

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
OCTOBER 3, 1995

Time	Description
9:08 a.m.	Meeting Called to Order
	Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Mike Coffield/County Administrative Officer, advised that last Thursday the Supreme Court validated the constitutionality of Proposition 62 which basically removes authority from the Board to raise the transient occupancy tax (TOT), and that he will bring something back in a couple of weeks for the Board to determine how to deal with the approximately \$180,000 shortage in the budget as a result of this action. The Final Budget for FY 1995-96 was adopted with the concurrence that there would be an increase in the TOT on January 1, 1996.

- Lisa Edelheit/Chief Spokesperson for SEIU, stated the Union has been trying to negotiate a fair labor contract for the County's employees; advised that it was September 20th before economic issues were addressed and last week they were advised that they needed to agree to a ten point proposal from the County or lose their retroactivity, and the County's labor negotiator left the bargaining table; and she requested that they meet more frequently and that the County's labor negotiator come back to the bargaining table.

- Randy Gann/President of SEIU, stated they want a fair contract and believes they have been responsive to negotiations. - Diane Broomfield/member of negotiating team for employees, stated there were close to sixty issues at the beginning of negotiations and at the end of a September meeting, 19 issues were left; the County presented its financial proposal for the first time on September 20th - only ten days before the deadline on the retroactivity issue; at the September 26th meeting, the County's labor negotiator presented a list of ten proposals and told the Union that if they did not agree, he would not recommend an extension to the deadline; and that the fair share issue has not delayed any meeting.

- Kim Scott/member of negotiating team for employees, stated she is frustrated that the County has hired a negotiator and he does not have answers to all of their questions; and feels they have tried to meet the deadline for the retroactivity issue.

- Jeff Jennrich stated he feels it is very unfair for the Board members to offer a two percent salary increase to employees and accept a four percent increase for themselves.

- Mike Coffield/County Administrative Officer, advised that negotiations are continuing - another meeting has been scheduled for next week; the County has not gone public and outside of the negotiation

process, and the Union has with a recent newsletter and newspaper article; and encouraged the Board to not discuss issues on the table and let the negotiation process continue.

- Tom Deal stated he worked for the Road Department for eighteen years and has been on the negotiating team for four times and has never seen the process work like this before - where one side leaves and refuses to come back to the bargaining table.

Approval of Minutes of 09/18/95 (Continued Session from 09/14/95) Budget Hearing; 09/19/95 Regular Session and Budget Hearing; and 09/20/95 (Continued Session from 09/19/95) Budget Hearing

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Stewart stated he had questions on each of the items. Action was taken later this date.

Tom Archer, Human Services Director;

Resolution Authorizing Filling a Vacant Office Assistant II Position in the Human Services Department (\$18,105)

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 95-425 adopted/Ayes: Unanimous.

Consent Agenda items 1 and 2 - Following discussion with Tom Archer/Human Services Director, (M)Stewart, (S)Reilly, items 1 and 2 were approved/Ayes: Unanimous.

Maurie Hoekstra, Librarian;

Resolution Authorizing Librarian to Proceed with Filling Library Assistant II Position at the Mariposa Library (\$24,268)

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 95-428 adopted/Ayes: Unanimous.

9:34 a.m. Mike Edwards, Public Works Director;

A) Discussion and Direction Regarding Purchase of Easement and Construction of Access Road Off of Fairgrounds Drive (4/5ths Vote Required if Budget Appropriation is Acted On)

BOARD ACTION: Mike Edwards presented staff report and advised there was an inadvertent error several years ago when a subdivision map was recorded relative to access to the subdivided parcels. Additional input was provided by Dave Tucker/PWD-Senior Civil Engineer and Charlie Pratt/PWD-Associate Surveyor. Discussion was held concerning the issues and options to resolving the matter. Sarah Williams/Planning Manager, provided input relative to land use zoning for the area and approval of encroachment permit for commercial activity. Gene Mickel stated the pond is on parcels "B" and "C". (M)Balmain, (S)Taber, Res. 95-429 adopted directing County Counsel to initiate the condemnation process, if necessary, to secure title to the portion of Fairgrounds Drive required to provide access to Parcel "C". Motion was amended, agreeable with maker and second, to include direction that costs, not to exceed \$5,000, be taken from Insurance Set Aside Fund/Ayes: Reilly, Balmain, Stewart, Taber; Noes: Parker.

10:08 a.m. Recess

10:19 a.m. B) Resolution Awarding Contract for the Landfill Cover Material, Public Works Project Number PW 95-01, and Authorizing Public Works Director to Execute a Contract with the Bidder Whose Bid is Most Advantageous to the County, as Approved by the Board of Supervisors (Continued from 09/19/95 and 09/26/95)

BOARD ACTION: Mike Edwards advised that both bidders (Mr. Long and Mr. Newman) agreed that the bid bonds be returned and they would reinstate them within six months, and hold their bid amounts at the current level for six months - this would allow them time to pursue the proper permits. Discussion was held concerning the bidders proposals submitted to Total Waste Systems to provide soil in the interim - Mr. Newman is currently permitted for 2,500 cubic yards, and Mr. Long for 7,500 cubic yards.

At 10:30 a.m., Chairman opened and continued the three scheduled Public Hearings to after this discussion.

Further discussion was held relative to providing landfill cover material. Stu Katte/Total Waste Systems, commented on the quotes and delivery. Discussion was held relative to options and conditions for French Camp Road if soil is hauled from the Newman parcel. Supervisor Parker requested a mechanism be established for people who are willing to haul soil to the landfill. (M)Balmain, (S)Stewart, Res. 95-430 adopted rejecting bids submitted for landfill cover material; accepting two quotes submitted to Total Waste Systems at the cubic yard price in the amount of 2,500 cubic yards/Newman, with the condition that Mr. Newman meet Planning Department requirements, and 7,500 cubic yards/Long and directing Public Works to negotiate for material to cover the interim period; and to proceed with the bid process when the appropriate permits are obtained by the previous bidders, with further direction that the bid specifications require that all permits and licenses be in place and covered with a performance bond. Further discussion was held. County Counsel suggested that Public Works include in the bid specifications the right to impose mitigation measures on future bids. Ed Johnson/Planning and Building Director, clarified that the current permit for Mr. Newman is for french drains. Ayes: Reilly, Balmain, Stewart, Parker; Noes: Taber.

11:04 a.m. Ed Johnson, Planning and Building Director;

A) PUBLIC HEARING to Consider Directing Staff to File a Notice of Exemption for the Project and Resolution Approving Revised Planned Unit Development Number 1, Mariposa Vista Estates, Glenn Thole and Peter Winslow, Applicants

BOARD ACTION: Jay Pawlek/Planner, presented staff report and responded to questions from the Board relative to Standen Park Road and the new configuration for the development and access and emergency exits. Public portion of the hearing was opened and input provided by the following: Bill Summermeier/Civil Engineer for project, provided input relative to the emergency exits and stated this will make it better for the area; and feels that with the reconfiguration, the parcels fit the area better. Mr. Summermeier responded to questions from the Board relative to Fournier Road and future engineering and relative to emergency access through Idle Wheels Mobile Home Park. Rachel Oliver/resident on Standen Park Drive, commended the developers for bringing back a better plan;

expressed concern with the "crash gates" for emergency access; requested that the developers be required to save as many pine trees as possible; expressed concern with fire danger; and requested that there be no street lamps. Gene Mickel stated he supports the project and with the removal of a pile of dirt, there is another emergency access that comes in behind Yosemite Bank headquarters. Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to questions from the Board relative to access to the Trujillo property; road flooding problems in the area; improvements to Standen Park Road; road maintenance; "crash gates"; tree plan; street lights; and access. Ed Johnson advised that following this process, the subdivision map will go through a hearing process. (M)Reilly, (S)Balmain, Res. 95-431 adopted directing staff to file a Notice of Exemption for the project and approving revised Planned Development Unit No. 1 with the recommended standards and findings/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Taber. Hearing was closed.

B) PUBLIC HEARING to Consider Resolution Denying Appeal and Upholding the Planning Commission's Conditions Applied to Land Division Application Number 1458, Black Hills Associates, Applicant; Gerald Mack, Appellant

BOARD ACTION: Ed Johnson/Planning and Building Director, advised that this and the next hearing both deal with fire safe regulations and concerns - there are areas where the State PRC 4290 requirements conflict with the County requirements, so Planning staff and Commission tried to reach a compromise with the guidelines. Jeff Green/County Counsel, stated that if the issue is which regulations pre-empt the other, he felt the matter should be referred to him for research and review and to make a legal determination. Ed Johnson recommended that Board hear both appeals as the compromise recommended meets CDF's approval. Pete Marquez/California Division of Forestry and Fire Protection, stated he recently became aware of the conflicts with the requirements and that the inconsistencies need to be reviewed and dealt with. Board concurred with hearing the appeals. Jay Pawlek/Planner, presented staff report, and responded to questions from the Board relative to the proposed turnaround; application of PRC 4290 to driveways; and grade, length and width of the road. Public portion of the hearing was opened and input was received from the following: Larry Mack/appellant and property owner at the end of the driveway, stated he is not opposed to the subdivision, but opposes the way the road is being built; advised of his conversation with a Planning Commissioner who advised that she felt the Commission made a mistake after visiting the site after their consideration of the matter; expressed concern with the impact the increased traffic will have on access to the driveway; advised of inaccuracies on the subdivision map relative to the road; stated he felt PRC 4290 requirements should be followed; and presented photographs of the road. Mr. Mack responded to question from the Board relative to ingress and egress during reconstruction of the existing road. Hearing was continued for the following hearing to be opened.

C) PUBLIC HEARING to Consider Resolution Granting a Portion of Appeal and Revision of Condition Number 8 of Land Division Application Number 1457, Frank Long, Applicant and Appellant

BOARD ACTION: Hearing was opened and continued to 2:00 p.m., with the concurrence of the applicant.

Board continued with the Appeal Hearing for LDA 1458. Robert Hayden stated he would not agree or consider a road being constructed above him as an alternate route during reconstruction of the existing driveway, and stated they want to use the existing road. Dick Seaman/Freeman & Seaman, representing the applicant, presented a map with an accurate scale and clarified the notation on the map with regards to the location of the driveway from the proposed turnaround; cited County and CDF requirements; and requested that the appeal be denied. Steve Sanders/son of applicant, stated they want to accommodate the neighbors and agree with placing the turnaround at the boundary of the Mack parcel, along with an additional one at their other property boundary; are willing to develop the road to a Class II standard and make sure that the neighbors have access during road construction; are concerned with fire safety; commented on the agreement with the neighbor relative to locking the gate; and requested the Board uphold the Planning Commission's decision. Under rebuttal, Mr. Mack cited PRC regulations and stated he feels the State guidelines should apply to this project. Mr. Hayden stated he feels it would be better to finish the road all the way versus building two turnarounds. Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to questions from the Board relative to the different guidelines - Ed Johnson advised that Planning, CDF, and Public Works all agree with the Commission's recommendation. (M)Balmain, (S)Taber, Res. 95-432 adopted modifying Condition No. 2 to require the developer to improve the easement to a Rural Class 1 SRA standard from Highway 140 to the northern boundary of Parcel D; modifying Condition No. 3 to require the developer to improve the easement to County standards from the northern boundary of Parcel D to the boundary with the Mack parcel, and install a turn-around at the Mack parcel boundary with turnouts every 400 feet; deny appeal with regards to Condition No. 10/penalty clause for access to the road; and deny appeal with regards to financial assurances/Ayes: Unanimous. Hearing was closed.

1:07 p.m. Lunch

2:06 p.m. C) PUBLIC HEARING to Consider Resolution Granting a Portion of Appeal and Revision of Condition Number 8 of Land Division Application Number 1457, Frank Long, Applicant and Appellant

BOARD ACTION: Greta Hudak/Planner, presented staff report and responded to questions from the Board relative to survey standards for covenant of non-protest and recent State changes in requirements. Public portion of the hearing was opened and input was provided by the following: Frank Long/applicant and appellant, commended Planning staff for being considerate and professional; however, stated he disagrees with the survey requirements - stated his application is the first to deal with the costly new State requirements; advised of his conversation with Mr. Martin of the State Board of Equalization relative to the requirements who advised that a covenant of non-protest on the map is not required until there is an application for a zone of benefit for this type of subdivision; and referred to memorandum from Public Works to Planning relative to road maintenance issues. Mr. Long responded to questions from the Board relative to the survey requirements and covenant of non-

protest and relative to the status of Williamson Act on the property and proposed improvements. Public portion of the hearing was closed and Board commenced with deliberations. Charlie Pratt/PWD-Associate Surveyor, responded to questions from the Board relative to his conversations with the State Board of Equalization and requirements for this type of subdivision. Staff responded to questions from the Board relative to the changes in the State's requirements for processing zones of benefit. (M)Taber, (S)Stewart, Res. 95-433 adopted amending condition for Parcel No. 1 by adding condition to the map, with language to be approved by County Counsel, that if an easement road is ever developed, the owner or subsequent holder of title, will bear their fair share of road maintenance costs. Applicant agreed to this condition. Ayes: Unanimous. Hearing was closed.

Discussion and Direction Relative to the County's Execution of a Promissory Note on Behalf of Area 12 Agency on Aging (County Counsel)
BOARD ACTION: Mike Coffield/County Administrative Officer, advised that the Area 12 Agency on Aging requested that this matter be pulled as they do not want to obligate the County. Item was withdrawn.

Resolution Rescheduling the Board's Regularly Scheduled Meeting for October 10, 1995, to Convene at 10:00 a.m., at the Coulterville Community Hall (Supervisor Balmain)
BOARD ACTION: (M)Balmain, (S)Taber, Res. 95-434 adopted/Ayes: Unanimous.

Resolution Rescheduling the Board's Regularly Scheduled Meeting for November 21, 1995, to Convene on Monday, November 20, 1995, at 9:00 a.m., in Yosemite National Park (Supervisor Reilly)
BOARD ACTION: (M)Reilly, (S)Balmain, Res. 95-435 adopted/Ayes: Unanimous.

