



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 4, 2000



Time Description

9:07 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

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

- Pelk Richards, Sheriff, invited the Board members to attend a demonstration scheduled for Wednesday on an emergency telephone communication system.
- Supervisor Balmain advised that he scheduled a request on the next agenda for the Board to hold its April 18th meeting in Greeley Hill to look at the trails/pathway project and to look at the potential new library site.

Approval of Minutes of 3/21/00 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Reilly pulled item 2 for discussion later this date.
(M)Pickard, (S)Stewart, balance of items were approved/Ayes: Unanimous.

Chairman Parker announced that as a result of the Closed Session on March 28, 2000, that direction was given to staff relative to salaries and benefits for appointed officials.

Jeff Green, County Counsel, addressed this issue on behalf of Judge LaRoche, Superior Court;

Approve Extension of Time for Notice by the Superior Court to the County Regarding Continuance of Services Provided by County

BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, Res. 00-113 adopted/Ayes: Unanimous.

Jeff Green, Personnel Director;

Approve Resolution Revising the Classification of Administrative Court Clerk/Jury Commissioner at Salary Range 199 to Administrative Court Clerk/Assistant Jury Commissioner at Salary Range 140 (Continued from 3/21/00)

BOARD ACTION: Motion by Balmain to approve this item was held abeyance. Jeff Green requested that the matter be held until the Union representative is present. He noted that his office received a phone call from Kristy Waskiewicz, Union representative, advising that she was running late. Matter was continued to later this date.

Garry R. Parker, Chairman;

Discussion and Possible Direction Relative to Request from the Masons to Have a Cornerstone Dedication at the New County Library (Continued from 3/14/00)

BOARD ACTION: Discussion was held. Bob Perez, Masons, provided input relative to their request, and he explained the cornerstone dedication. (M)Pickard, (S)Reilly, Board approved the request in concept, with direction for the Board's subcommittee (Supervisors Parker and Reilly) to work with the Masons on this request and to bring back further details on the monument and information to be included in the time capsule/Ayes: Unanimous.

Discussion was held relative to Resolution revising the classification of Administrative Court Clerk/Jury Commissioner. Jeff Green advised of the Union's request for assurances that when the State takes over the court employees that the salary for this position will not be reduced. He advised that both Judges have given their assurance that they do not want to see the salary reduced for the incumbent employee when the State takes over the employees. He feels that this covers this issue to the extent possible. Kristy Waskiewicz, AFSCME, stated she agrees with the revised job description and appreciates what has been done to give assurances. However, she stated she still feels the proposed salary range of 140 is too low – she stated it is thirty percent below the existing salary and she does not feel that thirty percent of the complex job duties have been removed. (M)Balmain, (S)Pickard, Res. 00-114 adopted approving the revised classification for Administrative Court Clerk/Assistant Jury Commissioner at salary range 140, with assurances given, to the degree possible, that the incumbent employee be re-classified with a Y-rate salary until such time as she leaves County employment/Ayes: Unanimous.

Consent Agenda item 2 – Following discussion with Jacque Meriam, Librarian, (M)Stewart, (S)Reilly, item 2 was approved/Ayes: Unanimous.

Jim Petropulos, Public Works Director;
Approve Resolution Adopting Plans and Specifications for the Greeley Hill Road Rehabilitation, PW 99-03, Authorize Public Works to Advertise Bids, Set Bid Opening for May 3, 2000 at 2:00 p.m. and Authorize the Public Works Director to Execute an Agreement with the Lowest Responsible Bidder
BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 00-116 adopted/Ayes: Unanimous.

Mary Williams, Community Services Director;
Authorize Chairman to Sign Amended Agreements with Area 12 and Approve Budget Actions for the Following Various Senior Services:
A) C-1 Congregate Meal Services in the Amount of \$2,302 (4/5ths Vote Required);
B) C-2 Home Delivered Meal Services in the Amount of \$1,486 (4/5ths Vote Required); and
C) Northside Transportation Services in the Amount of \$4,322 (4/5ths Vote Required)
BOARD ACTION: Following discussion, (M)Balmain, (S)Pickard, amended agreements were approved – Congregate Meal Services/Res. 00-117; Home Delivered Meal Services/Res. 00-118; and Northside Transportation Services/Res. 00-119/Ayes: Unanimous.

9:51 a.m. Recess

10:03 a.m. Sarah Williams, Interim Planning Director;
PUBLIC HEARING to Consider Potential Locations for YARTS Bus Stops to Serve the Coulterville, Greeley Hill and Buckmeadows Areas (Highway 132)
BOARD ACTION: Sarah Williams presented the staff report, and she responded to questions from the Board relative to the recommended site locations. Public portion of the hearing was opened and there was no public input. Public portion was closed and the Board commenced with deliberations. (M)Balmain, (S)Stewart, Res. 00-120 adopted approving the recommended locations for YARTS bus stops/Ayes: Unanimous. Hearing was closed.

Resolution Regarding Salary and Benefit Increases for Appointed Officials (County Administrative Officer/Personnel)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised of a modification to the recommended health benefit - the adjustment will appear on the April 30th payroll, but it will be the beginning of May before the benefit begins. (M)Reilly, (S)Pickard, Res. 00-121 adopted, with the modification to the health benefit/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Stewart advised of a transportation meeting in Fish Camp that he plans to attend as a part of the YARTS program.
- Supervisor Pickard provided a status report on the splitting of the 209 area code, and he advised of upcoming meetings on May 23 and 24th.
- Janet Hogan, County Administrative Officer, announced that the Board minutes and agendas are available on the internet at www.mariposacounty.org/board, and she thanked the Technical Services Director, Carl Verley, and the Clerk of the Board for their efforts in this matter.

Consideration of Appointment of Board Subcommittee to Recommend Salary and Benefit Levels for Elected Officials (County Administrative Officer/Personnel)

BOARD ACTION: (M)Pickard, (S)Balmain, Supervisors Reilly and Stewart were appointed to the Board subcommittee/Ayes: Unanimous.

10:25 a.m. Recess

11:00 a.m. Tom Efird, District Ranger, United States Forest Service; Presentation Regarding Proposed Policy for Managing Forest Roads

BOARD ACTION: Tom Efird gave a presentation, including an overview of the Forest Services' planning initiatives, roads management strategy, and road decommissioning. He advised of upcoming public meetings on these issues, and he advised of other Forest Service issues on a local, regional, and national level. Discussion was held relative to these planning efforts and funding sources for Forest Service roads. Concern was expressed with the Forest Service competing for tax dollars designated for public roads.

Input from the public was provided by the following:

Gary Penrod asked about the decommissioning of roads and whether they would be obliterated. He was advised that some decommissioned roads would be obliterated.

Diane Crisp asked how to determine which roads are classified and which are unclassified, and she was advised that the classified roads are marked with a number.

Lyle Turpin, rancher and Farm Bureau President, asked about the funding source for obliterating roads, and was advised that the maintenance budget would be used and that it is not the Forest Service's intention to close all of the roads. Access would remain for firefighting, etc.

Frank Shannon asked why the change in maintaining the roads and was advised that funding is not available to keep all of the roads open.

Supervisor Balmain read a letter into the record which was received from Norman Ross expressing concern with the proposal to close and eliminate certain existing vehicular access roads.

Further discussion was held. Supervisor Balmain expressed concern with the decline in timber sales and the subsequent loss of revenue; with private property access issues that involve the Forest Service; and relative to changes in the management of the land and impacts. He stated he would like to see the Board's response include these concerns. Supervisor Reilly stated she feels the location of access issues for private landowners needs to be identified and worked on. Supervisor Reilly was excused at 12:04 p.m. for another meeting. Supervisor Stewart expressed concern with the use of phrases such as "science-based" and future changes that will occur in this line of thinking.

(M)Pickard, (S)Balmain, Supervisor Balmain to work with staff to draft a response letter for signature by the Chairman. Supervisor Parker suggested that the response include input from others and come back to the Board for review. Board concurred with scheduling the review of the draft response on April 25th and adoption on May 2nd. Supervisor Balmain advised that he has been asked to serve on a panel to deal with the difficulty that local government has in dealing with the Forest Service. Supervisor Parker expressed concern with the proposal that would allow the Forest Service to compete for road dollars and the impact that may have on the County. Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

INFORMATION - No action was necessary on the following:

- A) Acceptance of a Donation to the County Library from the Mariposa Local Child Care Planning Council for Family Literacy in the Amount of \$5,000 (Library)
- B) Information Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

- CA-1 Resolution Authorizing the Chair to Sign a Personal Services Agreement with Robert Klinoff of Kern County Fire Department for Training Volunteer Fire Officers in the Fire Instructor 1A Course (Fire); Res. 00-111
- CA-2 Resolution to Include the Friends of the Library (Mariposa and Wawona) Fundraising Events Under the Mariposa County Liability Insurance Policy (Library); Res. 00-115
- CA-3 Appoint Helen Yates to the Yosemite West Maintenance District Advisory Committee (Supervisor Reilly)
- CA-4 Resolution Approving Statement of Votes Cast, County of Mariposa Primary Election on March 7, 2000 as Certified to the Secretary of State and Declare Elected Those Persons in Local Races as Set Out in the Statement (County Clerk/Elections); Res. 00-112

12:15 p.m. Adjournment in memory of Jody Greeley Webb, Charm Gray, Heath Porter, and Norm Varney.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 11, 2000



Time Description

9:14 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

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

- Mary Williams, Community Services Director, advised that Jim Wagner, President of the CDF 25-Year Club, has coordinated their reunion being held in Mariposa this week. The group has reserved over 100 hotel rooms, in addition to RV spaces, for their event. She advised that they are assisting with the transportation needs. Jim Wagner stated they are looking forward to this week's events and thanked Mary Williams, Jan Mennig/Chamber of Commerce, and the Fair for their support in putting on this event. Chairman Parker thanked Jim Wagner for bringing this event to Mariposa and he stated the group is welcomed on behalf of the Board.
- Janet Hogan, County Administrative Officer, announced that she has accepted the County Administrative Officer's position with Tulare County, effective July 1, 2000.

Approval of Minutes of 3/28/00 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Item 5 was pulled to be rescheduled at the Sheriff's request. (M)Reilly, (S)Pickard, balance of items were approved/Ayes: Unanimous.

Pelk Richards, Sheriff;

Approve Resolution Authorizing Sheriff to Enter into an Agreement with Kawasaki Motor Corp. U.S.A., and Clawson Motorsports of Fresno, for the Use of Kawasaki Jet Skis for Enforcement Use at Lake McClure

BOARD ACTION: Discussion was held. (M)Pickard, (S)Balmain, Res. 00-125 adopted/Ayes: Balmain, Stewart, Pickard; Noes: Parker; Abstained: Reilly.

Jim Petropulos, Public Works Director;

Resolution Authorizing Increase in the Contract with Teichert Construction Over and Above the 10 Per Cent Change Order Authority Allowed the Director of Public Works for the STIP 1999 Asphalt/Concrete Overlay Projects

BOARD ACTION: Following discussion, (M)Pickard, (S)Balmain, Res. 00-126 adopted/Ayes: Unanimous.

