



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA JANUARY 5, 1999

Time Description
9:07 a.m. Meeting Called to Order
Pledge of Allegiance

Judge LaRoche, Superior Court, conducted Swearing-in Ceremony for re-elected Supervisors Patti A. Reilly and Robert C. Stewart, elected/re-elected Department Heads Christine Johnson, District Attorney; Don Z. Phillips, Treasurer/Tax Collector/County Clerk; Pelk Richards, Sheriff-elect; Ken Hawkins, Auditor; and Gary Estep, Assessor/Recorder.

Captain Jim Allen and Dorothy Richards presented Pelk Richards with his Sheriff's badge.

9:18 a.m. Recess

9:30 a.m. Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Charles Jones advised that he wished to provide input relative to his claim against the County, and agreed to wait until the Consent Agenda is addressed.
- Tom Efird, U. S. F. S. District Ranger, congratulated the Board on the Government Center facilities; reminded the Board of upcoming workshops on the planning effort for the Forest Plan and stated it is important for the County and citizens to be involved in the process; and he stated he would be happy to arrange for a presentation on any of the topics for the Board. Board members advised they would like to have a presentation.

Selection of Chairman for 1999; and
Selection of Vice-Chairman for 1999

BOARD ACTION: (M)Stewart, (S)Balmain, Supervisor Pickard was selected as Chairman and Supervisor Parker was selected as Vice-Chairman/Ayes: Unanimous.

Presentation of Gavel Plaque to Supervisor Reilly for Serving as Chair for 1998

BOARD ACTION: Supervisor Reilly presented Chairman Pickard with items to assist with his chairmanship for the coming year. Chairman Pickard presented the gavel plaque to Supervisor Reilly and commended her for outstanding leadership as Chair.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Jeff Green, County Counsel, pulled item 1 for the claimant to provide input. Charles Jones presented photographs, which were taken in the construction zone after the accident reflecting conditions of Greeley Hill Road. He also presented pieces of the broken asphalt which he picked up after receiving notification that his claim was recommended to be denied. He stated he does not feel that the road was left in good condition. He has replaced five windshields in his vehicle during the last 18 years that he has lived in the area – and he never replaced one prior to his moving here. He noted he also has other damages to his vehicles which he feels are a result of the road conditions. He also stated it was a downhill vehicle that threw the rock. Jeff Green advised that Public Works did an internal investigation and they feel they left the road in

good condition. Discussion was held. Motion by Balmain to approve the claim died for lack of a second. Jeff Green advised that no action will result in the claim being deemed to be denied. No action was taken. Balance of Consent Agenda items were continued to after the following matter.

Approval of Minutes of 11/17/98 Regular Meeting

BOARD ACTION: Approved.

Consent Agenda – Jacque Meriam, Librarian, responded to questions from the Board relative to item 3 and on-going costs for the grant. (M)Reilly, (S)Stewart, item 2, 3 and 4 were approved/Ayes: Unanimous.

Janet Hogan, County Administrative Officer;

Resolution Approving New Classification Specification for Court Executive Officer at Salary Range 300 (\$4,208 Per Month/\$50,496 Per Year at Step 1), Approve Allocation of One Position to the Courts and Waive Hiring Freeze on Management Positions to Allow Recruitment for the Position

BOARD ACTION: Discussion was held. Judge LaRoche, Superior Court, provided input relative to the request. (M)Parker, (S)Stewart, Res. 99-3 adopted, with the understanding that funding for the position will be provided through the Trial Court Funds/Ayes: Unanimous.

10:28 a.m. Bob Bondshu, Fish and Game Association and Chris Phillips, Quail Unlimited;

Request for Fish and Game Fund Expenditures

BOARD ACTION: Discussion was held with Bob Bondshu, Chris Phillips, and Dana Finney/Fish and Game Warden, relative to the request for funding for the quail habitat project and the night vision binoculars. (M)Stewart, (S)Parker, Res. 99-4 adopted authorizing \$7,500 to be expended from the Fish and Game Fund for the quail habitat project. Motion was amended, agreeable with maker and second, to include the understanding that this action is based on the recommendation of the Fish and Game Association/Ayes: Unanimous. Following further discussion, (M)Reilly, (S)Parker, Res. 99-5 adopted authorizing \$2,107 to be expended from the Fish and Game Fund for the night vision binoculars/Ayes: Reilly, Balmain, Parker, Pickard; Noes: Stewart.

10:45 a.m. Recess

10:58 a.m. Doug Balmain, District II Supervisor;

Resolution Authorizing Chair to Sign Special Use Permit for the Jordan Creek/Bower Cave Caretaker

BOARD ACTION: Discussion was held. (M)Parker, (S)Balmain, Res. 99-6 adopted, with direction that if there are any County costs the matter is to come back to the Board prior to proceeding. Motion was amended, agreeable with maker and second, to clarify that County costs refer to hard costs. Supervisor Reilly requested that the Bower Cave matter be scheduled for a status report to be provided. Ayes: Unanimous.

Consider Adopting a Resolution Addressing Management of the Sierra Nevada National Forests (Supervisor Balmain)

BOARD ACTION: (M)Parker, (S)Balmain, Res. 99-7 adopted. Dick Kunstman provided input relative to concerns he has on the proposed resolution. Tom Efird, U. S. F. S. District Ranger, stated the Forest Service recognizes the need to work with counties and he sees this as moving toward that cooperation. Discussion was held. Ayes: Unanimous.

Discussion was held relative to the agenda schedule.

Jeffrey G. Green, County Counsel;

Resolution Approving New Classification Specification and Salary Range for Classification of Supervising Custodian (Range 102; \$1,571 - \$1,910 Per Month)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 99-8 adopted/Ayes: Unanimous.

Pelk Richards, Sheriff;

Resolution Authorizing the Sheriff to Meet and Confer with the Sheriff and Board of Supervisors of Tuolumne County, and U.S. Department of Justice in Transferring Three Mariposa County Law Enforcement Grant Positions to Tuolumne County for Increased Patrol in Don Pedro and Groveland Area

BOARD ACTION: (M)Parker, (S)Balmain, Res. 99-9 adopted approving the requested action, with direction for the Sheriff to return to the Board with specifics relative to the outcome of the meeting and for approval of the agreement/Ayes: Unanimous.

11:16 a.m. Janet Hogan, County Administrative Officer;

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (SEIU)

BOARD ACTION: (M)Balmain, (S)Parker, closed session was held with Rick Bolanos, labor negotiator, to be present/Ayes: Unanimous.

12:24 p.m. Board reconvened in open session and recessed for lunch.

1:35 p.m. Janet Hogan, County Administrative Officer;

Jeffrey G. Green, County Counsel; and

Tom Archer, Human Services Director;

Discussion and Possible Direction to Staff Regarding Implementing Proposition 10, the California Children's and Families First Initiative

BOARD ACTION: Discussion was held concerning this matter and membership of the commission. Lee Jorgensen, Child Care Resource and Referral, provided input relative to the commission's process for reviewing funding requests, and other funding that may become available for other age groups and programs. (M)Parker, (S)Balmain, direction was given for staff, including Human Services Director, County Counsel, and County Administrative Officer, to draft an ordinance and bring it back to the Board along with information on types of activities the funding could be used for. Matter was continued for the following hearing to be opened.

2:03 p.m. Public Hearing on the matter of solid waste collection service within the Wawona County Service Area 2-W was opened and continued to after the following matter.

Further discussion was held relative to implementation of Proposition 10. Ayes: Unanimous.

2:06 p.m. Recess

2:20 p.m. Mike Edwards, Public Works Director;

A) PUBLIC HEARING on the Matter of Solid Waste Collection Service within the Wawona County Service Area 2-W, and to Establish and Implement a Fee for Said Service

BOARD ACTION: Mike Edwards presented the staff report. He advised that the Board took comments from the public on December 15, 1998, at its meeting in Wawona, and it was noted that the Public Hearing would be rescheduled for this date. Protest forms were

made available at that time, and one form of endorsement was received. He reported on the additional input that has been provided since December 15th. Staff responded to questions from the Board relative to the percentage of protests received and those who responded favorably.

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

Lynn Thomas stated he and his wife would like to protest this; however, they feel the amount of the proposed fees seems to be fair from their experiences in other areas. They stated this is a difficult issue for Wawona because there are not very many full-time residents, and they are unable to attend meetings. In reading the letters of protest, they agree with the concerns and wonder why they are being charged for services for a full year, when their property is rarely used. Their family has owned property in Wawona since 1928, and they have always taken care of their own trash. He suggested that they be allowed to apply for a variance after this passes so that the fee is prorated based on their usage of the trash collection service.

Marlin Schuetz stated he will not use the trash collection service. He lives in Oakhurst and takes his trash with him. He suggested that a fine be levied if someone uses the service and does not pay for it.

Jack Rollins stated he has been in Wawona for thirty years and always takes his garbage home to dispose of it. He stated it does not seem fair to have to pay this fee. He would support a prorated schedule based on usage. He suggested that an honor system or system tied to electrical utility usage could be considered. He stated he does protest this; however, he has not filed a written protest. He stated he feels that if there is going to be an exception for Yosemite Concession Services and the Seventh Day Adventist Church, he feels there should be an exception for part-time users.

Mary Jane Corless, speaking on behalf of the Redwoods, stated their General Manager, Joyce Koller, has been involved in this process. In regard to favorable responses not being received, the request has been to only file protests. In speaking to property owners, they support this. She is a full-time resident who has to deal with this issue and she feels everyone needs to help support the community. Today there was trash everywhere and the Redwoods staff will assist to pick it up.

Pierce Loberg, present of the Wawona Area Property Owners Association, WAPOA, stated the system in the past has not been fair and he feels valid points have been raised; however, they do not have a good solution. He referred to the Association's letter to the Board and issues they raise. He reiterated his request made during the discussion on December 15, 1998, for the advisory committee to be involved in the rate process in the future. He feels Yosemite Concession Services will be willing to make changes in their arrangements, and the Seventh Day Adventist Camp is on a demand for service type contract. He requested some assurance that these entities be included in the future. They would like to see 100% participation. Mr. Loberg responded to a question from the Board relative to the services for the Camp.

Public portion of the hearing was closed and Board commenced with deliberation. Mike Edwards reviewed the recommendations, fee structure, and stated he agrees with having the local advisory committee involved in reviewing the rate structure in the future and he will bring an amendment to their duties back to the Board. Staff responded to additional questions from the Board relative to attempts to get 100% participation; and relative to the rate structure and determination of the rates. (M)Reilly, (S)Stewart, Res. 99-10 adopted establishing fees for solid waste collection service within the Wawona County Service Area 2-W; with direction given to staff to amend the Wawona Town Planning Area Advisory Committee duties to include review of the rates on an on-going basis; and direction was given for staff to review a possible exemption for prorated usage/Ayes: Reilly, Stewart, Pickard; Noes: Balmain, Parker. Hearing was closed.

B) Resolution Authorizing the Director of Public Works to Participate with the Regional Council of Rural Counties (RCRC), Environmental Services Joint Powers

Authority (ESJPA), in a Household Hazardous Waste Grant Program Funded by the California Integrated Waste Management Board and Any Future Similar Grant Programs Offered Through the RCRC ESJPA

BOARD ACTION: Discussion was held with Mike Edwards, and he advised that he would come back to the Board for authority to participate in future similar programs. (M)Reilly, (S)Parker, Res. 99-11 adopted/Ayes: Unanimous.

3:30 p.m. Mariposa County Water Agency convened and recessed.

3:47 p.m. MARIPOSA COUNTY WATER AGENCY

Mike Edwards, Public Works Director;

Resolution Authorizing Funding of \$45,000 Request to Complete Immediate Emergency Sewer System Repairs in the Yosemite West Maintenance District (4/5ths Vote Required)

AGENCY ACTION: Discussion was held relative to the request, status of the project and attempt to obtain loan funding. Mike Edwards advised that a draft Cease and Desist order was received and they may need to come back with a request for more funding, and will need to negotiate the terms of the order with the State. (M)Reilly, (S)Pickard, Water Agency Res. 99-1 adopted/Ayes: Unanimous.

4:06 p.m. Mike Edwards, Public Works Director;

Resolution Authorizing the Transfer of \$20,000 from Yosemite West Utility Capital to Yosemite West Sewer Operations Budget (4/5ths Vote Required)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 99-12 adopted/Ayes: Unanimous.

Resolution Authorizing County Administrative Officer and County Counsel to Develop a Contract Extension for Copy Machine Services with Spriggs, Inc. and Minolta Corporation (County Administrative Officer)

BOARD ACTION: Discussion was held. Janet Hogan, County Administrative Officer, advised that they also received a request from the Northside History Center staff to be included in this contract (they are seeking approval from their Board), and of other departmental changes. Supervisor Pickard asked that Community Services' needs be reviewed. Supervisor Balmain requested that the staff attempt to correct the contractual arrangement for the copy machine for the Visitors' Bureau. (M)Reilly, (S)Stewart, authorization was given for the County Administrative Officer and County Counsel to develop a contract extension as requested, and with changes as discussed, to be brought back to the Board for approval/Ayes: Unanimous.

4:14 p.m. MARIPOSA COUNTY PUBLIC FINANCE CORPORATION

Conduct Annual Meeting and Select Officers

CORPORATION ACTION: Following discussion, (M)Stewart, (S)Pickard, the Board Chairman was selected to serve as President, and the Board Vice-Chairman was selected to service as Vice-President, on an annual basis, with the other officers to continue as previously selected by their official duties with the County/Ayes: Unanimous.

Janet Hogan, County Administrative Officer, advised that there is still a requirement for the Corporation to hold an annual meeting, even if there is no business to be conducted.

4:18 p.m. Board Information and Announcements

- Supervisor Reilly advised that she attended a subcommittee meeting for YARTS in Sonora and Margie Steigerwald with the National Park Service, provided them with information on the new planning process, with a comment period deadline of January 15, 1999.

- Supervisor Balmain provided input relative to the Sierra Nevada Forest Revitalization workshop, and stated he feels this is a long process and we should continue to participate.
- Chairman Pickard wished everyone a Happy New Year.

4:21 p.m. Chairman Pickard advised that as a result of the earlier closed session, direction was given to staff.

CLOSED SESSION Relative to Public Employee Performance Evaluation for Planning/Building Director (County Administrative Officer) (Continued from 12/8/98)
BOARD ACTION: (M)Parker, (S)Reilly, closed session was held/Ayes: Unanimous.

5:28 p.m. Board reconvened in open session and announced that the closed session matter was continued to January 12, 1999.

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

CONSENT AGENDA

- CA-1 Resolution Authorizing Chair to Sign an Order of the Board to Reject Claim No. C98-23 (County Counsel) (Continued from 1/5/99); No action was taken.
- CA-2 Reappoint Orin Crosby, Tre Ford, Carol Davis, Charles Lammers, Douglas Chappell, Nancy Jones and Joan Conlan to the Midpines Community Advisory Committee (Supervisor Reilly)
- CA-3 Resolution Approving the Community Based Family Resource and Support Grant of \$1,000 Awarded to the Mariposa County Library to Help Provide Telecommunications to the Yosemite Branch Library and Approving Budget Action (Library) (4/5ths Vote Required); Res. 99-1
- CA-4 Resolution Commending Neil Stonum as President of the Mariposa County Chamber of Commerce to be Presented on January 9, 1999 (Chamber of Commerce); Res. 99-2

5:29 p.m. Adjournment in memory of Odile Howell, Wilfred VonderAhe, Copy Pate, Louise Hansen, Ray Williams, Floyd Ballard, Sr., Brenda Steinlauf, Charles Hibert, Jr., Leona O’Leary, Francis Hoffman III, Theresa F. Johnson, and Mildred Agnes Richardson.

Respectfully submitted,

MARGIE WILLIAMS
 Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JANUARY 12, 1999



Time Description

9:04 a.m. Meeting Called to Order with Supervisor Reilly excused due to illness.
Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Chairman Pickard presented Certificates of Appreciation from the Chamber of Commerce to Supervisor Reilly, Janet Hogan/County Administrative Officer, and Margie Williams/Clerk of the Board.

Resolution and Tile Plaque Recognizing Roger Matlock Upon his Retirement from the Mariposa County Sheriff's Department as Sheriff-Coroner (Sheriff's Department)
BOARD ACTION: (M)Parker, (S)Balmain, Res. 99-13 adopted and presented to Roger Matlock, along with a County tile plaque/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Roger Matlock thanked his staff and the Board for working with him. Supervisor Stewart noted Roger was a great fellow officer with the CHP. Chairman Pickard presented Pelk Richards/Sheriff, with his County name badge. Sheriff Richards and Captain Allen and Davies presented Roger, on behalf of the Sheriff's Department employees and volunteers, with the California and United States flags that flew above the Sheriff's administration office during Roger's term as Sheriff. Sheriff Richards also presented Roger with his retirement badge and stated it has been an honor and a privilege to work with him.

9:15 a.m. Recess

9:32 a.m. Chairman Pickard advised that a barbecue was being held for Roger Matlock at 10:30 a.m. and everyone was invited.

