

MARIPOSA COUNTY  
BOARD OF SUPERVISORS

AGENDA  
ACTION FORM

DATE: 4/23/91  
AGENDA ITEM NO. RA 1

DEPT.: COUNTY COUNSEL

BY: JEFFREY G. GREEN

PHONE: 966-3625

RECOMMENDED ACTION AND JUSTIFICATION:

**RECOMMENDATION:** Adopt resolution approving the sum of \$280.36 for repair of a vehicle windshield and side mirror damaged by a snow plow in Yosemite West on March 17, 1991, and authorize Auditor to draw a warrant in the amount of \$280.36. Warrant should be forwarded to County Counsel's office for processing to claimant.

**JUSTIFICATION:** Based upon the 3/18/91 memo of Special Districts Manager Walt Hoy attached hereto, it appears that this is a reasonable claim and the County does have some liability in this matter, more specifically identified as Claim No. C91-4.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board usually approves repairs on vehicles damaged by County equipment if there appears to be a reasonable claim.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Claimant would not be reimbursed for cost of repairs.

COST: ( ) Not Applicable  
A. Budgeted current FY \$ \_\_\_\_\_  
B. Total anticipated costs \$ \_\_\_\_\_  
C. Required add'l funding \$ \_\_\_\_\_  
D. Source: \_\_\_\_\_

**SPECIAL INSTRUCTIONS:**  
List the attachments and number the pages consecutively:  
Claim No. C91-4, memo of Walt Hoy  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SOURCE: ( ) 4/5ths Vote Required  
A. Internal transfers \$ \_\_\_\_\_  
B. Unanticipated revenues \$ \_\_\_\_\_  
C. Reserve for contingency \$ \_\_\_\_\_  
D. Description: \_\_\_\_\_  
Balance in Reserve for Contingencies, if approved: \$ \_\_\_\_\_

**CLERK'S USE ONLY:**  
Resolution No. 91-166  
Ordinance No. \_\_\_\_\_  
Vote: Ayes: 5 Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_  
Approved ( ) Denied  
( ) Minute Order Attached

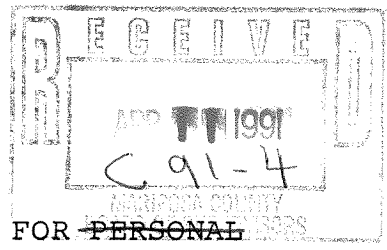
**ADMINISTRATIVE OFFICER'S RECOMMENDATION:**  
This item on agenda as:  
 Recommended  
 Not Recommended  
 For Policy Determination  
 Submitted with Comment  
 Returned for Further Action

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

DATE: \_\_\_\_\_  
ATTEST: MARGIE WILLIAMS  
Clerk of the Board of Supervisors  
County of Mariposa, State of Calif.  
By: \_\_\_\_\_  
Deputy

Comment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
A.O. Initials: JWG / byms

County of Mariposa Claim Form



Claim of Edward H Young )  
(Claimant) )  
v. )  
COUNTY OF MARIPOSA )

CLAIM FOR ~~PERSONAL~~  
~~INJURIES AND/OR PROPERTY~~  
DAMAGES  
(SECTION 910 OF THE  
GOVERNMENT CODE)

April 1, 1991

To the BOARD OF SUPERVISORS OF MARIPOSA COUNTY:

You are hereby notified that: (Please print)

Claimant: Edward H Young

Whose address is: 7457 Henners Ridge Rd, (Lot # 83 Yosemite West)

City and State: Yosemite, Ca., P.O. Box 17 Zip: 95389

claims damages from the COUNTY OF MARIPOSA in the amount, computed as of the date of presentation of this claim, of \$ 28036

This claim is based on (check appropriate box or boxes)

- Property Damage  Other (list) \_\_\_\_\_
- Personal Injury \_\_\_\_\_
- Contract \_\_\_\_\_

which occurred on March 17, 1991, in the vicinity of:  
(month) (day)

On parking pad on Lot 83, Yosemite West.  
(place where incident occurred)

Describe generally the facts and circumstances that give rise to the claim: (Please use back of this page if more space is needed.)

My 1989 Bronco II was parked at the rear of my north side (west side) parking pad, facing the road. The Bronco wheel well was 23 feet (actual taped measurement) from the black-topped berm edge of road. 25 inches of snow fell during the afternoon of the 17th and early morning hours of the 18th. The rotary snow plow went by during these hours. Clumps of ice dropped on the windshield and right side rear view mirror, with resultant (over)

The name(s) of the public employee(s) causing claimant's injuries or damages under the above described circumstances (is) (are):

I do not know. Larry thought it was Mitch who was (might be) plowing that Sunday PM and AM of Mon, 3-18. I blame nobody.



ON 3-18-91 Mr Ed young, living on Hanness  
Ridge, stopped me and showed me broken  
wind shield on his Bronco II XLT, Lic. 2 RBN 129,  
That was broken. He said it had been broken  
ON 3-17-91 by our snow blower. The blower  
may have picked up a piece of ice and blowed  
into his wind shield. We were operating the  
snow blower on this road on march 17, 1991.  
Mr young's vehicle was parked in his driveway  
facing out and approximately 12 feet off the  
roadway. IT appears that this is a reasonable  
claim.

Walter Hoy  
Special District Manager

WHEN YOU NEED GLASS CALL --



Lic. No. 420294

209 683-4459  
FAX 209 683-5258  
40714 HWY 41

P.O. Box 442  
OAKHURST, CA 93644

Date: 4/2/91

ESTIMATE

Ed Young

JOB: \_\_\_\_\_

1 - shaded windshield installed in  
1989 Ford Bronco II.