9:33 a.m. Recess

9:47 a.m. Garry R. Parker, Chairman;

Discussion and Possible Action Relative to the Renaming of Highway 140 to John Muir Scenic Corridor

BOARD ACTION: Supervisor Parker advised that Bob Rucker, Chief of Staff for Senator Monteith, was present to answer questions and that the Merced County Board of Supervisors is also considering this matter this date. He advised that the requested action

does not designate Highway 140 as a scenic corridor, this is just a renaming request. Discussion was held with Bob Rucker relative to the proposed legislation; expectations for donations for funding the cost of plaques and markers; the portion of Highway 140 to be renamed; and relative to the process for the legislation and wild and scenic designation. Further discussion was continued for the following hearing to be opened.

10:00 a.m. Public Hearing to discuss the Mariposa County General Plan Update process was opened and continued to after the following matter.

Further discussion was held relative to the renaming of Highway 140.

Input from the public was provided by the following:

Yvonne Bennett stated she only heard about this matter two days ago and they have collected over 150 signatures on petitions from the Northside opposing this matter, citing historical information – this was not the route used by John Muir to enter the Park. She read and presented the petitions to the Board. She also read letters from Yosemite Westgate Hotel and Sally Punte objecting to the renaming. She advised of efforts on the Northside to establish a web page containing historical information. She further advised that she plans to send the letters and petitions to each State legislator.

Barry Brouillette acknowledged the historical accuracy of the input provided. As an individual and Board member of the Chamber of Commerce, he stated he would pledge funding for markers and monuments to designate the Highway. He stated he also approved a wild and scenic designation, and he would work hard to gain the support of the community for this to occur.

Jan Mennig, Executive Director of the Chamber of Commerce, commented on the naming of the National Airport, and he stated he supports this request and feels tourism will benefit.

Helen Fowler, Chair of the Historical Sites and Records Preservation Commission, but speaking as an individual, stated she feels that the renaming of highways to recognize people is overdone, confusing to the public, and involves more signage. She feels there should be no change.

Discussion was held relative to the requested action, potential benefits to the promotion of the County as a whole; the process; and obtaining input from the public. Supervisor Balmain requested that the matter be continued to April 18th for discussion during the portion of the meeting in Greeley Hill. (M)Pickard, (S)Parker (who passed the gavel), to support the legislation renaming Highway 140 to John Muir Scenic Corridor, died after second was withdrawn following further discussion. Matter was continued to April 18th for the meeting in Greeley Hill, and to April 25th for the meeting in Mariposa. Bob Rucker advised that the intent of the Senator is to support the decisions made by Merced and Mariposa Counties in this matter. He advised that they tried to get notice out to the community and to speak with Board members. He further advised that if both counties do not want this legislation, they will not proceed. He also stated he would be willing to meet with the communities and consider other options.

10:54 a.m. Recess

11:20 a.m. Sarah Williams, Interim Planning Director;
PUBLIC HEARING to Discuss the Mariposa County General Plan Update Process
BOARD ACTION: Sarah Williams presented the staff report, reviewing the background and recommendations for this matter. Staff responded to questions from the Board relative to applying for a time extension and the process; and relative to handling specific projects in the interim of completing the update process.

Public portion of the hearing was opened and input was provided by the following:

Barry Brouillette, representing the Visioning Land Use Committee, advised that they held a special meeting on Sunday, and they support the direction of the document as

presented by Planning. He requested the following: 1) that all proposals from consultants be reviewed in a public hearing format; 2) that all vacancies in the Planning staff be filled expeditiously; and 3) that the Committee go on record as supporting our striving as a community to bring about a healthy democratic process.

Roberta Standen, speaking as an individual, encouraged the Board to move forward with the General Plan Update that is just not legally adequate, but is something that is workable and flexible enough that changes can be made when they need to be. She also stated she feels we should have clear-cut and enabling ordinances so that everyone knows the playing field. She stated she supports the recommendation. She noted that we should be aware that we are working in a global economy and this affects how businesses are conducted – a decreased need for parking spaces, more home industry opportunities, and this affects how decisions are made. She stated she feels we need decisions that make up a healthy economic community, and at the same time, a great place to live.

Jan Mennig, Executive Director of the Chamber of Commerce, stated he supports the recommendation of staff, and he offered the Chamber's assistance in facilitating this plan to fruition for economic development.

Les James read his letter into the record requesting that a Native American Element be added.

Randy Bolt stated he is a teacher and a member of the Visioning Process, and he stated he feels it is important to gather public input outside of the formal hearing process – he feels informal community meetings can build consensus. He also stated that he does not feel that the original document was as all-encompassing as they feel this document needs to be. Things have changed and the pressures are there for economic development, as well as an internal desire.

Ruth Sellers stated she concurs with recommendation of staff. She stated she feels we have reached a point in time with what has transpired over the last three years that we need to bring a consultant into the picture. She further stated that she feels that once the work is done, that code enforcement is a priority – without it, she feels the General Plan is of no use.

Helen Fowler congratulated Sarah Williams on her presentation and stated she was delighted to see the focus on historical development. She stated she feels that if we could further develop the historical aspect, we may not need to be dependent on Yosemite. She also stated that she agrees that enforcement is critical.

Steve Fortner, Catheys Valley, stated he wishes this could have been done a couple of years ago before the Title 17 revisions and Industrial/Commercial Open Window Period Application process. He expressed concern that if this is turned over the Office of Planning and Research that a moratorium will be imposed. He stated he feels there needs to be more involvement in the Town Planning Areas (TPAs) by the landowners, and that the door should not be closed to development within the TPAs. He stated he feels a problem with trying to have development within the TPAs is the unwillingness of the County take dedication of roads, water tanks, fire hydrants, etc., into the County system.

Candy O'Donel-Browne, speaking as an individual, stated she feels the Planning report is complete and that staff did a beautiful job. She stated she feels the issue is whether anyone in the County has the time to do this update, and she hopes someone from the outside could help.

Sue Overstreet, representing Gene Mallory/Mariposa Visioning Project, read his comments into the record commending the Board for moving ahead. She stated they hope the Plan goes beyond the legal requirements. They hope for a Plan that encompasses all areas of their task groups, and they offer their assistance and information they have gathered.

Dick Kunstman stated he is delighted that the Board is finally proceeding with an update of the General Plan. He asked that when the Plan is updated that the Board discontinue with what he feels has been its practice of making decisions that conflict directly with the General Plan.

Yvonne Bennett stated she is pleased that the Board is doing this. Her main concern is enforcement and retaining the rural lifestyle.

Joe Simon, past President of the Catheys Valley TPA, stated he believes that we need to have a General Plan, but he does not understand why we need Jones and Stokes to tell us what to do. The citizens should be asked what they want – that is how they proceeded with the Catheys Valley TPA. He stated he feels the rural lifestyle should be retained. There are no jobs in Catheys Valley other than menial ones, and anyone who wants to make money commutes. He stated Catheys Valley does not want the growth that has occurred in Sonora, Angles Camp, and Oakhurst.

Bart Brown, on behalf of MERG, applauded the Board and Sarah Williams and staff for work on this issue. He stated he agrees with the idea of having a consultant. He feels we can benefit from information that a consultant has from working with other areas. He also stated he feels enforcement is important. He suggested that perhaps fees and fines could cover the cost of an enforcement officer, and that the planning staff not have to perform this function. He advised that MERG obtained a small grant to facilitate a General Plan Update and perhaps they could find a way to use those funds to assist the County in its efforts.

Shirley Schmelzer commented that after all of the time and money spent, we need enforcement.

Gloria Palmer, Catheys Valley, stated she was on the TPA committee and confirmed what Joe Simon said – the general consensus was that Catheys Valley does not want growth.

Public portion of the hearing was closed, and the Board commenced with deliberations. Supervisor Parker requested clarification of the extension issue, and he requested an overview of what is available in Mariposa and other town planning areas that would not be affected while going through this process. Staff responded to questions from the Board relative to the status of processing projects during this process; the recommendation to hire an outside consultant and the public input process; how this process will affect TPAs that are still in the process of developing their Specific Plans; phasing this process; relative to elements of the Plan and the inclusion of the UC Merced; and the possibility of including our youth in this process – perhaps through the Annenburg Challenge Grant project. (M)Pickard, (S)Stewart, Res. 00-127 adopted approving staff's recommendations to pursue continued assistance from Jones and Stokes to obtain recommendations and assistance for the hiring of a consultant for the preparation and processing of: 1) the Mariposa County General Plan Update; 2) the update of general plan-implementing documents including the Zoning Ordinance, the TPA Specific Plans, and the County Environmental Review Policies and Procedures, and 3) the Environmental Impact Report/Ayes: Unanimous. Hearing was closed.

12:27 p.m. Lunch

2:06 p.m. Jeff Green, County Counsel;
Don Phillips, Tax Collector;

A) PUBLIC HEARING to Consider Appeal of Decision by County Counsel Relative to the Timely Filing of an Appeal for Transient Occupancy Taxes for Yosemite Peregrine Bed and Breakfast and Falcons Nest; Kay and Donald Pitts, Appellants;

BOARD ACTION: Jeff Green provided the staff report and reviewed the timelines that the decision was made by the Tax Collector and the appeal was filed. He responded to a question from the Board relative to the hearing process for this matter.

Public portion of the hearing was opened and input was provided by the following.

Don Pitts, appellant, referred to the appeal procedures in County Code, section 3.36.140 relative to noticing procedures for decisions. He stated he was not mailed the decision by the Tax Collector; it was faxed, and he does not believe that constitutes “serving” pursuant to the procedures. These statutes were enacted in 1964 and FAX

machines did not exist at that time. He stated the faxed notice he received consisted of a note in the margin of the Transient Occupancy Form. He advised of his conversations with the Tax Collector's Office relative to the appeal procedures and subsequent correspondence that clarified the timelines, and he stated this was received after the fifteen day appeal period had lapsed.

Kay Pitts, appellant, advised that after they received the January 6, 2000, letter containing the timelines for the appeal process, they filed their appeal of the Tax Collector's decision well within the fifteen day period.

Chairman Parker held the public portion of the hearing open for additional questions.

Don Phillips, Tax Collector, provided input relative to his understanding of the code relative to providing notice to the taxpayer, and he advised that he spoke via telephone with the appellants on December 20, 1999, and the appellants agreed to having a FAX sent. The FAX was sent on December 22, 1999, and he feels this provided sufficient notice.

Don Phillips and Jeff Green responded to questions from the Board relative to the County's usual process for providing notification of delinquent taxes; as to why the Tax Collector sent a letter in January, following the FAX of December, 1999; and relative to the chronology of events.

Kay Pitts stated the first written notification they received, via FAX, from the Tax Collector only contained the amount of the penalty, and they were kept on hold about how to deal with the penalty and the subsequent appeal process until the January 6th letter.

Don Phillips and Jeff Green responded to additional questions from the Board relative to due dates for transient occupancy taxes; whether calendar or business days are used to calculate the appeal timeframes; and the notification process that is used when taxpayers do not have a FAX machine.

Kay Pitts stated she feels there should be a uniform process for noticing and advising taxpayers of the process.

