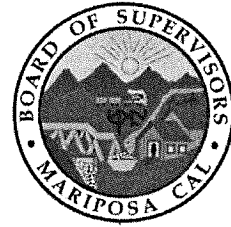




# MARIPOSA COUNTY

Clerk of the Board of Supervisors • (209) 966-3222



## **RESOLUTION - ACTION REQUESTED 2014-576**

MEETING: November 12, 2014

TO: The Board of Supervisors

FROM: Rene LaRoche, Clerk of the Board

RE: Appoint John Schroeder, & Reappoint Kathleen Armstrong & Len McKenzie as Mariposa Co. RCD Directors

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### **RECOMMENDATION AND JUSTIFICATION:**

Appoint John Schroeder, and reappoint Kathleen Armstrong and Len McKenzie as Directors of the Mariposa County Resource Conservation District (MCRCD) to four year terms that expire at Noon on November 30, 2018.

Both Kathleen Armstrong and Len McKenzie currently serve as Directors of the MCRCD with terms set to expire at Noon on November 28, 2014. John Schroeder will be a new director and will be filling the director position previously held by Jerry Progner who has elected to retire at the end of his current term. All three individuals have expressed interest in serving in the positions, all meet any and all statutorily required criteria, and all have been approved by the MCRCD Board of Directors as evidenced by the MCRCD Resolutions requesting appointment attached to this item. Additionally, the Notice of Vacancies was properly posted pursuant to the Maddy Act.

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

Under California Public Resources Code Section 9314(b), a resource conservation district may elect to have a board of supervisors fill vacancies in lieu of elections. Historically, the Mariposa County Board of Supervisors has made other appointments to the RCD board, but the arrangement was not finalized until 2013 when the MCRCD formally requested, via RCD resolution 4-13, that the Board of Supervisors make the appointments. That request was approved by your board with Resolution 2013-355 on August 20, 2013.

The Board has since taken action to appoint various members and last took action on August 19, 2014, to appoint Ms. Armstrong to finish an unexpired term that was vacant due to the resignation of the previous director.

### **ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

If the Board of Supervisors elects not to fill the positions, it will leave the MCRCD Board of Directors with vacancies which may result in a lack of a quorum. However, after sixty days from the expiration of the unfilled term, the MCRCD Board of Directors could opt to make appointments pursuant to PRC §9314(b)(4) which reads, "If the board of supervisors does not conduct interviews of potential candidates or make an

appointment within 60 days after the expiration of the term, the board of directors may make the appointment."

**ATTACHMENTS:**

**MCRCD Resolution 3-15 - Requesting Appointment of Kathleen Armstrong (PDF)**

**MCRCD Resolution 4-15 - Requesting Appointment of Len McKenzie (PDF)**

**MCRCD Resolution 5-15 - Requesting Appointment of John Schroeder (PDF)**

**Notice of Vacancy 2 - RCD - October, 2014 (PDF)**

**CAO RECOMMENDATION**

Requested Action Recommended



Mary Hodson, Interim CAO 10/28/2014

**RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]**

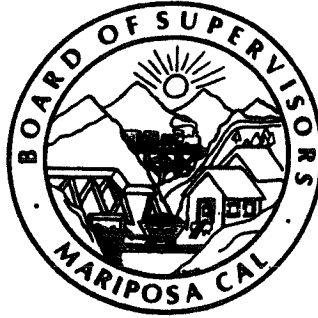
**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

# Mariposa County Board of Supervisors

District 1 ..... LEE STETSON  
District 2 ..... MERLIN JONES  
District 3 ..... JANET BIBBY  
District 4 ..... KEVIN CANN  
District 5 ..... JOHN CARRIER



MARY HODSON  
Interim County Administrative Officer

RENÉ LAROCHE  
Clerk of the Board

P. O. Box 784  
Mariposa, CA 95338  
(209) 966-3222  
(800) 736-1252

Fax (209) 966-5147  
[www.mariposacounty.org/board](http://www.mariposacounty.org/board)

November 12, 2014

Glenn P. Franklin, President  
P. O. Box 746  
Mariposa, CA 95338

Dear Mr. Franklin,

At the November 12, 2014 meeting of the Mariposa County Board of Supervisors, John Schroeder was appointed to fill the vacancy as a Director, and Kathleen Armstrong and Len McKenzie were re-appointed to serve as Directors on the Mariposa County Resource Conservation District (MCRCS).

Each newly or re-appointed Director is required to take an Oath of Office which can be administered at the Clerk of the Board's office at their earliest convenience, and must be completed prior to any official MCRCS business.

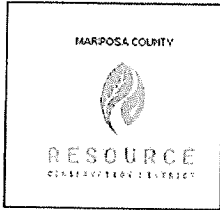
Resolution 14-576 of the November 12, 2014 meeting is attached, showing Board approval.