Approval of Minutes of 11/24/98 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain pulled item 2. (M)Balmain, (S)Stewart, balance of items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Following discussion, (M)Balmain, (S)Stewart, item 2 was approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Bob Pickard, District V Supervisor;
Consider Request from State of California to Submit Funds Budgeted for Mining and Mineral Museum Rent to the State

BOARD ACTION: Discussion was held concerning the request and status of funding for the continued operation of the Museum. (M)Stewart, (S)Parker, to request the Visitors' Bureau Director and County Administrative Officer to handle submitting the funds that are budgeted for the Mining and Mineral Museum rent to the State, was held in abeyance pending receipt of information to be provided later this date relative to the status of the fund balance. Further discussion was held relative to the status of \$50,000 budgeted by the State and it was noted that the funding was used for first quarter operations by the State. Jay Pawlek/Senior Planner, advised that staff is reviewing the preliminary draft from the consultant for the CDBG grant funding.

Jeffrey G. Green, County Counsel;

A) Resolution Approving New Class Specification and Salary Range for Classification of Maintenance Shop Worker

BOARD ACTION: Following discussion, (M)Parker, (S)Stewart, Res. 99-19 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

B) Resolution Approving Amendment to Employee Allocation Schedule to Eliminate the 80% Position of Senior Outreach Specialist, Add an 80% Office Assistant II, and Appoint the Incumbent Extra-Help Senior Outreach Specialist to Fill this Vacancy in the Community Services Department

BOARD ACTION: Following discussion, (M)Parker, (S)Stewart, Res. 99-20 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

9:52 a.m. Recess

10:06 a.m. LOCAL TRANSPORTATION COMMISSION

Ed Johnson, Planning and Building Director;

Discussion and Action Regarding Current Yosemite Area Regional Transportation System (YARTS) Activities Including:

- YARTS Memorandum of Understanding (MOU)
- YARTS Technical Assistance Funds
- Proposed Highway 140 Bus Stops
- YARTS Joint Powers Authority (Continued from 12/8/98)

COMMISSION ACTION: Ed Johnson presented the staff report, and he advised that at the YARTS Management Board meeting on Monday, there was an agenda item to amend the consultant contract; and they still have a goal to have a demonstration project by 2000. Supervisor Stewart advised that the next YARTS Management Board meeting will be held on February 1, 1999, in Mariposa at the Government Center, and he commented on the last meeting and stated he could find no basis for the allegations of wrongdoing by Merced County Association of Governments (MCAG). He stated the Commission needs to determine whether to move forward with YARTS. Discussion was held. Supervisor Balmain asked about the scoping period for Yosemite Park's latest planning document, and Ed Johnson responded as to the process and advised that he does not see anything additional to submit from what was previously submitted by the Board of Supervisors. He advised that a issue was raised at Monday's YARTS meeting relative to extending the comment period for thirty days.

Input from the public was provided by the following:

Robert Hunt congratulated Commissioner Stewart on his nomination to serve as Vice-Chairman of the YARTS Management Board; and he referred to his letter expressing concern with the removal of parking spaces (6,000) from the Valley floor and with not being able to trust the Park Service. Speaking on behalf of Tenaya Lodge, bed and breakfast operations, the Pack Station, Yosemite Mountain Railroad and the Narrow Gauge Inn, he stated they do not support the direction YARTS has taken. He urged the Commission to not sign the MOU and stated he feels the VIA bus system should be expanded.

Barbara Taylor, Fish Camp, stated she feels a new General Management Plan should be requested; otherwise, we will be haunted by the 1980 Plan and the elimination of cars from the Park – she feels this could be requested during the scoping period for the Park planning. The new Plan should include new NEPA standards, including diesel buses. She stated she does not feel that the Park Service knows where it is going, and she does not feel that there is any hurry to sign the MOU – Madera County obtained an extension to sign. The only reason pressure is being placed on the Board to sign at this time is because there is a \$15,000 grant pending to develop bus stops. She referred to changes in the new MOU from what currently exists, and stated she feels the Park Service

representative should be an ex-officio versus a voting member. She also asked about the status of approval of the bus stops. Ed Johnson clarified that the letter in the agenda package is a draft and has not been approved. Barbara Taylor further commented that she feels implementation of a regional transit plan this summer will be confusing, as was the proposed day-use reservation system, and may have an economic impact that will be negative. She feels we should wait until we know what the Park Service is up to.

Jeanne Aceto, resident of Oakhurst, referred to her past experience as a public relations director and work on problem solving. As a visitor to the Park, she was able to notice the deletion of the parking spaces. She also commented that she feels the congestion problem in the Park occurs a small percentage of the time, and noted that the last gridlock was in 1995. She stated she feels the Commission has in its hands the freedom for all Americans to be able to access the Park in private vehicles. She presented copies of ads published by the Visitors' Bureau welcoming the public to Yosemite and the County as being uncrowded. She questioned whether it is really guaranteed that the YARTS buses would always be granted access if the gate to the Park is closed. She stated she feels there is still confusion on the problem, and she feels the problem is political. She requested that before any county signs the MOU amendment that grants MCAG authority, she hopes the Commission clearly defines the problem that it expects to solve and how to do that. She feels MCAG has no interest in the community and is using this to enhance their grant writing efforts.

Erik Bruun stated he feels we should develop the existing transit system that is already in place. He feels it might be okay to approve the study projects and bus stop selection, as long as it doesn't lock us into YARTS. He feels the MOU gives too much power to Merced County. He feels the best actions occurring at yesterday's YARTS meeting was postponement and the selection of Commissioner Stewart as Vice-Chairman. He also commented on articles he has prepared for local newspapers.

Phil Jones, CalTrans – District 10 Planner, stated he is representing the District Director, and he congratulated the County on the Government Center. He stated he is here today to recommend support for the MOU. CalTrans has been involved in this process since 1992 and he feels it is a good way and has value to bringing together the parties. He feels MCAG has done a good job and it is a difficult job to bring together diverse viewpoints.

Steve Fortner presented handouts relative to fuel and fleet requirements, and he discussed the alternative fuel requirements. He also advised that the Park Service is reviewing this information for making decisions on their system. He expressed concern that reliance on YARTS has shifted the responsibility for doing the environmental review from the Park Service, where it belongs, to surrounding communities. He also stated that he does not feel that others can compete with a subsidized system.

Louis Aceto, Oakhurst, asked Mr. Fortner to clarify his statements relative to the system. He stated he feels YARTS is a smaller version of the bigger problem – the bigger problem being that the government in Washington does not know what is best for here. He referred to the Yosemite Freedom Fighters and their posters and purpose. He stated he feels there is a bias with CalTrans and MCAG. He referred to the forum held in Oakhurst and the problem with bus stops not being addressed even though they were on the agenda. He stated he does not feel that MCAG has been honest with the people, and stated he feels the County should vote “no” on the MOU and form its own gateway alliance.

Robert Keller, Fish Camp, urged the Commission to please listen, and he presented a copy of Task Order No. 36, VIP. He referred to the Park Service Update Newsletters in regard to conflicting statements relative to development of the vehicle management system and other issues. He stated he feels the Park Service does not know where it is headed after all of these years of studies, etc. He cited statistics relative to Park use, parking and tour bus use. He expressed concern with the amount of tax dollars spent on all of this. He stated the 1992 MOU called for the establishment of a citizens advisory

committee and he does not believe that this committee was ever appointed, but there is reference to a technical advisory committee. He also noted that Madera County Supervisor Gilbert appointed a YARTS study task force. He urged the Commission to postpone any action until establishment of a citizen advisory committee. In regard to the subsidy the County provides for the VIA system, he stated perhaps this would work for other counties on the Highway 120 and 41 corridors.

11:24 a.m. Recess

11:36 a.m. Discussion was held relative to the recommendations and input provided by the public, including the ability to access the Park by private vehicle and the structure of YARTS, and participation by the Park Service. It was noted that in Mariposa County, the members of the Board of Supervisors sit as Commissioners for the Local Transportation Commission; however, that is not the case for other counties. Phil Jones provided input relative to the original request for funding for the YARTS process. Further discussion was continued to after lunch.

12:15 p.m. Lunch

1:34 p.m. Further discussion was held relative to the YARTS issues.

(M)Parker, (S)Stewart, LTC Res. 99-1 adopted authorizing Chair to sign letter to the YARTS Management Board requesting funding for the Highway 132 corridor study and the Mariposa Town parking/staging area study projects, and letter relative to bus stop selection and timing of improvements/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Commission concurred with setting aside the JPA issue and continuing with the MOU as adopted in 1992, with these issues to be revisited after we see the study from the Park Service.

(M)Parker, (S)Pickard, direction was given to staff to send a letter to the Park Service with the Chair's signature, commenting on some specifics in the General Management Plan having to do with transportation and removal of vehicles from the Valley, with the bus system being an alternative - advising that the Commission feels it should be a visitor's choice to use a bus system and not be mandatory; expressing concern with removal of infrastructure such as bridges and roads; requesting that the bus system or any transportation system be a privately-oriented system; and requesting that the transit operation inside of the Park be compatible with the system outside of the Park. Motion was amended, agreeable with maker and second, to include direction that the letter be sent to the Board of Supervisors and Local Transportation Commissions for the other four counties in YARTS, requesting their support of the Commission's position. Motion was further amended, agreeable with maker and second, to include the issue of carrying capacity of the Valley in the letter; to include reference of the previous comments made by the County; and to include alternative fuel issues in the comments. Discussion was held relative to requesting a delay of six months to further consider the JPA and MOU and delaying until the Park's study is completed and allowing for action to be taken earlier. Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Commissioner Stewart requested that the JPA issue comes back as a single item when it is rescheduled. Jeff Green, County Counsel, advised that staff received a request from the consultant working on the JPA for the Commission to comment in time for their meeting on January 29th, and he requested direction as to whether staff should respond to this request, especially with providing comments on the technical nature of the document. Discussion was held. Commission concurred with having staff provide draft comments for consideration on January 26, 1999.

Ed Johnson advised that MCAG and the consultant have offered to give a presentation to the Commission on the working papers to provide a understanding of the

framework on where YARTS and the Park Service is going, and a summary of the history of the project. Commission concurred with having this presentation scheduled.

2:18 p.m. Board reconvened and recessed.

2:30 p.m. Mike Edwards, Public Works Director;
Status Report Regarding Solid Waste Compost Project and Resolution Authorizing
Release of Proposal Bond to Selected Vendor, HUWS, Incorporated

BOARD ACTION: Mike Edwards provided status report and advised that the County Administrative Officer and County Counsel have joined them for committee meetings. He stated it is felt that it is in the best interest of the County to own, finance and operate the facility, and they have deleted some ancillary items and that should bring the costs down. He reviewed pending issues and stated they are looking at outside funding sources. He also presented a drawing that was just received of the proposed facility; however, he noted that some items were inadvertently left out. He stated he hopes to be back in six months with a negotiated contract, and will be back before then with a request for authorization to conduct the final negotiations. They are still working on getting costs and feasibility issues answered. There are changes with the changes in the make-up of the legislature. Discussion was held. (M)Stewart, (S)Parker, Res. 99-21 adopted authorizing release of the proposal bond to HUWS/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

3:10 p.m. Recess

3:25 p.m. Further discussion was held relative to the payment of the rent for the Mining and Mineral Museum. Janet Hogan, County Administrative Officer, presented the requested budget status information; advised that the balance in the County account is \$22,050; and advised that the County made the payments were for July, August and September, and then the Visitors' Bureau Director stopped processing the payments, and the State made the payment for October, 1998. Discussion was held relative to payment options. Jay Pawlek/Senior Planner, suggested the possibility of paying the balance of the rent in advance to the Fairgrounds for the rest of the fiscal year, and reimbursing the State for the rent it paid. Further discussion was held relative to the status of the budget and payments for the rent. Supervisor Stewart withdrew his previous motion, agreeable with second. (M)Parker, (S)Balmain, Res. 99-22 adopted giving direction to reimburse the State for rent it has paid for this fiscal year for the Mining and Mineral Museum, with the balance in the Visitors' Bureau budget line item for rent to be paid to the Fairgrounds for the express purpose of covering the rent through June, 1999. Further direction was given for a cover letter to be sent to the State with the rent reimbursement, giving an explanation of what occurred. Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Board further concurred with giving direction to the County Administrative Officer to discuss this matter with the Visitors' Bureau Director so that he fully understands what should have occurred within his budget and conveying the Board's concern.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (SEIU) (County Administrative Officer)

BOARD ACTION: Closed session was not held.

Board Information and Announcements

- Supervisor Parker reminded everyone of the barbecue scheduled for Wednesday for staff in the building in appreciation of the holiday decoration challenge.
- Janet Hogan, County Administrative Officer, advised that she met with the Assessor, Auditor, Assistant Treasurer/Tax Collector, Technical Services Director,

and the Clerk of the Board to discuss record storage issues and will bring something back to the Board. It was also noted that the agenda item to establish a process to destroy current records will be rescheduled. Janet further advised that she will be out of the office on Thursday afternoon and Friday, and that Monday is a County holiday. Supervisor Stewart urged staff to tour the vault storage in El Portal for ideas.

- Supervisor Balmain advised of plans by the Northside History Center to build a vault for their records.

3:52 p.m. CLOSED SESSION Relative to Public Employee Performance Evaluation for Planning/Building Director (County Administrative Officer) (Continued from 1/5/99)

BOARD ACTION: (M)Stewart, (S)Balmain, closed session was held/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

5:10 p.m. Board reconvened in open session with direction given to staff as a result of the closed session.

CONSENT AGENDA

- CA-1 Resolution Authorizing Staff of the District Attorney's Office to Donate Unused Vacation Time to an Employee Who is Ill with No Vacation or Sick Time Left (District Attorney/Family Support); Res. 99-14
- CA-2 Resolution Authorizing Chair to Sign Annual Software Maintenance Agreement with Panoramic Software Program for County Veterans Services Office (Community Services); Res. 99-18
- CA-3 Resolution Authorizing Chair to Sign the 1998-99 Fiscal Year Performance Contract Between the State of California, Department of Mental Health and the County of Mariposa (Human Services); Res. 99-15
- CA-4 Resolution Authorizing the Human Services Director to Execute Agreement with the State Department of Community Services and Development for Utility Assistance and Weatherization (\$120,573) (Human Services); Res. 99-16
- CA-5 Resolution Authorizing Chair to Sign the Mariposa County Arts Council's 1999-00 State Local Partnership Program Grant Application (Mariposa County Arts Council); Res. 99-17

5:11 p.m. Adjournment in memory of Bessie Hughes, Anita M. Waldron, Thomas A. Countz, Mary Margaret Jaenecke Kilgallen, and former County Supervisor Jim Owings.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JANUARY 19, 1999



<u>Time</u>	<u>Description</u>
9:06 a.m.	Meeting Called to Order Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Don Weston, Mariposa Museum and History Center, advised of their need for record storage space, and stated they just received a lot of probate and criminal records from the Court. He advised of the opportunity to apply for a grant and asked for the Board's support. (M)Parker, (S)Balmain, Board waived rules requiring 72 hours agenda noticing to consider this request, finding it is a matter of timeliness as the grant application is due to the State by February 1, 1999, and was not known about at the time the agenda was prepared/Ayes: Unanimous. Discussion was held concerning the request, and Supervisor Balmain requested that the Northside History Center also be considered. (M)Parker, (S)Balmain, Res. 99-23 adopted approving the request for support of the grant application in concept, and with direction given for staff to assist with the cost estimates and conceptual design, with no firm commitment of a dollar amount for a County match given at this time. Supervisor Parker requested that the Historical Sites and Records Preservation Commission be included in this process, along with consideration of the Northside History Center. Ayes: Unanimous.

Approval of Minutes of 12/1/98 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Bob Borchard;

Presentation by Mariposa Little League Governing Board

BOARD ACTION: Bob Borchard presented background information on the organization and program. He advised of membership on their Board. He also reviewed the status of their playing fields and lighting requirements, logistic issues they deal with to get the league players to practices and games, and funding they have budgeted and expended on improvements. Mike Sly, Little League Governing Board President, presented the Board members with balls signed by their members as a token of appreciation and to keep the lines of communication open relative to their needs. Further discussion was held relative to the changes in the lighting standards and difficulties being encountered at the concession fields in town. Mike Sly suggested that consideration be given to possibly moving the light poles from the concession fields in town to the fields at Woodland. Chairman Pickard requested that efforts be coordinated with Parks and Recreation. Supervisor Stewart commented on how impressive opening day was. Bob Borchard suggested that a committee be set up, comprising of their Management Board, members of the Board of Supervisors and staff, to review the present facility inventory and how to best improve our resources. Supervisor Balmain commented on the lighting changes at the Airport and suggested that those changes be reviewed for consideration in lighting the fields. Supervisor Reilly stated she would like to move forward with the committee to address the issues.

Rich Begley, PWD-Recreation and Parks Planner, appeared on behalf of Mike Edwards, Public Works Director;

Resolution Authorizing Purchase of Baseball Backstop, Related Fencing, and Equipment for Woodland Area, not to Exceed \$7,000 from CIP Youth Facilities

BOARD ACTION: (M)Parker, (S)Reilly, Res. 99-27 adopted. Discussion was held, and Supervisor Stewart asked about the status of the field improvement project at Catheys Valley Park. Ayes: Unanimous. Direction was given for staff to bring back the details on the Catheys Valley ballfields.

Wain Johnson, Farm Advisor;

Presentation on the Yellow Star Thistle and Other Noxious Weeds (Supervisor Pickard)

BOARD ACTION: Matter was continued to January 26, 1999.