Discussion and Direction on Drafting Responses to the 1994/95 Grand Jury Report (County Administrative Officer)
BOARD ACTION: Discussion was held. Board concurred with Supervisors Parker and Balmain drafting response to recommendations No. 1 and 2 for consideration by the Board; and concurred with the other responses as recommended.

Consent Agenda item 3 and 4 - Following discussion, (M)Stewart, (S)Balmain, items 3 and 4 were approved/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Taber.

CLOSED SESSION Regarding Conference with Legal Counsel Relative to Existing Litigation (Case Number 7544) (County Counsel)
BOARD ACTION: At County Counsel's request, matter was continued to October 17, 1995, for additional information to be received.

3:14 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to General Employees (SEIU) (County Labor Negotiator) and Mariposa Sheriff's Management Association (County Administrative Officer)
BOARD ACTION: (M)Balmain, (S)Reilly, closed session was held following a short recess/Ayes: Unanimous.

3:55 p.m. Board reconvened in open session with direction given to County Administrative Officer as a result of closed session relative to labor negotiations.

INFORMATION - No action was necessary on the following:
Board Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

CA-1 Resolution Authorizing Chairman to Sign Agreement with the State of California Alcohol and Drug Programs for Provision of Services in Mariposa County for Fiscal Year 1995/96 (\$377,124) (Human Services Director); Res. 95-426

CA-2 Resolution Authorizing Chairman to Sign the Memorandum of Understanding (MOU) Between the California Department of Social Services and Mariposa County for Foster Family Home Licensing Services Currently Performed by the Human Services Department (\$12,825) (Human Services Director); Res. 95-427

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with deliberations. (M)Balmain, (S)Stewart, Res. 95-441 adopted approving recommended fees for Don Pedro Sewer Zone/Ayes: Unanimous. Mike Edwards presented staff report for Coulterville Service Area Zone fees; and advised of the Advisory Committee's recommendation to increase the over-usage fee and not increase the other fees. Staff responded to questions from the Board relative to status of repairs and upgrades to the system; use of Water Agency funding; and status of delinquent accounts. Public portion of the hearing was opened and input was provided by the following: Joan Tune/Chairman of the Advisory Committee, asked about fund balances and read a statement from the Committee regarding issues relative to the District and its management; expressed concern with the charges to businesses on a table and chair basis, and advised that the Committee is reviewing a plan to change the ordinance with regards to the way fees are being charged. Karl Harla stated he does not see a need to increase the fees as the installation of a new gravity water flow system was supposed to save operational costs; and he questioned how the hourly billing rate was reached. Charles Day/Don Pedro, cited his previous experience where sewer rates were determined on water usages. Ann Stewart stated she feels it has been difficult to get detailed budget information for the District and requested that a quarterly report be provided; and further requested that staff submit information to the Advisory Committee in advance of their meetings. Fred Shannon/Coulterville Cafe, expressed concern with the rate structure being based on the number of tables and chairs for businesses versus water usage; and suggested using estimated billings, with the billings to be adjusted based on a periodic meter reading. Karen Fielding/Hotel Jeffery, stated she agreed that the rate structure needs to be changed so that fees are based on actual water usage and she has tried to get this changed since 1992 - the existing structure forces them to remove chairs and close the restaurant much of the time; expressed concern with the sewer rates being based on a per unit basis; requested the State guidelines be used for entities that fall under the "fair and equitable" law; expressed concern with the proposed increase for the over-usage fee as she feels it would only affect the three businesses; and suggested that a separate committee be formed to re-draft the ordinance for the fee structure. Walt McClary, advised that the Advisory Committee was waiting on the rate changes due to the study being done for the LAFCo report. Elvie Bullis expressed concern with the current rate structure and stated that she does not feel the County is paying on the same "per chair" basis for the park facilities. Karen Fielding clarified that she is requesting that the ordinance itself be restructured relative to the formula so that it is based on usage. Fred Shannon stated he felt it should be easy to make the changes in the rate structure. Joan Tune stated the current rate structure was established with the original ordinance that created the District and the Advisory Board has tried to reach a solution to the current system and urged the business owners to attend the Advisory Committee meetings; and further commented that the County pays the same rate for the park facilities as a resident. Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to the concerns and questions raised by the public. (M)Balmain, (S)Taber, direction was given for staff to work with the Advisory Committee to pursue an independent contractor for maintenance of this District, and to restructure the fee ordinance so that it is based on usage, with fresh water usage to dictate sewer rates. Following

further discussion, motion was amended, agreeable with maker and second, to include direction that the fee not be increased at this time/Ayes: Balmain, Taber; Noes: Reilly, Parker, Stewart. Motion failed. (M)Balmain, (S)Taber, to increase fees by ten percent as recommended, with direction to staff to work with the Advisory Committee to pursue an independent contractor for maintenance of this District, and to restructure the fee ordinance so that it is based on usage, with fresh water usage to dictate sewer rates, was withdrawn by maker, agreeable with second, following discussion. (M)Balmain, (S)Reilly, Res. 95-442 adopted approving fee increase of ten percent as recommended for Coulterville Service Area Zone/Ayes: Unanimous. (M)Balmain, (S)Taber, direction was given to staff to look into privatizing maintenance of the Coulterville Service Area District and work with the Advisory Board and restructure the ordinance for rates to be based on how much water is used and how much of that water goes into the sewer system/Ayes: Balmain, Stewart, Parker, Taber; Noes: Reilly. Hearing was closed.

Balance of Public Works items were continued to after the following items.

12:16 p.m. Recess

12:30 p.m. Resolution Waiving First Reading and Introducing Ordinance Prohibiting Range Livestock to Run at Large on Public Land (County Counsel)

BOARD ACTION: Jeff Green/County Counsel, advised of a phone call received from Scott Crisp requesting that this matter be continued for one week. Matter was continued to October 17, 1995.

Jim Evans Housing and Community Development Agency Director;
Resolution Authorizing the Housing and Community Development Agency Director to Submit a Preliminary Proposal to the Stanislaus National Forest Regarding the Bower Cave/Jordan Creek Project

BOARD ACTION: Matter was continued to October 24, 1995.

12:32 p.m. BOARD OF SUPERVISORS and MARIPOSA COUNTY WATER AGENCY
Ed Johnson, Planning and Building Director;
Consideration of Final Coulterville Water and Wastewater Facilities Cost Analysis/Rate Study for Board and Authorizing Payment of Additional \$350 to Consultant (RCAC) for Extra Meeting

with Advisory Committee in May of 1995, from the Water Agency Budget (Professional Services Line Item)

BOARD/AGENCY ACTION: Following discussion, (M)Balmain, (S)Reilly, Board Res. 95-443 and Water Agency Res. 95-4 adopted/Ayes: Unanimous.

Public Works items:

B) Resolution Rejecting Both Bids for Lake Don Pedro Sewer Rehabilitation, Public Works Project Number PW 91-05; Directing Public Works Director to Prepare New Plans and Specifications for a Much-Reduced Project (Cost Not to Exceed \$75,000); and Authorizing the Public Works Director to Seek Informal Bids and to Execute Contract with the Lowest Responsible Bidder

BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Res. 95-444 adopted/Ayes: Unanimous.

C) Resolution Approving Purchase of a Safety Pool Cover for the Coulterville Pool and Transferring Funds within the Facilities Maintenance Budget (\$2,500)

BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Res. 95-445 adopted/Ayes: Unanimous.

D) Status Report on State Route 132 Realignment Project and Recommendation Regarding Possible Down-Scoping of the Project by Caltrans. Staff Recommends No Decision on a Reduced Scope Prior to Final Caltrans Recommendation on 1996 State Transportation Improvement Program (STIP)

BOARD ACTION: Mike Edwards gave status report and advised of information received relative to decisions concerning the endangered species. Following discussion, (M)Reilly, (S)Taber, Supervisor Balmain was selected to work with Public Works Director or his designee to monitor the process for this project and attend the California Transportation Commission meetings when decisions affecting Highway 132 funding are made, and to provide input accordingly; and further direction was given that the full Board be kept informed of the status of funding for this project/Ayes: Unanimous.

E) Presentation and Discussion Regarding the Possibility of Accepting Additional Existing Roads into the County Maintained Mileage System

BOARD ACTION: Mike Edwards presented staff report and advised that they estimate there are 1500 miles of public access, privately maintained roads in the County. Supervisor Balmain requested that the Board consider funding for grading improvements to these types of roads once or twice a year to assist property owners in their maintenance efforts. Discussion was held relative to liability concerns, whether maintenance by the County could require that these roads be taken into the County maintained system and other issues. Input from the public was provided by the following: Blaine Sturtevant advised of the previous donation of a grader to the northside community for maintenance. Samantha Brashears commented on the request from Cuneo Road residents for assistance with road maintenance and stated she feels it would be of benefit for the County to take this road into its system for maintenance. Walt McClary questioned the \$1,200 per mile maintenance cost cited by Public Works to maintain dirt roads. Samantha Brashears provided additional input

relative to their work with BLM and Forestry to have the road brushed. Maryanne Durso/Crown Lead Road, commented on their petition to the Board for assistance with road maintenance and on their efforts. Joseph Durso/Crown Lead Road, stated he does not understand how this could be a private road and commented that if a person did not understand road maintenance, they could make the road worse with their efforts. Maryanne Durso commented on the problems with those who use the road, but are not residents. Board concurred with Supervisors Balmain and Stewart working with staff on this matter, and the previous issue of reviewing federal/county road issues.

F) Presentation and Discussion on the Status of Solid Waste Management Costs in Mariposa County and the Proposed Co-Composting Partnership Between Mariposa County, Yosemite National Park and the State of California

BOARD ACTION: Matter was pulled pending receipt of additional information from upcoming meeting.

G) Information Regarding Recommendations to Develop Solutions to Problems Regarding Tuolumne/Mariposa County Boundary

BOARD ACTION: Matter was pulled pending receipt of additional information.

Resolution Reappointing County Counsel to a Four-Year Term Commencing on 10/12/95 (County Counsel)

BOARD ACTION: Supervisor Taber advised of request received from persons who would like this matter continued to a meeting in Mariposa to be able to present concerns. (M)Reilly, (S)Stewart, Res. 95-446 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber. Walt McClary questioned the Grand Jury actions with regards to this reappointment.

With regards to the earlier discussion of the Highway 132 project and distribution of tax dollars, Ann Stewart asked why the County couldn't demand its portion of the road maintenance funds from the State.

Consent Agenda item 2 - Following discussion, item 2 was approved/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber.

1:56 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to General Employees (SEIU) (County Labor Negotiator) and Mariposa Sheriff's Management Association (MSMA) (County Administrative Officer)

BOARD ACTION: (M)Reilly, (S)Stewart, Board recessed to closed session following a short recess/Ayes: Reilly, Stewart, Parker; Noes: Balmain, Taber, who wanted to recess for lunch first.

2:45 p.m. Board reconvened in open session with direction given to County Administrative Officer in closed session relative to labor negotiations with Mariposa Sheriff's Management Association.

CONSENT AGENDA

CA-1 Resolution Authorizing the Housing and Community Development Agency Director to Submit an Application (\$10,000) and Execute the Standard Agreement Regarding the California Emergency Housing Assistance Program (Housing and Community Development Agency Director); Res. 95-438

CA-2 Resolution Approving and Authorizing Chairman to Execute Personal Services Agreement with Barbara Gann Shouten for Services Rendered and Transferring Funds from Extra-Help to Professional Services (\$3,700) for Assistance with the Statewide Automated Child Support System (District Attorney/Family Support Division); Res. 95-447

CA-3 Resolution Approving and Authorizing Chairman to Execute Children's Medical Services (CMS) Plan and Budget Justification for Fiscal Year 1995/96 for California Children Services (CCS) (\$19,478) and for Child Health and Disability Program (CHDP) (\$46,367) (County Health Officer); Res. 95-439

CA-4 Appoint Leroy A. Christman to the Lake Don Pedro Sewer District Ad Hoc Committee (Supervisor Balmain)

CA-5 Resolution Authorizing Auditor to Execute Contract Renewal with Vision Service Plan for the Period of 10/01/95 through 09/30/97 (Auditor); Res. 95-440

2:47 p.m. ADJOURNMENT in memory of June L. Williams, William L. Barnett, Alexander W. Korn, Janet S. Whitfield, John Donald Rowe, Rena M. Lee, and Brent Brillhart.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

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MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
OCTOBER 17, 1995

Time Description
9:05 a.m. Meeting Called to Order
Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Leota Striplin/Chairman of American Cancer Society, advised that pink ribbons are being worn in recognition of October as "Breast Cancer Awareness" month.

James C. Landis, Disaster Services Volunteer;
Proclaiming October 21, 1995, as "Red Cross Day in Mariposa County"
BOARD ACTION: (M)Taber, (S)Reilly, Proclamation was approved and presented to James Landis, Connie Hammersley, Stu Tanner, and Pandora Edmonston/Ayes: Unanimous.

Approval of Minutes of 10/03/95 Regular Session
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: (M)Reilly, (S)Balmain, all items were approved/ Ayes: Unanimous.

Christine Johnson, District Attorney;
Resolution Waiving Hiring Freeze and Approving Filling of Account Clerk II Vacancy in the Family Support Division
BOARD ACTION: Following discussion, (M)Taber, (S)Stewart, Res. 95-449 adopted/Ayes: Unanimous.

Request for Appointment of Board Liaison to Mariposa Economic Development Corporation (Chairman Parker)
BOARD ACTION: Following discussion, Board appointed Jim Evans/Housing and Community Development Agency Director, as liaison to the Mariposa Economic Development Corporation/Ayes: Unanimous.

Resolution Opposing Senate Bill 1066 (Campbell) Which Would Prohibit Local Agencies from Levying, Collecting or Imposing any Monetary Charge or Exaction, Including Excise Taxes, for General Revenue Purposes on Development Projects and Authorizing Chairman to Request Opposition from State Legislators (Chairman Parker)
BOARD ACTION: Following discussion, (M)Taber, (S)Balmain, Res. 95-450 adopted/Ayes: Balmain, Stewart, Parker, Taber; Abstained: Reilly.