Public portion of the hearing was closed and the Board commenced with deliberations. (M)Pickard, (S)Reilly, Res. 00-128 adopted upholding the appeal on the timeliness issue based on the arguments that were raised by the appellants that the faxed notice of December 22, 1999, constituted insufficient notice of the appeal process; and the January 6, 2000, letter contained the information and started the clock for the appeal timeframes/Ayes: Unanimous. Hearing was closed.

B) Appeal of Decision by County Tax Collector Relative to the Timely Payment of Transient Occupancy Taxes for the Yosemite Peregrine Bed and Breakfast and Falcons Nest; Kay and Donald Pitts, Appellants

BOARD ACTION: Jeff Green presented the staff report and advised that the taxes in question needed to be received in the Tax Collector's Office by October 31, 1999, and the letter that was subsequently received was postmarked on December 13, 1999. He advised that he was unable to find anything in the Code that would allow relief to a taxpayer who pays on time, but the taxes are not received by the County on time. Staff responded to questions from the Board relative to the appeal rules; the definition of remittance as used in the Ordinance; and relative to the penalties being merged and becoming a part of the taxes. Don Phillips advised that they have honored postmarks in the past.

Public portion of the hearing was opened and input was provided by the following.

Kay Pitts, appellant, advised that they took a vacation during the month of November, and prior to leaving, they paid every bill for the months of October and November. Around December 13th they discovered that these two tax payment checks were not cashed, and they checked with their bank and found that they had not been paid. They were in sequential order with the checks written for their other bills, and those other checks had cleared the bank. Until November, 1999, they did not have secure mail boxes – they know the tax bills were deposited in their mail box, but they do not know what happened after that. She noted that this is the second time they have had this happen

since January, 1999; however, they caught the first incident immediately. The Tax Collector advised them that the payment was received late, and he waived the penalty as the postmark was different than when the bills were mailed in the first incident. She noted she feels they live in a contentious community and they are involved in the Homeowner's Association, etc. She stated she feels the penalty is extremely severe – for this incident it will cost them \$1,400. She advised that there are people who are renting without paying their taxes or obtaining a Transient Occupancy Tax permit, and there is no enforcement. She stated they are trying to abide by the rules.

Don Pitts, appellant, noted that his check register shows that there were plenty of funds available to cover the checks that were written for the taxes, and the other checks all cleared the bank. He further advised that the tax payments were submitted in envelopes provided by the Tax Collector and they are distinctive. He feels they made every effort to make the payment timely. It is an hour-round trip drive to mail them by certified mail from Yosemite Valley. He feels that, as an operator, they are in essence an employee working to collect the tax for the County, and he feels consideration should be given for their loyalty.

The public portion of the hearing was closed, and the Board commenced with deliberations. Don Phillips responded to questions from the Board relative to the postmark on the tax payments, and the timeframes covered by the penalties that were imposed; and whether penalties have been waived in the past for taxpayers. Don Phillips recommended that the second ten percent penalty be waived, along with the interest, based on the appellants efforts in contacting his office and trying to straighten this matter out. Marian Spacke, Investment Officer, provided input on the accrual of the penalties. (M)Pickard, (S)Balmain, to deny the appeal, failed by the following vote: Ayes: Balmain, Pickard; Noes: Reilly, Stewart; Abstained: Parker. (M)Stewart, (S)Balmain, Res. 00-129 adopted denying the appeal and accepting the Tax Collector's recommendation to waive the second ten percent penalty and interest; and to charge the first ten percent penalty based on the fact that the taxes were delinquent when received by the Tax Collector; and recognizing that the taxes were received and paid as of December 13, 1999/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Pickard. Hearing was closed.

3:31 p.m. Recess

3:45 p.m. Discussion was held relative to the tax ordinance and the noticing process and issues raised during the hearing. Board concurred with Supervisors Pickard and Reilly working with staff to bring back recommendations for amendments to the tax ordinance to clarify the appeal process and noticing requirements.

Resolution Directing that the Meeting for the Board of Supervisors for April 18, 2000, Commence at 10:00 a.m. at the Greeley Hill Community Club Hall, Fiske Road, Greeley Hill, California (Supervisor Balmain)

BOARD ACTION: (M)Balmain, (S)Stewart, Res. 00-130 adopted, with the meeting to commence at 9:00 a.m. in Greeley Hill. Supervisor Pickard initiated discussion relative to the items being scheduled for the meeting on the 18th and whether a full Board should be present for some of the items. Ayes: Unanimous.

Supervisor Reilly advised that she will prepare an agenda item to schedule the May 16th Board meeting in Yosemite at the East Auditorium for a presentation and walking tour of the Yosemite Valley Plan.

4:12 p.m. HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA

Selection of Chairman and Vice-Chairman of Commissioners of the Housing Authority (Human Services/Housing Authority)

COMMISSION ACTION: (M)Parker, (S)Balmain, Commissioner Reilly was selected as Chair and Commissioner Stewart was selected as Vice-Chairman/Ayes: Unanimous.

4:15 p.m. Board Information and Announcements

- Supervisor Balmain advised that he plans to attend a Forest Service meeting on April 25th in the afternoon in Clear Lake.
- Supervisor Stewart advised that he plans to attend the San Joaquin Valley Supervisors Association meeting in Lemoore.
- Supervisor Pickard advised that he was in Sacramento on Wednesday, and he provided a status report on pending legislation for CUPA, animal control, noxious weed issues, and homicide reimbursement funding. He also advised of a request received from Assemblywoman Leach relative to projects to improve local infrastructure for inclusion in the Governor's budget, and he presented a draft response and list of road projects. Discussion was held relative to this request and how to process these types of issues. Board concurred with sending the letter as presented. Supervisor Pickard advised that he plans to attend a meeting on Thursday in Sonora relative to the 209 area code issues.
- Supervisor Parker advised that he plans to attend a Regional Emergency Medical Services Agency meeting in Lake Tulloch on Wednesday. He advised that the Merced County Board of Supervisors did not take any action on the Highway 140 renaming issue and they wanted information from Mariposa on this issue.
- Janet Hogan advised that she will be on vacation from April 21 through May 1, 2000.

CONSENT AGENDA

- CA-1 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Certifying Completion of Annual Client Recertifications for the Fiscal Year Ending June 30, 2000 and Authorizing the Executive Director to Execute the Estimate of Total Required Annual Contributions, Budget and Requisition, and Attendant Documents and Submission of these Documents to HUD for the Fiscal Year Ending June 30, 2001 (Human Services/Housing Authority); HA Res. 00-1
- CA-2 **LOCAL TRANSPORTATION COMMISSION**
Resolution Rescinding Resolution No. LTC 00-2 and Conform to Mid-Year Adjustments Approved by the Board by Resolution No. 00-92 (Public Works); LTC Res. 00-5
- CA-3` **LOCAL TRANSPORTATION COMMISSION**
Resolution Allocating State Transit Assistance (STA) Funds for the 1999-2000 Fiscal Year (Public Works); LTC Res. 00-6
- CA-4 Resolution Authorizing the Public Works Road Superintendent to Take Home a County Vehicle for Call-Outs and Emergency Situations (Public Works); Res. 00-122
- CA-5 Approval of Memorandum of Understanding Between the County of Mariposa and National Park Service, Yosemite National Park (Sheriff); Matter was pulled to be rescheduled.

- CA-6 Approve Budget Action to Transfer Appropriations to Fixed Asset Account for Boating Safety Program Computer Purchase in the Amount of \$2,000 (Sheriff); Res. 00-123
- CA-7 Resolution Approving the Mariposa County Pioneer Wagon Train Event as a County Activity that will be Held June 8-10, 2000 and Authorizing Chairman to Execute Related Agreements (County Counsel); Res. 00-124

4:41 p.m. Adjournment in memory of Harold Shaw and Jim Olson.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 18, 2000



Time Description

9:02 a.m. Meeting Called to Order at the Greeley Hill Community Club Hall in Greeley Hill at Fiske Road with Supervisors Reilly and Pickard excused.

Chairman Parker introduced the Board members and staff.

9:05 a.m. Recess to set up the sound system.

9:09 a.m. Pledge of Allegiance
Introductions

Chairman Parker announced that the afternoon portion of the meeting would be held in Mariposa at the Government Center at 2:00 p.m.

- Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Art Laursen, on behalf of the Greeley Hill Volunteer Fire Department and residents of the area, thanked the Board and the community for their support in helping them obtain a rescue squad vehicle, and he reviewed the history of its use.
 - Mary Williams, Community Services Director, advised of the Senior Exposition and John C. Fremont Health Fair to be held on May 12, 2000 at 10:30 a.m. in Building "A" at the Mariposa County Fairgrounds.
 - Supervisor Balmain advised of a Fire Safe Council Meeting on April 20, 2000, at 6:00 p.m. in Greeley Hill.
 - Lyle Turpin advised of a Forest Service Road Management System presentation following the Fire Safe Council meeting.
 - Art Laursen advised of a Swift presentation tonight at the Community Club Hall.

Garry R. Parker, Chairman;

Discussion and Possible Action Relative to the Renaming of Highway 140 to John Muir Scenic Corridor (Continued from 4/11/00)

BOARD ACTION: Discussion was held.

Input was provided by the following people:

Jim Loeser commented that Highway 132 was one of the original highways that John Muir had traveled and should be named after John Muir instead of Highway 140.

Kathi Herman read a letter from the citizens and merchants which asks how renaming Highway 140 would benefit the Northside stating it would defeat the purpose since the first historic stagecoach route was on the northside and Highway 132 should be renamed to John Muir.

John Glessing stated he drives the road everyday.

Marji Tanner read a letter from Sally Punte into the record objecting to the renaming of Highway 140.

Walter Bunt spoke of Bower Cave and reading about John Muir taking a load of sheep to the headwaters of the South Fork of Tuolumne and Merced Rivers, and he stated this is the country that John Muir traveled and was later successful in having the government protect.

Bob Green stated he attended the John Muir Elementary School in Merced and Merced is known as "the gateway to Yosemite"; and he said he thought that if this is a

matter of which route to name John Muir, it would be historically correct to name Highway 132.

Chairman Parker reminded everyone that the highway renaming was not initiated by the Board, but by a request that came to Senator Monteith from citizens in the Mariposa area, as a marketing tool, who originally requested the rename to “Ansel Adams Highway” but the Adams’ family requested the name of another individual to be used. Chairman Parker requested that the Board not take action at this time and continue discussion to next week.

Juanita Gordon stated she feels this would take away their “marketing tool” and that the renaming should be pursued on behalf of the Northside.

Joan Tune asked what was meant by the term “marketing tool” and who the people are from Mariposa that are dealing with Senator Monteith on this matter.

Chairman Parker advised that some of the people dealing with the Senator are John Poimiroo and Barry Brouillette of Yosemite Motels.

Susan Bramson stated other historical figures spent a lot of time in Mariposa and she would like to see everything brought together and opened for further discussion of how we can all benefit and bring income into the County for the businesses.

Juanita Gordon asked what will happen if the people do not want the renaming to occur.

Yvonne Bennett advised she spoke with Mark Thornton, Supervisor of Tuolumne County, who said the road rename is not only historically incorrect, but politically incorrect as well. She also advised that she is pursuing this matter with State legislators.