Barry Brouillette;

Presentation of Land Use Planning (Supervisor Reilly)

BOARD ACTION: Barry Brouillette was present to give his presentation and stated he feels the issues include the number of towns we have and those that are unplanned. Supervisor Parker asked about scheduling this presentation in conjunction with the hearing on the zoning text amendments. Board concurred and the presentation was continued to January 26, 1999, to be scheduled just before the zoning hearing.

10:12 a.m. Recess

10:26 a.m. Resolution Authorizing Health Officer to Execute Memorandum of Understanding with Area 12 Agency on Aging Relating to the Preventive Health Care for Seniors Program (Supervisor Pickard)

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 99-28 adopted. Dr. Mosher, Health Officer, provided input and advised that they are willing to attend the workshop if the Board desires. Ayes: Unanimous.

Request for Authority to Negotiate an Amended Lease Agreement with William Klump of Klump Properties for the Building that Houses a Portion of the Human Services Department (Kubb Building) (County Counsel)

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 99-29 adopted/Ayes: Unanimous.

Review and Approve the 1999 Mariposa County Legislative/Regulatory Platform (County Administrative Officer)

BOARD ACTION: Discussion was held relative to the proposed platform. Supervisor Reilly raised the issue of implementation of Proposition 218 which leaves the County in a position of providing up-front funding to address public health and safety issues with no assurance that the special districts could be assessed. Jeff Green, County Counsel, stated he is not sure that this could be addressed through legislation as Proposition 218 was a constitutional amendment. Janet Hogan, County Administrative Officer, clarified that the star thistle eradication issue does not rule out the inclusion of other noxious weeds. Supervisor Parker requested that it be made clear to Wagerman Associates, Inc., that particular issues should come to the Board before they pursue them, this platform is not a blanket authority. (M)Parker, (S)Stewart, the platform was approved, with direction that particular issues come to the Board before they pursue them/Ayes: Unanimous. Further discussion was held relative to the purpose of the platform – Janet Hogan stated she feels the goals are very broad guidelines for potential future action and specific action would need to be taken by the Board, and the specific priorities authorize staff and Board

members to continue working on those items with periodic updates to be given to the Board.

Resolution Authorizing Chair to Sign Letter in Support of Grant Application for the Ponderosa Basin Fuel Management (Supervisor Pickard)

BOARD ACTION: (M)Balmain, (S)Reilly, Res. 99-30 adopted/Ayes: Unanimous. Discussion was held relative to the status of the grant application for Proposition 204 funds and the County Administrative Officer was asked to check on this. Further discussion was held relative to the Board being asked to approve grant applications after they have already been submitted. Board concurred with establishing a policy whereby it is okay for the Chairman to send a letter personally supporting a grant application and making it clear that it is being sent as an individual Board member, and that the letter not be submitted on behalf of the Board. Any such letter should also be copied to the other Board members.

Selection of Chairman and Vice-Chairman for the Following:

- Mariposa County Water Agency
- Local Transportation Commission (Clerk of the Board)

BOARD ACTION: (M)Balmain, (S)Reilly, the current Chair and Vice-Chair were selected to continue to serve for the Water Agency and Local Transportation Commission/Ayes: Unanimous.

Selection of Board Member Representation on Agencies (Clerk of the Board)

BOARD ACTION: Discussion was held. Board member representation on the Commission on Local Government for the 21st Century was deleted. Membership for the San Joaquin Air Basin Study Committee was updated to reflect the selection of Supervisor Stewart as the representative. Board concurred with Supervisor Reilly being selected to serve as the representative for Mother Lode Job Training Governing Board. YATI and YARTS was updated to reflect changes in their structure and representation by Supervisor Stewart, with Supervisor Reilly as an alternate. Supervisor Parker requested that information be provided on YATI and YARTS and what is active. (M)Parker, (S)Balmain, Board approved the representation on agencies as currently exists, with the above-noted changes/Ayes: Unanimous.

Selection of Board Member Liaisons to Policy Areas (Clerk of the Board)

BOARD ACTION: Discussion was held. (M)Parker, (S)Stewart, Board approved selection of Board member liaisons as currently exists, with the following changes: Supervisor Reilly is to be added to the library issues; Supervisors Parker and Pickard are added to Visitors' Bureau issues/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Balmain commented on the improvements and activities at the Airport, especially during the foggy valley weather. He also noted that a suggestion has been made to plan a fly-in.
- Supervisor Stewart noted the used fire engines which the County recently acquired have been delivered and are at the Airport.
- Supervisor Pickard thanked the Board for its support of the legislative platform and advised that he is working with Assemblyman Oller on new legislation that is being introduced for the vehicle license fee. He advised that the star thistle presentation scheduled for next week for the Board is also being scheduled for the RCRC Board meeting and to other organizations. He reminded the Board members of the RCRC annual dinner and meeting this week.

11:50 a.m. CLOSED SESSION Relative to Public Employee Performance Evaluation for Planning/Building Director (County Administrative Officer) (Continued from 1/12/99)

BOARD ACTION: (M)Reilly, (S)Balmain, Board recessed for lunch, and to convene in closed session at 2:00 p.m./Ayes: Unanimous.

3:24 p.m. Board reconvened in open session with direction given to staff as a result of closed session

CONSENT AGENDA

- CA-1 Request Authorization to Increase Travel and Education Expense Line Item for Airport to Cover Computer Software Training not Anticipated During Final Budget (Public Works); Res. 99-24
- CA-2 Resolution Authorizing Staff of the Sheriff's Department to Donate Unused Vacation Time to an Employee Who was Involved in an Automobile Accident (Sheriff); Res. 99-25
- CA-3 Resolution Recognizing the SCOPE Volunteers for Services (Sheriff); Res. 99-26

3:25 p.m. Adjournment in memory of Peter I. Carter, Gunnar W. Rasmussen, Geraldine Klatt, and Johnnie Alvarez.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JANUARY 26, 1999



Time Description
2:05 p.m. Meeting Called to Order
Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Chairman Pickard advised that due to the inclement weather the Public Hearing scheduled for 6:00 p.m. needs to be continued. Board concurred with continuing the Hearing to February 9, 1999, at 5:30 p.m.
- Janet Hogan, County Administrative Officer, advised of an off-agenda item to accept the resignation of Ed Johnson as Planning/Building Director. (M)Stewart, (S)Parker, Board waived rules requiring 72 hours agenda noticing to consider this matter, finding it a matter of timeliness to begin the recruitment process/Ayes: Unanimous. (M)Balmain, (S)Parker, Board accepted the resignation of Ed Johnson as Planning/Building Director/Ayes: Unanimous.

Approval of Minutes of 12/8/98 Regular Meeting

BOARD ACTION: Minutes were continued to February 2, 1999, for approval.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Reilly pulled item 6. Supervisor Parker pulled item 5. (M)Reilly, (S)Parker, balance of items were approved/Ayes: Unanimous. Following discussion with Pelk Richards, Sheriff, (M)Reilly, (S)Balmain, item 6 was approved, with correction to the Chairman's signature line/Ayes: Unanimous. Ken Hawkins, Auditor, was present for discussion concerning item 5. (M)Parker, (S)Reilly, item 5 was approved, with the funds to be appropriated from General Fund Contingency/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Pickard.

Don Weston, Mariposa Museum and History Center;

Discussion and Possible Action Relative to the Grant Application being Submitted by the Mariposa County History Center for a Records Storage Facility

BOARD ACTION: Discussion was held with Don Weston, and he thanked staff at Public Works for their assistance, and he presented information on the alternatives for constructing a facility. Dave Tucker/PWD-Engineer, provided input. (M)Parker, (S)Balmain, Res. 99-38 adopted supporting the concept of the record storage facility and the grant application in the amount of \$260,000 as requested, with the County to provide the match up to \$130,000, if necessary; and giving direction to staff to continue to work on this project/Ayes: Unanimous. Supervisor Parker commended Don Weston and the History Center staff for their efforts on this project.

Wain Johnson, Farm Advisor;

Presentation On the Yellow Star Thistle and Other Noxious Weeds (Supervisor Pickard)
(Continued from 1/19/99)

BOARD ACTION: Chairman Pickard advised that he accompanied Wain Johnson for his presentation on the yellow star thistle to the Weed Alliance in Fresno. Wain Johnson gave a power point presentation and advised that he has been working on this project for about six years. His presentation included a review of his demonstration sites and field test results. He advised that they are looking for support of the counties and the State legislature to do right-of-way control.

3:24 p.m. Ed Johnson, Planning and Building Director;
Request for Establishment of Transient Rental Use in Existing Single Family Residence
in Yosemite West; Louise Keough, Property Owner; APN 006-080-029 (7304 Buck
Brush Lane, Lot 158, Yosemite West Subdivision)

BOARD ACTION: Louise Keough advised of her request. She stated there is a
homeowner that is giving up their bed and breakfast use and asked if there is a chance
that she could get a use that is being abandoned and use it at her place. Ed Johnson and
Sarah Williams/Planning Manager, provided input relative to the request and advised that
this would require an exemption to the ordinance affecting sewer and water in Yosemite
West. Mike Edwards/Public Works Director, stated he felt that this could be discussed
with County Counsel if the Board wishes to consider this flexibility, and a procedure
would need to be established to transfer transient rental permits from one residence to
another without impacting the sewer flow. He further advised that this has not been
discussed with the Regional Water Quality Control Board, and he recommended that the
Board not pursue this flexibility at this time due to the recent Cease and Desist Order
issued by the State for Yosemite West. Discussion was held. Mrs. Keough provided
additional input relative to her request, and she noted that her husband filed the lawsuit
relative to the water issues in Yosemite West, which subsequently benefited the County,
and she asked for leniency. Following further discussion, Board concurred with
continuing this matter until after the hearing in March on the Cease and Desist Order.
Board also concurred that any future requests would be held until after the hearing.

3:56 p.m. Recess

4:21 p.m. LOCAL TRANSPORTATION COMMISSION

Ed Johnson, Planning and Building Director;

A) PUBLIC HEARING to Consider Adoption of the Regional Transportation
Improvement Program

COMMISSION ACTION: Hearing was opened and continued for Chair Reilly to
address the following issue.

Chair Reilly advised that letters have been received, including one from Ron Young,
which contain allegations of possible conflict of interest on her part for participating in
regional transit planning matters, and she advised that for the record, there is no conflict
of interest. Jeff Green, County Counsel, stated he feels there is no basis for the allegation
or appearance of conflict of interest.

Public Hearing to Consider Adoption of the Regional Transportation Improvement
Program

COMMISSION ACTION: Ed Johnson and Dave Walker/Transportation Specialist,
presented the staff report, and responded to questions from the Commissioners as to
whether the changes will affect the funding for the projects; and relative to the
recommended changes in the projects and timelines. Mike Edwards, Public Works
Director, advised of alternative maintenance options and funding sources for Old Toll
Road, and responded to a question from the Commission relative to the State highway
statistics.

Input from the public was provided by the following:

Steve Fortner, Catheys Valley, stated he does not have any objection to the
adoption of the RTIP; however, he would like to have improvements for the intersection
of Highway 140 and Schoolhouse Road included in the Program at some time. Mike
Edwards advised that staff will review the traffic accident history for this intersection and
will check with CalTrans relative to funding possibilities for improvements.

Public portion of the hearing was closed and Commission commenced with
deliberations. Commission concurred with wording change in the RTIP to reflect that the

County is a member and supports the concept of YARTS. Commissioners expressed concern with the lack of funding to properly maintain the existing County roads, and noted that pavement is deteriorating and will be lost if not maintained. (M)Balmain, (S)Stewart, LTC Res. 99-2 adopted approving the 1998 Amended RTIP, with the change to reflect the County's support of the concept of YARTS/Ayes: Unanimous. Hearing was closed.

B) YARTS Joint Powers Authority – Technical Review Responses (Continued from 1/12/99)

COMMISSION ACTION: Discussion was held relative to reviewing the JPA. Commissioner Stewart advised that the YARTS JPA meeting will be on Friday in Merced and that the YARTS Management Board meeting will be on Monday in Mariposa, and he would like some input from the Commission for those meetings. Discussion was held and Commissioners provide input relative to technical and policy areas of the JPA. Commission concurred with incorporating the comments received from County Counsel, input provided during this discussion, and input from other counties and staff, and with scheduling a study session to review all of this in detail. Commissioner Stewart advised that a YARTS workshop has been scheduled for February 23, 1999. Commission further concurred with suggestion to request that in the process of drafting the next JPA that the consultant meet with County Counsels and Administrative Officers of each County.

C) Authorize Staff to Issue a Request for Proposal (RFP) to Utilize Primarily CalTrans Grant Funds to Retain a Transportation Consultant to Update the County Regional Transportation Plan (RTP) and Perform a Focused YARTS Staging/Parking Area Study

COMMISSION ACTION: Discussion was held, and Ed Johnson advised that notification was just received from CalTrans that the County will receive this funding.

Input from the public was provided by the following:

Erik Bruun, Midpines, stated he had a letter submitted by Barbara Taylor to read into the record. Chair Reilly advised that the Commission also received the letter and it would be entered. He thanked Dave Walker/Planning – Transportation Specialist, for providing copies of the staff report. He stated they are interested in road construction planning; are concerned with the location of the intersection at Highway 49 and 140 and requested that reference to YARTS be removed from the proposal; and he stated he feels it is environmentally inappropriate to provide the suggested parking spaces for buses and he urged that the parking for oversized vehicles be carefully planned.

Steve Fortner requested that the consultant also take into consideration the specific plan he is working on for Catheys Valley. He stated he feels he is two years ahead of YARTS in planning. He stated he has a proposal for the Park Service to move its headquarters and vehicle maintenance and bus fleet from the Valley floor to his property in Catheys Valley; however, the Park Service is concerned about going against the YARTS process. He asked where this leaves the VIA bus system. He feels it would be better to have a single fleet of buses versus a fleet for inside and for outside of the Park. He feels the County is ahead of YARTS in this process and could improve its existing system.

(M)Parker, (S)Stewart, LTC Res. 99-3 adopted approving the recommended action. Further discussion was held. Jay Pawlek/Senior Planner, provided input relative to staff's intent to look at the whole use of the area at the intersection, especially in regard to regional parking. Ayes: Unanimous.

5:44 p.m. Resolution Approving a Three-Year Memorandum of Understanding Effective November 1, 1998 Between Mariposa County and the Mariposa County Employees' Association (Local 752 SEIU) and Authorizing Auditor to Transfer

Appropriations to Each Affected Budget Unit in Order to Implement Provisions of the MOU (County Counsel/Personnel)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 99-39 adopted/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Pickard advised he attended the RCRC meeting and dinner, and they started a legislative committee to work on water and power purchasing issues.
- Janet Hogan, County Administrative Officer, advised that she has an application for supplemental funding for Head Start and that the application is due by January 31, 1999. She advised that the Board could take action as an off-agenda matter this date or she could schedule the submittal for ratification on February 2, 1999. (M)Balmain, (S)Stewart, Board waived rules requiring 72 hours agenda noticing to consider this matter, finding it is a matter of timeliness as the application is due prior to the next Board meeting/Ayes: Unanimous. (M)Reilly, (S)Balmain, Res. 99-40 adopted approving the grant application for a cost-of-living increase/Ayes: Unanimous.

A) Barry Brouillette;

Land Use Planning (Supervisor Reilly) (Continued from 1/19/99)

BOARD ACTION: Matter was continued to February 9, 1999, at 5:30 p.m.

B) Ed Johnson, Planning and Building Director;

PUBLIC HEARING to Consider the Industrial/Commercial Zone Code Revision (General Plan/Zoning Amendment No. 97-1) (Continued from 12/1/98)

BOARD ACTION: Public Hearing was continued to February 9, 1999, at 5:30 p.m.