9:20 a.m. Don Z. Phillips, Treasurer;
Presentation by Alan G. Seidner, Investment Consultant for the Mariposa
County Treasurer, Concerning Investment Portfolio and Performance
BOARD ACTION: Mr. Seidner reviewed the investment portfolio and
performance and responded to questions from the Board.

9:45 a.m. Resolution Waiving First Reading and Introducing Ordinance
Prohibiting Range Livestock to Run at Large on Public Land (Continued
from October 10, 1995) (County Counsel)
BOARD ACTION: Jeff Green/County Counsel, advised of request to continue
the matter to October 24, 1995, and advised that the Sheriff and Farm
Bureau have agreed on language changes. Following discussion, matter was
continued to October 24, 1995.

9:50 a.m. Roger Matlock, Sheriff;
Report to the Board for a Study Relative to Microchip Animal Licensing
BOARD ACTION: James Allen/Sheriff's Department Captain, presented the
report and responded to questions. No action was taken.

9:57 a.m. Recess

10:07 a.m. Discussion with Fish Camp Residents Concerning Trespass
Problems in the Area (Supervisor Taber)
BOARD ACTION: Supervisor Taber advised of trespass concerns she receives
from residents of Fish Camp. Input was provided by the following: Mrs.
Andrew Matto stated she feels they receive inadequate response from law
enforcement to the trespass problems; the "no parking" areas need to be
enforced; and the winter snow play trespasses onto their private
property. Art Schneider commented on ongoing problems - trespassers
stealing electricity from outlets at the Post Office and residents, and
leaving their trash behind; violation of parking signs; feels the rental
of inner tubes for snow play is a public nuisance and safety hazard; and
stated he feels they need a deputy present for weekends and holidays.
Robert Keller requested that he be allowed to speak after the Sheriff
responded to the concerns. Roger Matlock/Sheriff, stated they recognize
the problems and have worked hard to create a better situation and
advised of their efforts to have a presence in the area and to coordinate
with other agencies; and commented on technicalities with the existing
ordinance that do not allow for citations for some of the problems. Pelk
Richards/Undersheriff, provided input relative to the ordinance and
dealing with the trespass and parking problems and concerns. Board
concurred with Supervisor Taber working with the multi-agency group, the
Postal Service, Public Works and Sheriff's Department to find solutions
to the problems. Robert Keller provided input relative to their efforts
to alleviate the problems and noted that the signs constantly need to be
replaced due to theft.

Resolution Rescinding Resolution Number 89-55 in its Entirety and Re-
Establishing the Midpines Community Advisory Committee (Supervisor
Reilly)

BOARD ACTION: Following discussion, (M)Taber, (S)Reilly, Res. 95-451
adopted/Ayes: Unanimous.

11:00 a.m. Mike Edwards, Public Works Director;

A) PUBLIC HEARING on the Matter of the Formation of the Fish Camp Fire Company Zone of Benefit and Appropriation from Reserve for Contingency for State Board of Equalization Fees/\$750 (4/5ths Vote Required)

BOARD ACTION: Discussion was held concerning the process and whether to take this hearing off calendar and reschedule it in the future. Staff advised they are reviewing possible changes to the scope of the zone and will bring the matter back at another time when appropriate. Gil Singh/resident of Fish Camp, questioned the process of how this zone came about and stated he felt it was presented to the Board by a few persons and the rest of the community was not informed. Supervisor Parker requested that staff review this. Supervisor Taber requested that when the hearing is rescheduled that it be held in Fish Camp. Matter was taken off calendar.

B) Discussion and Direction Regarding Establishment of a Revolving Fund, Pursuant to Section 25210.9c, Article 1, Chapter 2.2 (County Service Areas), Part 2, Division 2 of Title 3 of Government Code, for the Purpose of Financing Costs Associated with Zones of Benefit within Countywide County Service Area Number 1, in Particular with Regard to Financing Improvements for the Proposed Broncho Hollow Zone of Benefit (4/5ths Vote Required if Revolving Fund is Established)

BOARD ACTION: Mike Edwards reviewed recommendation. Dave Tucker/PWD-Senior Civil Engineer, provided input. Discussion was held on the options. Supervisor Parker requested that if some other funding mechanism becomes available, that it be used for this project; and requested that staff continue to investigate other funding mechanisms. (M)Taber, (S)Reilly, Res. 95-452 adopted approving recommendation to consider financing improvements with a loan from the County General Fund/Ayes: Unanimous.

11:50 a.m. Recess

12:00 noon C) Resolution Adopting Bid and Contract Documents for the Midpines Community Center Water Well, Public Works Project Number PW 95-07, Setting a Bid Opening Date for Thursday, November 16, 1995, at 10:00 a.m., Authorizing the Public Works Director to Execute a Contract with the Lowest Responsible Bidder and Approving Additional Funding from Reserve for Contingency, as Necessary (Up to a Maximum of \$28,000 Total) (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Mike Edwards/Public Works Director, and Dave Tucker/PWD-Senior Civil Engineer. (M)Reilly, (S)Stewart, Res. 95-453 adopted, with direction that any unused funds be returned to Reserve for Contingency/Ayes: Unanimous.

12:28 p.m. CLOSED SESSION Regarding Conference with Legal Counsel Relative to Existing Litigation (Case Number 7544) (Continued from 10/03/95) (County Counsel);

CLOSED SESSION Regarding Conference with Legal Counsel Relative to Existing Litigation (Workers' Compensation Claim Number 095-0004) (County Counsel); and

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to General Employees (SEIU) (County Labor Negotiator), Mariposa County Management and Confidential Organization (MCMCO) (County Labor

Negotiator), and Mariposa Sheriff's Management Association (County Administrative Officer)
BOARD ACTION: (M)Reilly, (S)Balmain, closed session was held/Ayes: Unanimous.

1:25 p.m. Board reconvened in open session with direction given to County Counsel relative to possible settlement of a workers compensation claim, and direction to County Administrative Officer relative to labor negotiation issues, as a result of closed session.

CONSENT AGENDA

CA-1 MARIPOSA COUNTY WATER AGENCY
Resolution Approving Transfer of Funds from Water Agency Extra-Help to Fixed Assets for Purchase of File Cabinet (\$650) (County Administrative Officer); Water Agency Res. 95-5

CA-2 Resolution Authorizing Human Services Director to Execute the Field Practicum Agreement Between the California State University, Stanislaus, and the Mariposa County Human Services Department Relative to the Master of Social Work Program (Human Services Director); Res. 95-448

CA-3 Appoint Douglas Chappell to the Midpines Community Advisory Committee (Supervisor Reilly)

CA-4 Accept Resignation of Ethel Henderson from the Tourism Advisory Council, Representing the Northside (Supervisor Balmain)

1:26 p.m. ADJOURNMENT in memory of Ernie Anderson.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

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MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
OCTOBER 24, 1995

Time Description
9:06 a.m. Meeting Called to Order

Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda - None

Chairman Parker thanked Leota Striplin for providing red ribbons in recognition of "Red Ribbon" week.

Resolution Recognizing Mary H. Mennig for Her Service to the John C. Fremont Healthcare District and the Community of Mariposa
BOARD ACTION: (M)Taber, (S)Reilly, Res. 95-454 adopted and presented to Mary Mennig/Ayes: Unanimous.

Approval of Minutes of 10/10/95 Regular Session
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Mike Coffield/County Administrative Officer, pulled item 6 - to be scheduled on November 7, 1995, with item to designate the process for establishing appropriation limits. Jeff Green/County Counsel, pulled item 7 for discussion with Public Works Director - direction was given later this date. (M)Reilly, (S)Balmain, balance of items were approved/Ayes: Unanimous.

9:15 a.m. PUBLIC HEARING to Adopt Resolution Approving an Application (\$23,500) and Execution of a Grant Agreement from the Planning/Technical Assistance Allocation of the State Community Development Block Grant Program
BOARD ACTION: Hearing was opened and continued to after the following items.

Charles Mosher, County Health Officer;
Discussion and Direction to Staff Regarding Appointment of Alternates to Mariposa County Emergency Medical Care Committee (EMCC)
BOARD ACTION: Following discussion, (M)Taber, (S)Balmain, Res. 95-458 adopted establishing a policy whereby a regular member of the EMCC Committee can recommend to the Board an alternate member and approving amendment to the by-laws to reflect that the alternate member shall meet Board approval/Ayes: Unanimous.

Jim Evans, Housing and Community Development Agency Director;

B) Resolution Authorizing the Housing and Community Development Agency Director to Submit a Preliminary Proposal to the Stanislaus National Forest Regarding the Bower Cave/Jordan Creek Project (Continued from 10/10/95)

BOARD ACTION: Discussion was held with Jim Evans and Bill Leonard/President of American Indian Council, concerning the proposal. (M)Balmain, (S)Taber, Res. 95-459 adopted/Ayes: Unanimous.

A) PUBLIC HEARING to Adopt Resolution Approving an Application (\$23,500) and Execution of a Grant Agreement from the Planning/Technical Assistance Allocation of the State Community Development Block Grant Program

BOARD ACTION: Jim Evans presented staff report and advised that the application would be for a total amount of \$26,775. There was no public input. Board commenced with deliberations. (M)Balmain, (S)Reilly, Res. 95-460 adopted/Ayes: Unanimous. Hearing was closed.

9:40 a.m. Resolution Waiving First Reading and Introducing Ordinance Prohibiting Range Livestock to Run at Large on Public Land (Continued from 10/10/95 and 10/17/95) (County Counsel)

BOARD ACTION: Jeff Green/County Counsel, presented staff report and advised that the Sheriff and Farm Bureau provided input for drafting the ordinance. Discussion was held concerning affect this ordinance would have on roads and open range areas. Roger Matlock/Sheriff, Pelk Richards/Undersheriff, and Scott Crisp/Farm Bureau President, provided input relative to the proposed ordinance. Discussion was held relative to status of open/closed range issues for the County. Matter was taken off calendar for staff to further review the issues raised and bring the matter back.

9:54 a.m. Jim Eutsler, Community Services Director;

Resolution Approving Construction of a Memorial Pavilion at the Catheys Valley Cemetery and Paying Permit Fees from Cemetery Budget (\$527.70)

BOARD ACTION: Following discussion, (M)Stewart, (S)Balmain, Res. 95-461 adopted/Ayes: Unanimous. Supervisor Stewart advised that they are still working on policies and other issues pertaining to cemeteries.

10:00 a.m. Mike Edwards, Public Works Director;

A) Resolution Authorizing Utilization of Rest Area as Yosemite Connection Bus Stop; Directing Public Works to Relocate Bus Stop Sign; Monitoring Use of Bus Parking Spaces; and Making Recommendations at a Later Date for a Bus Shelter and Signing Improvements

BOARD ACTION: Discussion was held with Gwen Foster/PWD-Junior Civil Engineer. Mike Edwards advised of receipt of a grant for bus stop improvements. (M)Reilly, (S)Stewart, Res. 95-462 adopted/Ayes: Unanimous.

B) Discussion and Direction to Staff Regarding Possible Recruitment of Mariposa/Yosemite Airport Manager

BOARD ACTION: Discussion was held with Mike Edwards and Gwen Foster relative to Airport budget issues and options for management. Board concurred with staff pursuing the County manager option for management of the Airport; staff to work with County Administrative Officer on budget

issues and Personnel Officer on drafting class specification; and work with Board's liaison committee and Airport Advisory Committee to bring the matter back to the Board for further consideration.

10:45 a.m. Recess

11:02 a.m. C) Status Report of Activities by the Public Works Department During the Third Quarter of 1995
BOARD ACTION: No action was necessary on the report.

Consent Agenda item 7 - Discussion was held with Mike Edwards/ Public Works Director, relative to the lease agreement for the facilities. Item was pulled from the agenda and direction given for Public Works to notify the lessor of the need for reroofing the facility; and Board concurred that the funding set aside in the Capital Improvement Program budget for this project be used toward any shortfall in the History Center reroof project.

Report and Discussion Concerning San Joaquin Valley Supervisors Association (SJVSA) Meeting (Supervisor Stewart)
BOARD ACTION: Supervisor Stewart presented report and advised that it will be the County's turn to host the meeting in 1997; and stated he would be willing to assist with this. Board Clerk to check status of Board representation.

Responses to the 1994/95 Grand Jury Report (County Administrative Officer)
BOARD ACTION: Mike Coffield/County Administrative Officer, presented report and advised that a copy of the final audit report for the Clean Water Grant projects was received from the current Grand Jury after the responses were prepared. With the final audit report, it is now possible to respond to the findings and recommendations concerning the Clean Water Grant projects. Discussion was held. (M)Balmain, (S)Stewart, Board directed that the responses be submitted to the Superior Court Judge, with the changes as discussed - note that information is to follow on the Clean Water Grant projects as the audit report was just received last Friday, addition of sentence to Recommendation No. 5 that the recently acquired accounting system prevents duplicate payment; and with changes to response for Recommendation 1 and 2/Ayes: Unanimous.

Proposition 62 Strategy (County Administrative Officer)
BOARD ACTION: Mike Coffield/County Administrative Officer, presented staff report and options relative to the transient occupancy tax (TOT) increase status and affect of Supreme Court ruling on Proposition 62, and advised that the deadline for placing a measure on the ballot is November 20, 1995. Discussion was held. (M)Taber, (S)Reilly, Board concurred with providing direction to departments to not spend items designated in staff report as "dependent on vote" until the result of the March primary election relative to the TOT tax increase is known; and direction was given to staff to bring back information for a ballot measure for the March 26th primary election to increase the TOT tax to ten percent in order to maintain the budget as balanced during the final budget hearings/Ayes: Unanimous.

12:06 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to General Employees (SEIU) (County Labor Negotiator), Mariposa County Management and Confidential Organization (MCMCO) (County Labor Negotiator), and Mariposa Sheriff's Management Association (MSMA) (County Administrative Officer)
BOARD ACTION: (M)Balmain, (S)Stewart, closed session was held following a short recess, with Dan McFadden/County labor negotiator, and Nancy Kyle/Personnel Analyst, to be present/Ayes: Unanimous.