Marie Slane stated she feels that if the legislation could be changed from Ansel Adams to John Muir, it could be changed from Highway 140 to 132.

Joan Tune stated that the John Muir Trail belongs to everyone and they can experience that on the northside of the county and she feels we must preserve history.

Gail Kimbro stated the trails traveled by John Muir were actually originated by Native Americans of California.

Lyle Turpin advised of the restrictions placed on a “scenic” highway, and stated he feels we need to be careful about such a designation.

Jim Loeser stated that Coulterville needs to be recognized and shown on the maps.

Gary Penrod stated people should have been involved all along and they could have had a designation a long time ago; but if designated “scenic”, then he feels private property rights are taken away.

Yvonne Bennett said she felt the maps do not direct traffic to the Northside and asked if the Board could do something about that.

Marie Slane advised that Coulterville is not on the map at the airport.

Mark Hendrickson, staff representative from Senator Monteith’s office, spoke on the Senator’s perspective which he advised is directed at increasing revenue for Mariposa County and that personal property rights need to be upheld. He advised that this request was brought to the Senator by the Merced and Mariposa Chambers of Commerce. He stated the decision regarding the renaming of the highway is solely at the discretion of the Boards of Supervisors and the enabling language for the scenic designation was included for the Board’s future consideration.

Joan Tune asked what it would take to get the process started again and if Highway 140 could be crossed out and Highway 132 inserted in its place. She also asked how the Chamber of Commerce was formed, funded and who represents the northside, and why their input was not sought.

Gary Penrod brought up the concern of how the renaming of Highway 132 would affect the state project to improve the Highway all the way to Highway 120. He stated he feels that all of the issues need to be reviewed.

Laverne Greeley stated that Greeley Hill Road has kept the same name since 1851. She stated she does not feel that the road should be renamed.

Item was continued to the next Board meeting on 4/25/00 at the Government Center in Mariposa at 9:00 a.m.

9:52 a.m. Doug Balmain, District II Supervisor;

A) Certificates of Appreciation to Northside Transit Driver, Peggy Wyrick and Relief Transit/Medical Driver, Sharon Haury, for Their Dedication, Support of Seniors and Ensuring that Transit Needs are Met on the Northside

BOARD ACTION: (M)Balmain, (S)Stewart, Certificates were approved and given to the Community Services Director to give to the recipients/ Ayes: Balmain, Stewart, Parker; Excused: Reilly, Pickard.

B) Resolution Recognizing an Outstanding Northside Senior

BOARD ACTION: (M)Stewart, (S)Balmain, Res. 00-131 adopted recognizing Ann Gehrig. Supervisor Balmain presented resolution to Ann Gehrig/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Pickard

Approval of Minutes of 4/4/00 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: (M)Stewart, (S)Balmain, Consent Agenda was approved/ Ayes: Balmain, Stewart, Parker; Excused: Reilly, Pickard.

Janet Hogan, County Administrative Officer;

A) Approve Program and Authorize Release of Request for Proposals for Landscaping Services Around County Facilities

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 00-134 adopted/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Pickard.

B) Approve Salary Increase for Classifications of Assistant Director of Public Works (4 Percent), Senior Civil Engineer (17 Percent), Associate Engineer (9 Percent) and Junior Engineer (5 Percent) and Approve 15 Percent Allowance for Any Associate Engineer Possessing an Engineer's License; with all Increases to be Effective May 1, 2000

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 00-135 adopted. Chairman Parker advised of the resignation of a Senior Maintenance Worker for the Public Works Department, Gordie Varney, who accepted a position with CDF. Ayes: Balmain, Stewart, Parker; Excused: Reilly, Pickard.

10:10 a.m. Supervisor Balmain advised of the location of the proposed Greeley Hill library branch – between the currently rented space and the Elementary School. Jim Petropulos, Public Works Director and Kent Woolsey, Road Superintendent, advised of the location of the walkway plan which will begin at Holtzel and Greeley Hill Road and follow to Red Cloud Park.

Bill Tucker, Indian Council representative, inquired about archaeological studies, and he was informed that the project is within the existing rights-of-way.

10:15 a.m. Recess until 2:00, to reconvene at the Government Center in Mariposa.

10:30 a.m. A tour was given of the trail/walkway project and proposed Greeley Hill library site, following by lunch.

(NOTE: No County business was conducted during the tour.)

2:00 p.m. Board reconvened at the Mariposa Government Center.

Resolution and Tile Plaque Recognizing Robert J. "Bob" Fisher Upon his Retirement from the Mariposa County Public Works Department

BOARD ACTION: (M)Balmain, (S)Stewart, Res. 00-132 adopted and presented to Bob Fisher, along with the plaque/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Pickard.

Scott Pinkerton provided input relative to Highway 140 being the "all weather route" to Yosemite, and he presented historical information on this matter.

Report from Board Subcommittee and Action Regarding Elected Officials Salary and Benefit Increases (Supervisors Reilly and Stewart)

BOARD ACTION: Supervisor Stewart advised that he received a request for documentation on Monday relative to the Subcommittee's recommendation, and he requested that this matter be continued to allow for review of the request. Discussion was held relative to the status of the benefits issue for appointed and elected officials. Janet Hogan, County Administrative Officer, advised that pursuant to the contract with PERS, the benefits for elected and appointed officials, including the Board of Supervisors, need to be treated equally. (M)Stewart, (S)Balmain, Res. 00-136 adopted approving the same benefits for elected officials, including the Board of Supervisors, as previously approved for the appointed officials/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Pickard.

2:26 p.m. Recess

2:32 p.m. Steve Hayes, Visitors' Bureau Director;

A) Approve the Visitors' Bureau Marketing Plan for Fiscal Year 2000-2001

BOARD ACTION: Steve Hayes gave a power point presentation reviewing the goals and budget for the marketing plan for FY 2000-01. Discussion was held relative to the proposed training program for hospitality industry employees; focus of the advertising; and the budget. Board concurred that Yosemite needs to be emphasized in print advertising to attract people's attention, and Mariposa County to be emphasized in follow-up materials such as the Visitors' Guide.

3:26 p.m. Recess

3:46 p.m. Further discussion was held, and it was clarified that the budget for the marketing plan was only for information at this time – final action will be taken during the final budget hearings. The Plan was continued to be considered with the following item.

B) Approve the Visitors' Bureau Work Program for July 1, 2000 Through September 30, 2000

BOARD ACTION: Discussion was held. Janet Hogan, County Administrative Officer, provided input relative to the budget process and approval of this item.

(M)Balmain, (S)Stewart, the Marketing Plan was approved as a conceptual guide until adoption of the Final Budget for FY 2000-01; and the Work Program was approved/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Pickard. Supervisor Parker initiated discussion relative to adjusting the timeframes for approval of the marketing plan and work program to coincide with the final budget hearing process.

Jeff Green, County Counsel;

Discussion and Possible Direction to Staff Relative to a Request to Purchase a Parcel of Real Property from the County Located in Hornitos

BOARD ACTION: Discussion was held, and the Board concurred with directing County Counsel to continue to pursue this matter with the Fullers.

Jim Allen, Assistant Sheriff, appeared on behalf of Pelk Richards, Sheriff;
Approve Submission of Application for Pacific Bell Grant for Computerized Notification System

BOARD ACTION: Discussion was held. (M)Stewart, (S)Balmain, Res. 00-137 adopted/Ayes: Balmain, Stewart, Parker; Excused; Reilly, Pickard.

Doug Balmain, District II Supervisor, Patti A. Reilly, District I Supervisor;
Discussion and Possible Action Regarding the General Management Plan for the Sequoia and Kings Canyon National Parks and the Giant Sequoia Monument Project

BOARD ACTION: It was noted that President Clinton took action over the weekend on this matter. Supervisor Balmain initiated discussion relative to possibly supporting future action that may help resolve concerns in this situation. Discussion was held relative to dealing with these types of issues that do not directly affect Mariposa County.

(M)Balmain, (S)Stewart, direction was given for a letter to be sent to Tulare County advising that we are sympathetic on these types of issues, with a copy to our federal legislators; and a letter to Congressman Radanovich advising of the Board's support in this matter/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Pickard. Further discussion was held relative to the memorandum received from Supervisor Reilly relative to dealing with these types of issues that do not directly affect Mariposa County. Supervisor Parker stated he preferred not to have a formal policy. Supervisor Stewart agreed, and stated he feels that the Board members each have different focuses and interests. Board concurred with leaving it at the discretion of each Board member as to whether to schedule these types of issues.

Discussion and Direction Regarding the Establishment of a Computer Use and Privacy in the Workplace Policy (County Counsel)

BOARD ACTION: Discussion was held with Jeff Green, County Counsel, relative to his suggestion to establish a committee to draft a policy dealing with employee privacy rights relative to County-owned computers and internet access. Board concurred with directing County Counsel to work with the County Administrative Officer to draft a policy and to circulate information to the Board members, and then to seek comments from employee unions.

Consider and Authorize the Publication of a County Profile and a Color Photo of County Seal in the "California Blue Book" Being Updated and Published by the California State Senate (Administration)

BOARD ACTION: Discussion was held. (M)Balmain, (S)Stewart, Res. 00-138 was adopted approving the recommendation, with changes to the County profile as suggested/Ayes: Balmain, Stewart, Parker; Excused: Reilly, Pickard.

Board Information and Announcements

- Supervisor Balmain advised that he is meeting with the Film Commissioner to tour the Northside on Wednesday.
- Supervisor Stewart advised that he attended the San Joaquin Valley Supervisors Association meeting in Hanford and Lemoore last week, and there was a lot of discussion on economic development.
- Janet Hogan, County Administrative Officer, advised that she will be on vacation from April 21st to May 1st.

CONSENT AGENDA

CA-1 Approve Budget Action Transferring Appropriations from Forestry Contract to Fixed Assets to Replace Laptop Computers in the Amount of \$18,000 (Sheriff); Res. 00-133

4:56 p.m. Adjournment in memory of Peggy Loney, Gail McMenemy, Joe Emerson, and John Kelly.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 25, 2000



Time Description

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

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

Approval of Minutes of 4/11/00 Regular Meeting
BOARD ACTION: Minutes were continued to 5/2/00.

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

Garry R. Parker, Chairman;
Discussion and Possible Action Relative to the Renaming of Highway 140 to John Muir
Highway (Continued from 4/18/00)

BOARD ACTION: Chairman Parker advised that Bob Rucker, Chief of Staff for
Senator Monteith, was present to answer questions. Discussion was held.

Input from the public was provided by the following:

Joan Tune read a statement to the Board consisting of a brief history of how John
Muir came about his adventures on the northside of Mariposa County.

Lyle Turpin, Farm Bureau Representative and northside resident, asked if Senate
Bill 1560, that was introduced as renaming Highway 140, is a "scenic" highway bill. Bob
Rucker responded by stating that the bill gives the Supervisors authority to designate as
"scenic" or not and that Senator Monteith would be willing to take out the "scenic"
portion; but as it stands written now, it is included. Lyle stated that the main concern is
the "scenic" portion and suggests not opening the door for it and mislead the public.

