RECOMMENDED ACTION AND JUSTIFICATION:

Discussion, direction, and action regarding Area 12 Agency on Aging.

This item is to receive further direction from the Board regarding Mariposa County’s position with respect to the Area 12 Agency on Aging and any withdrawal of the County from that agency.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

When the County of Mariposa gave notice to Area 12 Agency on Aging that it intended to withdraw if matters were not resolved with Calaveras County the California Department of Aging indicated that it felt that such action could be interpreted to be immediately effective. However, it was the intention of the Board of Supervisors that this notice would not be effective unless matters were not resolved with Calaveras County. The purpose of this discussion is to confirm publicly that the County of Mariposa’s representative to the Area 12 Agency on Aging has the authority to continue or stay the notice of withdrawal if it appears that progress is being made in resolving matters with Calaveras County. For purposes of clarifying the County’s position to the State an action reconfirming the prior grant of authority would be of assistance.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

<table>
<thead>
<tr>
<th>Financial Impact?</th>
<th>( ) Yes</th>
<th>( ) No</th>
<th>Current FY Cost: $</th>
<th>Annual Recurring Cost: $</th>
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<tbody>
<tr>
<td>Budgeted In Current FY?</td>
<td>( ) Yes</td>
<td>( ) No</td>
<td>( ) Partially Funded</td>
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</tr>
<tr>
<td>Amount in Budget:</td>
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<td>$</td>
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<tr>
<td>Additional Funding Needed:</td>
<td>$</td>
<td></td>
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<tr>
<td>Source:</td>
<td></td>
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<tr>
<td>Internal Transfer</td>
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<td></td>
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<td></td>
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<tr>
<td>Unanticipated Revenue</td>
<td>4/5’s vote</td>
<td></td>
<td></td>
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<tr>
<td>Transfer Between Funds</td>
<td>4/5’s vote</td>
<td></td>
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<tr>
<td>Contingency</td>
<td>4/5’s vote</td>
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<tr>
<td>( ) General</td>
<td>( ) Other</td>
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</table>

**CLERK’S USE ONLY:**

Res. No.No. 35 Session 05-06 Ord. No. _____
Vote – Ayes: _____ Noes: _____
Absent: _____
Approved:
Minute Order Attached ( ) No Action Necessary

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

Date: ____________
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: ____________________________

**COUNTY ADMINISTRATIVE OFFICER:**

( ) Requested Action Recommended
( ) No Opinion
Comments:

____________________________________
CAO: ____________________________

Revised Dec. 2002
January 18, 2005

Peggy Lee, Executive Director
Area 12 Agency on Aging
13975 Mono Way, Suite E
Sonora, CA 95370-4705

Dear Ms. Lee:

I am writing in response to a carbon copy of a letter dated December 16, 2004, I received from Garry Parker, Chairman of the Mariposa County Board of Supervisors, that notified Area 12 Agency on Aging (A12AA) of the County's vote to provide its six-month notice of termination from the Joint Powers Agreement for PSA 12. Because of the significant ramifications this decision may have on senior services in this county and the PSA, it is my responsibility to notify the A12AA and the Governing Board of the requirements stipulated in Title 22, California Code of Regulations, Chapter 3, Article 1, Section 7208 that govern this decision.

The first requirement of the regulations stipulates that the A12AA shall provide formal notification to the (1) withdrawing county's Board of Supervisors of their loss of decision-making power over the AAA functions in its county and (2) contractors within Mariposa County of the county's decision and of the AAA's obligation to continue services within that county.

Second, the AAA must, within 21 days of receipt of the notification, develop a written plan to cope with the loss of this support. This is the first critical step to ensuring the community is aware of the intentions of Mariposa County and how the Governing Board, working through the AAA, plans to continue services to seniors residing in that county. Although I am unaware of the actual date the A12AA received this termination letter, it has been 29 days since the letter was dated. Therefore, it would seem that the 21-day period has passed or is imminent and a written plan should be developed or in its final stages.

The next critical steps for the A12AA will include conducting public hearings in each county within the PSA as stipulated in 7208(B)(3) and the submission of the final written plan to the Department as stipulated in 7208(B)(4). Should the A12AA require an extension to the timeframes specified, follow the requirements specified in Section 7208(B)(4)(b).

It is our hope that issues surrounding the withdrawal of support by the Mariposa County Board of Supervisors from PSA 12 can be resolved in order to ensure critical services are available to seniors residing within this County and the PSA as well.
Please submit to me a copy of all material developed by the A12AA in response to this termination notice. If you have any questions or require further clarification of the requirements specified in the regulations, please contact me.

Sincerely,

s/s Johnna Meyer

Johnna Meyer, Policy Manager
AAA-Based Team B

cc: Lora Connolly, Acting Director
    California Department of Aging

    Joyce Fukui, Deputy Director
    Long-Term Care and Aging Services Division

    Diane Paulsen, Deputy Director
    Administration Division

    Supervisor Garry Parker, Chair
    Mariposa County Board of Supervisors

    Supervisor Mark Thornton, Tuolumne County, Chair
    Area 12 Agency on Aging Governing Board
    Supervisor Terry Woodrow, Alpine County
    Supervisor Richard Forster, Amador County
    Supervisor Merita Callaway, Calaveras County
    Supervisor Bob Pickard, Mariposa County

    David Ishida, III, Regional Administrator
    Region IX, Administration on Aging
MINUTE ORDER

TO:        BOB PICKARD, Supervisor District V
FROM:      MARGIE WILLIAMS, Clerk of the Board
SUBJECT:   DISCUSSION, DIRECTION, AND ACTION REGARDING
            AREA 12 AGENCY ON AGING

            Resolution No. 05-36

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on February 1, 2005

ACTION AND VOTE:

Discussion, Direction, and Action Regarding Area 12 Agency on Aging (Chair Pickard)

BOARD ACTION: Chairman Pickard provided a status report on the situation with the Area 12 Agency on Aging. Discussion was held. Tom Guarino, County Counsel, asked that the Board re-confirm its position; and that if the situation is resolved with the lawsuit filed by Calaveras County and a settlement agreement is reached, that the County will withdraw its contingency notice to withdraw from the Agency. (M)Bibby, (S)Fritz, Res. 05-36 was adopted re-confirming the Board’s previous position; and directing that if the situation is resolved with the lawsuit filed by Calaveras County and a settlement agreement is reached, that the County will withdraw its contingency notice to withdraw from the Agency/Ayes: Unanimous. Supervisor Bibby asked that the Board be kept informed of the status of this matter.

cc:        Tom Guarino, County Counsel
           Mary Williams, Community Services Director
           File