1:02 p.m. Board reconvened in open session with direction given to Dan McFadden, County Labor Negotiator, as a result of closed session relative to labor negotiations; and closed session was continued to later this date relative to MSMA negotiations.

1:03 p.m. LUNCH

2:05 p.m. Mike Edwards, Public Works Director;
PUBLIC HEARING on the Matter of Formation of Broncho Hollow Lane Road Maintenance Zone of Benefit (4/5ths Vote Required)
BOARD ACTION: Staff report was presented by Mike Edwards, and he responded to question from the Board - advising that staff is still reviewing the possibility of obtaining other types of loan funds. Public portion was opened and input was provided by the following: Lance Wardle/resident on Broncho Hollow Lane, stated he only uses about 150 feet of the end portion of the road and his parcel also borders Indian Peak Road and he requested that the fees be waived for his parcel; feels the proposed fee is too high, and the "parent program" is fair except for his situation; and asked if the County will be liable for road maintenance and construction if the Zone of Benefit is adopted. Charles Taylor stated he supports the Zone; asked about the future possibility of the County taking the road into its system if it is brought up to County road standards; whether it is possible for the County to pay the initial processing costs for the Zone; and whether the one year advance maintenance costs could be waived as this Zone is for maintenance of an existing road. Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to questions and issues raised during the public portion. Bruce Atkinson/PWD-Special Projects Coordinator, and Dave Tucker/PWD-Senior Civil Engineer, provided input. Public Works to work with County Counsel and bring back conditions of the loan for Board approval. A public hearing is to be scheduled to set the assessment rates once the interest rate and loan information is known. (M)Taber, (S)Stewart, Res. 95-463 adopted approving the creation of the Broncho Hollow Lane Road Maintenance Zone of Benefit as recommended; authorizing Chairman to sign Statement of Zone Creation and Notice of Zone Formation; directing staff to file and record necessary documents to implement the Zone; direct Auditor to issue warrant to State Board of Equalization in the amount of \$1,200 drawn on the General Fund Reserve for Contingencies; and directing County Administrative Officer and County Counsel to prepare the documents necessary for the loan for the improvements/Ayes: Unanimous. Hearing was closed.

2:50 p.m. Recess

3:01 p.m. Board met in continued closed session.

3:12 p.m. Board reconvened in open session with direction given to County Administrative Officer relative to labor negotiations in closed session.

CONSENT AGENDA

CA-1 Appoint Alan Kisling as Mariposa County Representative to the Regional Emergency Medical Service Agency, Regional Advisory Committee (County Health Officer)

CA-2 Appoint Robert Pickard as a Member of the Mariposa County Emergency Medical Care Committee (EMCC), Citizen Representation from the Southside of the County (County Health Officer)

CA-3 Appoint Captain Craig Konklin of the California Department of Forestry as an Alternate Member of the Emergency Medical Care Committee (EMCC) (County Health Officer)

CA-4 Resolution Authorizing Chairman to Sign Lease Agreement with Ken Mari for Real Property at Italian Acres to be Utilized as Office Space for Environmental Health (\$10,572) (County Health Officer); Res. 95-455

CA-5 Resolution Authorizing the Chairman of the Board of Supervisors to Sign the 1995/96 Detection Trapping Contract Number 95-0020 (\$11,859) (Agricultural Commissioner/Sealer); Res. 95-456

CA-6 Resolution Establishing Appropriation Limits for the 1994/95 Fiscal Year (Auditor); Continued to November 7, 1995

CA-7 Resolution Adopting Plans and Specifications for Reroofing the Mental Health Department Building, Public Works Project Number PW 95-10, Authorizing Advertisement for Bids, Setting Bid Date for Wednesday, November 22, 1995; and Authorizing the Public Works Director to Execute a Contract with the Lowest Responsible Bidder (Public Works Director); Direction was given to Public Works Director

CA-8 Resolution Approving Transfer of (\$5,606.06) from Extra-Help Line to Professional Services Line Item within the District Attorney's Criminal Division Budget (District Attorney); Res. 95-457

CA-9 Accept Resignation of Suzanne Dutton from the Catheys Valley Cemetery Ad Hoc Committee (Supervisor Stewart)

3:13 p.m. ADJOURNMENT in memory of Michael Richardson, Scott Hyson, and Thomas Fithian.

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board

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MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
NOVEMBER 7, 1995

Time Description
9:00 a.m. Meeting Called to Order
Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda -

Jeff Jennrich/John C. Fremont Healthcare District Board member, introduced Sherry Gamble, new Board member, and Claire Kuczkowski, new Chief Executive Officer for the Hospital.

Scott Adelsbach/A&A Ahwahnee Orchards, Inc., presented the Board members with a perpetual plaque for winning the apple peeling contest at the County Fair.

Leota Striplin reminded everyone that this is Veterans Week.

Approval of Minutes of 10/17/95 Regular Session; and 10/24/95 Regular Session

BOARD ACTION: Approved, with change.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Taber pulled item 3, and Supervisor Reilly pulled item 6 - action was taken later this date on these items. Supervisor Balmain pulled item 11 - will reschedule the matter in the future. (M)Balmain, (S)Reilly, balance of items were approved/Ayes: Unanimous.

Don Z. Phillips, County Clerk;
Resolution Appointing Two Qualified Persons (James O. Hertwig and Peter R. Leinau) to the Yosemite Alpine Community Services District Board of Directors, Pursuant to Elections Code Section 10515(b)

BOARD ACTION: Following discussion, (M)Taber, (S)Stewart, Res. 95-470 adopted/Ayes: Unanimous.

Consent Agenda item 3 - Following discussion, (M)Stewart, (S)Balmain, item 3 was approved/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber.

9:17 a.m. Jeffrey G. Green, County Counsel;
A) Waive First Reading and Introduce Ordinance Amending Chapter 3.36 Entitled "Transient Occupancy Tax" of the County Code
BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Ordinance was introduced/Ayes: Unanimous.

B) Approve Ordinance Proposing Setting the Transient Occupancy Tax (TOT) at 10% and Placing a Measure on the Primary Election Ballot (03/26/96) for Approval by the Voters (4/5ths Vote Required)
BOARD ACTION: Following discussion, (M)Balmain, (S)Taber, Res. 95-472 adopted approving Ordinance proposing setting the TOT at 10% and placing a measure on the Primary Election ballot as recommended/Ayes: Unanimous.

C) Resolution Revising the Class Specification for the Position of Health/Nutrition Coordinator and Approving Filling Vacant 80% Permanent Part-Time Position for the Head Start Program
BOARD ACTION: Following discussion with Jim Evans/Housing and Community Development Agency Director, (M)Reilly, (S)Balmain, Res. 95-473 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Taber.

Consent Agenda item 6 - Following discussion, (M)Reilly, (S)Balmain, item 6 was approved/Ayes: Unanimous.

Waive First Reading and Introduce Ordinance Approving the Abolishment of the Office of the Constable (County Counsel)
BOARD ACTION: Following discussion, Ordinance was introduced/Ayes: Unanimous.

9:39 a.m. Recess

9:56 a.m. Mike Edwards, Public Works Director;

A) Resolution Authorizing the Public Works Director to Extend Contract with Thunder Ridge Company, Year to Year, Up to Four Years, for Fish Camp Snow Removal Services and to Approve Justifiable Rate Increases (\$16,000)
BOARD ACTION: Following discussion, (M)Taber, (S)Stewart, Res. 95-475 adopted/Ayes: Unanimous. Public Works to advise the Board of any rate increases.

B) Approve Selection of the Architect for Final Design of the Government Center
BOARD ACTION: Discussion was held and Mike Edwards advised that a final contract would be brought back to the Board for approval. (M)Taber, (S)Reilly, Board approved selection of the architectural firm of DuPertuis-Pratt-Navarro for final design phase. Further discussion was held relative to the status of the budget with regards to this project; concerns that have been expressed to Board members relative to the project; and relative to options for location and size of the facility. Ayes: Reilly, Stewart, Parker, Taber; Noes: Balmain.

10:38 a.m. Recess

10:52 a.m. C) Discussion and Request for Further Direction Regarding the Government Center/Administration Facility (Supervisors Taber and Parker)

BOARD ACTION: Discussion was held and Supervisors Taber and Parker reviewed the issues raised at the committee meeting relative to the facility. Discussion was held on alternatives - possibility of downsizing the meeting room and/or locating it on the third floor; relocating Planning and Building one-stop permitting function to Public Works Ben Hur Road area; placing all of the Board and Administration functions on the second floor; possibility of locating the library on the ground floor; alternatives for the parking facilities; and a two-story versus three story facility. Board concurred that these issues be included in the next phase of the contract with the architect to be resolved, and that Public Works explore the possibility of relocating the Planning and Building function.

D) Resolution Supporting Regulatory Changes to Prevailing Wage Determinations for Public Works Projects and Authorizing the Chairman to Sign a Letter to the Director of Industrial Relations

BOARD ACTION: (M)Balmain, (S)Reilly, Res. 95-476 adopted/Ayes: Unanimous.

11:35 a.m. Resolution Appropriating \$641 from Reserve for Contingency to the Building Department for Permit Fees for the Northern Mariposa History Center Display (Pole) Barn Permit (4/5ths Vote Required) (Supervisor Balmain)

BOARD ACTION: Discussion was held relative to the request. Blaine Sturtevant/Northside History Center Association, provided input relative to the proposed facility. (M)Balmain, (S)Stewart, Res. 95-477 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber.

11:45 a.m. Ed Johnson, Planning and Building Director; Resolution Authorizing Reimbursement of Building Department Fees for Kiwanis Club/Darrah Schoolhouse Permit (\$131.45) (4/5ths Vote Required) BOARD ACTION: (M)Reilly, (S)Taber, Res. 95-478 adopted appropriating funds from Reserve for Contingency to the Building Department for permit fees/Ayes: Unanimous.

11:47 a.m. Dwight Bateman, Executive Director, Modesto Independent Living Center;

Request for Support for Grant Proposal to Department of Rehabilitation and Program to Serve Persons with Disabilities

BOARD ACTION: Dwight Bateman explained their organization and services provided, and presented request for support of grant proposal and for in-kind services/office space. (M)Reilly, (S)Taber, matter was referred to Human Services Director to work with the organization as his ability allows/Ayes: Unanimous.

11:55 a.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to General Employees (SEIU) (County Labor Negotiator), Mariposa County Management and Confidential Organization (MCMCO) (County Labor Negotiator), and Mariposa Sheriff's Management Association (MSMA) (County Administrative Officer)

BOARD ACTION: (M)Balmain, (S)Reilly, closed session held, following a short recess, with Dan McFadden/County labor negotiator, and Nancy Kyle/Personnel Analyst, present/Ayes: Unanimous.

12:50 p.m. Board reconvened in open session with direction given to the County labor negotiator in closed session relative to labor negotiations.

12:51 p.m. LOCAL TRANSPORTATION COMMISSION

C) Appoint Jeff Irons, Visitors Bureau Director, to Represent the County on Yosemite Area Traveller Information Services, Inc., (YATIS, Inc.) (Supervisor Reilly)

COMMISSION ACTION: Following discussion, (M)Reilly, (S)Stewart, Jeff Irons was appointed/Ayes: Unanimous.

A) Presentation of Draft 1995 Mariposa County Regional Transportation Improvement Program

COMMISSION ACTION: Mike Edwards/Public Works Director, presented the draft RTIP and advised of changes to the draft document.

Commissioner Reilly was excused at 1:00 p.m. for the rest of the day.

Further discussion was held relative to the draft RTIP and the status of the following projects: Highway 49 South and Darrah Road intersection; Highway 49 South and Old Highway intersection and bridge and consideration of this project in conjunction with the Creek Parkway expansion project; and Highway 140 and Trower Road intersection - staff to bring this concern to Caltrans' attention for possible funding as a minor project. Commission concurred with process schedule for the RTIP.

B) Presentation of Draft Mariposa County Transportation Planning Work Program 1995/96

COMMISSION ACTION: Mike Edwards/Public Works Director, reviewed the Work Program and funding process. Commissioner Balmain requested that the referenced MOU with Caltrans from April 1986 be distributed to the Commissioners. Commission concurred with adding Caltrans' Districts 9 and 10 to the reference for YATI. No action was necessary at this time.

1:15 p.m. CLOSED SESSION Regarding Conference with Legal Counsel Relative to Existing Litigation (Case No. 7544, Lewis vs. George Griffith and the County of Mariposa) (County Counsel)

BOARD ACTION: Jeff Green/County Counsel, advised that this closed session does not need to be held.