Evelyn Welch, curator of the La Grange Museum, stated she felt it would not be the
right thing to do since John Muir spent most of his time on the northside, and suggested
renaming Highway 140 to John C. Fremont Highway.

Blaine Sturtevant agreed with Lyle Turpin and stated he would like to see it done
correctly the first time around.

Jan Mennig, Chamber of Commerce Executive Director, addressed the concern of
the "scenic" portion and stated the Chamber conducted a test sample of voter feelings.
He advised of the signatures that were collected on petitions and stated he feels there
needs to be a lot of education on this matter. He noted the Ronald Reagan Airport was
not designed by Ronald Reagan, nor was he the first passenger. He stated it is the
identification that is being sought to focus the attention of the tourists to the County and
to the best highway to access the Park. He stated they are working to try to resolve this
issue. He responded to questions from the Board, and advised that he does not feel that
renaming the Highway to John C. Fremont would have the same image; and he agreed
that the petitions were representative of the town business people.

Yvonne Bennett stated she feels actions like this divide the County, and that the
Chamber of Commerce should represent the businesses for the entire County and not just
the town of Mariposa. She advised that they have collected signatures from over 200
people on their petitions, and they feel the John Muir name belongs on the Northside.

Supervisor Balmain advised that the Board members work hard to represent the County as a whole.

Dick Kunstman commented on the street which was named after Shannon Miller in her hometown when she returned with two gold medals from the Olympics. He advised that when the Highway 140 renaming was first proposed, it was with the name of Ansel Adams and for commercial purposes. When the Adams family objected to this renaming, the name was switched to John Muir. He does not know if there was any attempt to contact John Muir's descendents for their opinion on this matter. He further noted that there is already a trail and monument named after John Muir. He stated he feels this renaming proposal is tacky.

Frank Long stated his ranch adjoins Highway 140, the "Yosemite All Year Highway" and he is concerned about renaming the Highway and the scenic designation. Highway 140 has been advertised for many years as the all weather route to Yosemite. He further stated that, if he was a follower of John Muir, which he is not, he would be disturbed by using his name in commercialism. He does not feel that the truth comes out anymore about John Muir's life and what he did. Frank advised that he tried to contact Senator Monteith and he was denied that opportunity, so he sent word that he opposes this renaming. He advised that he is probably the oldest member of the Chamber of Commerce, and no one that he spoke with was asked to sign the petitions. He stated he agreed with Lyle Turpin that this should be done right the first time.

Cathie Pierce-Ragghianti, cattle rancher in Catheys Valley and a member of the Farm Bureau, stated she is also speaking as an individual. She stated she has a problem with the scenic designation, and as of the amendment to the legislation on March 22nd, the scenic designation language was still in the bill. She referred to restrictions involved with the scenic designation, and she stated she does not feel that all of the property owners in the Highway 140 corridor have been contacted relative to their opinion on this issue. She stated she agrees with the Northside, and she feels that John Fremont and Joaquin Murietta used this portion of the County more than John Muir.

Bud Swift stated he has been in the cattle business since World War II. He feels there are a lot of business people in town who support our infrastructure and he feels their request should be considered. The businesses have been hurt with the disasters and whatever can be done to help should be considered.

Discussion was held relative to this issue and the input that was provided. (M)Pickard, (S)Parker (who passed the gavel), to support SB1560 renaming Highway 140 to John Muir Highway, with the removal of the scenic designation from the legislation, failed by the following vote – Ayes: Parker, Pickard; Noes: Reilly, Balmain, Stewart.

10:02 a.m. Recess

10:25 a.m. John Davis, Building Director;

Waive First Reading and Introduce Ordinance Regarding Adoption of Building Permit Exemptions to Chapter 15.10 Entitled "Adoption of Uniform Codes" (From Forthcoming Policy 2/22/00)

BOARD ACTION: Discussion was held with John Davis. Supervisor Balmain asked about including wood structures. (M)Balmain, (S)Pickard, first reading was waived and the Ordinance was introduced, with the inclusion of prefabricated wood frames. Following further discussion, motion was amended, agreeable with maker and second, to state prefabricated frame, without listing the types of materials/Ayes: Unanimous.

Jim Petropulos, Public Works Director;

A) Status Report on Mariposa Rotary Outdoor Theater

BOARD ACTION: Discussion was held with Jim Petropulos and Rich Begley/PWD-Deputy Director Parks and Recreation, relative to the status of the theater project.

Kay Mickel, Past President of the Rotary, provided input relative to the project and their fundraising efforts; and she advised they want to order the building.

Discussion was held relative to the status of funding; use of the slab for temporary fundraising use; and amending the agreement with Rotary for this project.

David Wise provided input relative to the construction aspect of the project.

Further discussion was held, and Supervisor Parker noted that a use policy for the facility will need to be further discussed in the future. (M)Reilly, (S)Pickard, Res. 00-139 adopted reallocating funding set aside for this project to allow for \$50,000 to be used at this time to purchase the building, with the previously allocated lighting funding from the Lighting District to remain intact; and direction was given to staff to prepare a contract amendment with Rotary to reflect the changes/Ayes: Unanimous.

The balance of the Public Works items were continued to after the following items.

Review of Draft Response Letter for Execution by Chairman Relative to Proposed Policy for Managing Forest Roads (Continued from 4/4/00) (Supervisor Balmain)

BOARD ACTION: (M)Balmain, (S)Pickard, Res. 00-140 adopted approving the response letter.

Input from the public was provided by the following:

Dick Kunstman expressed concern that there is an apparent belief that a federal agency has an obligation to ensure employment or success of private enterprises, and that conflicts with his idea of a capitalistic economy. He feels that if something becomes unsatisfactory or is replaced with something that is better, people will lose jobs and will go on to find something else.

Lyle Turpin advised that the Farm Bureau sent a response letter. The letter included a request that the local forest users be included in the proposed rule making.

Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly.

Resolution Recognizing the Dedication of the Old Catheys Valley Schoolhouse (Supervisor Stewart)

BOARD ACTION: (M)Stewart, (S)Pickard, Res. 00-141 adopted/Ayes: Unanimous.

Authorize Chairman to Sign a Letter Requesting Assembly Member Cardoza Include Mariposa County in AB-1321 (Supervisor Pickard)

BOARD ACTION: (M)Pickard, (S)Balmain, letter was approved with changes as requested/Ayes: Unanimous. Supervisor Reilly requested that the language for the bill be included in the Board agenda packages in the future.

11:25 a.m. Recess

11:34 p.m. C) Resolution Authorizing the Public Works Director to Issue a Request for Proposal to Operate the Mariposa County Landfill

BOARD ACTION: Discussion was held with Jim Petropulos and Tom Starling/PWD-Solid Waste Coordinator, relative to the request. Tom Starling advised of corrections to make the hours of landfill and recycling the same. Further discussion was held relative to changes regarding the removal of the hauling operation; and that the County “may” versus “shall” provide cover material.

11:59 a.m. Supervisor Reilly was excused for the rest of the meeting.

Following further discussion, (M)Balmain, (S)Stewart, Res. 00-142 adopted with the changes as discussed/Ayes: Balmain, Stewart, Parker; Abstained: Pickard; Excused: Reilly.

B) Resolution Authorizing the Public Works Director to Notify Mariposa County Total Waster Systems, Inc. that its Contract with the County to Operate the Mariposa County Landfill will be Cancelled Effective October 31, 2000

BOARD ACTION: (M)Balmain, (S)Stewart, Res. 00-143 adopted/Ayes: Balmain, Stewart, Parker; Abstained: Pickard; Excused: Reilly.

Steve Hayes, Visitors' Bureau Director;

Approval of the Following, Relative to the Mariposa County Tourist Information Signs:

1) Agreement with GS Images to Produce Five Full Color Signs (Approximately Eighteen Square Feet Each) and Provide All Hardware and Shipping in the Amount of \$5,646.71

2) Sign Placement in County Parks in Catheys Valley, Coulterville, Midpines, Mariposa Rest Area and a Private Property Site in Fish Camp or with MID Approval, Lakes McClure and McSwain Area

3) Sign Concept

4) Placement of Signs to Be Determined by the Mariposa County Public Works Department

BOARD ACTION: Steve Hayes advised of a change to request a formal bid process versus authorizing the agreement with GS Images at this time. Based on Supervisor Reilly's request, the remaining three items were continued to May 2, 2000. (M)Pickard, (S)Balmain, Res. 00-144 adopted authorizing a formal bid process to produce the signs/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Janet Hogan, County Administrative Officer;

Accept Resignation of Tom Archer from the Position of Human Services Director; Approve Revisions to the Job Classification Specification for Human Services Director and Authorize Personnel to Initiate a Recruitment

BOARD ACTION: (M)Pickard, (S)Balmain, Res. 00-145 adopted approving the recommended actions/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Patti A. Reilly, District I Supervisor;

Resolution Scheduling Presentation of Yosemite Valley Plan for May 16, 2000, in Yosemite at 10:00 a.m.

BOARD ACTION: (M)Pickard, (S)Stewart, Res. 00-146 adopted directing that the meeting for May 16th commence at 8:00 a.m. at the Government Center, with the presentation and tour of the Yosemite Valley Plan to be at 10:00 a.m. at the East Auditorium in Yosemite Valley/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Supervisor Parker advised of his wife's family visiting from Wisconsin, and he introduced his niece, Melissa Shipiro, and he presented her with an official Courthouse pin.

12:15 p.m. Lunch

2:05 p.m. Sarah Williams, Interim Planning Director;

PUBLIC HEARING to Waive First Reading and Introduce an Ordinance Approving Development Agreement 00-1 to Complete Land Division Application No. 1513 to Mitigate Potentially Significant Impacts of the Land Division Project on Emergency Access and Evacuation, Kent and Janice Stoel, Applicants

BOARD ACTION: Sarah Williams and Skip Strathearn, Planner, presented the staff report. Staff responded to questions from the Board relative to existing residences on the property and their access, and location of the driveways; location of the County-

maintained portion of the road; and relative to the concerns expressed by the Fairgrounds and whether those have been addressed.

Input from the public was provided by the following:

Dawn Jackson, applicant's daughter, advised that they have Parcel "C," and that there has been no problem with the Fairgrounds accessing the spring for maintenance; and she advised that they have installed all of the road signs requested by Public Works.

Public portion of the hearing was closed and the Board commenced with deliberations. (M)Stewart, (S)Pickard, first reading was waived and an ordinance introduced approving Development Agreement No. 00-1 with the Stoels with the recommended findings; and direction was given for the Chairman to sign the Agreement/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Hearing was closed.

2:19 p.m. Supervisor Balmain was excused for the rest of the meeting.

Board Information and Announcements

- Supervisor Stewart advised that he attended the San Joaquin Valley Supervisors Association meeting earlier in the month and there was a lot of concern about economic development.
- Supervisor Pickard advised that SB 1824, regarding CUPA, passed out of the Senate Environmental Quality Committee on Monday on the consent calendar, and it will go to the Appropriations Committee in about three weeks. He advised that he will be in Sacramento on Wednesday relative to legislation for noxious weeds and inmate conservation workforce.