INFORMATION - No action was necessary on the following:

Modification of Board Meeting Schedule for a Trial Period for Afternoon and Evening Meetings for 2nd and 4th Tuesdays for February, March and April, 1999 (Clerk of the Board)

CONSENT AGENDA

- CA-1 Resolution Authorizing Chair to Sign State of California Office of Traffic Safety Grant Application to Fund Acquisition of Light Weight Extrication Tools, a Disaster Medical Cache, Radio Communications Cache, and Training to Support Addition of New Extrication Equipment (Fire); Res. 99-31
- CA-2 Resolution Approving Formal Transfer of VIA Transportation Oversight from the Visitors' Bureau to Public Works per Board Direction During Budget Hearings and Approve Budget Action (\$158,360) (Public Works); Res. 99-32
- CA-3 Resolution Approving the Bid Process and Award the Lowest Responsible Bidder for a Breaker Drill for the Public Works Road Division and Approve Budget Action (\$5,700) (Public Works); Res. 99-33
- CA-4 Resolution Authorizing Public Works to Advertise and Award New Lease to Lowest Responsible Bidder for Six Sheriff Administrative and Undercover Vehicles and One Mini-Van for Community Services for Medical Transportation (Public Works); Res. 99-34

- CA-5 Resolution Authorizing the Purchase of a High Quality Paper Shredder and Approving Budget Action (\$2,000) (Auditor); Res. 99-37, with funds appropriated from General Fund Contingency

- CA-6 Resolution Authorizing the Memorandum of Agreement for Search and Rescue Between Yosemite National Park and the County of Mariposa (Sheriff); Res. 99-36

- CA-7 Reappoint William Krause, Frank M. Yost, Jr., Ralph Harder, Rick Stephens, Maryjane Erhman, Pat May, Larry Williams, and Joyce Koller to the Wawona Town Planning Advisory Committee (Supervisor Pickard)

- CA-8 Resolution Authorizing Public Works to Advertise for Sealed Bids and Award to Lowest Responsible Bidders the Following: (3) 1999, 1/2T, 4WD, Short-Bed, Reg. Cab Pickup (PWB 99-04); (1) 1999, 3/4T, 4WD, Reg. Cab Pickup With Snowplow (PWB 99-05); (1) 1999, 1T, 4WD, Cab & Chassis With Service Body (PWB 99-06); (1) 1999, 1T, 2WD, Dual Wheel, Reg. Cab & Chassis (PWB 99-07); (2) 1999, 1/2T, 4WD, Reg. Cab Pickup (PWB 99-08); (2) 1999, 5 Passenger, Mid-Size, 4WD or All-Wheel, 4 Door, SUV (PWB 99-09); (1) 1999, 3/4T, 4WD, Reg. Cab Pickup (PWB 99-10); (1) 1999, 3/4T, 4WD, Reg. Cab Pickup With Animal Box (PWB 99-11); (1) 1999, 5 Passenger, 4 Door, Mid-Size Sedan (PWB 99-12); and (1) 1999, Full-Size, 4WD, 4 Door SUV (PWB 99-13); Res. 99-35

5:50 p.m. Adjournment in memory of Janet Tomlinson, John Dishman and “Uncle” Joe Noel.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA FEBRUARY 2, 1999



<u>Time</u>	<u>Description</u>
9:06 a.m.	Meeting Called to Order Pledge of Allegiance

Chairman Pickard introduced the following members of the High School leadership class who were present to observe a portion of the meeting: Holly Stewart, Lisa Buell and Adam Finney.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda – none.

Approval of Minutes of 12/8/98 Regular Meeting (Continued from 1/26/99)
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain pulled item 1. Discussion was held with Dave Tucker/PWD-Engineer, relative to the bid and alternatives for the glass, and concerning the timeframes for removal of the structures and for constructing the library project. (M)Balmain, (S)Parker, item 1 was approved, with change for the bid option to be without glass and with allowing for an extension of time/Ayes: Unanimous.

Supervisor Reilly requested that Public Works bring back a list of the projects they are working on and the timeframes for review. Chairman Pickard concurred with the request.

Janet Hogan, County Administrative Officer;

Resolution Approving an Application for Destruction of Records by the Administration Office in Accordance with California Government Code Sections 26201 and 26202

BOARD ACTION: Discussion was held, and Janet Hogan advised that she removed authorization to destroy outgoing correspondence from incumbent Supervisors and Clean Water Grant information from the application, as previously requested by the Board. Helen Fowler, Chair of the Historical Sites and Records Preservation Commission, provided input relative to moving the records to the vault in the Government Center. She stated she feels there needs to be a policy for record retention, and commented on the historical value of the older records. Chairman Pickard thanked the Commission for their efforts in this matter. (M)Balmain, (S)Reilly, Res. 99-42 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Abstained: Parker.

Jay Pawlek, Senior Planner, appeared on behalf of Ed Johnson, Planning and Building Director;

Resolution Authorizing the Issuance of a Letter of Public Convenience and Necessity to the Department of Alcoholic Beverage Control to Allow Relocation of an Off-Sale Beer and Wine License from the Lighthouse (Catheys Valley) to the New Red Cloud Mini Mart (6533 Greeley Hill Rd., Greeley Hill)

BOARD ACTION: Supervisor Stewart stated he objects to the terms of “public convenience and necessity.” (M)Parker, (S)Balmain, Res. 99-43 adopted/Ayes: Balmain, Parker, Pickard; Noes: Stewart; Abstained: Reilly.

Resolution Approving Minor Changes in Agreement with Vargas, Lopez, and Company to Perform Countywide Audit of the County (Auditor)

BOARD ACTION: (M)Balmain, (S)Parker, Res. 99-44 adopted/Ayes: Unanimous.

9:34 a.m. Recess

9:43 a.m. Resolution Authorizing the Public Works Director to Execute a Solid Waste Handling Agreement for Wawona County Service Area 2-W with Total Waste Systems, Inc. (County Counsel)

BOARD ACTION: Discussion was held and Jeff Green, County Counsel, advised of suggested changes that he received to the Agreement. Mike Edwards, Public Works Director, provided input relative to the weighing of the vehicles. (M)Reilly, (S)Stewart, Res. 99-45 adopted authorizing Chairman to sign the Agreement, with changes as recommended by County Counsel/Ayes: Reilly, Balmain, Stewart, Pickard; Abstained: Parker.

10:00 a.m. LOCAL TRANSPORTATION COMMISSION

Ed Johnson, Planning and Building Director;

Resolution Approving the Following Items:

- Approve Amended Transportation Planning 1998-99 Overall Work Program
- Approve the Budget Action Form for Transportation Planning (\$48,330)
- Authorize the Executive Director of the LTC to Sign an Amended Overall Work Program Agreement with CalTrans Following Approval of the Amended Overall Work Program

COMMISSION ACTION: Discussion was held. Commission concurred with change in the Work Program to reflect that YARTS is working to provide information about transportation into Yosemite National Park. Dave Walker/Transportation Specialist, provided input relative to the conditions for receiving the grant funding and advised that it requires coordination of efforts with YARTS. Jay Pawlek/Senior Planner, provided input. (M)Pickard, (S)Stewart, LTC Res. 99-4 adopted with changes as discussed/Ayes: Unanimous.

Steve Fortner, Catheys Valley, commented on his interest in the long-term transit plan. He expressed concern as to whether enough focus is being given to Catheys Valley early enough for the UC Merced development and impacts on the area roads. He stated he is working with CalTrans on problems and hopes funding can be used to correct the situation with a passing lane being used as a left-turn pocket at Schoolhouse Road. He also noted that he has a meeting scheduled with VIA to discuss alternative fuels, bus options and grant funding. He spoke with the National Park Service about moving their facilities to Catheys Valley and relative to obtaining an entrance fee benefit for high-occupancy, clean-fuel vehicles. Chair Reilly noted that a workshop is scheduled for February 23, 1999, at 6:00 p.m., and that may be a good opportunity to take these issues into consideration.

10:35 a.m. Board Information and Announcements

- Supervisor Stewart advised that he attended the YARTS Management Board meeting on Monday, which was held at the Government Center, and he reminded everyone of the workshop scheduled for February 23, 1999, at 6:00 p.m. Discussion was held relative to the workshop, and it was clarified that this would be an opportunity for the Board to be briefed on YARTS issues.
- Janet Hogan, County Administrative Officer, advised that on February 8, 1999, the Senate Budget and Fiscal Review Committee has a meeting scheduled in Merced, which she plans to attend, and she invited Board members to attend.

- Supervisor Parker advised of a meeting on Wednesday, which he will attend with Public Works staff, with the Integrated Waste Management Board to discuss grant funding.

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

CONSENT AGENDA

CA-1 Resolution Authorizing the Director of Public Works to Advertise for Closed Bids and to Award Contracts for the Sale of the Historic Gimblin House and Water Tower and Sale of Removable Items of the Bondshu House (Public Works); Res. 99-41, with changes in the bid option

10:45 a.m. Adjournment in memory of Rosine Gallison Oliphant, Reverend Wayne Long, G. D. Sexton, Fred Schardt, Wesley Laam, William Pierce, and former Madera County Supervisor Herman Neufeld.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA FEBRUARY 16, 1999



<u>Time</u>	<u>Description</u>
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9:10 a.m.	Meeting Called to Order, with Supervisor Parker excused. Pledge of Allegiance
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NOTE: The meeting of February 9, 1999 was cancelled due to inclement weather, and items were continued to this date.

Chairman Pickard announced that the Chamber of Commerce voted to have a full-time Executive Director and that Joan Coolidge was appointed to this position – he introduced Joan and congratulated her.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda – none.

Resolution Recognizing the 145th Anniversary of the Mariposa Gazette and Miner
BOARD ACTION: (M)Reilly, (S)Stewart, Res. 99-46 was adopted and presented to Dan Tucker, Publisher and Editor of the Gazette/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Approval of Minutes of 12/15/98 (Continued from 2/9/99), 1/5/99, 1/12/99 and 1/19/99
Regular Meetings

BOARD ACTION: Approved

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Pickard pulled item 6 to be continued. (M)Balmain, (S)Stewart, balance of items were approved/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Steve Hayes, Visitors' Bureau Director;

The Highway 132 Committee Requests County Financial Support for their New Annual Event, the Coyote Howl (Supervisor Balmain)

BOARD ACTION: Discussion was held. Steve Hayes advised that the Highway 132 Committee is a new organization and plans to sponsor the Coyote Howl, and he advised that the Visitors' Bureau could assist with promotion. Frank Shannon, Highway 132 Committee, provided input relative to their request for financial support – he requested \$115 or use of the County's porta-potties and \$800 for entertainment and prize costs for two years for the event. He also responded to questions relative to their organization. Further discussion was held. (M)Balmain, (S)Stewart, Res. 99-51 adopted supporting the Coyote Howl event, with support as offered by the Visitors' Bureau and Chamber of Commerce; and with funding of \$800 for entertainment and \$115 for porta-potties. Following discussion relative to the source of funding and cost estimates, motion was amended, agreeable with maker and second, to include authorization for \$1,000 to be expended from the Visitors' Bureau budget for this event. Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker. Steve Hayes requested clarification as to whether a contract would be necessary or whether funds would be paid from the promotion line item. It was agreed that Steve Hayes would prepare a letter agreement between the Visitors' Bureau and the Committee outlining the purpose of the funding.

Pelk Richards, Sheriff;
Resolution Authorizing the County Administrative Officer to Execute Grant Award for the Bureau of Justice Assistance Grant and Approve Budget Action (4/5ths Vote Required) (Continued from 2/9/99)

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 99-52 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

9:53 a.m. Recess

10:12 a.m. Janet Hogan, County Administrative Officer;
Update and Possible Action Related to Retention of the Mining and Mineral Museum (Continued from 2/9/99)

BOARD ACTION: Janet Hogan advised of correspondence received from the State Department of Conservation which provides notification that it has changed its previous commitment of not issuing a Request for Proposal (RFP) until after June 30th, and that the RFP process will commence within the next month or so. Ed Hardy, consultant, advised of work by his board of advisors (Tony Coelho, Jim Costa, Bill Lane, Rick Lehman, John Plaxco and Congressman George Radanovich) to get the State to stay with its previous commitment and recommended that the Board take no action at this time and continue the matter. Discussion was held relative to the status of the rent payments. Ed Hardy advised of the status of their fundraising efforts and noted that the State has received \$37,000 to date. Board concurred with continuing this matter to February 23, 1999, for a progress report; and until March 2, 1999, to determine the status of the issuance of an RFP by the State, and holding on the rent payments in the interim.

Discussion Relative to Rescheduling the Following Items:

A) Barry Brouillette;

Land Use Planning (Supervisor Reilly) (Continued from 2/9/99)

BOARD ACTION: Matter was rescheduled for March 9, 1999, at 6:00 p.m.

B) Ed Johnson, Planning and Building Director;

PUBLIC HEARING to Consider the Industrial/Commercial Zone Code Revisions (General Plan/Zoning Amendment No. 97-1) (Continued from 2/9/99)

BOARD ACTION: Hearing was rescheduled for March 9, 1999, at 6:00 p.m.

Chairman Pickard advised of RCRC's request for support of legislation to ban the use of the additive methyl tertiary-butyl ether (MTBE) in gasoline – matter was continued to later this date.

Board Information and Announcements

- Supervisor Stewart advised of inquiries received from Congressman Radanovich and Doolittle concerning the possible formation of a regional group to deal with issues pertaining to Yosemite National Park. Board concurred with Supervisors Stewart and Reilly to serve as an ad hoc committee to look at the formation of such a group and to bring recommendations back to the Board for further consideration.
- Janet Hogan, County Administrative Officer, advised that she and Supervisor Parker attended the Senate Budget and Fiscal Review Committee meeting in Merced on Monday.
- Supervisor Reilly advised of her discussions with Jeff Olson, Project Manager for the Millennium Trails Project for the Department of Transportation. She advised that they are trying to coordinate existing programs and there is a push to highlight the trails program for 2000. This may provide an opportunity to move forward with the Merced River Trail project.

- Supervisor Balmain advised that he attended the Sierra Cascade Logging Conference last week, and the Area 12 Agency on Aging Needs Assessment meeting.
- Supervisor Pickard advised that he also attended the Area 12 Agency on Aging Needs Assessment meeting and advised that the survey results show reflect a desire to move into a restaurant program. He also advised that the draft language has been prepared for the gas tax legislation and Assemblyman Dickerson, representative for Trinity County, is sponsoring it – he will meet with him on Wednesday to discuss this matter. He also advised that Assemblyman Oller is working on the yellow starthistle legislation.

10:46 a.m. CLOSED SESSION Relative to Discussion of Fringe Benefits for Appointed Department Heads – Government Code §54957.6 (County Administrative Officer)
(Continued from 2/9/99)

BOARD ACTION: (M)Stewart, (S)Reilly, closed session was held, with the Board to return to open session at 2:00 p.m. following lunch/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

11:17 a.m. Lunch

2:05 p.m. Board reconvened. Chairman Pickard announced that as a result of closed session direction was given to staff and action was taken to adopt benefits equivalent to MCMCO for appointed officials (Res. 99-53 was adopted).

Supervisor Pickard initiated discussion relative to the request received from RCRC for support to ban the use of MTBE in gasoline. (M)Stewart, (S)Balmain, Board waived rules requiring 72 hours agenda noticing to consider this request, finding it was not known at the time the agenda was prepared and it is a matter of timeliness due to pending legislation/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker. Following discussion, (M)Balmain, (S)Stewart, Res. 99-54 adopted supporting SB 272 (Leslie) to ban the additive MTBE in gasoline/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

2:12 p.m. Sue Exline, USFS Public Affairs and Planning, appeared on behalf of Tom Efird, United States Forest Service District Ranger for Sierra National Forest; Presentation on Sierra Conservation Framework

BOARD ACTION: Sue Exline reviewed the background and planning process which led to the Sierra Conservation Framework project, and she advised that they will come back with a presentation on the alternatives when a draft document is available in a couple of months. The purpose of today's presentation is to give a broad overview.

Input from the public was provided by the following:

Marianne Volker asked about the Environmental Design Statement and the Environmental Impact Statement and how they mix; and she asked how the Forest Service interfaces with the Department of Interior for issues that affect each other. Sue Exline responded to the questions and advised that they work with the Park Service on issues that affect each other.

Steve Anderson, USFS Wildlife Biologist, reviewed old forest ecosystems.

Phil Strand, USFS Fisheries Biologist, reviewed aquatic, riparian and meadow ecosystems.

Louise Larson, USFS Fuels Officer, reviewed fire and fuels issues.

Dick Kunstman commented on a tour he took of the Cleveland Fire area, and he noted that a small area, which had been under-burned, survived. However, due to funding availability, more of the forest was not protected by this process. He encouraged the Board members to participate in a tour of this nature in the future.

Steve Anderson, USFS Wildlife Biologist, reviewed noxious weeds and lower westside hardwood forest ecosystems.

Discussion was held concerning the planning process.

Janet Hogan, County Administrative Officer, advised of the status of the negotiations to extend the agreement for the copy machines with Spriggs/Minolta. She advised that they are willing to incorporate the machine for the Visitors' Bureau, and the Northside History Center and Greeley Hill Head Start needs are being addressed. She further advised that if Board members are contacted by competitor(s) in the copy machine industry, County Counsel has advised that a bid is not necessary to extend the current contract.

CONSENT AGENDA

- CA-1 Appoint Tony Christianson to the Wawona Town Planning Advisory Committee (Supervisor Pickard) (Continued from 2/9/99)
- CA-2 Reappoint Lester Pacheco to the Fish Camp Community Planning Advisory Council (Supervisor Pickard) (Continued from 2/9/99)
- CA-3 Appoint Joan Conlan to the Mariposa County Mental Health Board (Supervisor Balmain)
- CA-4 Appoint Gary Cole and Veronika Gerger to the El Portal Town Planning Advisory Committee (Supervisor Reilly)
- CA-5 Appoint Shirley Lyons to the Mariposa County Tourism Advisory Council to Represent District III (Supervisor Stewart)
- CA-6 Appoint Bill Leonard to the Mariposa County Tourism Advisory Council to Represent District V (Supervisor Pickard); Matter was pulled.
- CA-7 Resolution Authorizing Health Officer to Advertise for a Request for Proposal for Services to Evaluation Health Education Program and Authorization for Health Officer to Enter into Contract with the Lowest Responsible Bidder Not to Exceed \$37,083 (Health); Res. 99-47
- CA-8 Resolution Adopting Bid and Contract Documents for the Installation of a Fiberglass Interior Surface on the El Portal Pool, Public Works Project Number PW 9802; Authorizing Advertisement for Sealed Bids; Set a Bid Date for Wednesday, March 17, 1999 at 2:00 p.m.; and Authorizing the Public Works Director to Execute a Contract with the Lowest Responsible Bidder (Public Works); Res. 99-48
- CA-9 Resolution Adopting Bid and Contract Documents for the Addition and Remodel of the Engineering Building, Public Works Project Number PW 98-01; Authorizing the Public Works Director to Execute a Contract with Rodathe Construction and Approving Budget Action in the Amount of \$108,000 (Public Works); Res. 99-49
- CA-10 Reject all Bids for the Lind House Addition and Remodel and Direct Staff to Work with the District Attorney's Office, the County Administrative

Officer, and the Board's Space Needs Committee to Review Alternatives
for Future Building Space (Public Works); Res. 99-50

4:15 p.m. Adjournment in memory of John Newman, Walter Palmer, and Lucille Hogan.