INFORMATION - No action was necessary on the following:

- A) Information on California Integrated Waste Management Board Special Workshops on "Strategies to Achieve 50 Percent Diversion" and "Regulatory Improvement" (Public Works Director)
- B) Notice of Intent to Advertise for Sealed Bids for Road Division Materials (Public Works Director)
- C) To Inform the Board of the Results of the Bid Opening for Corrugated Galvanized Steel Pipe and Band Couplers, Public Works Project No. PWB 95-03) (Public Works Director)
- D) Board Hearing Schedule (Clerk of the Board)

FORTHCOMING POLICY

- A) Resolution Approving and Authorizing Public Works Director to Purchase Soil, from Miscellaneous Sources, to be Used as Cover Material at the Mariposa County Landfill (Scheduled for Action on 11/14/95) (Public Works Director)
- B) Continuing Progress of Industrial Open Window Period Applications and Request for Direction as to the Preferred Method of Processing the Remaining Applications (Scheduled for Action on 11/14/95) (Planning Director)

CONSENT AGENDA

CA-1 Resolution Authorizing Contract with 35-A District Agricultural Association for the 10/01/95 Rental of the Picnic Area at the Fairgrounds (\$80.00) (Fire Chief/Emergency Services Officer); Res. 95-464

CA-2 Resolution Authorizing the Mariposa County Agricultural Commissioner to Sign the California Seed Law Memorandum of Understanding for Fiscal Year 1995/96 with the California Department of Food and Agriculture (\$100) (Agricultural Commissioner/Sealer); Res. 95-465

CA-3 Resolution Authorizing Transfer from Recorder's Micro-Graphics Trust Account (\$3,437.54) to the Maintenance of Equipment Account, for the Payment of Repairs on the Basic Four Computer (4/5ths Vote Required) (Assessor/Recorder); Res. 95-471

CA-4 Resolution Authorizing Chairman to Sign Agreement Between Regional Emergency Medical Services Agency and Mariposa County (County Health Officer); Res. 95-466

CA-5 Resolution Authorizing Public Works, Facilities Maintenance Division to Purchase Two Heavy-Duty Weeders with Attachments and Transferring Funds from the Public Works Administration Budget (\$1,400) (Public Works Director); Res. 95-467

CA-6 Resolution Authorizing Payment to Tuolumne County Fire Department for Mariposa County's Share of California Department of Forestry Blanchard Forest Fire Station Amador Plan for Fire Protection

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MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
NOVEMBER 14, 1995

Time Description
9:00 a.m. Meeting Called to Order

Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda -

Lowell Young suggested that consideration be given to using an "additionally insured" insurance policy to resolve the liability issues for the sidewalks through town - he feels this would be a way to relieve the State of liability.

Presentation of Award from Rural Economic and Community Development Services Regarding the Saxon Creek Project (Mariposa Public Utility District)

BOARD ACTION: Mark Rowney/MPUD Manager, presented the Board with the plaque award that was received by the County and by MPUD; and he gave a status report on the Saxon Creek project.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Taber pulled items 3, 4, 5, 6 and 9. Supervisor Balmain pulled item 7. Action was taken on these items later this date. (M)Balmain, (S)Stewart, balance of items were approved/Ayes: Unanimous.

Christine Johnson, District Attorney;

A) Resolution Transferring Funds from the Child Support Division's Excess Incentive Trust Account to the Child Support Division's Fixed Asset Account for Purchase of a Needed Desk (\$688.08) (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Marita Green/District Attorney-Family Support Division, concerning request. (M)Taber, (S)Balmain, Res. 95-483 adopted/Ayes: Unanimous.

B) Resolution Authorizing Opening of Checking Account by District Attorney for Witness Expenses (\$500)

BOARD ACTION: Following discussion with Christine Johnson relative to the type of account and signatory authority, (M)Balmain, (S)Reilly, Res. 95-484 adopted/Ayes: Unanimous.

9:17 a.m. Jim Evans, Housing and Community Development Agency Director; PUBLIC HEARING Regarding a Possible Application to the Community Development Block Grant (CDBG) California Community Economic

Enterprise Fund

BOARD ACTION: Jim Evans presented staff report and responded to questions by the Board relative to the proposed microenterprise assistance program; processing applications for funding and approval of projects; and County risks involved with the program for defaults on loans. Input from the public was provided by the following: Don Sawtelle/owner of Stonecutter Software and Secretary to Economic Development Corporation (EDC), requested the Board support this program and that the EDC be allowed to assist in anyway appropriate with the program if the grant is awarded. Lowell Young stated he feels the program would create jobs in the County and at a higher salary rate; supports this type of program and feels that it sends a strong message to the community that the Board supports economic development in the County. Pelk Richards asked who is responsible for litigation costs to recover funds if there is a default on a loan. Jim Evans advised that the program would cover those types of costs. Bob Borchard stated this issue came before the EDC last week and if there were time to bring it before the Chamber, he feels there would be a room full of persons in support of this application today; and stated he feels the heart of this issue is economic development for the County. Public portion of the hearing was closed and Board commenced with deliberations. Discussion was held relative to the loan portion of the program and potential failure rate and mitigating the risk to the County; and guidelines for the program. (M)Reilly, (S)Stewart, direction was given to staff to complete the application in the amount of \$250,000 as recommended and bring it back to the Board on December 5, 1995, for further consideration. Motion was amended, agreeable with maker and second, to include direction that the application and program be written to include "no risk" to the General Fund/Ayes: Unanimous. Hearing was closed.

10:20 a.m. Recess

10:32 a.m. Roger Matlock, Sheriff;
Resolution Ratifying the Budget Modification with the Board of Corrections Relative to the Mariposa Adult Detention Facility (\$133,395) (4/5ths Vote Required)
BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 95-485 adopted/Ayes: Unanimous.

10:37 a.m. Gary Estep, Assessor/Recorder; and
Mike Edwards, Public Works Director;
Approve Purchase of E-Size Plotter, Ancillary Equipment and Software and Funds of \$7,000 from Assessor-Recorder's Modernization Fund for Additional Map Scanning, and Waive Formal Bid Requirements (4/5ths Vote Required)
BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Res. 95-486 adopted/Ayes: Unanimous.

10:50 a.m. Mike Edwards, Public Works Director;
A) Discussion and Direction to Staff on Priorities for Use

of Old Jail (10th Street and Old Highway)

BOARD ACTION: Board concurred with directing the Assessor, Sheriff and Public Works departments to meet and discuss their programs and needs for this facility to try to resolve the issues.

B) Resolution Authorizing the Public Works Department to Enter into a 36-Month Operating Lease Program for Selected Sheriff's Administrative and Undercover Vehicles

BOARD ACTION: Marty Allan/PWD-Fleet - Fiscal Manager, presented request. Roger Matlock/Sheriff, stated he sees this program as a benefit. Following discussion, (M)Reilly, (S)Stewart, Res. 95-487 adopted/Ayes: Unanimous.

C) Resolution Authorizing Transfer of Funds from Reserve for Contingency (\$2,663) for Payment of Damage Repair to a County Fire Engine (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Marty Allan and Mike Edwards. (M)Taber, (S)Balmain, to direct the repair costs be taken from the Sheriff's budget, was withdrawn by maker and second following further discussion. Pelk Richards/Undersheriff advised that they are in the middle of step 2 of an administrative process dealing with this issue and recommended the Board postpone action until the administrative process is completed and they have a better understanding of whether funding is available in their budget. (M)Balmain, (S)Stewart, Res. 95-488 adopted directing the costs be paid from Fleet Maintenance budget in the interim of resolving the issue/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Taber.

Supervisor Taber initiated discussion relative to notifying departments that they are not to incur costs that are not budgeted for without prior authorization from the Board. Board concurred with directing County Administrative Officer to send a letter to departments relative to this matter, with a copy to Board members. Chairman Parker advised that he plans to bring a matter to the Board for consideration to deal with emergency funding issues.

D) Adopt Plans and Specifications for Re-roofing the History Center/Library Building, Public Works Project Number PW 95-11, Approve Additional Funding (\$10,000), Authorize Advertisement for Bids, Set Bid Date for Thursday, December 7, 1995 and Authorize the Public Works Director to Execute a Contract with the Lowest Responsible Bidder (4/5ths Vote Required)

BOARD ACTION: Discussion was held and Mike Edwards advised that after a potential contractor looked at the project, the contractor revised his estimate to \$40,000 - \$45,000 for a metal roof versus the previous estimate of \$20,000. Discussion was held relative to options and possible funding sources for the project. Ralph Bayless asked if the bids are subject to the Davis-Bacon Act; and was advised that they are, and that they are also subject to State prevailing wage legislation which is even more restrictive than the Davis-Bacon Act. (M)Reilly, (S)Balmain, Res. 95-489 adopted authorizing staff to proceed with the bid process, and look at the following funding balances as sources for funding this project: \$10,000/History Center roof; \$7,500/Mental Health roof; \$7,500/Rest Area CIP; \$14,500/Hall of Records (with this project to

be dealt with in the context of the government center financing)/Ayes:
Unanimous.

Balance of Public Works items were continued to later this date.

11:58 a.m. Lunch

2:00 p.m. Board reconvened with Supervisor Taber excused for the rest of the meeting.

Discussion and Direction Relative to the Protection and Management of Oak-Woodlands in Mariposa County (County Counsel)

BOARD ACTION: Wain Johnson/Farm Advisor, advised that an advisory committee was formed to address this matter. Mike Hubert/Advisory Committee, reviewed the committee's work in drafting the guidelines. It was noted that all agencies that may have an interest in this matter were contacted relative to the committee meetings and were sent a copy of the draft guidelines. (M)Balmain, (S)Stewart, direction was given for Planning staff to prepare a resolution to endorse the proposed guidelines as voluntary/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Ed Johnson/Planning and Building Director, advised that despite radio announcements, Yosemite National Park is open; however, operating with a staff reduction due to the federal government shutdown.

2:14 p.m. Ed Johnson, Planning and Building Director;
Continuing Progress of Industrial Open Window Period Applications.
Provide direction to the Planning Department as to the preferred method of Processing the Remaining Industrial Open Window Period Applications (Continued from Forthcoming Policy on 11/07/95)

BOARD ACTION: Supervisor Balmain advised that because his son is an applicant, he does not feel there is a conflict and will participate in the discussion; however, he will abstain from any action so there is no perception that there is a conflict. Ed Johnson presented staff report and a summary of recommendations and alternatives.

Greta Hudak/Planner, reviewed the following five less complex applications:

- No. 95-4 - Balmain
- No. 95-8 - Doscher
- No. 95-9 - Seastrom
- No. 95-10 - Evans
- No. 95-11 - Spacke

Jay Pawlek/Planner, reviewed the following five more complex applications:

- No. 95-2 - Northway
- No. 95-3 - Northway
- No. 95-5 - Tauchin
- No. 95-6 - Hill
- No. 95-7 - Von Der Ahe

Further discussion was held concerning the applications and processing. Wilfred Von Der Ahe/applicant, stated he would like to see his three

parcels separated into individual applications so that they could be considered as less complex applications; stated the drainage from the Slaughterhouse Road parcel does not flow into the reservoir; feels all applications should be dealt with as a group; and feels it was the expectation that the County would bear all costs for environmental reviews. Richard Doscher/applicant, disagreed with some of Mr. Von Der Ahe's comments; they submitted their application as an opportunity to possibly save some fees and provide for requested services in the area; he supports alternative No. 4/hybrid for performance standards; and would like to work in concert with the Planning Department to stimulate growth in the area with the planning for the new University. Following further discussion, (M)Reilly, (S)Stewart, staff recommendation for alternative 4 was accepted; direction was given that further review occur of the more complex applications to determine if individual applications for the parcels would result in a less complex application process for any of them; staff to continue with process which requires applicants to pick up any costs for special studies, and the County will pay for the general environmental review; and with the understanding that if there are projects that may be doubtful for final approval, they would be brought back to the Board for further consideration/Ayes: Reilly, Stewart, Parker; Abstained: Balmain; Excused: Taber. Ed Johnson advised he will come back with an overall work program for the Department and identify costs associated with this project.

3:35 p.m. Chairman Parker announced that a telephone call was received from John McCamman/Chief of Staff for Congressman Radanovich - the Congressman may not be able to attend Monday's Board meeting in Yosemite as Congress may be in session. Discussion was held relative to changing the location of the meeting.

3:37 p.m. Recess

3:50 p.m. Following further discussion concerning the meeting scheduled in Yosemite, (M)Reilly, (S)Stewart, Res. 95-489 adopted changing the location of the Board's meeting for Monday, November 20, 1995, back to Mariposa at the Old Masonic Hall/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

3:53 p.m. Board continued with Public Works items:

F) Resolution Authorizing the Public Works Department to Waive the Formal Bid Process and Purchases Two (2) Ten-foot Snow Plow Blades to Outfit the Two (2) GMC Topkick Trucks

BOARD ACTION: (M)Balmain, (S)Reilly, Res. 95-490 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

H) Discussion and Direction Regarding the Expansion/Consolidation of the Fleet Maintenance Facilities and Moving of Facility Maintenance from its Downtown Mariposa Location to the Ben Hur Facility

BOARD ACTION: Discussion was held with Mike Edwards/Public Works Director, and Marty Allan/PWD-Fleet - Fiscal Manager, concerning request. Board concurred with the concept of the project and with staff further defining the financial portion of the proposal.

E) Authorize Re-Start of the Coulterville Road Yard Fuel Tank Project and Approve Additional Funding (\$20,000) from Reserve for Contingency for Extra Costs Related to Hazmat Investigation/Remediation (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Mike Edwards. (M)Balmain, (S)Reilly, Res. 95-491 adopted approving request, with funding to come from the CIP budget/hazardous materials cleanup fund/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

G) Resolution Regarding Project to Improve the Joe Howard/Fournier Road Intersection at State Highway 49 North

BOARD ACTION: Discussion was held with Mike Edwards relative to this project and use of Road Funds. (M)Stewart, (S)Balmain, Res. 95-492 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

I) Resolution Approving and Authorizing Public Works Director to Purchase Soil, from Miscellaneous Sources, to be Used as Cover Material at the Mariposa County Landfill (Continued from Forthcoming Policy on 11/07/95)

BOARD ACTION: Following discussion with Mike Edwards, (M)Balmain, (S)Stewart, Res. 95-493 adopted. Motion was amended, agreeable with maker and second, to include authorization for the Public Works Director to deviate from the minimum amount/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Consent Agenda items - (M)Balmain, (S)Reilly, items 3, 4, 5, 6, 7, and 9 were approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Resolution Establishing a Hearing Date for the Purchase of Real Property from Robert E. Bondshu which is Located Within the Government Center Site (County Counsel)

BOARD ACTION: Following discussion, (M)Stewart, (S)Balmain, Res. 95-500 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Discuss and Consider Selection of Board Representative to the Legislative Committee of the San Joaquin Valley Supervisors Association (Supervisor Parker)

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Supervisor Balmain was selected/Ayes: Reilly, Stewart, Parker; Abstained: Balmain; Excused: Taber.

5:05 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to General Employees (SEIU) and Management/Confidential Employees (MCMCO) (County Labor Negotiator) and Deputy Sheriff's Association (DSA) and Mariposa Sheriff's Management Association (MSMA) (County Administrative Officer)
BOARD ACTION: (M)Reilly, (S)Balmain, closed session was held/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

6:00 p.m. Board reconvened in open session with direction given to County Administrative Officer in closed session relative to employee negotiations.

