MARIPOSA COUNTY RESOLUTION 79-18

INTERIM EMERGENCY CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY ISSUED TO HENRY L. TUNEQUIST
DBA WAWONA DISPOSAL, P. O. BOX 66, WAWONA, CA. 95389

RESOLVED by the Board of Supervisors of the County of
Mariposa, State of California, that:

WHEREAS, Mariposa County Ordinances 353 and 493 require
a Certificate of Public Convenience and Necessity to engage in
the occupation of operating a septic tank cleaning and pumping
service; and

WHEREAS, said ordinances require a public hearing to be
held and no Certificate of Public Convenience and Necessity shall
be granted until the Board of Supervisors shall, after said hear-
ing, declare by resolution that the public convenience and
necessity require issuing said Certificate; and

WHEREAS, Henry L. Tunequist DBA Wawona Disposal has
filed the necessary application for Certificate of Convenience
and Necessity for the purpose of collecting refuse in the Wawona
and Fish Camp areas of Mariposa County and maintaining transfer
station pick-up service and refuse collection service for Wawona
and Fish Camp areas of Mariposa County; and

WHEREAS, the Board of Supervisors has developed bid
specifications for collection of refuse in the County of Mariposa
and has conducted a public hearing and has opened bids; and

WHEREAS, Henry L. Tunequist DBA Wawona Disposal has
submitted a bid proposal on an interim basis and that said pro-
posal was the only proposal received; and

WHEREAS, no objections were heard at the public hearing
and there was testimony stating that there was a definite public
necessity for such service in that portion of Mariposa County described as the Wawona and Fish Camp area and, further, that an emergency exists in the collection and disposal of refuse in the Wawona and Fish Camp area and that said emergency affects the health and safety of the residents of said area;

NOW, THEREFORE, this Board hereby determines and orders that, in accordance with Section 3 of Ordinance 353, the Board of Supervisors declare by this resolution that the public convenience and necessity and the health and welfare of the public requires issuing of said Interim Emergency Certificate of Public Convenience and Necessity to Henry L. Tunequist DBA Wawona, Disposal, subject to the following conditions and limitations:

1. The area to be served under said Certificate of Convenience and Necessity shall be that area generally described as the Wawona and Fish Camp area of Mariposa County.

2. That should Henry L. Tunequist sell or discontinue for fifteen or more consecutive days the business for which this Certificate is granted, said Certificate shall be deemed automatically cancelled and shall not be re-issued unless the provisions of the ordinance are complied with by the applicant.

3. The Certificate of Public Convenience and Necessity may be suspended or revoked by the Board of Supervisors at any time that the Board finds that the owner fails to operate his solid waste and refuse collection business in compliance with Ordinances 353 and 493 or other applicable ordinances or federal or state law and regulations.

4. A copy of this resolution be furnished to Mariposa County Sanitarian, Solid Waste Director, and Auditor.
5. This resolution does not, in any manner, constitute a permit to operate said refuse collection service, and the applicant must comply with all applicable laws, ordinances, rules, and regulations and must apply for and receive any and all required permits prior to operating said service.

6. Said applicant shall use, for dumping purposes only, the Mount Bullion County Dump Site or such other site within Mariposa County as approved by the County of Mariposa from time to time.

7. That this Interim Emergency Certificate shall be for an interim period which shall terminate on or before May 1, 1979, with the understanding that the County of Mariposa and Tunequist shall, prior to May 1, 1979, negotiate and agree upon a long-term contract in keeping with the standards of Ordinance 493 and bid specifications heretofore adopted and published by the County of Mariposa.

8. Tunequist shall provide on an interim basis the following equipment and level of service:

   a. **Equipment:** One sixteen-cubic-yard rear-loading compactor truck.

   b. **Service:**

      (1) The rear-loading compactor truck would be utilized for temporary disposal storage of refuse and would be emptied when fully loaded at the County Dump Site in Mariposa.

      (2) Equipment to be based in Wawona.

      (3) Residential pick-up shall be offered to residents two days per week.

      (4) Commercial pick-up shall be offered to commercial establishments two days per week.
(5) The County shall pay Tunequist the sum of One Hundred Ten Dollars ($110.00) per each 110-mile round trip from Wawona to the Mariposa County Dump Site at Mount Bullion. Tunequist shall collect a receipt for each round trip delivery to the Dump Site from the County Dump Attendant and shall present receipts on a monthly basis to the County Auditor for payment on an official County claim form in accordance with County claim procedures as established by the Board of Supervisors and the County Auditor's office.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa this 6th day of February, 1979, by the following vote:

AYES: Dalton, Clark, Erickson, Weber

NOES: None

NOT VOTING: None

ABSENT: Owings

EUGENE P. DALTON, JR., Chairman
Board of Supervisors

APPROVED AS TO FORM:

NEIL B. VAN WINKLE
County Counsel/Administrative Assistant to the Board

ATTEST:

JOAN J. LYNN
Clerk of the Board