Respectfully submitted,

MARGIE WILLIAMS,
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA FEBRUARY 23, 1999



Time Description
3:02 p.m. Meeting Called to Order
Pledge of Allegiance

Chairman Pickard noted that this is the first evening meeting held during the trial period.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Andre Raskin, caretaker for Mr. Early, asked the Board to petition the courts to uphold the Compassionate Use Act for marijuana and to set up guidelines. He cited the Health and Safety Code sections pertaining to this matter, and he presented a petition, which he said was signed by almost 200 people supporting this matter. Supervisor Stewart advised of his conversation with Mr. Early on this matter, and he stated he feels each County is interpreting the law differently and the State should provide direction on how to enforce the law.
- Mike Osborne, Chowchilla Mountain Road, provided input and suggested the Board set a limit of three marijuana plants.

Approval of Consent Agenda (See End of Minutes)

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

Supervisor Parker asked about advising the people who provided input under public presentations about the Board's process of not being able to take action for these matters. Supervisor Stewart stated he would advise them of the Board's process.

Pelk Richards, Sheriff, provided an update to the Board on the current investigation of the three missing persons (Carole Sund, Julie Sund and Silvina Pelosso) who were traveling to visit Yosemite. He advised that multiple agencies are involved, including the FBI.

Pelk Richards, Sheriff;

Resolution Awarding Bid for Repairs to Sheriff Patrol Boat and Transfer Funds (\$5,000)

BOARD ACTION: Following discussion with Captain Davies, (M)Reilly, (S)Parker, Res. 99-60 adopted/Ayes: Unanimous.

3:30 p.m. Public Hearing to consider Appeal No. 99-1; John Campbell, appellant; Jeanene Skelly, applicant, was opened and continued to after the following matter.

Mike Edwards, Public Works Director;

Resolution Authorizing the Chair to Execute an Amended Library Services and Construction Act (LSCA) Grant Application; Confirm that County Funds Will be Budgeted to Complete the Project as Necessary; and Authorize the Public Works Director to Execute an Agreement with DuPertuis Scott Architects for Full Architectural Service for the New Library

BOARD ACTION: Discussion was held, and Mike Edwards advised of the status of the project. Jacque Meriam/Librarian, and Craig Scott/DuPertuis Scott Architects, were present for the discussion. (M)Parker, (S)Reilly, Res. 99-61 adopted approving the recommended action, and giving direction to staff to do everything possible to begin construction no later than October 1999/Ayes: Unanimous.

3:47 p.m. Ed Johnson, Planning and Building Director;
PUBLIC HEARING to Consider:

- Resolution Denying Appeal No. 99-1; John Campbell, Appellant; Jeanene Skelly, Applicant; Based Upon Public Works Department Memo Dated January 26, 1999
- Resolution Waiving the Planning Commissions' Condition to Form a Zone of Benefit (Certificate of Compliance APN 009-150-026), and Requiring the Applicant to Record a Covenant of Non Protest for the Future Formation of a Zone of Benefit

BOARD ACTION: Supervisor Reilly advised that the subject property is in her neighborhood and that she viewed the road improvements with Sarah Williams/Planning Manager, and Jeanene Skelly, applicant, and she does not have a conflict. Ed Johnson introduced the appeal, and Sarah Williams presented the staff report. Staff advised that John Campbell, appellant, had surgery and would not be appearing for the hearing; however, he is satisfied with the Planning Commission's recommendations. Staff responded to questions from the Board relative to status of the appeal. Chairman Pickard explained the hearing procedures. Staff responded to questions from the Board relative to inclusion of parcel No. 31 in the zone of benefit; location of the National Forest portion of the road and maintenance; and formation of a zone of benefit and costs. Erik Bruun responded to a question from the Board relative to the location of his driveway.

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

Erik Bruun clarified the locations of the driveways and stated he does not know the basis of the appellant's concern. He further stated that they are interested in a zone of benefit and they would like to be able to look at that as an option in the future, along with the possibility of a maintenance agreement.

Bob Lingle stated he feels the road is in good shape.

George Heiss stated his driveway is the one in question and he does not feel that the drainage is an issue any more. He responded to a question from the Board as to the location of his property.

Dora Bruun noted that the road is not used just by the residents – it is used by a lot of people to access the Forest Service land.

Delbert Brown, resident in the area, stated he does not feel there is any problem with erosion to the road, just a lack of maintenance. He stated he feels the applicant did an excellent job on the improvements, but it needs to be maintained.

Ken Melton cited his previous experience with a Certificate of Non Protest and stated he does not feel it should be a requirement, and that it could pose legal ramifications.

Public portion of the hearing was closed and Board commenced with deliberations. Sarah Williams clarified that the recommended action would not prevent the future filing of an application to form a zone of benefit or a maintenance agreement. (M)Parker, (S)Reilly, Res. 99-62 adopted denying Appeal No. 99-1 based upon Public Works Department memo dated January 26, 1999/Ayes: Unanimous.

4:24 p.m. Recess

4:34 p.m. (M)Reilly, (S)Balmain, Res. 99-63 adopted waiving the Planning Commission's condition to form a zone of benefit. Further discussion was held relative to the Covenant of Non Protest, and staff provided clarification. Motion was amended, agreeable with maker and second, to include the elimination of condition No. 5 relative to the Covenant of Non Protest which was made by the Planning Commission/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Pickard. Hearing was closed.

4:40 p.m. Dinner Break

5:44 p.m. Janet Hogan, County Administrative Officer;
Update and Possible Action Related to Retention of the Mining and Mineral Museum
(Continued from 2/16/99)

BOARD ACTION: Ed Hardy requested that the matter be continued to March 2, 1999,
and advised of the status of discussions with the State on the Request for Proposal.

5:46 p.m. Recess

6:11 p.m. LOCAL TRANSPORTATION COMMISSION (LTC)

Jesse Brown, Executive Director of Merced County Association of Governments;
WORKSHOP: Yosemite Area Regional Transportation Strategy (YARTS) Planning
Assumptions (Supervisor Stewart)

COMMISSION ACTION: Chair Reilly explained the purpose of the workshop and
advised that questions from the public would be taken at the end of the Commission's
discussion; however, it is the intent of the Commission to adjourn at 8:30 p.m. Jesse
Brown gave a presentation on the history of YARTS and reviewed the status of planning
and future goals. Bonnie Nelson, Nelson-Nygaard, provided input relative to the
County's existing VIA bus service. Discussion was held. Jesse Brown and Bonnie
Nelson responded to questions from the Commissioners relative to the VIA and Bass
Lake Tours services; fares and subsidy for the existing VIA service; types of buses
proposed for the demonstration project; and relative to survey results. Further discussion
was held relative to the issues related to YARTS and the demonstration project.

7:33 p.m. Recess

7:52 p.m. Input and questions from the public was provided by the following:

Robert Taylor asked how the bus system could rationally be pursued prior to 2001
with the pending lawsuit with the National Park Service and the new lawsuit that was
filed on the Highway 140 improvement project. He asked how we could move forward
without knowing the answers to the questions. Commissioner Reilly stated she felt that
flexibility is the answer. Commissioner Stewart stated he agrees and he noted that some
of these things are once-in-a lifetime issues.

Louis Aceto, guest from Madera County, stated they have heard from the beginning
that communication is the reason we should stay at the table, and he asked how moving
forward can be justified when he feels the only communication with the Park Service has
been four lawsuits.

Karen Bergh, Karen's Bed and Breakfast in Fish Camp, asked if the Commission
has really done its homework and knows the history. She stated she objects to
subsidizing transportation, especially for Park Service employees. She asked if the
Commission has evaluated the services received for what it is costing. Commissioner
Reilly advised of the funding received by the counties to meet transit needs.

Erik Bruun, Midpines, asked how the size, scope and costs of the project will be
controlled, and how the "camel-in-the-tent" syndrome will be avoided.

Barbara Taylor presented a letter from David Brower, which she read into the
record, and stated she is disappointed that this Commission continues to back the YARTS
proposal. She requested that this item be reset in light of the recent changes with Madera
County dropping out and she stated Tuolumne County is poised to follow. She feels that
once the demonstration project begins on Highway 140, it will hurt the economy. She
stated that in regard to the Sierra Club lawsuit against the Park Service relative to the
Highway 140 improvement project, no one knows where that dispute will go. She stated
she does not know how the Commission can move ahead with the assumptions and
demonstration project. In response to Commissioner Stewart's request, she stated she
would fax a copy of her statements to the Commission for further consideration of these
matters, which are scheduled on the March 2nd agenda.

Jesse Brown and Bonnie Nelson provided additional input relative to the demonstration project proposal.

Robert Taylor commented on the original phases and plans and the General Management Plan (GMP) goal for elimination of autos from the Valley – he stated his fear is that if YARTS pushes forward with its system, the Park Service will take out a proportionate number of parking spaces to implement the GMP.

Jim Eskra and Ken Melton asked that they be allowed to provide comments at this time versus just asking questions.

Erik Bruun related the “camel-in-the-tent” story and expressed concern with the use of diesel powered buses and associated problems.

Ken Melton asked where people will park if the stops along the bus routes are just stops with no parking. He expressed concern with getting into a bus program. He advised that he grew up in Yosemite, and he related what happened in the 50’s and 60’s with the impacts of the environmentalists. He stated he feels like this is the “cart-before-the-horse” and may allow the Park Service to close down to autos. He stated he believes that there is a large faction with the goal of closing the Park to autos. He stated he feels auto use of the Park should be maximized before busing is considered. Commissioner Reilly noted that the bus stops are located at places where people are staying and with existing parking.

Jim Eskra stated he feels the Park could care less about Mariposa County, and he feels that setting up a bus transportation system to help the Park is ludicrous. He stated he feels we should be trying to develop the County versus the Park. He stated he does not feel that the Park knows what it wants. A bus system should be strictly private and should not involve the County.

Karen Bergh commented on calls she receives from potential guests every time a press release goes out, and the people do not know how to access Yosemite so they change their plans. She has not had any calls from people being excited about a bus service. She stated we do not know what the Park will do and it is not ready, as they do not have facilities to handle bus loads of people such as restrooms and restaurants. She stated she feels that visitorship to the Park is down and the gates have not been closed since the floods. She stated she feels we are getting ahead of ourselves and should consider the timing and drawback and review the matter further, and possibly in the future, pursue something. She stated she is in favor of private enterprise and does not support a subsidized program. She again asked the Commission if it has reviewed what is being received compared to the cost. Commissioners Parker and Stewart noted that there is a constant review, and that the VIA oversight has been transferred to Public Works.

8:35 p.m. Board Information and Announcements

- Supervisor Stewart stated he attended the UC Merced Workshop over the weekend and advised that pamphlets are available on the counter.
- Janet Hogan, County Administrative Officer, advised that staff from Merced County will make a presentation to our Board on the UC Merced project. She also advised that she will be in Sacramento at the County Administrative Officer’s meeting on Wednesday and Thursday.
- Supervisor Pickard advised that he attended the RCRC meeting, and that Wain Johnson/Farm Advisor and Tim Prather/University of California, did a presentation on the yellow starthistle and noxious weed issue and it was well received by the other counties. He advised he attended a Local Government Caucus meeting last Thursday and they discussed local government finances. He attended a meeting in Fish Camp on Monday night with Supervisor Stewart and discussed YARTS. He also advised that he and Supervisor Balmain attended the MTBE gas additive rally in Sacramento earlier this date.

CONSENT AGENDA

- CA-1 Resolution Approving Transfer of Responsibility for Driveway Encroachment Permits for County Roads and Zone of Benefit Roads Back to the Public Works Department (Pubic Works and Building/Planning); Res. 99-55
- CA-2 Resolution Transferring Funding from Benefits (\$2,010) and Office Assistant II Salary Line Item (\$2,874) to Extra Help (\$4,884) (District Attorney); Res. 99-56
- CA-3 Resolution Authorizing Chair to Sign an Order of the Board to Reject Claim No. C98-28 in the Amount of \$2,633.23 (County Counsel); Res. 99-57
- CA-4 Resolution Accepting InfoPeople Rural Internet Grant Award of \$8,000 from the California State Library and Authorizing the Auditor to Sign Certification and Claim Form and Appropriating Unanticipated Revenue to the Library for Fiscal Years 1998-99 and 1999-2000 (Library) (4/5ths Vote Required); Res. 99-58
- CA-5 Resolution Accepting CLSA Statewide Data Base Grant Award of \$10,000 from California State Library and Authorizing the Auditor to Sign Certification and Claim Form and Appropriating Unanticipated Revenue to the Mariposa County Library for the Fiscal Years of 1998-1999 and 1999-2000 (Library) (4/5ths Vote Required); Res. 99-59

8:44 p.m. Adjournment in memory of Zephyr Mickel.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MARCH 2, 1999



Time Description
9:07 a.m. Meeting Called to Order by Vice-Chairman Parker

Vice-Chairman Parker announced that Chairman Pickard was excused for the day due to a family illness.

Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Janet Hogan, County Administrative Officer, requested that the meeting scheduled for March 23, 1999, commence at 2:00 p.m. – request to be scheduled on 3/16/99 agenda.

Approval of Minutes of 1/26/99, 2/2/99, and 2/16/99 Regular Meetings

BOARD ACTION: Minutes of 1/26/99 were approved. Approval of minutes of 2/2/99 and 2/16/99 were continued to March 9, 1999.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Stewart pulled item 1. (M)Reilly, (S)Stewart, balance of items were approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Item 1 was approved later this date.

HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA

A) Tom Archer, Human Services Director;

Conduct Annual Meeting of the Housing Authority of the County of Mariposa and Select a Chair and Vice-Chair for 1999

COMMISSION ACTION: (M)Parker, (S)Balmain, HA Res. 99-1 adopted.

Commissioner Reilly was selected as Chair with Commissioner Stewart to serve as Vice-Chairman/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

B) Resolution Authorizing Annual Revision of the Housing Authority Administrative Plan (HA99-2)

COMMISSION ACTION: Following discussion with Tom Archer, (M)Parker, (S)Stewart, HA Res. 99-2 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Consent Agenda item 1 – Supervisor Stewart requested additional information from Steve Hayes, Visitors' Bureau Director, relative to Mr. Hayes' request to be the official representative for the State Fair. Steve Hayes advised that he would like to increase his participation by attending Fair meetings and requesting civic organizations to volunteer at least four hours in the Mariposa County booth distributing the County Vacation Planner and other county information along with information about their group's events.

(M)Stewart, (S)Balmain, item 1 was approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Steve Hayes, Visitors' Bureau Director;

A) Resolution Authorizing the Mariposa County Tourism Advisory Council, Under General Direction of the Visitors' Bureau Director, to Implement the Review of Event Funding Requests as Outlined in the Proposed Policy

BOARD ACTION: Steve Hayes requested that this item be continued to 3/16/99.

B) Accept a \$5,000 Donation from Mariposa County Title Company as a Sponsor of the 1999 Civil War Reenactment Event and Approve Budget Action Form for \$5,000 (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Steve Hayes, relative to the National Civil War Association (NCWA) issuing a certificate of insurance to cover the County during the Reenactment event. County Counsel advised that if the parent company provides a certificate of insurance that should be sufficient. Further discussion was held with Neil Stonum regarding the generous donation from the Mariposa County Title Company. Mr. Stonum responded to questions relative to cost of insurance policies for local and commercial organizations. (M)Stewart, (S)Reilly, Res. 99-70 adopted accepting donation of \$5,000 contingent on the NCWA providing a certificate of insurance to cover the County during the Civil War Reenactment event/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Resolution Approving Modifications to Benefit Levels for Elected Department Heads and Authorize the Auditor to Transfer Appropriations as Needed to Meet Costs (County Administrative Officer)

BOARD ACTION: Following discussion with Janet Hogan, County Administrative Officer, (M)Balmain, (S)Stewart, Res. 99-71 adopted/Ayes: Reilly, Balmain, Stewart; Abstained: Parker; Excused: Pickard. Supervisor Parker advised that he would abstain since he was absent during the last discussion held on February 16th.