INFORMATION - No action was necessary on the following:

A) To Inform the Board of the Cost of Emergency Equipment Required to Outfit Sheriff's Patrol Vehicles (Public Works Director)

B) Information Relative to Individuals Seeking Refunds for Filing Fees Collected by the Department of Fish and Game through the Planning/Building Department (County Counsel)

C) The Board's Meeting for Monday, November 20, 1995, will be Held in Yosemite National Park at the West Auditorium, at 9:00 a.m. (Supervisor Reilly)

CONSENT AGENDA

CA-1 Resolutions Recognizing Donald W. Haag as the "1995 Businessman of the Year" and Fran Schlotthauer as the "1995 Businesswoman of the Year" (Yosemite Mariposa County Chamber of Commerce); Res. 95-479 and 95-480

CA-2 Resolution Approving Closure of Checking Account with Bank of America and Transferring Non-Welfare Collections and Disbursements to the County Auditor's Office (District Attorney); Res. 95-481

CA-3 Resolution Authorizing Health Officer to Sign Agreement Between Central San Joaquin Valley HIV Care Consortium and Mariposa County Health Department for Fiscal Year 1995-96 (County Health Officer); Res. 95-494

CA-4 Resolution Authorizing Public Works Director to Execute Contract with Barry Electric for Services to Repair Mariposa Ballfield Lights (Public Works Director); Res. 95-495

CA-5 Resolution Authorizing the Purchase of Two (2) New Police Sedans through a "Tag-On" to Los Angeles County Police Department Bid No. R-248 (Public Works Director); Res. 95-496

CA-6 Resolution Adopting Plans and Specifications for Re-roofing the Airport Terminal Building, Public Works Project Number PW 95-13, Authorize Advertisement for Bids, Set Bid Date for Thursday, December 14, 1995 and Authorize the Public Works Director to Execute Contract (Public Works Director); Res. 95-497

CA-7 Resolution Adopting Summary of Abandonment of the Public Utility Easements and One (1) of the Road Easements as Shown on the Map of FAIRPARKS UNIT NO. ONE, Map No. 2266, Mariposa County Records (Public Works Director); Res. 95-498

CA-8 Resolution Authorizing the Chairman to Execute the Rental Agreement with the Mariposa Fairgrounds for the Use of Facilities by the Sheriff's Posse (Sheriff); Res. 95-482

CA-9 Resolution Extending the Small Claims Legal Advisor's Agreement through the 1995/96 Fiscal Year (County Counsel); Res. 95-499

6:01 p.m. ADJOURNMENT in memory of Barbara Sponhaltz.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

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(M)Balmain, (S)Stewart, item 3 was approved/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Taber.

10:04 a.m. Mike Edwards, Public Works Director;
Resolution Approving Amendment to the Contract with DuPertuis-Pratt-Navarro for the Preliminary Design of the Government Center (\$3,800)
BOARD ACTION: Following discussion, (M)Stewart, (S)Balmain, Res. 95-503 adopted/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Taber.

Elect a Board Member to the California State Association of Counties (CSAC) Board of Directors for 1996 and Name Remaining Board Members as Alternates (County Administrative Officer)
BOARD ACTION: (M)Parker (who passed the gavel), (S)Stewart, Supervisor Stewart was selected, with remaining Board members as alternates/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Taber. Discussion was held relative to provisions for keeping senior members as Directors for CSAC.

10:17 a.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to General Employees (SEIU) and Management/Confidential Employees (MCMCO) (County Labor Negotiator) and Deputy Sheriff's Association (DSA) and Mariposa Sheriff's Management Association (MSMA) (County Administrative Officer)
BOARD ACTION: (M)Balmain, (S)Stewart, closed session was held following a short recess/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Taber.

11:34 a.m. Board reconvened in open session with direction given to Chairman relative to salary adjustments for appointed officials; and direction given to County Administrative Officer relative to negotiations with employee bargaining units.

INFORMATION - No action was necessary on the following:
Notice of Award of Uniform Rental Services for Mariposa County to Aramark Uniform Service (Public Works Director)

FORTHCOMING POLICY

Presentation of Report and Findings by the Mariposa County Fire Department Ad Hoc Committee on Fire Protection (Scheduled for Action on 12/05/95) (Fire Chief/Emergency Services Officer)

CONSENT AGENDA

CA-1 Waive Second Reading and Adopt Ordinance Transferring the Public Conservator/Public Guardian Function to Human Services (County Counsel); Ord. No. 891

CA-2 Waive Second Reading and Adopt Ordinance Amending Chapter 3.36 Entitled "Transient Occupancy Tax" of the County Code (County Counsel); Ord. No. 892

CA-3 Waive Second Reading and Adopt Ordinance Approving the Abolishment of the Office of the Constable (County Counsel); Ord. No. 893

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MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
NOVEMBER 28, 1995

Description

9:06 a.m. Meeting Called to Order, with Supervisor Stewart excused on County business to attend California State Association of Counties meeting.

Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Chairman Parker advised of information received from Leota Striplin requesting holiday treats for the inmates at Mt. Bullion California Youth Authority.

- Leota Striplin advised of caroling and tree lighting ceremony planned for Saturday evening.

Approval of Minutes of 11/14/95 Regular Session
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Reilly pulled items 1, 2, and 3 due to a conflict. (M)Reilly, (S)Taber, balance of items were approved/Ayes: Reilly, Balmain, Parker, Taber; Excused: Stewart. (M)Taber, (S)Balmain, items 1, 2, and 3 were approved/Ayes: Balmain, Parker, Taber; Excused: Stewart; Not Voting: Reilly.

Mike Edwards, Public Works Director;

A) Resolution Approving Expenditure of Up to \$1,200 from Public Works Administrative Funds for Survey and Roadway Delineation for Purposes of Parking Enforcement Along Fish Camp Lane in Fish Camp
BOARD ACTION: Discussion was held concerning request and ongoing maintenance. (M)Taber, (S)Reilly, Res. 95-509 adopted/Ayes: Reilly, Balmain, Parker, Taber; Excused: Stewart.

B) Further Discussion and Direction Regarding Potential Sale of County-Owned Property Along Charles Street
BOARD ACTION: Discussion was held concerning this matter and status of agreement for encroachment at the corner of 8th Street and Highway 140. (M)Balmain, (S)Taber, Board agreed with recommendation to reconsider and not sell any of the parcels/Ayes: Reilly, Balmain, Parker, Taber; Excused: Stewart.

C) Resolution Approving the Map of Yosemite Views Estates Phase 3, Major Subdivision 08/30/91

BOARD ACTION: (M)Reilly, (S)Taber, Res. 95-510 adopted/Ayes: Reilly, Balmain, Parker, Taber; Excused: Stewart.

D) Resolution Approving Change in Working Hours for Custodian Classification

BOARD ACTION: Following discussion, (M)Taber, (S)Reilly, Res. 95-511 adopted/Ayes: Reilly, Balmain, Parker, Taber; Excused: Stewart.

Chairman Parker asked about the winding of the Courthouse clock on long weekends. Clif Price/PWD-Facilities Manager, provided input. Direction was given to staff to review the matter and keep the clock wound.

9:47 a.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to General Employees (SEIU) and Management/Confidential Employees (MCMCO) (County Labor Negotiator) and Deputy Sheriff's Association (DSA) and Mariposa Sheriff's Management Association (MSMA) (County Administrative Officer)

BOARD ACTION: (M)Balmain, (S)Taber, closed session was held following a short recess/Ayes: Reilly, Balmain, Parker, Taber; Excused: Stewart.

10:32 a.m. Board reconvened in open session with direction given to County Administrative Officer in closed session relative to salary negotiations.

10:33 a.m. Discussion and Direction Regarding Cost of Living Increases for Elected Officials (Supervisor Parker)

BOARD ACTION: Matter was continued to be rescheduled.

10:34 a.m. Ed Johnson, Planning and Building Director; PUBLIC HEARING to Consider an Appeal of the Planning Director's Authorization for Issuance of a Building Permit to Change a Non-Conforming Use on APN 15-060-025 and a Planning Director's Determination that No Zoning Ordinance Violation Exists on APN 15-060-025; Helen Kwalwasser, Appellant for Both Appeals

BOARD ACTION: Hearing was opened and continued to after a short recess. Board reconvened at 10:38 a.m., and Ed Johnson presented staff report and reviewed issues raised in the appeal, and commented on the appeal process itself. Public portion of the hearing was opened. Helen Kwalwasser/appellant, stated she is not opposing the two businesses on the property, just the Title 17 determination made by Planning staff; stated the building she questioned was a chicken coop that was red-tagged and condemned by the County; commented on the timeframe between the permit application for a storage facility and for a beauty shop; commented on the hours of operation for the restaurant and beauty shop and tenants on the property; presented letters from two previous employees of the restaurant (Ocean Sierra) relative to management of the business; and commented on traffic counts she had taken versus the average daily trips cited in the County's ordinance. Ms. Kwalwasser responded to question from the Board relative to clarification of the average daily trip information. Persons speaking in support of the appellant: none. Opponent's presentation: Pam Toney, owner of the property in question, stated they have always followed all of the rules and presented petitions supporting the businesses; they were not aware of the situation with the red-tagging of a building - everything is in

compliance and permitted. Persons speaking on behalf of the opponent: none. Comments of a general nature: Lori Dorman, owner of beauty shop in question, stated she has been in business in the area for eight and one half years and moved to this location on September 15th for a better facility; feels she has a low impact business on the area, works by herself and schedules appointments so that only one customer is present at a time; and commented on the deliveries to the restaurant. Ms. Dorman responded to question from the Board relative to the number of customers she serves in a day. Rebuttal by appellant: Helen Kwalwasser restated her objection to determination of Title 17 by Planning staff and that she is not opposed to the businesses. Ms. Kwalwasser responded to questions from the Board clarifying her objections to Title 17 determination, status of the red-tagged building, and reason for filing the appeals. Sarah Williams/Planning Manager, advised that building permits were received for the buildings. Public portion of the hearing was closed and Board commenced with deliberations. Discussion was held relative to Title 17 residency requirements, changes in use and expansion rules for rural home industry; and possibility of rezoning the property to Neighborhood Commercial. Jeff Green/County Counsel, provided clarification relative to the interpretation of Title 17 and the issues raised. (M)Taber, Parker (who passed the gavel), Res. 95-512 adopted upholding the appeals; directing staff to initiate the process to rezone the property in question to Neighborhood Commercial during the open window process; and allowing the existing businesses to continue to operate during the rezoning process time until the zoning issue is resolved. Planning Department is to begin the zoning change process immediately and not wait until the commercial zoning process has been done. Mr. and Mrs. Toney responded to question by the Board and stated they are in agreement with rezoning the property. Ayes: Balmain, Parker, Taber; Noes: Reilly; Excused: Stewart. Hearing was closed.

Resolution Approving New Extra-Help Only Class Specification for the Position of Snow Plow Operator at an Hourly Salary Tied to Step 1 of the Salary Range for Maintenance Worker II/Roads (County Counsel)
BOARD ACTION: Following discussion, (M)Reilly, (S)Taber, Res. 95-513 adopted/Ayes: Reilly, Balmain, Parker, Taber; Excused: Stewart.

Resolution Waiving the Hiring Freeze and Authorizing the Filling of a Vacant Secretary Position in the Board of Supervisors Office (County Administrative Officer)
BOARD ACTION: (M)Balmain, (S)Taber, Res. 95-514 adopted/Ayes: Reilly, Balmain, Parker, Taber; Excused: Stewart.

FORTHCOMING POLICY

Presentation of Report and Findings by the Mariposa County Fire Department Ad Hoc Committee on Fire Protection (Scheduled for Action on 12/05/95) (Fire Chief/Emergency Services Officer)

CONSENT AGENDA

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MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
DECEMBER 5, 1995

Time Description
9:07 a.m. Meeting Called to Order

Pledge of Allegiance led by Dennis Blessing, VFW Post 6042 Senior Vice-Commander

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Gray Crabtree/CDF ECC Chief for Madera-Mariposa-Merced Ranger Unit, introduced himself and stated he is willing to assist with County services and work with the Fire Companies; and further commended Building Department staff, namely, Sandy Huston and Mark Anderson, for their cooperation with his residential construction permit.

Supervisor Stewart advised that he attended the CSAC conference and received a Certification upon his completion of the New Supervisors Training program.

Resolution Commemorating the 50th Anniversary of World War II (Supervisor Stewart)

BOARD ACTION: (M)Taber, (S)Stewart, Res. 95-515 adopted and presented to the following: Frances Long/member of Selective Service District Appeals Board and Dieter Dubberke/representative of the local Board, Selective Service Board No. 74/Ayes: Unanimous. Dieter Dubberke forwarded the Resolution to Dennis Blessing/VFW Post 6042 Senior Vice-Commander, for the Post to display the Resolution.

Approval of Minutes of 11/20/95, Regular Session
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Taber pulled item 1 - action was taken later this date. (M)Balmain, (S)Stewart, balance of items were approved/Ayes: Unanimous.

9:21 a.m. Jim Evans, Housing and Community Development Agency Director;

A) PUBLIC HEARING Regarding Resolution Approving an Application and Contract Execution for funding (\$68,000) from the Enterprise Component of the Economic Development Allocation of the State CDBG Program and Authorizing the Execution of a Grant

Agreement and any Amendments thereto with the State of California for the Purposes of this Grant

BOARD ACTION: Jim Evans gave staff report and responded to questions from the Board relative to proposed funding allocations and program activities; support offered by Yosemite Bank for the program; and relative to tracking the program for its success. Public portion of the hearing was opened and input was provided by the following: Ralph Bayless stated he feels the information that the program would provide is already available through the Small Business Administration and public libraries, etc. Bob Pickard/High Country Health and President of Chamber of Commerce, commented on the letter of support submitted by the Chamber and stated he felt the technical support that would be provided by the program is an essential element for starting a business and he supports this program. Public portion of the hearing was closed and Board commenced with deliberations. (M)Reilly, (S)Stewart, Res. 95-517 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber. Hearing was closed.