\$330.<sup>54</sup> installed complete  
including tax

1 - side view mirror replacement

\$15.00 + Tax

All agreements must be made in writing. The  
above quoted prices are good for a period of  
30 days.

Signed \_\_\_\_\_

Signed Alicia Hood

CALIFORNIA HIGHWAY PATROL MISDEMEANOR  
**NOTICE TO APPEAR**  
 CHP 215 (REV. 9-90)  Traffic  Nontraffic **RL 01297**

DATE 4-2 1991 TIME 1:55  AM  PM DAY OF WEEK S M X W T F S

NAME (FIRST, MIDDLE, LAST)  
EDWARD HENRY YOUNG

MAILING ADDRESS  
46023 MING CIR.

CITY DAKHLIST STATE CA ZIP CODE 93644

DRIVER'S LICENSE NUMBER 6-0099811 STATE CA BIRTHDATE 12-15-13

SEX M HAIR Bl/W EYES Bl/W HEIGHT 5-11 WEIGHT 150 RACE -

VEHICLE LICENSE NUMBER 2 RAN 129 REG EXP 9/91 STATE CA VEHICLE TYPE 01

YR. OF VEH. 89 MAKE Ford BODY STYLE BRANCO COLOR GM  C.V. (15210(b)VC)  H.M. (353VC)

REGISTERED OWNER OR LESSEE  SAME AS ABOVE

MAILING ADDRESS OF OWNER OR LESSEE  SAME AS ABOVE

FINANCIAL RESPONSIBILITY  SAME AS PUC/ICC I.D. CHP/DOT/PUC/ICC -

DISMISSIBLE VIOLATION (40610VC) (SEE REVERSE)

YES  NO  VIOLATION(S)  
26710 V.L. BROKEN WINDSHIELD.

YES  NO   
WINDSHIELD.

YES  NO

YES  NO

SPEED				AI	BEAT	SPECIAL	CHP 215S ISSUED	BOOKING REQUIRED
APPROX.	PF	MAX	VEH. LMT.	SAFE	AREA			
-	-	-	-	-	<u>455</u>	<u>52</u>		

LOCATION OF VIOLATION(S)  
S.A. 41 @ S.A. 49

VIOLATION(S) NOT COMMITTED IN MY PRESENCE. DECLARED ON INFORMATION AND BELIEF. I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT EXECUTED AT (PLACE).  
MADENA W

ISSUING OFFICER Edo Juan ID 5410 DATE 4-2-91 VAC DATES - TO: -

NAME OF ARRESTING OFFICER IF DIFFERENT FROM ABOVE ID 457 PERM. AREA 457

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE DESIGNATED BELOW.

SIGNATURE Edward H. Young  MUNICIPAL COURT  JUSTICE COURT  JUVENILE  TO BE NOTIFIED

ADDRESS BASS LAKE 40601 MI 274, 93607

ON THE 6 DAY OF MAY 1991 AT 9A M

OR YOU MAY APPEAR AT \_\_\_\_\_ PM ON \_\_\_\_\_ TO ANSWER CHARGES OF VIOLATION(S) DESCRIBED ABOVE.

**RL01297**



SEE REVERSE

April 9, 1991

The same day we came out from Mojave to West,  
 I received the above <sup>copy</sup> ticket for that broken windshield.

To expedite the situation I had the owner of two  
 estimates (Mountain Computers) install the new windshield as  
 soon as they could, which was Monday, April 8.

I paid for it. Please remit \$280.36 to me  
 when approved.

Thank you  
 Ed Young

April 9, 1991

Jeffrey Green

Maryann County Council

Re: Shattered Windshield.

Thank you for your letter of Mar. 28 '91  
and the claim forms for me to fill out.

Since this is a deviation in your  
instructions and my implementation, I  
am sending this directly to you for  
your O.K. I did not want to receive  
any more traffic tickets.

Please forward these forms on  
to the Board of Supervisors

Thank you

Edward H. Young

P.O. Box 17

Marionville, Missouri, Mo, Ca

Please remit directly to me. 95389

*Send to County.*

### MOUNTAIN COMFORTS

Road 426 P.O. Box 543  
CAKHURST, CALIFORNIA 93644  
(209) 683-7205

CUSTOMER'S ORDER NO.		PHONE	DATE				
NAME Ed Young			April 8, 91				
ADDRESS 46023 Ming Cr. Oakhurst, CA 93644							
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT	
QTY.	DESCRIPTION					PRICE	AMOUNT
	1989 Ford Bronco II Windshield						
	W939 sunshade						
	list \$265.40 less 30%						185.78
	Adhesive kit						7.50
	1 Side View Mirror						8.00
	Tax						20.28 13.08
	labor to install 3.0						214.36 66.00
	TAX						
RECEIVED BY						TOTAL	280.36

*Ed Young Full  
CK # 942*

21098

All claims and returned goods  
MUST be accompanied by this bill.

*Thank You*



~~Invoice~~

# MOUNTAIN COMFORTS

Road 426 P.O. Box 543  
OAKHURST, CALIFORNIA 93644  
(209) 683-7205

Estimate

CUSTOMER'S ORDER NO.		PHONE		DATE		
NAME		Ed Young		April 2, 91		
ADDRESS						
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT
QTY.	DESCRIPTION			PRICE	AMOUNT	
	1989 Ford Bronco II					
	Windshield					
	W939 sunshade					
	list \$265.40 less 30%				185.78	
	Adhesive kit				7.50	
					193.28	
	tax				12.56	
					205.84	
	labor to install 3.0				66.00	
	8.52					
	271.84					
	TAX					
	21985					
	280.36					
	3-2-91					
	TOTAL				271.84	

New side view mirror  
\$8.00  
tax .52  
8.52

All claims and returned goods  
MUST be accompanied by this bill.