BOARD OF SUPERVISORS - COUNTY OF MARIPOSA

RESOLUTION NO. 78-186

BE IT RESOLVED: That pursuant to the provisions of Division 3, Chapter 1, Article 6 of the Government Code of the State of California, the following Cancellations, Transfers, and Appropriations within the Budget of the County of Mariposa are hereby adopted:

CANCELLATIONS

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<th>Department</th>
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APPROPRIATIONS

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<td>General Contingency</td>
<td>Board's Prof. &amp; Specialized Services Account -- earmarked</td>
<td>$15,000</td>
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<td>for land division investigation</td>
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<td>program as stated in the District</td>
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<td>Attorney's letter</td>
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TRANSFER

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<th>Department</th>
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PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, State of California, this 21 day of November 1978

Ayes: Clark Dalton, Long, Weber, Owings

Nays: None

Absent: None

Not Voting: None

Attends: Crystal Benson

County Clerk and Ex-officio Clerk of the Board of Supervisors

Chairman of the Board of Supervisors
DATE: Nov. 27, 1978

TO: Barbara Saye, Aud-Rec.  FROM: BOARD OF SUPERVISORS
Lynne

RE: Res. 78-186

Attached is a copy of Res. 78-186 relating to appropriation from General Contingency to Board of Supervisors Professional and Special Services account - to be earmarked for Land Division Investigation.
DATE:          11/14/78  

TO:                   

FROM: BOARD OF SUPERVISORS

SUBJECT:                

The Board at its meeting of 11/9/78, took the following action:

"On motion of Long, seconded by Weber, $15,000 appropriated from General Contingency to Board's Prof. & Specialized Services Account, and ear-marked for the land division investigation program as stated in the District Attorney's letter."
CONFIDENTIAL

Honorable Board of Supervisors
COUNTY OF MARIPOSA
Courthouse
Mariposa, California 95338

Gentlemen:

SUBJECT: ONGOING LAND DIVISION INVESTIGATION

Enclosed please find a request from the District Attorney's office in respect to budget requirements in the total amount of $15,000 to insure the continuation of the land division investigation program in the County of Mariposa. In essence, the District Attorney is recommending that a special prosecutor, with expertise in real estate law, should be hired to expedite the program. The letter speaks for itself, and is in concurrence with the previous report from County Counsel's office by letter dated October 24, 1978, a copy of which I enclose for your information.

This office concurs in the request of the District Attorney and recommends the hiring of Attorney George Robison who heretofore has met with the Board of Supervisors in Executive Session.

If you have any questions in respect to this request, please contact this office.

Very truly yours,

[Signature]

NEIL B. VAN WINKLE
COUNTY COUNSEL

NBW:rb
Enclosure
Honororable Board of Supervisors
County of Mariposa
Courthouse
Mariposa, California, 95338

Gentlemen:

SUBJECT: ONGOING LAND DIVISION INVESTIGATIONS

The purpose of this letter is to request additional funds to expedite the ongoing land division investigations now underway under the combined auspices of Office of the District Attorney and the County Counsel's Office with Marguerite Ferrero as investigator-coordinator.

The investigations have progressed to a point where it has become obvious that, due to the other demands of this office, the services of a special prosecutor, with expertise in real estate law, would greatly expedite the program. I feel that the use of an outside prosecutor on a contractual basis will provide for the fastest disposition of the cases now under investigation and will be the most judicious use of county funds to achieve the desired results.

I am therefore requesting that you appropriate sufficient additional funds to continue the investigations for six months. This would amount to $15,000, $10,000 of which will be earmarked for attorney's fees and expenses, and $5,000 of which will be allocated for the investigator's time and expenses. There is approximately $2,000 remaining of the original appropriation which will not suffice to cover the investigator's time and expenses for six additional months.

It is expected that the first case will be consummated well within the six months projected, but other preliminary investigations have been completed and I would like to be assured that the program will be funded sufficiently to pursue them until alternate financing methods can be arranged.
Honorable Board of Supervisors
Page 2
October 25, 1978

For the above reasons, I hereby request that you set aside $15,000 from the Board of Supervisor's Specialized Services Account, and that the money be allocated from the contingent unbudgeted reserves of the General Fund.

Very truly yours,

Ralph J. Campbell
District Attorney

RJC: msf
cy: County Counsel
Marguerite Ferrero
Honorable Board of Supervisors
COUNTY OF MARIPOSA
Courthouse
Mariposa, California 95338

Gentlemen:

SUBJECT: FRAUDULENT LAND DIVISION INVESTIGATION

Pursuant to the request of the Board of Supervisors, I have tried to anticipate a preliminary ongoing budget for the Land Division Investigation pending financial results in the program which would underwrite and carry the budget on a continuing basis.

Attorney George Robison has indicated that his hourly rate would be $50 per hour as and for legal services rendered to the program. We discussed transportation expenses per round trip. Attorney Robison has indicated that he would charge $150 per round trip; this rate would include mileage expense, hourly rate during travel, and meals. The County would be billed actual expenses for long distance telephone calls, overnight lodging, and copy work. There would be no charge for postage or office expenses unless they were to become inordinately large.

I would like the Board to set aside out of general County contingent fund appropriations the sum of $15,000 to cover special legal counsel fees and services and ongoing investigator’s time and expenses. I would allocate $10,000 toward attorney fees and expenses and $5,000 to the ongoing investigator’s time and expenses.

The Board will recall that initially $5,000 was set aside out of anti-recession funds. Approximately $3,000 of the $5,000 has been used up at this time in respect to investigator’s time and expenses. The viability of the program is contingent on a continued forward effort by both the investigator and legal counsel. We are hopeful that we will not use a full $10,000 in terms of legal counsel expenses and fees; however, I would like to budget the program with sufficient certainty to keep it ongoing until such time as we have successfully completed our first case and hopefully generated sufficient revenues to reimburse the General Fund and to pay furture and ongoing expenses.
Honorable Board of Supervisors
Page 2
October 24, 1978

It is my understanding that the County has set aside $130,000 for contingent unbudgeted reserves, and it is my suggestion that the $15,000 be allocated from this fund.

If you have any questions in regard to this matter, please contact this office.

Very truly yours,

NEIL B. VAN WINKLE
COUNTY COUNSEL

NB VW: rb