10:07 a.m. Chairman Parker announced that a message was just received from Congressman Radanovich's Office advising that a continuation resolution was passed by Congress to continue federal operations until January 5, 1996, pending adoption of the federal budget. (Note - It was later clarified that the message was misunderstood and the resolution was not passed and that the budget impasse continues.)

B) Resolution Authorizing the Filling of the Vacancy of the Head Start Program Director Position in the Mariposa County Head Start Program
BOARD ACTION: Following discussion with Jim Evans, (M)Reilly, (S)Stewart, Res. 95-519 adopted directing Housing and Community Development Agency Director to contract on a Personal Services basis to fill this position temporarily until there is a better understanding of the program's future oversight/Ayes: Unanimous.

10:17 a.m. Recess

10:29 a.m. Ed Johnson, Planning and Building Director;
Resolution Initiating the Public Review and Hearing Process for Text Amendments to Mariposa Town Planning Area (TPA) Specific Plan and County Zoning Ordinance Relative to:

- 1) Parking Standards in the Mariposa TPA,
- 2) Review Requirements for Demolition of Identified Historically Significant Structures which are Outside of Historic Design Overlay District, but Within the TPA, and
- 3) Sign Standards in the Mariposa TPA (Relative to Specific Informational Signs)

BOARD ACTION: Discussion was held with Ed Johnson. (M)Balmain, (S)Stewart, Res. 95-520 adopted/Ayes: Unanimous.

10:35 a.m. Mike Edwards, Public Works Director;

A) Discussion and Direction Regarding County Management of Mariposa-Yosemite Airport

BOARD ACTION: Discussion was held with Mike Edwards, with several members of the Airport Advisory Committee present. Mike commended the Committee members for their efforts. Mike further advised of recommendation from the Committee for County management of the Airport, consideration of a higher salary; to offer the small house at the Airport to the manager free of rent; and advised that the proposed budget does not include any funding for Capital Improvement Projects; and reviewed options for management. Action was continued for consideration to after review of all of the Airport agenda items.

B) Discussion and Direction Regarding Proposed Increase of Monthly Ground Lease Fees at Mariposa-Yosemite Airport

BOARD ACTION: Discussion was held concerning recommendations; and Mike advised that the Committee recommended a three year implementation for increases, and that a pilot requested the wood hangars for the northside be included with the unimproved apron fees. Eric Gourley/Airport Advisory Committee member, advised that "transient" means "non-reserved." Gerald Sjorstrand/one of the nine who built hangars, reminded the Board that they paid for their improvements and were previously told by County staff that they would probably be able to renew their contracts with the County for another ten years. Klaus Heddergott commented on the fees for the Porterville airport. Board concurred with staff bringing both fee recommendations to the public hearing to be held on this matter.

C) Discussion and Direction Regarding Fueling Facility at Mariposa-Yosemite Airport

BOARD ACTION: Discussion was held concerning proposed facility. Gerald Sjorstrand/pilot, stated he felt above-ground units with credit cards are good; and expressed concern with fuel availability during removal of the old tanks and installation of a new system. Supervisor Balmain requested that proposed above-ground tank regulations be reviewed and considered. Robert Albert/local pilot, suggested above-ground tanks and that precautions be taken to keep water out of the fuel tanks. Bill Foschaar/Airport Advisory Committee, advised that a fuel truck could be used during removal of the old tanks. Eric Gourley/Airport Advisory Committee, stated he does not like the aesthetics of above-ground tanks, but feel the benefits are better.

D) Discussion and Direction Regarding Installation of County Hangars at Mariposa-Yosemite Airport

BOARD ACTION: Discussion was held.

Board concurred with staff proceeding with recommendations relative to the Airport as presented.

Consent Agenda item 1 - Discussion was held with Mike Edwards/Public Works Director, concerning request from the applicant for an extension, and the status of the applicant fulfilling its agreement with the Church to improve the road. (M)Balmain, (S)Stewart, Res. 95-521 adopted agreeing to an extension to January 9, 1996, with direction given to staff to contact the applicant and explain the problem with the status of the road

improvements. Further direction was given to staff to come back on December 12, 1995, relative to establishment of the Zone of Benefit and getting the assessments on the tax rolls. Ayes: Unanimous.

Supervisor Stewart presented Mike Edwards with a toy model of a wheel front end loader that he received from the CSAC conference for his fleet.

12:15 p.m. Recess

12:24 p.m. Dan Tinnel, Fire Chief/Emergency Services Officer; Presentation of Report and Findings by the Mariposa County Fire Department Ad Hoc Committee on Fire Protection (Continued from Forthcoming Policy 11/28/95)

BOARD ACTION: Dan Tinnel commended the Ad Hoc Committee for its efforts in preparing the report. Jim Wilson, Don Weston and Joan Tune/Committee members, presented the report and responded to questions from the Board. Supervisor Parker stated he did not want to see the support of the auxiliaries go away. Supervisor Taber stated she would like to see the State agencies participate in medical response costs for the calls that the County and volunteers cover, where the State would normally be responsible for such coverage; and further stated that she felt the volunteers should receive some type of compensation for their responses. Mike Coffield/County Administrative Officer, advised of possibility of introducing legislation to recoup some of the fire protection costs from the property tax shift. Board concurred with directing Administrative Officer to continue to pursue this matter and bring it back to the Board. John Granger commented on the need to take the financing issue to the public. Discussion was held concerning the report and financing issues. Board concurred with Administrative Officer further reviewing the issues requiring legislation; and Chairman Parker to work with County Counsel and a member of the Ad Hoc Committee to review independent versus dependent district issue for the Fire Department and what the various funding options might lend to the district; and with taking the report under advisement pending review of the issues raised. Art Laursen stated the Committee worked hard to keep the report within the rural community context. Chairman Parker commended the members of the Committee for their work.

1:39 p.m. Discussion Relative to the Duties of the Constable and

Salary Commensurate with those Duties Subsequent to January 1, 1997
(County Counsel)

BOARD ACTION: Following discussion with Jeff Green/County Counsel and Mike Coffield/County Administrative Officer, (M)Balmain, (S)Stewart, Res. 95-522 adopted setting an hourly salary range and duties for Constable position, effective January 1, 1997, as recommended/Ayes: Unanimous.

1:47 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to General Employees (SEIU) and Management/Confidential Employees (MCMCO) (County Labor Negotiator) and Deputy Sheriff's Association (DSA) and Mariposa Sheriff's Management Association (MSMA) (County Administrative Officer)

BOARD ACTION: (M)Taber, (S)Reilly, Board recessed to closed session following a short recess, with Dan McFadden/County labor negotiator, and Nancy Kyle/Personnel Analyst, and Shirley Campbell/State Mediator, to be present for portion of session/Ayes: Unanimous.

3:00 p.m. Board reconvened in open session with closed session continued to 4:30 p.m., and with Supervisor Reilly excused for the rest of the meeting.

Mike Coffield/County Administrative Officer, advised of an off agenda item relative to HR 2677 which would allow the States to operate national parks during the federal government shutdown. (M)Balmain, (S)Taber, Board waived its rules requiring 72 hours agenda noticing, finding this legislation was not known about at the time the agenda was prepared and action is required prior to the next meeting as the legislature may act on this legislation prior to the next meeting/Ayes: Balmain, Stewart, Parker, Taber; Excused: Reilly. Following discussion, (M)Taber, (S)Balmain, direction was given for County Administrative Office to draft a letter for the Chairman's signature in support of HR 2677/Ayes: Balmain, Stewart, Parker, Taber; Excused: Reilly.

Supervisor Taber expressed concern with the closure of Highway 120 over Tioga Pass due to snow storm predictions.

3:07 p.m. Recess

4:35 p.m. Board reconvened in continued closed session.

5:37 p.m. Board reconvened in open session with direction given to labor negotiator relative to SEIU negotiations.

INFORMATION - No action was necessary on the following:
Board Hearing Schedule (Clerk of the Board)

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MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
DECEMBER 12, 1995

Time	Description
9:06 a.m.	Meeting Called to Order
	Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Andrew Carisio referred to a recent article in the newspaper where the Secretary of Interior signed over government land to private parties under the Mining Act, and asked if it is possible for the County to claim some of the federal land for future revenue. Supervisor Taber advised that she has a map showing location of minerals in the County. Chairman Parker suggested the map be referred to County Counsel for review.

- Supervisor Balmain advised of a letter he drafted to the Secretary of the Interior expressing concern over the impending federal government shutdown on Friday if the federal budget is not adopted. (M)Taber, (S)Reilly, Board waived its rules requiring 72 hours agenda noticing to consider this matter finding the matter was not known about when the agenda was prepared and the shutdown is scheduled to occur prior to the next meeting/Ayes: Unanimous. Following discussion, (M)Taber, (S)Balmain, Board approved sending letter. Supervisor Reilly advised that YATI sent a letter of concern also. Motion was amended, agreeable with maker and second, to include direction that individual letters be sent to the legislators and to President Clinton/Ayes: Unanimous.

Approval of Minutes of 11/28/95, Regular Session

BOARD ACTION: Minutes were approved with change to clarify that it is the intent of the Board for the Planning Department to begin the zoning change process immediately and not wait until the commercial zoning process has been done with regards to the property involved in the appeal filed by Helen Kwalwasser.

9:15 a.m. Jeff Green, County Counsel;

PUBLIC HEARING Regarding Resolution Approving Purchase of Real Property from Robert E. Bondshu Which is Located Within the Government Center Site
BOARD ACTION: Hearing was opened and continued to after the following item.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: (M)Reilly, (S)Balmain, all items were approved/Ayes: Unanimous.

9:17 a.m. Jeff Green, County Counsel;
PUBLIC HEARING Regarding Resolution Approving Purchase of Real Property from Robert E. Bondshu Which is Located Within the Government Center Site
BOARD ACTION: Jeff Green/County Counsel, presented staff report and advised that the appraisal by Mr. Yaley was \$150,000, with a cost approach value of \$155,800. He further advised that Mr. Bondshu is willing to accept the appraised value by cost approach as a selling price, and recommended that the Board take input today and continue the hearing to January 2, 1996, for action so that the public would be aware of the increase in purchase cost. Public portion of the hearing was opened and input was provided by the following: Mary Good stated that it does not seem right to her to have to wait for someone to die before the County can take possession (proposed sale allows Mrs. Bondshu to reside in the residence until the time of her death). Bob Bondshu responded to question from the Board relative to the possession issue. Jeff Green responded to question from the Board relative to termite inspection. Hearing was continued to January 2, 1996, at 9:30 a.m.

9:26 a.m. Argument for Primary Ballot Measures "A" Eliminating the Elected Constable Position and Measure "B" Increasing the Transient Occupancy Tax to 10% (County Administrative Officer)
BOARD ACTION: Mike Coffield/County Administrative Officer, presented staff report. Following discussion, (M)Balmain, (S)Stewart, direction was given for County Clerk to show Constable position on the ballot as "Constable/Marshal"; and argument for Measure "A" was approved with changes as discussed to reflect "Constable/Marshal" and deleting reference to cost savings, and with direction that the arguments be signed by the Board/Ayes: Unanimous. Discussion was held relative to argument for Measure "B". Further discussion on this argument was continued to later this date.

9:55 a.m. LOCAL TRANSPORTATION COMMISSION
Resolution Authorizing Execution of Fund Transfer Agreement (FTA) and Approval of Transportation Planning Work Program for Receiving State and Regional Planning Assistance Funds (Planning Director)
BOARD ACTION: Following discussion with Ed Johnson/Planning and Building Director, (M)Reilly, (S)Stewart, LTC Res. 95-13 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Taber.

10:05 a.m. Recess

10:13 a.m. Jim Evans, Housing and Community Development Agency Director;
Resolution Authorizing the Housing and Community Development Agency Director to Submit a Continuing Application for Program Year 4 of the Mariposa County Head Start Program (\$368,729)
BOARD ACTION: Discussion was held with Jim Evans relative to request, and he advised that he will report back to the Board in sixty days concerning the future status of the program. Rhonda Vice/parent, referred to the assistance she and her child has received from the Head Start program and urged the Board's support. (M)Reilly, (S)Stewart, Res. 95-525 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber.

Jim Evans, Housing and Community Development Agency Director and Mike Edwards, Public Works Director;
Resolution Certifying a Notice of No Significant Impact on the Environmental and Preparation of a Negative Declaration Regarding the Mariposa Pines Wastewater Rehabilitation Project
BOARD ACTION: (M)Reilly, (S)Taber, Res. 95-526 adopted/Ayes: Unanimous.

Mike Edwards, Public Works Director;
Continued Discussion Relative to Request for Extension of the Conditional Approval of the Saint Andrews Road Maintenance Zone of Benefit (Continued from 12/5/95)
BOARD ACTION: Discussion was held and Mike Edwards advised of the timeframes for setting assessments on the tax roll. Roger Stephens/Engineer, and Bill Carter/new foreman for the project, provided input and stated they hope to have everything completed by January 16, 1996, depending on the weather. (M)Taber, (S)Stewart, Board directed that the number of inclement weather days that the work cannot continue be added to the January 9, 1996, deadline for completion that was previously set by the Board/Ayes: Unanimous. Supervisor Reilly asked about assurances that occupancy will not occur until the project is finalized. Supervisor Taber suggested consideration be given to imposing fines for projects that are not completed timely.

10:55 a.m. Jeff Irons, Visitors Bureau Director;
Recommendation to Approve the Mariposa County Visitors Bureau Mission Statement and Short and Long-Term Goals
BOARD ACTION: Jeff Irons commended the Tourism Advisory Council members for their work on the this project, and introduced Harold Wesley/Advisory Council Member. Supervisor Parker suggested that a tracking mechanism for the goals be implemented. Supervisor Taber asked about the status of going on-line with the Internet to advertise the County. Supervisor Balmain suggested more emphasis to get the word out relative to the status of Yosemite National Park being open. (M)Balmain, (S)Stewart, Board approved recommended Mission Statement and Goals, with direction that they continued to be updated to address current events/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber.

