

DEPARTMENT: Administration

BY: Rick Benson
PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Include the new Midpines Fire Station in the list of county fire stations authorized to use the earmarked \$750,000 of Tobacco Settlement funding for construction plan costs. The first three county fire stations on the priority list established by the County Fire Chief were authorized to use the earmarked Tobacco Settlement funds for construction plan costs. These stations are Yaqui Gulch (Guadalupe), Don Pedro, and Fish Camp. The Midpines Fire Station is number four on the priority list and was one of the fire stations approved for construction with the American Recovery and Reinvestment Act Assistance to Firefighters Station Construction (AARA-SCG) grant. There may be costs that are not eligible for reimbursement and having the Tobacco Settlement funds available will allow staff to construct the fire station in an expeditious manner.

Currently \$53,161.27 has been spent from the Tobacco Settlement fund on the Fish Camp and Yaqui Gulch fire stations. Staff will continue to monitor the use of these funds and provide status reports to the Board of Supervisors.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On May 26, 2009, discussion was held relative to the report, timeframes, and funding for new county fire stations. Direction was given to staff earmarking \$750,000 with the Tobacco Settlement fund to be used, as needed, for the first three fire stations on the priority list.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not include the Midpines Fire station as authorized to use the earmarked Tobacco Settlement funds for construction costs. Staff may be impeded with proceeding with construction by having to determine funding sources for certain costs that might not be eligible for grant reimbursement.

Financial Impact? () Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? (X) Yes () No () Partially Funded		
Amount in Budget: \$696,838		List Attachments, number pages consecutively
Additional Funding Needed: \$		Excerpt from May 26, 2009, minutes (pages 3,4)
Source:		
Internal Transfer _____		
Unanticipated Revenue _____ 4/5's vote		
Transfer Between Funds _____ 4/5's vote		
Contingency _____ 4/5's vote		
() General () Other _____		

CLERK'S USE ONLY:

Res. No. 10-88 Ord. No. _____
Vote - Ayes: 5 Noes: _____
Absent: _____
Approved
() Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

CAO: *[Signature]*

Rick Benson reported on the results of the special election and a subsequent conference call relative to potential impacts to the County – he advised that the State is looking at no tax increases, taking away Williamson Act subvention funds, cuts in social services programs, early release of prisoners, and suspending Proposition 1A and borrowing property tax dollars due to the counties. He advised that another conference call will be held later with County Administrative Officers and CSAC. He is planning to attend the CSAC meeting on Wednesday, along with Supervisor Turpin. Supervisor Bibby commented on the need for taxpayers to pay permit and development fees for improvements they make.

Steven W. Dahlem, County Counsel;

A) Waive First Reading and Introduce Ordinance Rescinding Chapter 14.10 of the Mariposa County Code Entitled “Smoking Policy”

BOARD ACTION: Following discussion with Steve Dahlem, (M)Bibby, (S)Cann, the first reading was waived and the Ordinance was introduced. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

B) Waive First Reading and Introduce Ordinance Amending Chapter 8.12 of the Mariposa County Code Entitled “Sanitary Landfills” and Sections 130, 160 and 170 of Chapter 8.36 Entitled “Solid Waste Disposal”

BOARD ACTION: Discussion was held with Dana Hertfelder, Public Works Director. Supervisor Bibby requested that information be provided on whether Tuolumne County allows our residents to use their landfill and relative to usage by their residents of our landfill; and she advised of typographical corrections. Supervisor Turpin commented on tracking the costs for the transfer stations. Supervisor Cann requested that information be provided on the number of developed lots in the Lake Don Pedro subdivision for Mariposa and for Tuolumne. Supervisor Turpin noted that Buck Meadows is in Mariposa County; however, service is provided by Tuolumne County. (M)Turpin, (S)Cann, the first reading was waived and the Ordinance was introduced, with the typographical corrections. The Clerk of the Board read the title of the Ordinance in to the record. Supervisor Bibby asked that Public Works bring back information if there is a sudden increase in the waste disposal. Ayes: Unanimous.

