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

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

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

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

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

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

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

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

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

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

Supervisor Stetson advised that 2 candidates have been interviewed.

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

Tom Guarino, County Counsel;
Waive First Reading and Introduce an Ordinance Amending Chapter 3.08 of the Mariposa County Code Entitled, “Purchasing”

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

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

There was no public input.

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

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

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

BOARD ACTION: Tom Guarino, County Counsel recommended the Board continue the finding of the local emergency, as documents are still being processed and roads repaired.
Supervisor Bibby advised that White Rock Road has sustained significant damage and sections of road are gone. She stated that the Public Works Department is in the process of a road study to make the road passable.

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

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

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

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

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

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

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

**BOARD ACTION:** The closed session was not held.

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

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

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

**CONSENT AGENDA:**

CA-1 Action to Continue Emergency Findings for the Interim Operation of the Mariposa County Landfill by County Staff is Necessary to Continue an Essential Public Service Until the Bidding Process is Completed (Public Works Director); Res. 05-380

CA-2 Approve Transfer of the Cathey’s Valley Blacksmith Shop from Cathey’s Valley Historical Society to the County of Mariposa and Authorize the Chairman of the