S) Fritz, for the Board to convene in closed session/Ayes: Unanimous; the closed session was held with the following present: Jeff Green/designated representative for negotiations with SEIU Local 250; Sandi Laird, Administration – Administrative Analyst.

12:15 P.M. The Board reconvened in open session. Chairman Pickard announced that direction was given to staff as a result of closed session.

CONSENT AGENDA:

- CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential Public Service Until the Bidding Process is Completed (Public Works Director) Res. 05-463

- CA-2 Approve an Amendment to the Professional Services Agreement with Fred Solomon Pertaining to the Development of the Don Pedro Wastewater Treatment Plant Extending the Agreement to July 31, 2006 (Public Works Director) Res. No. 05-464

- CA-3 Adopt a Resolution Amending the Professional Services Agreement with Fred Solomon for the Recreational Sports Complex by Extending the Termination Date to June 30, 2006 (Public Works Director) Res. No. 05-465

- CA-4 Approve an Amendment to the “Transfer Station Hauling Agreement” with Mariposa County Total Waste Systems, Incorporated (TWS) to Add One (1) Additional Trip Per Week to Service the Lake Don Pedro Transfer Station at the Rate of \$270 per Trip and Adjust the Monthly Compensation for the Additional Service; Approve the Budget Action Transferring Funds from the Solid Waste Fund Contingency to Cover this Additional Cost (\$14,000) (4/5ths Vote) (Public Works Director) Res. No. 05-466

- CA-5 Adopt a Resolution Authorizing the Chairman of the Board of Supervisors to Sign the Pest Exclusion Programs (Sudden Oak Death (SOD), Seed Services, and Nursery Stock Inspection) Agreement No. 05-0433 for the Period of Fiscal Year 2005-2006 with the California Department of Food and Agriculture (CDFA) (Agricultural Commissioner) Res. No. 05-467

- CA-6 Authorize the Chairman of the Board of Supervisors to Sign an Interim Rental Agreement between the 35A District Agricultural Association and the County of Mariposa for the use of the Mariposa Fairgrounds for the Annual Volunteer Fire Fighters Appreciation Picnic (Fire Chief) Res. No. 05-468

- CA-7 Approve Budget Action for Fiscal Year 2004-2005 Transferring Funds within the Housing Authority Fund to Reflect Actual Expenditures (\$1,305) (Human Services Director) Res. No. 05-469

- CA-8 Appoint Inez Terra to the Alcohol and Drug Advisory Board

- CA-9 Adopt a Resolution Authorizing County Counsel to Retain the Law Firm of Allen, Polgar, Proietti, & Fagalde and Authorize the Chairman of the Board of Supervisors to Sign a Professional Services Agreement to Represent the County of Mariposa (County Counsel) Res. No. 05-470

12:16 P.M. The meeting was adjourned in memory of Enefus C. Parker, Pamela Lee Butler Biggins, and John Vernal Anderson

Respectfully Submitted

MARGIE WILLIAMS
Clerk of the Board

By:
MARY HODSON
Deputy, Deputy Clerk to the Board