10:48 a.m. Recess

10:53 a.m. Jim Rydingsword, Human Services Director;

Authorize the Human Services Department to Submit a Wraparound Service Plan for Approval to the California Department of Social Services

BOARD ACTION: Jim Rydingsword gave a video presentation and reviewed the wraparound services program. Following discussion, (M)Bibby, (S)Allen, Res. 09-245 was adopted authorizing the Human Services Department to submit the Plan for approval/Ayes: Unanimous.

Chair Aborn noted that the Court ruled today that the gay marriage ban stands.

Consider Items Removed from the Consent Agenda

Item 22 – Supervisor Turpin initiated discussion with Jim Rydingsword relative to the weatherization program. (M)Turpin, (S)Bibby, item 22 was approved/Ayes: Unanimous.

Items 10 and 23 were considered later in the meeting.

* Richard J. Benson, County Administrative Officer;
Receive Report and Provide Direction to Staff Regarding New Fire Stations

BOARD ACTION: Discussion was held with Rick Benson relative to the report, timeframes and funding.

Input from the public was provided by the following:

Jeanetta Phillips stated she feels the Yaqui Gulch fire station should be a priority.

Robert Keller referred to documents he presented to the Board supporting the Fish Camp fire station project.

Supervisor Bibby asked for clarification of whether the County could accept offers of donation of work on these projects. Dana Hertfelder and Steve Dahlem advised that they will review this matter. Further discussion was held. Supervisor Bibby asked about responsibility for maintenance of the stations. (M)Cann, (S)Turpin, the Board agreed with the following recommendations: 1) directing staff to aggressively pursue economic stimulus and other non-County funding sources for all fire stations identified in the Fire Department report; 2) earmarking \$750,000 within the Tobacco Settlement Fund to be used, as needed, for the first three stations on the priority list; 3) directing staff to formulate complete construction plans for each of the top three locations (Mormon Bar/Yaqui Gulch #27, Don Pedro #24; and Fish Camp #33) to be funded through the \$750,000 earmarked in the Tobacco Settlement Fund; 4) directing staff to continue to pursue acquisition of property for the Bridgeport station; and 5) affirming that construction will commence when adequate funding is secured for an individual station; and direction was given for Public Works to come back with a timeline and budget to get to the shovel-ready phase for the three stations. Rick Benson clarified that the direction does not include pursuing debt financing. Ayes: Unanimous.

12:50 p.m. Richard J. Benson, County Administrative Officer/Personnel/Risk Manager;
CLOSED SESSION: Existing Litigation: California Government Code Section 54956.9(a); Name of Claimant or Case Number and Name of Adverse Parties: Bryce Johnson v. County of Mariposa OAH No. N2007080558

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

12:51 p.m. Lunch

2:02 p.m. The Board convened in closed session.

3:08 p.m. The Board reconvened in open session. Chair Aborn announced that information was received as a result of the closed session matter for the case of Johnson v. County of Mariposa.

Waive the Second Reading and Adopt an Ordinance Amending the Zoning Map of Mariposa County Pursuant to Zoning Amendment 2008-158 (Planning Director)

BOARD ACTION: (M)Bibby, (S)Cann, the second reading was waived and Ordinance No. 1052 was adopted. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

Discussion and Possible Action to Cancel the Regularly Scheduled Meeting for July 7, 2009 (Board of Supervisors)

BOARD ACTION: Following discussion, (M)Allen, (S)Turpin, Res. 09-247 was adopted canceling the July 7, 2009 meeting/Ayes: Unanimous.

Board Appointment to the Local Blue Ribbon Commission on Families and Children in Foster Care (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Rick Benson initiated discussion and he advised that County Counsel is interested in this appointment and has a lot of background in this area. (M)Allen, (S)Turpin, Steve Dahlem was appointed/Ayes: Unanimous.

Accept the Donation of a BBQ for Community Use at the McCay Hall in Catheys Valley from the Mariposa County FFA; Authorize Payment of \$300 to the Mariposa County FFA Program to help Offset the Costs of the Materials used to Construct the BBQ; Approve Certificates of Appreciation to Josh Guenthart, Garrett Wass, and A.J. Hall for their Work in Constructing the BBQ (Supervisor Bibby)