CONSENT AGENDA

- CA-1 Authorize Release of a Request for Proposals for Prospective Service Providers to Administer a Substance Abuse and Mental Health Services Administration (SAMSHA) Native American Counseling Center Grant for Fiscal Year 2000-2001 (Human Services); Res. 00-147
- CA-2 Resolution Authorizing Health Officer to Sign State Standard Agreement No. 99-85854 with the California Department of Health Services (CDHS), Local Public Health Services (LPHS), for the Orderly Distribution of Funds Allocated by CDHS Office of Aids (OA) and the Immunization Branch to Mariposa County for Fiscal Year 1999-2000 in the Amount of \$67,245, (Health); Res. 00-148
- CA-3 Approve Budget Actions Modifying Mental Health and Human Services Revenues and Expenditures (4/5ths Vote Required) (Administration); Res. 00-149

2:24 p.m. Adjournment in memory of Diana J. Akins.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 2, 2000



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

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

Proclaim May 15 Through 21, 2000, as Bluegrass Week in Mariposa County (Mariposa County Arts Council)

BOARD ACTION: (M)Reilly, (S)Pickard, Proclamation was approved and presented to Joe Fox/Ayes: Unanimous.

Approval of Minutes of 4/11/00 Regular Meeting (Continued from 4/25/00)

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Reilly pulled item 3 for discussion and item 4 to abstain on the vote as she was not present at the previous meeting of April 25, 2000 at which time this item was discussed. (M)Reilly, (S)Pickard, balance of items were approved/Ayes: Unanimous. Following discussion, (M)Reilly, (S)Pickard, item 3 was approved/Ayes: Unanimous. (M)Pickard, (S)Stewart, item 4 was approved/Ayes: Balmain, Stewart, Parker, Pickard, Abstained: Reilly.

Jim Petropulos, Public Works Director;

A) Resolution Authorizing the Public Works Director to Exceed the 10 Per Cent Limit for Change Orders for the Incline Road Project to the Full Extent of the Available Funding

BOARD ACTION: Following discussion, (M)Reilly, (S)Pickard, Res. 00-153 adopted/Ayes: Unanimous

B) Resolution Approving an Agreement with Kay Hutmacher, Landscape Architect to Update the Recreation Master Plan and Authorize the Public Works Director to Execute an Agreement in the Amount of \$6,675

BOARD ACTION: Rich Begley, Deputy Director of Parks and Recreation, advised of Proposition 12 funds and potential grants available to the County for recreation programs. He further advised that the update would be necessary for the application for these funds. Following discussion, (M)Pickard, (S)Stewart, Res. 00-154 adopted/Ayes: Unanimous.

Sarah Williams, Interim Planning Director;

Approve Issuance of a Letter of Public Convenience and Necessity to the Department of Alcoholic Beverage Control to Allow a Transfer of an Off-Sale Beer and Wine License to 5181 Highway 49 North (Miners Inn Motel Lobby)

BOARD ACTION: Sarah Williams advised that the transfer of the license was from PD Quick. Following discussion, (M)Pickard, (S)Balmain, Res. 00-155 adopted /Ayes: Balmain, Parker, Pickard; Noes: Reilly, Stewart.

10:00 a.m. Jeff Green, County Counsel;

Waive First Reading and Introduce Ordinance Regarding Changes to Those Existing Sections of the County Code Pertaining to Lake McClure and Lake McSwain Recreation Areas (Scheduled for Action on 5/9/00)

BOARD ACTION: Discussion was held with Jeff Green, County Counsel; Pelk Richards, Sheriff; and Mike Bermingham, Merced Irrigation District. Jeff reviewed changes to the draft ordinance. Further discussion was held relative to the leash length, floatation device restriction, and livestock restrictions around the reservoir. (M)Balmain, (S)Pickard, first reading was waived and ordinance introduced, with corrections and changes as discussed/Ayes: Unanimous.

10:10 a.m. Recess

10:32 a.m. Doug Balmain, District II Supervisor;

Discussion and Direction Relative to the Board's Desire to Accept the Donation of Two Parcels of Land in Greeley Hill for the Purpose of Constructing a County Library and a County Museum

BOARD ACTION: Discussion was held. Jacque Meriam, County Librarian, stated that this was a generous offer. (M)Balmain, (S)Stewart, Res. 00-156 adopted accepting the donation of the two parcels of land as recommended. Further discussion was held relative to the Greeley Hill community establishing a community or non-profit organization to conduct fundraising activities and to solicit donations; and relative to the timeframes for completing the project. Motion was amended, agreeable with maker and second, to include direction that a community organization be established for purposes of raising funds, under the Countywide Friends of the Library/Ayes: Unanimous.

Steve Hayes, Visitors' Bureau Director;

Approval of the Following, Relative to the Mariposa County Tourist Information Signs:

- Sign Placement in County Parks in Catheys Valley, Coulterville, Midpines, Mariposa Rest Area and a Private Property Site in Fish Camp or with MID Approval, Lakes McClure and McSwain Area

- Sign Concept

- Sign Placement to Be Determined by the Mariposa County Public Works

Department

BOARD ACTION: Discussion was held with Steve Hayes, and he updated the Board on the status of the bid request for the signs. Supervisor Reilly expressed concern over the proposed sign placement at the Midpines Park facility, and suggested consideration be given to placement near Briceburg Visitors' Center with cooperation from the Bureau of Land Management (BLM), where there is also more parking area. Additional placement locations were brought up for further consideration: the Fairgrounds, Chamber of Commerce, the Highway 41 Corridor - possibly across from the entrance to the Tenaya Lodge, or within the Yosemite National Park boundaries. Supervisor Pickard suggested that perhaps a community meeting could be held in Fish Camp to further discuss this issue.

Chairman Parker suggested accepting the signs in concept with Steve to come back for final approval regarding the sign placement locations. Steve Hayes referred to a map that was 3-feet high and 4-feet wide, framed in fiberglass, attached to a 2-feet wide by 3-feet high board containing area information. Supervisor Pickard suggested that the map not be as detailed, and possibly should be only a county map shown in greater detail with surrounding pictures of actual locations within Mariposa County. (M)Balmain, (S)Pickard, Board gave approval of the recommendations for the signs in concept, with direction for details to come back regarding sign placement locations and photographs for the area informational sign/Ayes: Unanimous.

Discuss and Provide Direction Relative to Legislative Bill AB1956 (Keeley) Regarding Utilities and Hydro-Electric Assets (Supervisor Pickard)

BOARD ACTION: Supervisor Pickard initiated discussion relative to the proposed legislation, including the section regarding facilities for decommissioning and relative to the status of continued payment of possessory interest taxes to the County. Supervisor Pickard suggested authorizing him to work with County Counsel to draft a letter to seek legislation to hold the County harmless, with the possessory interest tax to be paid to the County during the six-year transition period. Supervisor Parker stated that he would like to hear comments from Merced Irrigation District (MID) regarding this issue and suggested a letter be sent to Mike Bermingham of MID to get their response, and then bring the matter back to the Board for further discussion. Supervisor Reilly stated she would like a brief summary of the issues of pertinence to this County and why it is important to us and why we would like to see parts amended or rejected. Supervisor Parker requested that a copy of the legislative analysis be provided to the Board. Supervisor Stewart advised that he would like for MID to come before the Board with a presentation of what they are doing toward their relicensing; with Supervisor Balmain suggesting that the MID director be invited. Supervisor Pickard suggested getting comments from the Tax Collector regarding possessory interest issues.

Resolution Recognizing the Dedication of the New Station 32 Firehouse in Ponderosa Basin (Supervisor Pickard)

BOARD ACTION: (M)Pickard, (S)Balmain, Res. 00-150 adopted/Ayes: Unanimous.

Accept Resignation of County Administrative Officer Janet Hogan and Authorize the Personnel Department to Initiate a Recruitment to Fill the Position (Personnel)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised of the previously outlined reorganization between County Counsel and Administration where the Personnel/Risk Management Technician position would move to Administration instead of County Counsel at the time of Jeff Green's (County Counsel) retirement; and she advised that the recruitment of the new County Administrative Officer would need to include knowledge of Personnel and Risk Management. Supervisor Reilly suggested starting the recruitment without making the final decision of including the Personnel/Risk Management duties at this time in order to allow for more time to consider the complications and compensation of adding these duties to the job description. Discussion was held. (M)Pickard, (S)Stewart, Res. 00-157 adopted authorizing the Personnel Department to initiate a recruitment for the County Administrative Officer position with a revision to the class specification to include Personnel/Risk Management duties/Ayes: Balmain, Stewart, Parker, Pickard, Noes: Reilly. Following discussion with Jeff Green, County Counsel, it was clarified that the recruitment would include language to advise applicants that at some point in the future, one or both of these functions may be assigned to the County Administrative Officer. (M)Stewart, (S)Reilly, Board accepted resignation of County Administrative Officer, Janet Hogan/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Balmain advised that he attended a Forest Service meeting in Clear Lake last Tuesday evening and Wednesday and it went well. There was discussion about the need for local government to have more input in the decision making process, especially before an issue goes to the public process.
- Supervisor Pickard reported on the status of legislation relative to noxious weed and California conservation
- Supervisor Stewart advised of a YARTS meeting yesterday and of the opening ceremony on May 18th including a bus from Merced and Mariposa as the official opening of YARTS. He also advised that Saturday was the dedication of the

Catheys Valley Schoolhouse, with a good turnout, and suggested holding a Board meeting there in the future.

11:52 a.m. Lunch

1:36 p.m. Sarah Williams, Interim Planning Director;

PUBLIC HEARING to Consider Appeal 00-2, an Appeal of Planning Commission Action to Approve the Installation of a Sixty Foot Flag Pole in the Community of Mariposa, Dieter Dubberke, Applicant; Mariposans for Environmentally Responsible Growth (MERG) and John Erhart, Appellants

BOARD ACTION: Chairman Parker explained the hearing procedures, and he introduced the Board members and staff. Sarah Williams presented the staff report, and she advised that the issue today is whether or not the flagpole is a structure as defined by the zoning ordinance. She reviewed the Zoning Code definition for a structure and height restrictions; and she reviewed the issues raised by the appellants. Staff responded to questions from the Board as to what issues are reviewed by staff for this type of project; whether a flagpole is identified or defined in the Code; maintenance requirements for a flag; review process if the requested pole was 35 feet or less in height; and how size and scale of a project is determined.

Public portion of the hearing was opened and input was provided by the following.

APPELLANTS:

John Erhart, appellant, presented his reasons for appealing this project.

- 1) He feels there is an effort to disregard the County General Plan and the Town Specific Plan – this issue is not about the right to fly the flag; it is the scale of the project. He feels there should be no exceptions to the County General Plan or the Town Plan for Mariposa. He feels that once this is approved, anything could be placed on the pole.
- 2) He met people in Mariposa who believed the project was a bad idea and were afraid to speak publicly, including business people who were afraid of their business being hurt.
- 3) He stated that it has been said that this application represents a challenge to the legal validity of the Town Plan and the County General Plan. He feels this effort could lead to the general disregard for the Town Plan, and he noted that many people put in a lot of time to develop this Plan.
- 4) He feels there has been misrepresentation of the nature of the project to the general public – as he understands the history of the project, the original application for a building permit does not even mention a “veterans memorial” and this was included after the initial application was refused by the Building Department. He questioned whether the National VFW encourages its members to overwhelm small towns with demands for “memorials” on commercial property. He stated he feels this is advertising and that its purpose is to draw attention to a place of business.
- 5) He disagrees with the contention that the project will stimulate business. He does not see how it will bring additional business to Mariposa.
- 6) He feels there has been an attempt to sidestep the democratic process. There should be a proper process, including a review of the wishes of the entire community, if changes are to be made.
- 7) He feels that there is still not an adequate picture of what this display will look like.