Should you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

Rene' LaRoche  
Clerk of the Board

RL/tg



MARIPOSA COUNTY  
 RESOURCE CONSERVATION DISTRICT  
 P.O. Box 746, Mariposa, CA 95338  
 Office: (209) 966-3431 Fax: (209) 742-7508

**MARIPOSA COUNTY RESOURCE CONSERVATION DISTRICT RESOLUTION NO. 3-15**

**RESOLUTION REQUESTING APPOINTMENT OF DIRECTORS OF THE MARIPOSA COUNTY RESOURCE CONSERVATION DISTRICT (MCRCD) BY THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY IN LIEU OF ELECTION**

**WHEREAS**, the Mariposa County Resource Conservation District is an independent special district managed by a board of directors who serve staggered four (4) year terms of office; and

**WHEREAS**, the current appointed directorship term for Kathleen Armstrong is set to expire November 28, 2014 at noon.

**WHEREAS**, the Board of Directors of the Mariposa County Resource Conservation District, lacking funds to pay for a public election, desires the Mariposa County Board of Supervisors to make appointments in lieu of public elections; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Mariposa County Resource Conservation District as follows:

The Mariposa County Resource Conservation District Board of Directors ("The Board") hereby requests the Mariposa County Board of Supervisors approve Kathleen's intent to serve MCRCD for the upcoming 4 year director term, in lieu of public election, as permitted by Public Resources Code Sections 9301 and 9314, with said appointment responsibility remaining in effect until rescinded by the Mariposa County Resource Conservation District Board of Directors, or until a petition requesting the rescission is received pursuant to Section 9314(b)(2);

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Board of Directors of the Mariposa County Resource Conservation District at a regular meeting of the Board held on October 1, 2014 by the following vote:

APPROVED

AYES: Franklin, McKenzie and Mecchi


NAYES: N/A

ABSTAIN: Armstrong

ABSENT: Progner


ATTEST

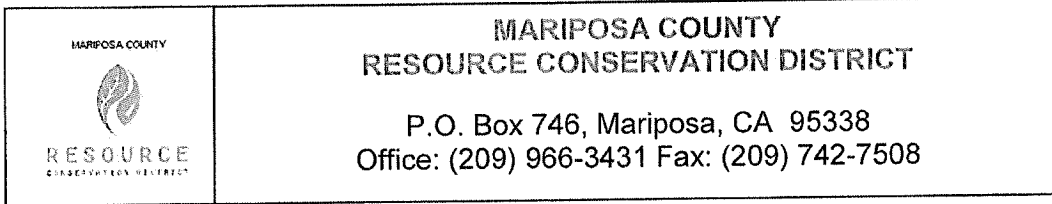
  
 Rosalyn Allison, Office Manager

  
 Glenn Franklin, Board President

  
 Len McKenzie, Board Treasurer

  
 David Mecchi, Board Director

  
 Kathleen Armstrong, Director



**MARIPOSA COUNTY RESOURCE CONSERVATION DISTRICT RESOLUTION NO. 4-15**

**RESOLUTION REQUESTING APPOINTMENT OF DIRECTORS OF THE MARIPOSA COUNTY RESOURCE CONSERVATION DISTRICT (MCRCD) BY THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY IN LIEU OF ELECTION**

**WHEREAS**, the Mariposa County Resource Conservation District is an independent special district managed by a board of directors who serve staggered four (4) year terms of office; and

**WHEREAS**, the current appointed directorship term for Len McKenzie is set to expire November 28, 2014 at noon.

**WHEREAS**, the Board of Directors of the Mariposa County Resource Conservation District, lacking funds to pay for a public election, desires the Mariposa County Board of Supervisors to make appointments in lieu of public elections; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Mariposa County Resource Conservation District as follows:

The Mariposa County Resource Conservation District Board of Directors ("The Board") hereby requests the Mariposa County Board of Supervisors approve Len's intent to serve MCRCD for the upcoming 4 year director term, in lieu of public election, as permitted by Public Resources Code Sections 9301 and 9314, with said appointment responsibility remaining in effect until rescinded by the Mariposa County Resource Conservation District Board of Directors, or until a petition requesting the rescission is received pursuant to Section 9314(b)(2);

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Board of Directors of the Mariposa County Resource Conservation District at a regular meeting of the Board held on October 1, 2014 by the following vote:

APPROVED

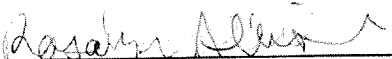
AYES: Armstrong, Franklin and Mecchi

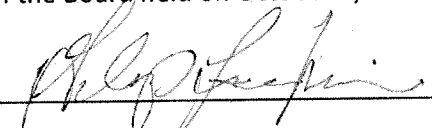
NAYES: N/A

ABSTAIN: McKenzie

ABSENT: Progner


ATTEST

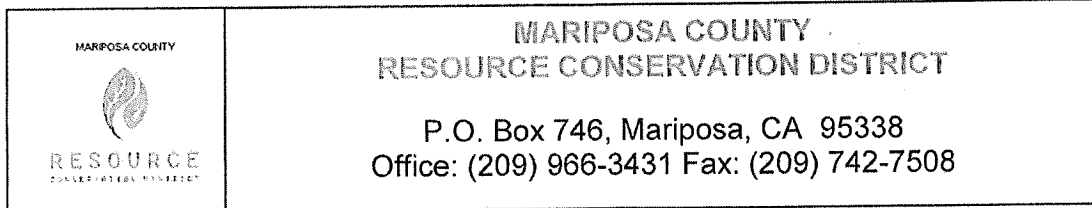
  
Rosalyn Allison, Office Manager

  
Glenn Franklin, Board President

  
Len McKenzie, Board Treasurer

  
David Mecchi, Board Director

  
Kathleen Armstrong, Director



**MARIPOSA COUNTY RESOURCE CONSERVATION DISTRICT RESOLUTION NO. 5-15**

**RESOLUTION REQUESTING APPOINTMENT OF DIRECTORS OF THE MARIPOSA COUNTY RESOURCE CONSERVATION DISTRICT BY THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY IN LIEU OF ELECTION**

**WHEREAS**, the Mariposa County Resource Conservation District is an independent special district managed by a board of directors who serve staggered four (4) year terms of office; and

**WHEREAS**, Section 9314(b) of Division 9 of the Public Resources Code of the State of California allows as an alternative to the election of directors, that a resource conservation district board of directors may, by a resolution presented to the board of supervisors of the principal county, request the board of supervisors to appoint directors, except those first elected; and

**WHEREAS**, the Board of Directors of the Mariposa County Resource Conservation District, lacking funds to pay for a public election, desires the Mariposa County Board of Supervisors to make appointments in lieu of public elections; and

**WHEREAS**, the Mariposa County Resource Conservation District will have a vacancy for Jerry Progner's term expiring on November 28, 2014 at noon.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Mariposa County Resource Conservation District, "The Board" as follows:

"The Board" further requests that the Mariposa County Board of Supervisors appoint someone to fill the upcoming vacancy for an expiring term that will occur on our Board; and further recommends the appointment of JOHN SCHROEDER to fill that vacancy, with said term expiring at Noon on November 30, 2018.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Board of Directors of the Mariposa County Resource Conservation District at a regular meeting of the Board held on November 5, 2014, by the following vote:

APPROVED

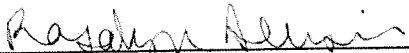
AYES: Armstrong, Franklin, McKenzie, Mecchi & Progner

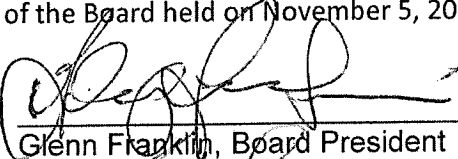
NAYES: 0

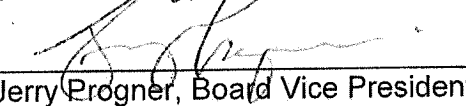
ABSTAIN: 0

ABSENT: 0

ATTEST

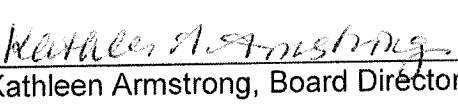
  
Rosalyn Allison, Office Manager

  
Glenn Franklin, Board President

  
Jerry Progner, Board Vice President

  
Len McKenzie, Board Treasurer

  
David Mecchi, Board Director

  
Kathleen Armstrong, Board Director



## NOTICE OF VACANCIES

Member, Board of Directors  
MARIPOSA COUNTY RESOURCE CONSERVATION DISTRICT

Current vacancies:  
Three (3)

There are three vacancies on the MARIPOSA COUNTY RESOURCE CONSERVATION DISTRICT (MCRCD) BOARD OF DIRECTORS to be filled by appointment of the Mariposa County Board of Supervisors. The vacancies are for Director positions which are appointed for four-year terms which will expire at Noon on November 30, 2018, and who will serve without compensation.

The purpose of the MCRCD is to address local resource conservation needs, with particular emphasis placed upon the conservation of soil and water resources.

The MCRCD operates under, and is governed by, Division 9 of the California Public Resources Code.

**Qualifications:**

1. Must be a registered California voter;
2. Must:
  - a. Reside within the district and either own real property in the district or, alternatively, have served, pursuant to the district's rules, for two years or more as an associate director providing advisory or other assistance to the board of directors, or
  - b. Be a designated agent of a resident landowner within the district.

**To apply:**

Individuals interested in serving on the Mariposa County Resource Conservation District Board of Directors should submit an application to the Clerk of the Board, Post Office Box 784, Mariposa, California 95338, or contact your Supervisor.

Posted: 10/27/14 at County Clerk's Office, Library and on [mariposacounty.org](http://mariposacounty.org)

cc: Mariposa County Resource Conservation District  
Board of Supervisors