Janet Hogan, County Administrative Officer;

A) Consider and Approve Functional Changes to the Planning and Building Department and Authorize Recruitment for the Planning and Building Director Position to Commence

BOARD ACTION: Supervisor Parker advised that he had received requests to continue this item. Discussion was held regarding taking action to appoint the interim Building and Planning Directors and continue the remainder of the item to the next available night meeting to allow the community a better opportunity to be present for discussion. (M)Balmain, (S)Stewart, Board appointed interim Building and Planning Directors and continued remaining matters of item to March 9, 1999/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

B) Update and Possible Action Related to Retention of the Mining and Mineral Museum (Continued from 2/23/99)

BOARD ACTION: Ed Hardy, consultant, advised of positive communication received from the Department of Conservation regarding retaining the Mining and Mineral Museum in Mariposa County. The Governor has created an office for policies and as soon as this policy is clarified Mr. Hardy will inform the Board. He further advised that he and John Plaxco gave a presentation to the California Mining Association Board of Directors in Palm Springs relative to the Mining and Mineral Museum where they expressed a desire to lend support to Mariposa County retaining the Museum. Mr. Hardy advised that on March 9th and 10th he will be in Sacramento relative to the Museum and requested continuing item to the 16th. The Board concurred with continuing discussion with Ed Hardy until March 16, 1999. Ed Hardy advised Jeff Green, County Counsel, that a draft Business Plan would be forthcoming, however the final Plan was not due to the State until June.

Board Information and Announcements

- Supervisor Stewart advised of a Certificate of Appreciation received from NACo and thanked those County Officials who took part in preparing the requested personnel survey. Janet Hogan acknowledged Mary Hodson for all of the time she spent on assembling material for the survey.
- Supervisor Balmain commended the Public Works Department for abating the crisis at the airport by moving the threshold down the runway that had an obstruction, enabling the Airport to remain open.
- Supervisor Reilly advised that she attended the reception for the Yosemite Renaissance, which was well attended. Supervisor Reilly further advised that she will be in Sonora attending a Sierra Business Workshop on Thursday and will be in Sacramento on Friday attending a CSAC Proposition 10 meeting. She also mentioned that she has been successful in setting up an interagency meeting with the coordinator for the National Millennium Trails Project, Bureau of Land Management, Public Works, and others, for March 15th to discuss what opportunities exist for Mariposa County and to demonstrate what we have to offer in the way of trails.
- Supervisor Parker advised that he will be out of town Wednesday through Sunday.
- Janet Hogan advised that she has been appointed to the Board of Directors for a policy group based at CSU Stanislaus that has been organized to further the cause of integrating academic research with real life needs of local government and informed that Thursday afternoon she will be in Stockton attending her first Board of Directors meeting on this matter. She further advised that she, Ken Hawkins, Auditor, and Chris Ebie, Assistant Auditor, have been helping Judge LaRoche with court administration matters and at the request of Judge LaRoche, she will be attending a meeting of twenty small counties in Sacramento on Friday.
- Supervisor Balmain advised that he will be out of town on Monday for a task force meeting with the State Controller regarding the distribution of State funds to counties and cities.

10:03 a.m. Recess

10:43 a.m. LOCAL TRANSPORTATION COMMISSION (LTC)

Janet Hogan, County Administrative Officer;

Review Mariposa County's Participation in the Yosemite Area Regional Transportation Strategy (YARTS) and Provide Direction to Mariposa County's Representative to the YARTS Management Board, Supervisor Robert C. Stewart

COMMISSION ACTION: Chair Reilly advised that Commissioner Pickard was excused for the day due to a family illness. She then advised of the order in which the meeting would progress, stating that public comment would be limited to allow sufficient time for commissioners to deliberate. She advised that priority would be given to individuals who have not addressed the Board previously and any new comments.

Janet Hogan introduced the YARTS Management Board's request and submittal of the proposed MOU. She further advised that direction must be provided to our representative, Supervisor Stewart, as to Mariposa County's continued participation in YARTS.

Input from the public was provided by the following:

Max Stauffer, owner of the Yosemite Mountain Railroad and the Narrow Gauge Inn, recommended that the Board follow Madera County and pull out of the YARTS process. He feels that YARTS does not belong on Highway 41. He believes that we all have a common interest to have access to the Park without restrictions and to preserve clean air. Mr. Stauffer advised that he feels the public perception of Yosemite is that it is

inaccessible, overcrowded, and some still believe it is closed. He expressed his concerns with the 1980 General Management Plan calling for no automobiles in Yosemite Valley and the recent removal of 6,000 parking spaces. Mr. Stauffer informed the Board that a bus system is not a solution and that parking lots should be built near viewpoints within Yosemite.

Chair Reilly reminded the public to keep public portion to a limited time and to please be respectful to one another.

Lowell Paulsen read an editorial from the *Fresno Bee* regarding YARTS, citing that diesel buses are not as clean as cars and the belief that people should be allowed to drive their own vehicles into the Park. Mr. Paulson suggested that the Park Administration come up with a better solution. He commended Madera County for pulling away from the YARTS process and recommended that Mariposa County do the same.

Steve Fortner, Catheys Valley, advised that he is trying to influence a five-year pilot program which would waive the \$300 bus fees for high occupancy vehicles and discounting entrance fees for clean fuel automobiles to enter the Park. He stated that shorter wheel-based vehicles could maneuver the narrow roads better than large buses.

Louis Aceto, resident of Oakhurst, addressed people's rights to freedom and the right to oppose. He feels that there has been a continuous change of goals set for YARTS and urged the Board to pull out of the YARTS process.

Art Baggett advised that ten years ago counties started seeing problems and began working toward these types of solutions. Mr. Baggett stated that while visitation has dropped in the last three years, due to many issues, including the flood, it has more than doubled in the time that he has lived here. He briefly explained the purpose of YARTS and stated that YARTS has no association with the General Management Plan. Mr. Baggett recommended that the Board remain in the YARTS process and sign the MOU to show a good faith effort.

Paul Ratchford, Tenaya Lodge, stated that he disagrees with Mr. Baggett and feels that YARTS has a lot to do with the General Management Plan. He stated that visitation has significantly decreased since the flood. Mr. Ratchford advised that he and Steve Hayes were recently at a tourism conference in New York, where they were asked a number of times when the Park would reopen. He stated that negative press is the only press that Yosemite National Park is receiving and that the public perceives YARTS as being only negative. Mr. Ratchford explained that millions of dollars are being spent to fight negative press and advised that people do not want to have to ride a bus crowded with strangers, they want a choice. He urged the Board to pull away from the YARTS process.

Mike Barker stated that while he agrees pollution in Yosemite is a major concern, he feels that the problem can't be attributed to automobiles when it has been proven that large quantities of air pollution are blown in from other areas. Mr. Parker suggested that private enterprise needs to address transportation and the Park Service needs to offer incentives to those that conserve and use clean fuel. He advised that all of the people who spoke in favor of YARTS at the YARTS meeting on the 1st did not even live here. He expressed concern over safety issues, including possible increased crime if parking lots are developed in our communities and big busses traveling over narrow roads.

Barbara Taylor, Fish Camp, stated that she feels YARTS will help forward the 1980 General Management Plan to ban cars in Yosemite Valley. She encouraged the Board to rethink its stand on YARTS and hold the Park accountable by making them do a new GMP. She expressed her unhappiness that Supervisor Pickard was not present to give his support.

Ron Young informed the Board that 77% of visitors to Yosemite are day use visitors and 95% do most of their viewing from the windshield. He stated that individuals value the freedom to drive in and see Yosemite. He told the Board that he has

done a great deal of research and concludes that people will not visit the Park if they do not have the choice to drive their cars. Mr. Young suggested that YARTS examine the option of the Sun Train. He expressed his concern that Mr. Albright will not waive the \$300 fee as he has not followed through on previous issues.

The Commission held discussion. (M)Parker, LTC Res. 99-5 adopted directing Supervisor Stewart to be signatory on the proposed MOU; Mariposa, and any other communities wanting to take advantage of the opportunity, be allowed to initiate a demonstration project this summer and next summer to begin generating actual information about ridership, passenger needs, scheduling, etc., Mariposa's demonstration project would be on Highway 140; prior to execution of the MOU, the National Park Service provide written assurance that there will be no further removal of infrastructure, for example parking spaces, or construction of massive parking facilities pending evaluation of the demonstration project or projects; that this is developed as a public/private transit system and evaluation of success is monitored; and a private provider will operate this service; and that National Park Service and Yosemite Concession Service employees be encouraged to use public transit (S)Stewart, and direction was then given to staff to return with an item addressing a complete public review of the 1980 General Management Plan and asking other jurisdictions to join us in the action/Ayes: Reilly, Stewart, Parker; Noes: Balmain; Excused: Pickard. County Administrative Officer was directed to prepare a press release relative to the action taken today.

11:59 a.m. Board reconvened.

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

CONSENT AGENDA

- CA-1 Resolution Authorizing the Chairman to Sign the Counties Exhibits Entry Form for the California State Fair as Submitted for the 1999 State Fair (Visitors' Bureau); Res. 99-69
- CA-2 Resolution Authorizing the Public Works Director to Execute an Agreement with Roger Stephens Engineering for Engineering Design and Survey of the Mariposa Creek Parkway (Public Works); Res. 99-64
- CA-3 Resolution Authorizing the Chairman to Sign the Renewal Three-Year Mental Health Contract with KingsView Corporation Subject Each Year to Review and Renegotiations of Exhibit "C" (Human Services); Res. 99-65
- CA-4 Resolution Authorizing the Chairman to Sign the 1998-99 Agreement with KingsView Corporation for Alcohol, Drug and Perinatal Services for Mariposa County (Human Services); Res. 99-66
- CA-5 Resolution Authorizing Chairman and Mental Health Director to Sign Fiscal Year 1998-99 Mental Health Service Agreement for the County Child Abuse Prevention Program (AB1733) and the American Indian Community Mental Health Program Contract with KingsView Corporation (Human Services); Res. 99-67

- CA-6 Accept Resignation of Flo Seely from the Historical Sites and Records Preservation Commission (Planning)
- CA-7 Resolution Authorizing Chairman to Sign the “Declaration of Intent” to Contract with Department of Health Services for Public Health Services for Fiscal Year 1999-2000 (Public Health); Res. 99-68

12:03 p.m. Adjournment in memory of Ruth Eckhardt, John Baniias, Ellen Wilkerson Raynor, Violet Trabucco Hutchings, Gertrude Utt, and David Chance Montoya.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

By: RHONDA SCHERF
Deputy Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MARCH 9, 1999



Time Description
3:05 p.m. Meeting Called to Order
Pledge of Allegiance
Introductions

- Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Scott Duffin and Marilyn Imbach, Mariposa Middle School, appeared on behalf of Judy Eppler, Principal, to present request for financial support for a California State grant to establish after school programs and late afternoon busing. (M)Reilly, (S)Parker, Board waived rules requiring 72 hours agenda noticing to consider this request finding it was not known about at the time the agenda was prepared and the deadline to submit the grant is March 15, 1999, which is prior to the next meeting/Ayes: Unanimous. Discussion was held concerning the request. Rich Begley/PWD-Parks and Recreation Planner, provided input and advised that funds could be carried in his budget for this program if the Board approves financial support. (M)Parker, (S)Stewart, Res. 99-72 adopted committing \$2,500 toward the community match for the "After School Learning and Safe Neighborhoods Partnerships" grant/Ayes: Unanimous. Supervisor Reilly asked about the possibility of the Community Action Agency supporting this program – Supervisor Pickard stated he could check with the Agency.
 - Supervisor Reilly advised that it has come to her attention that there is a potential sale of the old Masonic Hall. Rich Begley provided input relative to the activities and community use of this facility. Board concurred with his recommendation to ask the Parks and Recreation Commission to review the situation, alternative facilities that are available in the community, and to come back to the Board with recommendations. Supervisor Pickard requested that the information also include an inventory of other facilities.

Approval of Minutes of 2/2/99, 2/16/99 (Continued from 3/2/99) and 2/23/99 Regular Meetings

BOARD ACTION: Minutes were approved, with change to the minutes of 2/16/99.

Approval of Consent Agenda (See End of Minutes)

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

Jeffrey G. Green, County Counsel;

Resolution Approving Reorganization of the Mariposa County Sheriff's Department, Approving New Class Specifications, Deleting Existing Class Specifications, Amending Employee Allocation Schedule and Waiving Hiring Freeze to Fill Vacancies

BOARD ACTION: Jeff Green advised of the requested actions, and discussion was held with Pelk Richards, Sheriff. (M)Balmain, (S)Stewart, Res. 99-76 adopted approving the requested actions for the reorganization/Ayes: Unanimous. It was clarified that the action is effective this date.

Janet Hogan, County Administrative Officer;

A) Consider and Approve Functional Changes to the Planning and Building Department and Authorize Recruitment for the Planning and Building Director Position to Commence (Continued from 3/2/99)

BOARD ACTION: Janet Hogan advised that the Board's subcommittee met with representatives of the Mariposa County Contractors' Association and the Mariposa Business Forum as directed. Supervisors Parker and Balmain reviewed their recommendations to hold recruitment for a Planning and Building Director for six months, to move forward with reviewing the Department's organization, to look at the possibility of the Department becoming two separate departments, and to continue to work with the County Administrative Officer and County Counsel on recommendations. Discussion was held.

(M)Stewart, (S)Parker, Res. 99-77 adopted conceptually approving the functional changes to the Planning and Building Department, Health Department, and Public Works Department relative to the transportation and air quality functions/Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly (who later changed her vote to "aye"). Further discussion was held, and Janet Hogan clarified that this action gives direction to the departments and staff to prepare and bring back details and specific recommendations to implement the changes in these functions. Supervisor Reilly requested that a financial analysis on impacts to the General Fund for these changes be brought back. Supervisor Reilly changed her vote to "aye" on the motion.

Discussion was held relative to timeframes for recruitment of a director and reorganization of the department.

4:26 p.m. Recess

4:39 p.m. Following discussion, (M)Balmain, (S)Parker, direction was given to staff and the subcommittee to look into the department's reorganization and consider the issues raised and review all of the details and come back to the Board with a report as discussed no later than six months from now. Supervisor Stewart requested that in the interim, the matter be scheduled on the Board's agenda for public input and for the Board members to provide input to the subcommittee, with said scheduling to occur two to four times. The maker of the motion agreed with this request. Ayes: Balmain, Stewart, Parker; Noes: Reilly, Pickard.

B) Update and Possible Action Related to Retention of the Mining and Mineral Museum (Continued to 3/16/99)

BOARD ACTION: Janet Hogan, County Administrative Officer, noted that the contract with Ed Hardy for consulting services, expires on Monday, March 15, 1999. Chairman Pickard advised that the update and possible action has been continued to March 16, 1999.

4:45 p.m. Dinner Break

5:40 p.m. Chairman Pickard introduced Kent Woolsey, the new Road Superintendent for Public Works.

Supervisor Balmain asked about allowing public comment at the beginning of the evening portion of the night meetings. Chairman Pickard called for public presentations.

- Don Starchman, Mariposa Business Forum, thanked the Board for holding night meetings and for working with the community, and he suggested that the Board schedule public presentation at 6:00 p.m. on the agenda versus 5:30 p.m. to allow those who work ample time to leave work and arrive at the Board meeting.

Mike Edwards, Public Works Director;
Discussion and Direction Regarding Litter Abatement Along County Roads (Supervisor Reilly)

BOARD ACTION: Supervisor Reilly advised of requests received for this discussion, including a letter received from Nancy Eckert. Mike Edwards reviewed his staff report and possible options, and he advised of the safety training that his staff participates in for working on the streets and highways. Supervisor Stewart asked about identifying roads where it may be safe for volunteers to pick up litter. Supervisor Balmain commented on a program that was in Placer County, and he suggested that perhaps the SCOPE volunteers or another group may be willing to take the training and coordinate with the community to do flagging for litter abatement. Supervisor Reilly stated she felt that any program would need a public relations/educational component to be successful. Supervisor Stewart provided input from his experience with the CalTrans program.

Input from the public was provided by the following:

Nancy Eckert stated she is interested in a volunteer program along Darrah Road and countywide, and she provided input relative to her thoughts on using signs to slow traffic for litter pick-up areas and stated she likes the idea of a training program. She suggested that one or two days a year be set aside for countywide clean-up efforts by volunteers. For prevention, she suggested a program like the State uses for getting polluting vehicles off of the roads. Supervisor Stewart commented on the system the Sheriff's Department used for notifying those who litter, and he suggested that any program require that only one side of the road be cleaned at a time. Nancy Eckert thanked Mike Edwards for his efforts on this matter.

Red Eastwood suggested the use of pilot cars and the closure of a few miles of road at a time for clean-up efforts.

Bud Swift suggested that signs be used to advise of the penalty for littering, and that articles be placed in the newspapers.

Bob Eckert thanked Public Works and the Board for their work and interest in this matter, and he suggested that a program start with a small area such as Darrah Road. He also stated he would be agreeable with a training program.

Fred Youngren noted that there are other users of the streets such as those who walk, jog and ride horseback, and he suggested that perhaps they could help with picking up litter. He also reminded everyone of the law that requires trash loads to be covered with a tarp, and he noted that in certain areas they will not allow you to dispose of your load without the covering, and that the law enforcement actively enforces this law in other areas. The tarp covering prevents trash from blowing out of a vehicle.

Bob Eckert asked whether there would be a reduced fee or waiver for the trash that is collected.

Chairman Pickard suggested that Public Works review the issues raised, work with County Counsel on liability issues, and with the Sheriff on the possibility of using the SCOPE volunteers and come back to the Board as soon as possible with recommendations for a pilot program. Mike Edwards advised that he will check with other counties to see if they have a program and review CalTrans' program, he will check with the Sheriff on the enforcement of covering the loads, he will follow-up on their landfill slogan program, and he will provide cost estimates for the safety training and equipment.

6:31 p.m. Recess

6:45 p.m.