He advised of information he obtained from the Arlington National Cemetery relative to the size of their flags and poles. He stated he feels that this is an issue that is of interest

to all of the residents and property owners of the County and not just the town area. He urged the Board to deny the project.

Bart Brown, speaking on behalf of MERG, appellant, (Mariposans for Environmentally Responsible Growth), a registered California Corporation since 1989, thanked the Planning Department for their efforts in putting together and presenting the staff report. He provided the following information in support of their appeal.

- 1) Amendment of the Specific Plan – He advised that MERG supported the adoption of the Mariposa Town Specific Plan, including the height limit of 35 feet for buildings and structures to maintain the village character. He noted there is not a separate definition of a flagpole in the zoning ordinance, and he feels the flagpole falls under the definition of a structure. He feels that the decision of the Planning Commission that a flagpole is not a structure and not subject to the height limits changes both the intent and the interpretation of the Specific Plan – he feels this allows any sort of tower structure and of any height, and there are no specifics of what banners may be flown or of what size. He feels the process should be followed for amending the Specific Plan if it is the desire to address an amendment.
- 2) Policy – He feels that the determination to change the Specific Plan is a policy decision and should be made by the Supervisors and the public by the due processes of our zoning ordinances.
- 3) Precedent – He feels the decision of the Planning Commission means that any property owner may come forward to request a flagpole of any height, and request flying any banner desired. He feels the Commission belatedly realized the problems being created.
- 4) Property values – He noted that the Design Review Overlay is to ensure harmony with surrounding areas and to maintain or increase property values. He expressed concern as to whether a project of this magnitude would do this.
- 5) Staff report – He stated he feels the staff report of March 3rd, prepared for the Planning Commission, is an accurate reflection of the proper interpretation of the ordinance; and it rejects the application.
- 6) Honoring veterans – He feels that the issues are not related to honoring either our flag or our veterans. They fully support both, but think it can be done without destroying the integrity of the Specific Plan. They have numerous veterans in the MERG organization and would be happy to work with the VFW to effect an appropriate memorial which fits the size and scale of its placement. They offered to meet with the VFW, but the local commander rejected their offer. He advised they called the National VFW headquarters and were told that establishment of a memorial must comply with local zoning codes.
- 7) Conclusion – He feels that upholding the present appeal would restore the integrity of the Specific Plan, eliminate confusion and uncertainties created by the Planning Commission’s decision; and this would allow the applicants to pursue either an amendment to the Specific Plan or a Variance using the due processes outlined in our County ordinances.

INPUT IN SUPPORT OF APPELLANTS:

Martha Brown feels the County is fortunate to have an outstanding Planning Department, with knowledgeable staff. She asked how these employees could be asked to do their job if the Board and Planning Commission do not uphold the codes and ordinances.

Mike Bird referred to existing war memorials and stated he feels we should improve and rededicate our existing memorials. We should not pretend that this “gimmick” is a veterans memorial. The location is in a strip mall.

Dick Kunstman reviewed his and his family’s service in the military, and he stated he does not feel his patriotism should be questioned when he expresses opposition to a sixty-foot flagpole. He noted that the Title 17 Committee reviewed height limitations and agreed with the 35 foot limit being measured from the up-slope side. He feels there have been deceptive photographs in the newspapers to show that other structures are not in compliance. He stated he feels the Board needs to look at the facts and ordinances and not make judgement based on emotional appeal.

Ruth Sellers advised that in the beginning she was neutral, and then the newspapers and advertising came out on this issue. She referred to the definition of a structure in the dictionary and stated she feels the pole meets that definition. She asked why it should exceed 35 feet, and she stated that she feels people should not be criticized for standing by the code. She noted that she is an “Army brat” and they are not unpatriotic for standing by the ordinances. She urged the Board to uphold the appeals and noted that staff needs support from the Board.

Yvonne Bennett congratulated Dave Thomas and Dieter Dubberke for their media hype and exploitation of the VFW. Chairman Parker reminded everyone that their input should be related to the issues of the hearing. Yvonne continued with noting that the Town Specific Plan won an award and should be enforced.

Carol Davis stated she recently attended a gathering where a dignitary from another community referred to the beauty of Mariposa. She stated she does not want to see this beauty spoiled, and she presented a letter for the record.

John Brady stated he supports the previous remarks, and he stated he is disturbed by the negative tone of the campaign undertaken by the applicants. He stated the depth of patriotism is not measured by size. He stated he does not feel this is an appropriate size or location for a veterans memorial. He feels its only purpose at this location would be to attract attention to the shopping center. He advised that he spent thirty years in the military. He asked the Board to address this issue based on the facts of the law and respect for the flag, veterans and the community.

Ron Mackie, Board member of MERG which voted to support the appeal of the flagpole issue, stated the appeal was never an issue of disrespect or to demean the flag. He noted that President Nixon signed into law in 1969 the Environmental Protection Act. He thanked the Commander of the local VFW for discussing this issue with him. He referred to President Lincoln’s quote that “two people can disagree, both be right and still be friends.”

Bill Wendt expressed concern with retaining the historical integrity of Mariposa and stated he feels a sixty foot flagpole compromises that integrity. He objected to the tactics used in the paid advertisement on this project. He stated he served in the military reserves, and he appreciates being able to publicly state his point of view.

Shirley Schmelzer commented on her family’s service in the military; however, she stated she feels we need to follow the ordinance and the award winning Town Plan. She noted that the County is about to start work on the General Plan Update and that will cost a lot and take a lot of time.

Hilde Heidt agreed with the previous remarks, and with much patriotism. She stated the Board has an opportunity to resolve the problem and unite all sides and build a monument in a beautiful place, and work as a community together on this project. She stated that, as citizens, she feels we should work together on this memorial.

Barry Brouillette stated he is a resident on the other side of the valley in town and will look at the flag from his home. He stated if he had to vote today on this issue, it would be to uphold the appeal, but it is a close decision. But in speaking with Mr. Thomas, he finds that his contractor visited the Building Department two times and was told he did not need a permit, so the pole and flag were ordered. Then they started with the electrical permit and found that this project did need a permit. He does not feel that the applicants intended for this much controversy to occur. He personally prefers that the flag is raised and lowered each day, and perhaps a local tradition could be made of that. He stated he feels the ordinance should be upheld and the Specific Plan revised to allow for flagpoles; but without a red light at the top.

Bob Schmelzer stated he is a veteran of World War II and agrees with the input that has been provided. He questioned the location of the pole. He stated he feels it would not be in compliance with the code and is not accessible. He feels it should be where people can get to it and see it. He would like to see a 35 foot pole at the VFW site in town.

2:44 p.m. Recess

2:55 p.m. Board reconvened and continued with the public hearing.

APPLICANTS:

Dieter Dubberke, applicant, stated he was present to answer the appeals which have been filed against the proposed veterans memorial. He addressed the following issues.

- 1) Due process – he stated the Planning Commission ruled that the flagpole does not constitute a structure in the sense intended; and therefore, it does not come under the height limitation. In response to the appellants statements that people in the community were not aware of the project or that the hearing was “stormed” by veterans and their representatives, he noted the advertisement of this project that they ran in the local newspapers and of their survey and attempts to gather input. He advised that the response was overwhelmingly in favor, but they made every effort to make this project known to all. He feels that this hearing is a part of the due process and those who wish to provide input will be allowed to do so, both in favor and against.
- 2) Scale of the project – After consideration, the Planning Commission determined that the flagpole does not constitute a structure. The appellants feels the Commission exceeded its authority in this decision and that their interpretation constitutes an amendment to the Town Planning authority regulations and will do harm to the area in the future. He feels this single interpretation is within the Commission’s authority and it is for this single project only.
- 3) Size of the flag – Unlike a rigid object, such as a sign, the flag will be hanging from the pole and will seldom unfurl to its full size. They have selected a nylon fabric that will minimize the noise – this is the quietest kind of fabric. Lighting for the flag is part of the pole itself and will be an upward pointing cone focused on the flag only.

He further stated that they believe the project does not violate the spirit of the Town Planning Area or pose any threat to the environment. He feels the community has shown

a great deal of support for this project. He asked the Board to uphold the decision of the Planning Commission. He referred to the posters he displayed which were covered by their survey results and notes from approximately 1,000 people supporting this project.

Mr. Dubberke responded to questions from the Board as to whether other locations were considered for this project; the idea for the memorial and whether any processes have been started for that portion of the project; lighting plans; whether any parking spaces would be deleted for the project; height of the slope at the intersection of Fourth Street and Bullion from the base of the flagpole; plans for maintenance; and plans for the base of the flagpole. He advised that this location was selected because they own the property and there was a power problem with their site at the other end of town; they have not started any process for the memorial; the size of the flag is still under discussion; the ropes are internal so there will be no clanging; a flashing light at the top of the pole was not part of the project; no parking spaces would be eliminated; and he advised that they have made provisions and set aside funding for the project to be maintained, with the flag being replaced twice a year. He asked what rights the appellants have to tell him what to do with his private property – he does not tell them how to plant their trees or on what angle to build their house.

INPUT IN SUPPORT OF APPLICANTS:

Darrell Vivian, resident of Hunters Valley, stated he wears a bracelet in recognition and memory of a missing veteran from over thirty years ago. He feels that seeing the flag when entering town will stimulate him to remember those who have fought, lost their lives, and are missing. He stated he supports a sixty foot pole.

Chairman Parker reminded everyone that the input should be relative to whether the pole is a structure.

Bud Swift stated he is a World War II disabled American veteran. He feels the only thing that will be advertised is the United States of America. He stated he hopes the Board will approve the project.

Steve Valdez stated he has worked at the Pioneer Village for twelve years and he feels the pole is not out of scale for the area. He stated that most of the time the portion of the flag that is seen will be 2 x 18 feet, and it needs to be that large to be seen. He noted that there are federal laws relative to the maintenance of flags and he is familiar with those. He does not feel it is an enhancement to the businesses, as the parking lots are always full during the tourist season.

Bill Yaley, Commander of VFW Post 6042, stated he was representing himself and the Post. He stated there has been a precedence in the County which was pointed out by fellow members – he advised of a photograph showing about a 128 foot pine tree being used as a flagpole, and in the 1800's, there was a 150 foot pole in town. He advised that at a recent VFW meeting, the vote was nearly 100 % in favor of this project. He noted that he recently returned from a vacation in Washington, D.C., and a Marine Corps reunion in San Diego, read names on the Vietnam Veterans Memorial Wall and he visited with servicemen – he saw so many structures and many United States flags flying from poles. He is not sure why a pole's name should be changed to a structure. He feels that the people opposing the flagpole appear to be trying to stop growth in the County. He noted that God has been taken out of the schools, and now with this issue to take the pole out of the flag, he feels that it could lead to the flag being taken out of the schools. He feels a flagpole is not a structure. He referred to a newspaper story relative to veterans, advising that some returned home to a society that held them in contempt and some

people were downright cruel to the returning veterans. He urged the Board's support of this project so that the flag could be seen by everyone entering our town.