Resolution Finding that the Public Interest would be Served by the Issuance of an Additional Off-Sale Beer and Wine License in Mariposa County (Supervisor Balmain)
BOARD ACTION: Supervisor Balmain initiated discussion concerning request on behalf of the former "C Arrow B" business. Discussion was held relative to request and policy issues and legislative requirements. (M)Balmain, (S)Taber, to adopt a resolution finding it is in the "economic interest" versus "public interest", failed by the following vote: Ayes: Balmain, Taber; Noes: Stewart, Reilly; Abstained: Parker. Note: later this date, Supervisor Parker changed his vote to "aye" and motion passed.

Further discussion was held concerning the ballot argument for Measure "B". Board concurred that County Administrative Officer make the suggested changes and bring the matter back after lunch for further consideration.

12:01 p.m. LUNCH

1:32 p.m. Board reconvened and Supervisor Parker changed his previous vote from "abstained" to "aye" relative to an additional off-sale beer and wine license - Motion passed and Res. 95-527 adopted.

1:33 p.m. Joint Meeting between the Mariposa County Board of Supervisors and the Mariposa County Tourism Advisory Council to Discuss the Proposed March Ballot Measure Dealing with Increasing the Mariposa County Transient Occupancy Tax (TOT) (Visitors Bureau Director) (No Folder)
BOARD ACTION: Jeff Irons introduced the following Tourism Advisory Council members that were present: Joan Gloor/ representing Lodging Council; Barry Brouillette/ representing Jerry Fischer - Yosemite Motels; Harold Wesley/representing Northside; and Betsy Saul/representing Paul Ratchford - Tenaya Lodge. Also present were Herb Gloor/Mariposa Lodge and Ann Sparks/Chamber of Commerce Executive Director. Betsy Saul read a statement on behalf of Mr. Ratchford supporting the increase in TOT. Barry Brouillette commented on the last Advisory Council meeting and concerns that were expressed relative to the proposed increase and marketing program, and subsequent meetings to resolve the issues, and further stated that he feels the primary players are in support of the increase. Harold Wesley stated he was initially opposed to the increase in order to keep costs down; however, with the filling of the Visitors Bureau Director position and program, he supports the increase. Joan Gloor stated she agrees that this is a good investment in the future and it will take time to see the results. Barry Brouillette further stated that he felt the larger companies will benefit less and the tourism industry as a whole will benefit by the increase. Betsy Saul commented on marketing the County. Jeff Irons advised that marketing issues will be on the agenda for the next Council meeting, and commented on needed improvements. At 2:07 p.m., the following Advisory Council members were present: Don Pitts/representing Bed and Breakfast Association, and George Spach/representing Yosemite Concession Services. George Spach commented on his background with the County and tourism industry, and stated he feels there is cooperation with the County and that everyone needs to work together to fill rooms outside of the Park as that is where the real potential for increasing revenues exist - facilities within the Park are generally booked; and he further stated he would leave a statement from Mr. Fraker supporting the TOT increase as long as the County is committed to the Visitor Bureau/marketing program. Bob Pickard/representing Chamber of Commerce, was present at 2:10 p.m. Don Pitts advised that several members of the Bed and Breakfast Association are concerned with the increase and they are looking for a strong commitment from the Board relative to the future of the Visitor Bureau/marketing program; and they feel it will benefit the County. Bob Pickard stated the Chamber supports the increase in the TOT. Chairman Parker thanked everyone for meeting today and working with the Board to support the increase. No action was necessary.

2:18 p.m. Further discussion was held concerning the ballot argument for Measure "B". Board recessed at 2:40 p.m. and reconvened at 2:44 p.m. Following further discussion, (M)Balmain, (S)Stewart, Board approved the argument language for Measure "B" and directing Administrative Officer to

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MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
DECEMBER 19, 1995

Description
9:05 a.m. Meeting Called to Order, with Supervisor Taber excused.

Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Mike Edwards, Public Works Director, advised of problems with a well at the Landfill - rocks are falling into the well and damaging the pump and the well, and he requested that \$6,000 from the Solid Waste Contingency Fund be used to put a new lining in the well and repair the pump. In the interim, they are paying for water to be hauled to the facility. (M)Reilly, (S)Stewart, Board waived its rules requiring 72 hours agenda noticing, finding this matter was not known at the time the agenda was prepared and water is having to be imported for the Landfill and SPCA facilities/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber. Following further discussion, (M)Balmain, (S)Stewart, Res. 95-528 adopted appropriating \$6,000 from Solid Waste Contingency and directing Public Works to repair the well and pump/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

- Mike Coffield, County Administrative Officer, advised that he was contacted by Congressman Radanovich to see if the County would be interested in cooperating with the State to keep Yosemite National Park open through January 2, 1996, at County and State expense during the Federal shutdown. County expense is estimated at \$8,000/day with no guarantee of reimbursement. Discussion was held concerning this request and possible funding sources. It was noted that Madera County tentatively approved \$2,000/day and contact has been made with Tuolumne County to determine their interest in participating in this matter. Supervisor Reilly requested that costs be clarified and that the Park administration and Concessionaire be contacted relative to their thoughts on this matter. (M)Balmain, (S)Stewart, Board waived its rules requiring 72 hours agenda noticing, finding this matter was not known at the time the agenda was prepared and action would be required prior to the next meeting if a contract is to be approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber. (M)Stewart, (S)Balmain, direction was given to County Administrative Officer and Chairman to further investigate the particulars of this matter and contact the Governor relative to what the State's plans are in this matter; and matter was continued to 2:00 p.m. this date/Ayes: Balmain, Stewart, Parker; Noes: Reilly; Excused: Taber.

- Supervisor Stewart advised that Mr. Green, contractor for the Saxon Creek Water Project, is no longer able to obtain special soil for this project within the County due to regulations and must obtain it outside of Mariposa.

Approval of Minutes of 12/05/95, Regular Session
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Stewart pulled item 4 and Supervisor Parker pulled item 1 - action was taken on these items later this date.
(M)Balmain, (S)Reilly, balance of items were approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Dennis Patrick, Technical Services Director;
Resolution Transferring funds Within Data Processing Budget to Purchase a Printer (\$1,275)
BOARD ACTION: Dennis Patrick was unable to be present. Following discussion, (M)Reilly, (S)Stewart, Res. 95-532 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Dr. Mosher, County Health Officer;
Resolution Waiving Hiring Freeze and Approve Filling of Senior Office Assistant Vacancy at the Health Department
BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 95-533 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

9:56 a.m. Recess

10:05 a.m. Dan Tinnel, Fire Chief/Emergency Services Officer;
Resolution Establishing Mariposa County as an Operational Area for Emergency Management
BOARD ACTION: Dan Tinnel provided a presentation on the technical support needed during an emergency situation and presented request to establish the County as an Operational Area. Following discussion, (M)Balmain, (S)Reilly, Res. 95-534 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Dan Tinnel introduced Morgan Clayton, Senior Office Assistant for the Fire Department.

10:39 a.m. LOCAL TRANSPORTATION COMMISSION

A) PUBLIC HEARING Regarding Draft Mariposa County Transportation Improvement Program and Direction to Staff to Submit RTIP to California Transportation Commission; and

B) Authorization for Executive Director to Execute Fund Transfer Agreement for Clean Air Act (Proposition 116) Non-Urban County Funds for Sidewalk Design (Planning)

COMMISSION ACTION: Ed Johnson, Planning and Building Director, advised that these items relate to capital improvement projects and Public Works is taking the lead. Mike Edwards, Public Works Director, presented staff report, and advised of change by Caltrans to reflect an increased cost estimate for the Highway 132 project. Mike Edwards responded to questions from the Commission relative to the status of the Merced Canyon

Trail and El Portal Merced River Pedestrian Bridge projects. Gwen Foster/PWD-Junior Civil Engineer, provided input relative to the competitive basis for the funding allocations and her efforts to move these two projects along. Public portion of the hearing was opened. There was no public input received. Public portion was closed and Board commenced with deliberations. (M)Parker, (S)Reilly, LTC Res. 95-14 adopted adopting the draft 1995 RTIP as recommended; and further direction was given for Commissioner Reilly to work with Planning and Public Works staff relative to moving the Trail and Bridge projects along, and to report back to the Commission to consider further action if necessary; and LTC Res. 95-15 adopted approving Fund Transfer Agreement/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

10:58 a.m. Board reconvened and recessed.

11:07 a.m. Mike Edwards, Public Works Director;

A) Award Contract for Re-roofing the History Center/Library Building, Public Works Project Number 95-11 and Authorize the Public Works Director to Execute a Contract with the Lowest Responsible Bidder (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Mike Edwards relative to the project and potential funding sources. Don Weston, representing the History Center Board of Directors, advised that they had reviewed and concur with the proposed roofing materials. Following further discussion, (M)Balmain, (S)Reilly, Res. 95-535 adopted, with direction that funding be as follows: \$10,000/current CIP budget; \$7,500/balance of Mental Health Roof budget; \$7,500/balance of Rest Area budget; \$14,500/Hall of Records Roof budget; and \$5,000/Youth Facilities budget/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

B) Request to Schedule Workshop for Discussion of the Proposed Government Center with the Architect

BOARD ACTION: Following discussion, matter was scheduled for January 16, 1996, at 2:00 p.m.

C) Resolution Authorizing the Public Works Director to Extend, Year to Year, up to Four (4) Years, the Current Personal Services Agreement with Fred Youngren to Crush Used Oil Filters

BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Res. 95-536 adopted, with direction that the CPI index be used as a guide for future increases; and with further direction that the Board be notified of any changes to the contract/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Consent Agenda item 4 - Following discussion with Mike Edwards, Public Works Director, (M)Stewart, (S)Balmain, item 4 was approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Discussion was held with Mike Edwards relative to the recycling program and hours of operation, and posting of current landfill disposal fees - Mike Edwards will follow-up on these issues.

INFORMATION - No action was necessary on the following:

A) To Inform the Board of Public Works' Intent to have a Group of Citizens and Staff Review and Make Recommendations top the Department for Updating the Mariposa County Improvement Standards (Public Works)
BOARD DISCUSSION: Discussion was held with Mike Edwards, Public Works Director, and Ed Johnson, Planning and Building Director, concerning this matter. Dave Tucker/PWD-Senior Civil Engineer, provided input.

B) Resolution Authorizing the Award of Sealed Bids, PWB 95-04, for Road Division Materials (Public Works)

12:03 p.m. Lunch

1:30 p.m. Consent Agenda item 1 - Following discussion, (M)Balmain, (S)Stewart, item 1 was approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Resolution Authorizing Execution by Chairman of the Board of a Contract for Legislative/Regulatory Services with Wagerman Associates and Authorizing the Transfer of \$11,250 from the Contingency Reserve to the Administrative Office (4/5ths Votes Required) (County Administrative Officer)

BOARD ACTION: Discussion was held with Mike Coffield, County Administrative Officer, concerning this matter. Mike Coffield advised that this is a calendar year contract (January 1996 to December 1996), with a change in the termination clause from 90 to 30 days. Discussion was held relative to areas the consultant could assist the County and possible funding sources for the contract. Board recessed at 1:47 p.m. and reconvened at 1:54 p.m. Further discussion was held concerning possible funding sources. (M)Reilly, (S)Stewart, Res. 95-539 adopted as recommended/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

2:00 p.m. Continued discussion was held concerning the closure of Yosemite National Park due to the Federal government shutdown. Chairman Parker advised of receipt of letters from citizens concerning this matter. Mike Coffield, County Administrative Officer, advised of his conversation with the Governor's Office - the Governor is not willing to put the State of California on the liability hook for operating the Park; and if anything is to be worked out, it would need to be between the County and the Department of Interior. Per his conversation with John McCamman, Chief of Staff for Congressman Radanovich, they do not feel anything can be worked out without the State being involved. Mary Good asked what will happen in thirteen years when the concession facilities in Yosemite revert to the government. Jeff Irons, Visitors Bureau Director, provided input. Discussion was held relative to planning an event such as the "Spring Festival" that was held during the slide that closed entrance to Yosemite. Carol Morrison commented on the economic disaster the shutdown has created. Supervisor Balmain requested that County Administrative Officer and Chairman Parker prepare a letter to President Clinton, Secretary Babbitt and Congressman Radanovich describing the economic impacts to the County; Visitor Bureau Director look at the possibility of what could be done to welcome tourist to the County; and that County Counsel research what the legal steps would be for the County to pursue legal action against the Federal government.

2:34 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to General Employees (SEIU) and Management/Confidential Employees (MCMCO) (County Labor Negotiator) and Deputy Sheriff's Association (DSA) and Mariposa Sheriff's Management Association (MSMA) (County Administrative Officer); and Public Employee Evaluation of Planning and Building Director (County Administrative Officer)

BOARD ACTION: (M)Reilly, (S)Stewart, Board met in closed session following a short recess/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

5:30 p.m. Board reconvened in open session with direction given to County Administrative Officer as a result of Closed Session.

CONSENT AGENDA

CA-1 Resolution Authorizing the Chair to Sign the Mental Health Contract with Kings View Corporation (Human Services); Res. 95-538

CA-2 Resolution Approving Change Orders 1 and 2 to the Contract for Initial Groundwater Investigation for the Fuel Spill at the Coulterville Road Maintenance Yard, Public Works Project No. PW 94-36; Approve Funding from the C.I.P. Hazardous Waste Fund (\$8,429); and Authorize the Public Works Director to Sign Change Orders (4/5ths Vote Required) (Public Works); Res. 95-529

CA-3 Resolution Authorizing the Public Works Director to Sign Lease-Purchase Agreement of Grader Approved Per Resolution No. 95-397 (Public Works); Res. 95-530

CA-4 Resolution Authorizing the Public Works Director to Sign a Personal Services Agreement with Fred Youngren for Loading Tires at the Mariposa Landfill (Public Works); Res. 95-537

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