A) Barry Brouillette;

Land Use Planning (Supervisor Reilly) (Continued from 2/16/99)

BOARD ACTION: Barry Brouillette gave a slide presentation reflecting the changes resulting from growth and development from a place in Birmingham, Vermont, near a ski resort. He commented on how that development could relate to Mariposa and on the benefits of "town focused development" versus strip type development, and of the need for planning for circulation. He suggested that the community should decide where

development occurs versus individuals, and this would be better for economy and for the quality of life. He stated he feels we need to stop providing ordinances that allow open-ended development, and we need to make decisions and be willing to modify the ordinances. Discussion was held.

7:01 p.m. B) Ed Johnson, Planning and Building Director;
PUBLIC HEARING to Consider the Industrial/Commercial Zone Code Revisions
(General Plan/Zoning Amendment No. 97-1) (Continued from 2/16/99)

BOARD ACTION: Ed Johnson advised that the purpose of this hearing is to review Steve Kostka's memorandum relative to the Zone Code revisions and to give direction to staff to make changes and on how to proceed with presentation of a revised ordinance to the Board and the public.

Steve Kostka, McCutchen Law Firm, provided input relative to his review of the Zone Code revisions and the Initial Study that was prepared, along with the written input that has been provided, and he advised that he has consulted with staff relative to the Zone Code changes and intent. He recommended that the pending application section be deleted as he feels the pending applications from re-zoning should be resubmitted when the Code is adopted. In regard to the campground and RV park standards, he recommended that the County study this to determine if the increase in density from seven sites per acre to allow ten sites could cause any environmental issues – if any issues are raised, they would be dealt with through mitigation measures or by keeping the existing standard. Mr. Kostka responded to questions from the Board relative to the RV park standards, and he clarified that he was referring to existing RV parks and that when an application is received, the increased density could be reviewed for impacts. Staff responded to a question from the Board as to whether the change in RV park standards would impact existing parks, and advised that the existing parks are non-conforming uses so the change would not create an impact. Mr. Kostka responded to questions from the Board relative to the minimum parcel size issue between the Zone Code and the General Plan, and he advised that different terms are used in the two documents and they should be consistent. Mr. Kostka responded to a question from the Board relative to the status of the Open Window Period applications, and he recommended that the applications be resubmitted after the Code is adopted. Jeff Green, County Counsel, responded to questions from the Board relative to the Zone Code revisions and impacts on rural home industry activity in residential areas.

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

Wilford Von DerAhe noted an applicant could have a large parcel with a particular site for re-zoning for development, and he said he feels rezoning of a site as opposed to a parcel needs to be resolved.

Ken Melton stated he feels the processing of the Open Window Period applications should not be held pending adoption of the Zone Code revisions as they have been in the process for a long time. Chairman Pickard and Jeff Green clarified the process for the Open Window Period applications.

Shirley Schmelzer asked Mr. Kostka whether there are any cumulative impacts resulting from the Zone Code revisions, such as strip development of five-acre parcels; and under what conditions an environmental impact report would be required versus a checklist.

Public portion of the hearing was closed. Steve Kostka responded to the public input and advised that he does not see any cumulative impacts as a result of the Zone Code revisions because it does not change the authorized uses on parcels. When the County considers land use designations and land use changes are made, environmental impacts will need to be considered. He also addressed the environmental review process versus environmental impact report requirements. Mr. Kostka responded to a question from the Board and advised that the revisions that are proposed will not put any property in a designated zone, this document only speaks to the process. Staff reviewed their

recommendations for incorporating the changes recommended by Mr. Kostka. Jeff Green responded to a question from the Board and advised that the mobile home issue previously raised during the process will be addressed in the final document, along with other comments that were received. Discussion was held relative to the timeframes for developing the final draft document and processing.

(M)Parker, (S)Balmain, Res. 99-78 adopted giving direction to staff to incorporate the changes recommended by Steve Kostka, to bring the final draft document back for the April 6, 1999, meeting to begin the public review process; directing that the applications submitted during the Open Window Period process be set aside and that the applicants be allowed to resubmit their respective applications after a final document has been adopted; and directing that this public hearing be continued to May 4, 1999, at 6:00 p.m. Further discussion was held. Supervisor Reilly asked about including specific performance standards, and staff advised that the final draft document would deal with all of these issues. Ed Johnson also clarified that he feels that all of the original applications which were submitted under the Open Window Period application process would be eligible for resubmittal after the final document is adopted. Ayes: Unanimous. Supervisor Parker requested that staff prepare a map for the next hearing reflecting existing zoning and potential changes with the Open Window Period applications.

Board Information and Announcements

- Supervisor Stewart advised that he attended the skit performance by the High School students, under the direction of Jon Turner and sponsorship of the Chamber of Commerce, last Friday and was impressed with their performance – they acted out experiences customers have in local businesses.
- Supervisor Balmain advised that he has been asked to represent Mariposa County on a task force formed by the State Controller, and he attended the first meeting on Monday in San Francisco. The task force consists of three subcommittees: accountability, land use and taxes.
- Supervisor Reilly advised that she attended a planning workshop in Sonora sponsored by the Sierra Business Council, and the CSAC workshop on Proposition 10 in Sacramento last week.
- Supervisor Pickard advised that he attended the Area 12 Agency on Aging meeting in Sonora on Thursday.
- Supervisor Parker suggested moving Board information and announcements to after the public presentations versus the end of the agenda. Discussion was held relative to this and agenda timeframes.

FORTHCOMING POLICY

Resolution to Approve and Authorize the Operation of the Mariposa County Landfill and Four County Transfer Stations by the Department of Public Works (Public Works) (For Action on 3/16/99)

CONSENT AGENDA

- CA-1 Resolution of Recognition for the Upcoming Storytelling Festival (Supervisor Reilly); Res. 99-73
- CA-2 Resolution Declaring Intention to Reimburse Expenditures from the Proceeds of Obligations to be Issued by the County and Directing Certain Actions; and Authorizing the Public Works Director to Execute an Agreement with Jones Hall for Legal Services for Yosemite West and Don Pedro Wastewater Rehabilitation Projects (Public Works); Res. 99-74

CA-3 Resolution Authorizing Overfilling the Road Superintendent Position
Through the Month of March (Pubic Works); Res. 99-75

8:22 p.m. Adjournment in memory of Gene Thatcher, Phyllis Herbeck, Robert
Gilbertson and Max Meadows.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA MARCH 16, 1999

<u>Time</u>	<u>Description</u>
9:11 a.m.	Meeting Called to Order Pledge of Allegiance

Introductions – Chairman Pickard advised that the following persons were present for discussion of the Mining and Mineral Museum issues later this morning: Glenn Sutherland representing the Mining and Mineral Museum Association, and Helen Caperon, Mining and Mineral Association Board member and member of the Gem and Mineral Club.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Leota Striplin, representing Golden Oaks Lions, advised that the special edition of *Fresno Bee* newspapers were available for the annual “Kid’s Day” fundraiser to benefit the Children’s Hospital.
- Bud Swift announced that March 15 – 19, 1999, is “National Agriculture Week,” and he stated he is thankful for the American farmers and ranchers for providing the safest and most reasonably priced food in the world.

Approval of Consent Agenda (See End of Minutes)

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

Jeffrey G. Green, County Counsel;

Resolution Adopting New Class Specification for the Position of Family Support Compliance Technician and Amending the Employee Allocation Schedule for the Family Support Division of the District Attorney’s Office and Appropriate Unanticipated Revenue (\$11,223) (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Reilly, (S)Parker, Res. 99-87 adopted/Ayes: Unanimous.

Janet Hogan, County Administrative Officer;

Update and Possible Action Related to Retention of the Mining and Mineral Museum (Continued from 3/9/99)

BOARD ACTION: Ed Hardy, consultant, updated the Board on his meetings relative to the Mining and Mineral Museum, advised that he distributed the draft Business Plan to the Board members, and stated he feels the State has agreed to not issue the Request for Proposal (RFP). He further advised that with changes in administration at the State level, the Secretary of Resources has requested a recommitment from the Board for supporting the retention of the Museum. Supervisor Reilly was excused due to illness at 9:33 a.m. Discussion was held relative to the State’s request for a letter of recommitment and it’s decision to issue a RFP after previously agreeing not to do so, and the affect that decision has on the fundraising effort to retain the Museum. Discussion was also held relative to status of the project site.

(M)Parker, (S)Stewart, Res. 99-88 adopted directing that a letter of recommitment be sent to the State which mirrors the Board’s December, 1998, commitment. Supervisor Stewart requested that Ed Hardy also carry back to the State the Board’s concern about the State’s commitment, and that he request that the State provide a letter of relative to its commitment. Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Discussion was held relative to timeframes and staff resources. Jay Pawlek/Air Quality-Transportation Specialist, advised that the Community Development Block Grant (CDBG) funding is tied to a commercial development occurring on the site, and he advised that the rent payments and P. G. & E.'s donation to the project are still pending. Jeff Green, County Counsel, stated he felt that the Board should discuss and give direction to staff in regard to Mr. Hardy's contract, which expired on March 15, 1999, and Mr. Plaxco's contract, which expires on May 30, 1999. Ed Hardy stated he felt there should be a ceremonial presentation of P. G. & E.'s donation, and he stated he feels the State should provide an accounting of their funding for the Museum. Discussion was held with Ed Hardy relative to his services and continuation of the contract. Ed Hardy advised that he will continue to work with Mr. Plaxco on contacts and he will finish the Business Plan as a part of his original contract and personal commitment to the project. Chairman Pickard stated he feels that with the Board's action to reaffirm its commitment to this project, that includes direction for the rent payments to be made to the Fair Board and for the contractual agreement to continue with Mr. Plaxco to May 30th. Discussion was held relative to the status of the return of the gold specimens, and Ed Hardy advised that they have been returned with the exception of the Fricot nugget, which is on display in Sacramento, by contract until December, 1999. Discussion was held relative to the need and responsibility for continuing the relationship with the State that Ed Hardy has established. Ed Johnson, Planning and Building Director, noted that there is also the role of project manager/developer for the CDBG application which needs to be assigned.

10:27 a.m. Recess

10:48 a.m. Continued discussion was held relative to the Mining and Mineral Museum issues.

(M)Balmain, (S)Stewart, to give direction to staff to negotiate a contract with Ed Hardy on a month-to-month basis to continue until further direction of the Board was amended following further discussion. Motion was amended, agreeable with maker and second, to include an appropriation from General Fund Contingency to fund the contract/Ayes: Balmain, Stewart, Parker; Noes: Pickard; Excused: Reilly. Motion failed as the appropriation required a 4/5ths vote.

Following further discussion, (M)Parker, (S)Stewart, direction was given to staff to negotiate a contract with Ed Hardy on a month-to-month basis to continue until further direction of the Board, with direction for the contract and the funding mechanism to be scheduled on the Board's agenda for March 23, 1999/Ayes: Balmain, Stewart, Parker; Abstained: Pickard; Excused: Reilly.

Steve Hayes, Visitors' Bureau Director;
Resolution Authorizing the Mariposa County Tourism Advisory Council, Under General Direction of the Visitors' Bureau Director, to Implement the Review of Event Funding Requests as Outlines in the Proposed Policy (Continued from 3/2/99)

BOARD ACTION: Chairman Pickard pulled the matter to be rescheduled in the future.

11:18 a.m. Supervisor Reilly returned.

Mike Edwards, Public Works Director
Resolution to Approve and Authorize the Operation of the Mariposa County Landfill and Four County Transfer Stations by the Department of Public Works (Continued from Policy on 3/9/99)

BOARD ACTION: Mike Edwards thanked staff and the Solid Waste Committee for their efforts, and Total Waste Systems for their cooperation in this matter, and he presented the staff report and reviewed recommended actions. Discussion was held. Supervisor Pickard expressed concern with flow control and the need to track revenues.

Supervisor Reilly requested that the matter be continued for further consideration and discussion due to magnitude of the issues, and she was excused at 11:34 a.m. due to illness for the rest of the meeting. Discussion was held relative to improvements at the landfill facilities, the possibility of phasing the change of operation, coordinating the co-compost project with the landfill operation, and negotiating with Total Waste Systems to extend the current contract. Stu Katte, Total Waste Systems, responded to questions from the Board relative to extending their existing contract, and he stated the County could take the gate-keeping component of the operation.

Board concurred with directing staff to bring this matter back on April 6, 1999, at 2:00 p.m. for further review; for staff to discuss a contract extension with Total Waste Systems and timelines for notification of termination of the contract; for staff to review the input and concerns provided and come back with more information on issues such as the gate-keeping component of the operation, potential improvements and timelines; and for staff to meet with the Board's liaison committee to further review the details.

Input from the public was provided by the following:

Ron Clubb stated he feels it will cost more for the County to operate the facility than a private contractor, and he stated he feels the facility is in better shape today under operation by Total Waste Systems than when the County previously handled operations.

Pam Butler, neighboring resident, stated she has questions about the requested change in operation and the quality of compaction of the cover being proposed; and she stated she agrees with Mr. Clubb about the operation.

12:27 p.m. Lunch

2:05 p.m. Ed Johnson, Planning and Building Director;
Presentation by Deidre Kelsey, Merced County Supervisor and Bob Smith, Merced County Planning Director, Regarding UC Merced

BOARD ACTION: Bob Smith gave a presentation on the history of the site selection process, the vision statement, growth assumptions, and planning for land development and circulation for UC Merced. He noted that the academics will include Sierra Nevada research activities. Discussion was held relative to the project and the planning processes. Supervisor Kelsey provided input and noted that they are still in a fact-finding mode and do not know all of the impacts and what they will mean at this time.

Board Information and Announcements

- Supervisor Pickard advised that he attended the Bio-Diversity Council meeting last Thursday for Supervisor Balmain, and he had an opportunity to meet Mary Nichols, State Resources Secretary.
- Supervisor Balmain advised that he attended a meeting in San Francisco on Thursday with Public Works relative to the Airport and problems with the intrusion of the trees.
- Supervisor Stewart advised that he had a JPA meeting with YARTS on Friday.

CONSENT AGENDA

- CA-1 Resolution Authorizing the Public Works Director to Issue a Purchase Order for the Purchase and Installation of Playground Equipment at Mariposa Park to Kevin O'Keefe Company, Placerville (\$35,989) (Public Works/Recreation Div.); Res. 99-79
- CA-2 Resolution Authorizing Public Works to Purchase Five Currently Leased Vehicles Being Leased by the Sheriff's Department, Upon Termination of

Lease, to the Pool to Replace High Mileage Vehicles (Public Works); Res. 99-80

- CA-3 Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No. C98-27 in the Amount of \$223.83 (County Counsel); Res. 99-81
- CA-4 Resolution Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act (County Counsel/Personnel); Res. 99-82
- CA-5 Resolution Directing that the Meeting for the Board of Supervisors for March 23, 1999, Commence at 2:00 p.m. at the County Government Center, Board Chambers (Clerk of the Board); Res. 99-83
- CA-6 Resolution Approving Fee Changes for the Agricultural Commissioner/Sealer, and Rescinding the Introduction of an Ordinance to Set the Fees (Administration); Res. 99-84
- CA-7 Resolution Authorizing an Employee to Temporarily Change from a Flex Work Schedule to a Regular Work Schedule (District Attorney/Family Support Div.); Res. 99-85
- CA-8 Proclaim March 27, 1999 Through June 27, 1999, as the Mariposa County Sesquicentennial Celebration of the Gold Rush (Visitors' Bureau); Res. 99-86
- CA-9 Appoint Mary Jane Corless to the Mariposa County Tourism Advisory Council, Representing District V (Supervisor Pickard)

2:52 p.m. Adjournment in memory of Wallace Beaver, Joy Luttrell and Robert K. Neel.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MARCH 23, 1999



Time Description
2:04 p.m. Meeting Called to Order
Pledge of Allegiance
Introductions - none

Chairman Pickard advised that the discussion relative to the Mining and Mineral Museum would be held at 6:30 p.m.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda – none.

Resolution and Title Plaque Recognizing Ed Johnson Upon his Retirement as the Planning and Building Director (Planning/Building)
BOARD ACTION: (M)Reilly, (S)Stewart, Res. 99-89 adopted and presented to Ed Johnson, along with the County tile plaque/Ayes: Unanimous.

Approval of Minutes of 3/2/99 and 3/9/99 Regular Meetings
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Pickard pulled items 4 and 6. Supervisor Parker pulled items 3, 7 and 8. Supervisor Stewart pulled item 9, and updated information was provided on this item. (M)Stewart, (S)Reilly, balance of items were approved/Ayes: Unanimous. Discussion was held relative to item 9. Discussion was held relative to items 3 and 4. Jay Pawlek/Air Quality-Transportation Specialist, provided input. (M)Reilly, (S)Stewart, item 3 was approved/Ayes: Reilly, Stewart, Pickard; Noes: Balmain; Abstained: Parker. Dave Walker/Planner II, provided input relative to the timeframes for the application for item 4. Item 4 was continued to be rescheduled pending a response from the Park Service in regard to providing assurance that infrastructure will not be removed during the YARTS demonstration project. Discussion was held with Mike Edwards/Public Works Director, relative to items 6, 7 and 8. (M)Reilly, (S)Stewart, items 6, 7, 8 and 9 were approved/Ayes: Unanimous.

Carlos LaRoche, Superior Court Judge;
Resolution Transferring Funding from Courthouse Construction to Fixed Assets/Printers (\$12,700) and to Trial Court Services/Software (\$12,300) (4/5ths Vote Required)
BOARD ACTION: Judge LaRoche was unable to appear due to Court scheduling. (M)Parker, (S)Balmain, Res. 99-96 adopted/Ayes: Unanimous.

Janet Hogan, County Administrative Officer;
Review and Action Relative to the Fiscal Year 1998-99 Mid-Year Financial Report and Recommendations for Preparation of the Fiscal Year 1999-00 Budget (4/5ths Vote Required)
BOARD ACTION: Discussion was held. (M)Parker, (S)Balmain, Res. 99-97 adopted approving “consent” changes for the following General Fund budgets as recommended: County Counsel, PWD/Facilities, Indigent Defense, DA/Family Support, DA/Criminal, DA/Victim Witness, Sheriff, Jail, Juvenile Detention, Airport, Veterans Services, Library and Recreation/Ayes: Unanimous.
(M)Balmain, (S)Parker, Res. 99-98 adopted approving “consent” changes for the following miscellaneous fund budgets as recommended, with the changes for Solid Waste

to be held pending revisions: Local Transportation Commission, Senior Services, Senior Nutrition, Coulterville CSA, Don Pedro Sewer, Mariposa Pines Sewer, Wawona CSA, Yosemite West, Housing Authority, Special Aviation Fuel System, Don Pedro Utility Capital, Building Department, Transit, Fleet, Vehicle Replacement and Heavy Equipment/Ayes: Unanimous.

Discussion was held relative to the recommended “policy” changes. Janet Hogan corrected the Social Services-Administration budget change for TANF and Foster Care and Adoptions expenditures to Social Services-Programs. Discussion was held relative to the request for a storage shed for records for the Health Department. Supervisor Parker requested that more details be provided on this request. Supervisors Reilly and Stewart requested that a comprehensive record storage plan be developed for all departments. Discussion was held relative to the request for funding for new office space for the Fire Department. Board concurred that more details on this request should come back. Janet Hogan acknowledged the Assessor-Recorder for increase in fee revenue.

3:12 p.m. Recess

3:26 p.m. Chairman Pickard opened the Public Hearings for the CDBG application and for the Yosemite West Maintenance District sewer fees and continued them until after the following matter.

Continued discussion was held relative to the mid-year budget report and requested changes. Mike Edwards, Public Works Director, provided input relative to the status of road projects and funding. Janet Hogan advised that the revised change for the Solid Waste budget is a \$47,529 net reduction in revenues. Supervisor Parker requested that consideration be given to adding \$75,000 to the Parks and Recreation budget to develop and improve the Darrah Road Schoolhouse property for a day-use ballfield. Discussion was held concerning this request. Janet Hogan advised that the following sources of funding could be made available to fund this request: \$15,000 in Youth Facilities that is not dedicated to a particular project; \$22,000 in the County Clerk’s budget from an over budgeting of benefits; \$25,000 in PWD/Administration budget for the ADA Transition Plan – this would need to be rebudgeted for completion in a future year; and \$13,000 estimated increase in interest revenue and transient occupancy tax revenue. Further discussion was held concerning the request.

(M)Parker to approve the “policy” changes as recommended and with the revision in the Solid Waste budget; with direction to the Fire Chief to return with a detailed report on the space needs request before expending any funds; with direction to the Health Officer to return with a detailed report on the storage shed request before expending any funds; and identifying funding as outlined by the County Administrative Officer during discussion for the ballfield project, died for lack of a second.

(M)Balmain, (S)Stewart, Res. 99-99 adopted approving the “policy” changes as recommended and with the revision in the Solid Waste budget; with direction to the Fire Chief to return with a detailed report on the space needs request before expending any funds; with direction to the Health Officer to return with a detailed report on the storage shed request before expending any funds; and with direction for Supervisor Parker to bring back information on request for the ballfield project at Darrah Schoolhouse on a future agenda/Ayes: Unanimous.

Following discussion, (M)Parker, (S)Stewart, Board adopted the proposed approach, process, and preparation schedule for the FY 1999-2000 budget/Ayes: Unanimous.

Chairman Pickard thanked Don Weston, Ron Wilson and Frank Long for their efforts with the Wagon Train event for the Sesquicentennial. Caroline Korn thanked the Board for its support of the Catheys Valley Historical Society’s project to restore the old schoolhouse, and she advised that they hope to have it open for its 120th birthday this year.

4:05 p.m. Tom Archer, Human Services Director;
PUBLIC HEARING to Provide an Opportunity for Community Participation Regarding a County Application for a Community Development Block Grant (CDBG) for Housing Rehabilitation on Native American Allotment Land

BOARD ACTION: Tom Archer presented the staff report and responded to questions from the Board relative to preparation of the grant and costs. He advised that Denise Hardcastle, Program Manager for Self-Help Enterprises, was present to respond to questions. Tom Archer responded to further questions from the Board relative to the CDBG funding sources and the funding allocated for rehabilitation of each home under the grant and for administration of the grant. Denise Hardcastle provided input on the funding allocated for rehabilitation of the homes and responded to questions relative to the inclusion of the well and septic systems in the rehabilitation, relative to tax assessments, and the hearing process.

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

Della Hern commented on homes that have been rehabilitated and problems with people believing they have squatters rights and trying to obtain funding for rehabilitating the homes. She advised that a person needs to become an heir before being entitled to rights on the allotment land. She suggested that the Indian Bureau in Sacramento could provide a list of heirs to help resolve the issue of who is entitled. Tom Archer and Denise Hardcastle advised that proof of a person being an heir would be required prior to approving rehabilitation work.

Public portion of the hearing was closed and Board commenced with deliberations. (M)Stewart, (S)Balmain, Res. 99-100 adopted/Ayes: Unanimous. Hearing was closed.

4:30 p.m. Recess

4:40 p.m. Mike Edwards, Public Works Director;
PUBLIC HEARING Regarding Proposed Increase in Sewer Service Fees Charged in the Yosemite West Maintenance District

BOARD ACTION: Mike Edwards presented the staff report.

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

Ray Doblick, resident and contractor, stated he has transient rental property in Yosemite West and serves on the Advisory Committee for planning for Yosemite West. He presented a letter with graphs and information on water usage, and stated he feels this supports something being done with the problem with the failure of the sewer system. He further questioned why a rate increase is being proposed for failure of the system, as he feels the problem is abuse. He asked where the proposed increase in revenue from the fees will be used and how much revenue is being planned. He further advised that he will work with the Advisory Committee on these issues.

Neil Meisner, resident and transient rental operator, asked where the extra revenue will go if someone uses extra water, and he stated he feels the increase should be a flat rate as he does not feel that extra usage costs more in administration and maintenance. He suggested that the fee could be based on the number of bathrooms for the transient rentals.

Public portion of the hearing was closed. Mike Edwards addressed the questions that were raised, and he stated that he feels the current structure of a flat rate encourages more intense water use with no incentive to reduce usage. They have on-going operational costs. Relative to the proposal to base the rate on the number of bedrooms in the transient rentals, he stated it is difficult to determine the approved transient rental uses. The proposed structure charges everyone the same based on usage. Board commenced with deliberations.

(M)Reilly, (S)Stewart, Res. 99-101 adopted approving the rate increase as recommended/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker. Hearing was closed.

5:12 p.m. Ed Johnson, Planning and Building Director;
PUBLIC HEARING to Consider Amendments to Chapter 18.02 of County Code, Surface
Mining and Reclamation
BOARD ACTION: Hearing was opened and continued to April 13, 1999, at 5:30 p.m.

5:13 p.m. Closed Session to Consider Anticipated Litigation Matter Pursuant to
Subdivision (B) of Government Code Section 54956.9
BOARD ACTION: (M)Balmain, (S)Parker, Board recessed with closed session to be
held at 5:30 p.m., and with the following staff to be present for closed session: Public
Works Director, PWD/Facility Maintenance Manager, and PWD/Solid Waste
Coordinator/Ayes: Unanimous.

7:06 p.m. Board reconvened in open session with direction given to staff as a result of
closed session.

Public Hearing to consider adoption of a Mitigated Negative Declaration for the Mariposa
Town Pedestrian Improvement Project was opened and continued to after the following
items.

Chairman called for public presentations:

- Ron Iudice advised that he is doing improvements to a structure on 7th Street and
has noticed that it is the only street in town without a street light. Supervisor
Parker advised that this issue will be taken care of with the upcoming sidewalk
project.
- Don Starchman, on behalf of the Business Forum, advised that he has had
individual discussions with Board members relative to getting the agenda and
supporting materials on the Internet. He suggested that the Board purchase a
scanner and utilize County staff to proceed going on-line with the agenda
information.

Consideration of Contract Extension with Ed Hardy for Consultant Services Relating to
the Mining and Mineral Museum and Budget Action (Administration)
BOARD ACTION: Discussion was held. Janet Hogan, County Administrative Officer,
advised that the contract would need to be funded from General Fund Contingency and
that action would require a 4/5ths vote. Supervisor Pickard reviewed the history of the
project and options that he feels the Board has. Supervisor Reilly requested that written
material be provided for consideration for these types of agenda items. Jay Pawlek,
Transportation and Air Quality Specialist, provided input relative to the relationship Ed
Hardy has established and the need for continued liaison with the State Department of
Conservation and legislators for this project. Ed Hardy provided input relative to the
commitment from the State, advised that he would like to have comments on the draft
Business Plan, and urged the Board to continue with the project. Discussion was held
relative to extending Ed Hardy's contract and as to whether to include performance
standards, and relative to the status of response from the State to the County's request for
assurances relative to the Request for Proposal process. Discussion was held with Ed
Hardy relative to fundraising efforts.

(M)Parker, (S)Reilly, Res. 99-102 adopted approving extension of contract with Ed
Hardy from March 15, 1999 to June 30, 1999, with addendum to include commitment to
obtain six months funding for the operation of the Mining and Mineral Museum and the
costs of the consultants contracts (approximately \$115,000); transferring funding from
General Fund Contingency for the contract extension; and directing that the letter of
recommittal that was approved to be submitted to the State Department of Conversation
on March 16, 1999, be sent with the deletion of the reference to requesting written
assurance that the Request for Proposal (RFP) issue is taken off the table. Discussion was
held. Ed Hardy advised that the wording in the draft letter to the Department of

Conservation is agreeable with the State. Motion was amended, agreeable with maker and second, to send the letter without deleting the reference to the RFP process. Motion was restated: letter to be sent to the State Department of Conservation as written; contract with Ed Hardy to be extended from March 15, 1999, to June 30, 1999, with addendum to the contract outlining expectations, including commitment to obtain \$115,000 in funding by June 30, 1999, for the Mining and Mineral Museum operations plus the cost of the contract extension, and authorization was given for the Chairman to sign the contract extension; and direction was given for the funding to be transferred from General Fund Contingency/Ayes: Unanimous.

8:16 p.m. Recess

8:29 p.m. Ed Johnson, Planning and Building Director and Mike Edwards, Public Works Director;

PUBLIC HEARING to Consider Adoption of a Mitigated Negative Declaration for the Mariposa Town Pedestrian Improvement Project

BOARD ACTION: Mike Edwards, Gwen Foster/PWD-Engineer, and Jay Pawlek/Transportation and Air Quality Specialist, presented the staff report. Mike Edwards advised that a more detailed design will be brought back for the various components of the project. Staff responded to questions from the Board relative to the environmental issues and location of the trees that are planned to be planted; and width of the sidewalks for this project and for the continuation of the Mariposa Creek project.

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

Barry Brouillette asked about the recent survey activity along Mariposa Creek and whether a presentation would be given to the Parks and Recreation Commission before proceeding. Staff advised that there would be a presentation to the Commission and to the Mariposa Town Transportation and Parking Advisory Committee and discussion would be held on the design. Barry Brouillette urged careful consideration of the street light fixtures to maintain a sense of security and the rural setting and night sky. He stated he likes the idea of the businesses planting trees, and he agrees with six-foot sidewalks along the highway. He also requested a review of the timeline for the project.

AJ from Paystreak Mining, expressed concern with changes in the parking in front of his business with the construction of the sidewalk, and he stated he does not feel that a six-foot sidewalk is necessary. He requested that the sidewalk be redesigned so that it does not affect his existing parking and ability to accept deliveries of equipment, and loading for patrons. Supervisor Parker provided input relative to the project and plans for parking spaces in the area of his business. AJ stated he objects to parallel parking and stated he feels that changing the existing parking will lower the value of the property. He also expressed concern relative to being able to control the use of the parking spaces. He stated he supports the sidewalk project, he just doesn't want any access taken away.

Chuck Takahashi stated that as a visitor and tourist to the area, and as a businessman, he knows AJ. He stated he feels that this process can be intimidating and foreign to people whom do not understand it. He thanked staff for working with him on his review of the project. He expressed concern that the environmental document does not center on the economic impacts. On behalf of AJ, the property owner, and himself, he stated parking is a critical issue when a developer chooses a location – convenience and access are also important. He noted that AJ currently has direct access with diagonal parking and that parallel parking is more difficult. He stated it may create a “taking” if the sidewalk is constructed as proposed due to the change in access to the parking. He also noted that visibility is important to consider when planting the trees. He noted that when the trees grow, their roots have a tendency to lift the sidewalks and create a liability. He stated he does not agree with the proposed change in parking and he feels it will hurt AJ's business and that should be seriously considered before proceeding. He stated he feels a number of businesses have left the area over the last few years, and that if business

dies, everybody dies. He responded to a question from the Board and stated he feels that no sidewalk in front of the business would be a possibility.

Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to additional questions from the Board relative to the status of the project, lighting standards, and alternatives for designing the project in front of the Paystreak Mining business.

(M)Reilly, (S)Parker, Res. 99-103 adopted approving a Mitigated Negative Declaration for the Mariposa Town Pedestrian Improvement project for the following components: highway pedestrian facility; Mariposa Creek Parkway; tree planting and street lighting. Motion was amended, agreeable with maker and second, to include direction that the Negative Declaration be consistent with the Initial Study/Ayes: Unanimous. Hearing was closed.

Board Information and Announcements

- Supervisor Reilly advised that she will be on vacation for the next week.
- Janet Hogan, County Administrative Officer, advised that she will be on vacation for the week of April 5, 1999.

INFORMATION - No action was necessary on the following:
Inform the Board of the Results of the Vehicle Bids Approved at the January 26, 1999, Board Meeting (Public Works)

CONSENT AGENDA

- CA-1 Resolution Authorizing the Rental of Building B and Patio at the Fairgrounds on Friday, May 21, 1999 and Appropriating Unanticipated Revenue (\$300) (Community Services) (4/5ths Vote Required); Res. 99-90
- CA-2 **LOCAL TRANSPORTATION COMMISSION**
Resolution Allocating State Transit Assistance (STA) Funds for the 1998-99 Fiscal Year (Planning/Building); LTC Res. 99-6
- CA-3 **LOCAL TRANSPORTATION COMMISSION**
Resolution Authorizing the Chairman to Sign an Agreement with Omni-Means for \$39,966 to Provide Consultant Services to Update the County Regional Transportation Plan (RTP) and Perform a Focused Traffic Impact Study (Planning); LTC Res. 99-7
- CA-4 **LOCAL TRANSPORTATION COMMISSION**
Resolution Authorizing the Chairman to Sign the Letter of Support for the Merced County Association of Governments' Application to CalTrans for Funding Under the State Planning and Research Program – Partnership Planning Element on Behalf of the Yosemite Area Regional Transportation Strategy (YARTS) (Planning); Continued to be rescheduled
- CA-5 Resolution Claiming a Special Appropriation State Grant (\$182,225) for the Mariposa Creek Parkway and Authorizing the Public Works Director to Conduct all Negotiations, Execute and Submit all Applications Documents, Amendments and Agreements to the State of California

Necessary to Complete Phase II (Public Works/Recreation Div.); Res. 99-91

- CA-6 Resolution Approving Amendment to Contract with American Geological Services in the Amount of \$12,000 for Soil Gas Survey Work, Underground Fuel Tanks, Airport, Public Works Project Number PW 91-55, 96-11, and Authorizing the Public Works Director to Sign the Amendment (Public Works); Res. 99-92
- CA-7 Resolution Establishing a Petty Cash Fund for the Payment of a 16¢ a Gallon Incentive for Recycling of Used Motor Oil at the New Certified Recycling Center at the Mariposa-Yosemite Airport (Public Works); Res. 99-93
- CA-8 Resolution Authorizing the Public Works Director and County Counsel to Execute Grant Agreement for \$2,448,000 for Federal Aviation Administration Funds for Improvements at Mariposa-Yosemite Airport (Public Works); Res. 99-94
- CA-9 Resolution Adopting Bid and Contract Documents for the Furnishing of a Metal Building for the Ponderosa Basin Fire Station, Public Works Project Number PW 98-03, and Authorizing the Public Works Director to Execute a Contract with the Selected Building Supplier (Public Works/Fire); Res. 99-95
- CA-10 Appoint Ann Zackery as an Alternate to Fill an Unexpired Term on the Lake Don Pedro Service Area 1-M Advisory Board (Supervisor Balmain)

9:26 p.m. Adjournment in memory of Russell G. Fournier, Roy Hoffman and Jim Craig.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board