Darell Deal stated he has been a resident of Mariposa County for 33 years. Relative to the question as to whether the pole is a structure, he noted that a finished product has been sales taxed before it arrives. As an example, because cabinets in a home are finished before they arrive to be installed, they are not considered as a part of the structure. He further advised that he salutes the flag every time he sees one.

Dick Bonde referred to the precedent of a tall flag pole in the County. He commented on the height of power poles and asked why a flagpole should be considered a structure if a power pole is not.

Robert Manning stated he doesn't feel the flagpole will serve as advertisement – he noted that anyone that is in town for two weeks knows who Dieter (Dubberke) is and where he works. Relative to the warning light at the top of the pole, if he were in a plane, he would be more worried about the propane tanks in the area. He commented that the Declaration of Independence has had changes and if changes need to be made to the Specific Plan, then that should occur. He stated he feels that if one woman was able to get prayers taken out of the schools, then the Board should be able to allow this flagpole project.

Jan Mennig, representing the Chamber of Commerce and himself, stated he recognizes and supports the idea of a flagpole and flag.

Bob Boyer, past Commander of the VFW and representing his family, noted that in his survey of 45 cemeteries in the County, there are veterans from the War of 1812 to present conflicts. He read a list of names of those who gave their lives for our country from this area. He urged the Board to support the flagpole with "Old Glory" to be put on top.

Jim Turner presented additional signatures supporting this project. He noted that his family has been here for five generations. He does not feel the pole is a structure and it was never intended to be. He feels the 35 foot limit was for buildings that would be occupied.

Charles Fleming stated he has only been here for seven years as a resident; however, they have owned property for 25 years in the area. He commented on his background of 35 years with the Los Angeles County Road Department. He was in charge of street lights and traffic signals for the entire County. He maintained poles from 25 to 55 feet. He defined a structure as something that has at least two sides or more such as in the form of a lean-to or an a-frame, etc. Structures are made of elements that connect the sides. The pole does not have these elements, just material that it is made of and it is circular – so there are no sides. Thus, the pole is not a structure.

Les Rose stated the American Legion was the first organization that Dieter Dubberke came to and the location of the pole was discussed. He and Lenora Fields picked the proposed spot. He stated he feels the Planning Commission knew the difference between a structure and a steel pole.

Jane Coffman stated that when you come into town, the flag would be a good addition to the big white building (hotel) that you currently see. She feels that the hotel is advertisement.

Roger Brunelle stated his business is the closest to this project. He agrees with the need for a Town Plan and he feels there is a duty to interpret it – should try to go with the will of the people if it can be shown that it is in the spirit of how the Code is written.

Honor LaVerme stated she is speaking for those who are not present today. She commented on a home in England with a Coat of Arms consisting of stars and stripes of our first President (George Washington), and that is where she first saw the United States flag. She noted that this is the anniversary of the holocaust, and when the flag of the United States went into Europe, people were being set free. Her husband will never forget this sight. She commented on the history of D-day, and stated that every time she looks at the American flag, she has great respect for it. She commented on what the stars and stripes mean to her. Since 1946, she has flown the flag every day. She stated she does not care how high the pole is – it is not high enough for her.

REBUTTAL BY APPELLANTS:

John Erhart stated he feels the photographs misrepresent just how big the pole will appear. He stated he does not feel that we have an accurate picture of what this project will look like. He feels the survey is misrepresentative of the public opinion, and it did not offer a third choice. The survey asked for names and addresses to be sent to a Post Office box and people did not know how these would be used or who they were sending them to.

Bart Brown stated MERG did not suggest that a poll be taken; if they had, they would have asked if the community wanted this approved in violation of the codes or should a change to the codes be pursued. He stated he feels the poll is meaningless. He stated the power pole on his property is only 31 feet. P. G. & E. said 40 feet above ground is their standard for poles, but in local communities, their poles are usually exempt. He referred to the March 3, 2000, Planning Commission meeting minutes and comments that were made after the emotion of the hearing subsided. He noted that the Commissioners raised issues that they addressed in their appeal relative to due process for Plan amendment, policy change should be set by the Board, precedent is set by allowing oversized structures, property value impacts of the total project, uniform code enforcement, and maintenance of the small town flavor and village characteristics of Mariposa. By upholding the appeal, the applicants could then consider a variance or Plan amendment, or could consider reducing the height of the pole to the allowed 35 feet. With the project being located on a knoll, it increases the net affect of the height. He feels it is sad to think that a project which should be uniting the community, a memorial for veterans, has been made a divisive issue simply because the applicants chose to buy a flagpole that they knew exceeded the limits of our Specific Plan.

Jeff Green, County Counsel, responded to a question from the Chairman relative to the hearing process and allowing the applicant an opportunity for rebuttal. Board concurred and Chairman advised that if there is any new evidence that was presented during the appellants' rebuttal, the applicants may respond, followed by an opportunity for the appellants to provide additional rebuttal.

REBUTTAL BY APPLICANTS:

Dieter Dubberke stated the measurements in their photographs are correct and accurately reflect the scale of the project. He feels their survey was legitimate. This flagpole will not be the first of this height in the community; precedent was set by two previous poles. He feels that only he and Dave Thomas have liability for this project, and they have set aside funds for future maintenance. He feels the Planning Commission made an interpretation of the law, and he feels that this pole is not a structure – it is a

pole. He stated he and Dave Thomas love this community and this is an outright gift with no strings attached.

APPELLANTS' RESPONSE TO APPLICANTS REBUTTAL:

John Erhart stated he is a contractor and still does not believe that this an accurate picture of what the project will look like, and he disagrees with sending the survey to an anonymous box.

Bart Brown stated this does not solve the definition used by the Planning Commission or a Plan amendment – he feels this still needs to be addressed.

Public portion of the hearing was closed.

Staff responded to questions from the Board relative to the process and timeframes for amending the Specific Plan to exempt flagpoles from the definition of a structure; what things are exempt from the 35 foot height limit currently; process for the County or School District to install light poles at the ballfields that exceed 35 feet; allowances in the Wawona Specific Plan for exceeding the height limit; identification of a flagpole as not being a structure; and how measurement of the height limit is taken on a hillside. Sarah Williams advised that the FAA lighting requirements only affect objects that are over 200 feet in height – thus, they would have no lighting requirements for the top of this pole.

Board commenced with deliberations. Supervisor Balmain stated he feels the spirit and intent of the height limit is for fire protection purposes for structures. Supervisor Parker thanked everyone for their participation in this hearing process, and stated he does not feel it was the intent to restrict power lines, poles, water towers, etc. Supervisor Reilly stated she disagrees with the comments relative to the intent of the height limit – based on her experience, she feels that the issue of fire protection is only one issue; there was discussion about the overall environment. She feels that if the height limit was only for habitable space, the Code would not address “other structures.” Staff responded to additional questions from the Board relative to the term “village atmosphere and small town character” in relation to the project; relative to the 35 foot limit and there being no specific exemptions in the Town Plan.

(M)Balmain, (S)Stewart, Res. 00-158 adopted denying Appeal No. 00-2, and upholding the Planning Commission decision of March 3, 2000, to allow installation of a 60-foot flagpole finding that the flagpole is not a structure intended to be regulated by the Specific Plan. Motion was amended, agreeable with maker and second, to include the following findings:

- 1) A flagpole is not a “structure” intended to be regulated by the 35-foot building and structure height restriction of the Mariposa Specific Plan;
- 2) The Specific Plan does not specifically prohibit every project over 35 feet in height, just buildings and structures;
- 3) The spirit and the intent of the original adoption of the Specific Plan was that the 35-foot height restriction was established for fire protection reasons and was not to define flagpoles and similar objects such as ballfield lights and power poles as structures; and
- 4) Testimony given by Charles Fleming during the public portion of the hearing stated that a flagpole is not a structure due to its circular nature of not having two or more connected sides.

Discussion was held. Jeff Green responded to a question from the Board as to whether this action would allow any flagpole on any parcel. Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly.

Following discussion, (M)Balmain, (S)Pickard, direction was given to staff to come back to the Board with design review recommendations on flag size, lighting, etc., for this project/Ayes: Unanimous. Hearing was continued to May 23, 2000, at 10:00 a.m. for consideration of the design review.

Following further discussion, (M)Pickard, (S)Reilly, direction was given to staff to being the process of a Specific Plan amendment for the town of Mariposa relative to the height restriction issues/Ayes: Unanimous.

INFORMATION – No action necessary on the following:
Information Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

- CA-1 Approve Budget Action Transferring Appropriations from Professional Services to Hangar Loan Payment in the Amount of \$1,448 (Public Works); Res. 00-151
- CA-2 Approve Budget Action Appropriating Unanticipated Revenue from the National Park Service for Waste Reduction (Co-Composting Project) at the County Landfill and Set Up New Revenue and Expense Line Items to Track Project Within the Solid Waste Budget in the Amount of \$100,000 (4/5ths Vote Required) (Public Works); Res. 00-152
- CA-3 Waive Second Reading and Adopt an Ordinance Amending Section 15.10.015 of the Mariposa County Code to Enable Prefabricated Frame, Metal or Cloth Covered Shelters for Recreation Vehicles to be Installed without a Building Permit (Building); Ord. 946
- CA-4 Waive Second Reading and Adopt an Ordinance Approving Development Agreement 00-1 to Complete Land Division Application No. 1513 to Mitigate Potentially Significant Impacts of the Land Division Project on Emergency Access and Evacuation, Kent and Janice Stoel, Applicants (Planning); Ord. 947

5:02 p.m. Adjournment in memory of Bernadine Brown-Westfall, Alfred Dorman, Milada Hoag, and Marvin Cox.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 9, 2000



Time Description

9:09 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

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

- Frank Shannon referred to a recent newspaper story relative to the YARTS bus demonstration project and his proposed bus stop in Coulterville. He advised that he offered to construct the stop for \$8,000 versus the \$20,000 allocated for the other stops. In working with the CEO of YARTS, it was his understanding that a lease was being proposed to reimburse him for his costs as there is not sufficient funding in this year's budget to cover the costs; however, he does not feel that was clearly explained at the recent YARTS meeting. He feels the newspaper story was misleading and has spoken to the Modesto Bee staff about that. He requested the Board's assistance in requesting the CEO of YARTS and its Chair of the JPA to give a written apology for not explaining the situation to the YARTS Board; and that a press release be distributed as misinformation was on the radio and TV stations and newspapers. He has been trying to do whatever is necessary to get the bus system running in Coulterville. Chairman Parker advised that the Board of Supervisors does not have the authority to grant those requests; however, the matter could be referred to Supervisor Stewart (the Board's liaison with the YARTS Board) to work with the YARTS Board to make corrections as necessary. Supervisor Stewart stated he does not feel that the YARTS Chair owes an apology – it takes longer to do projects when working with Government agencies, and he feels that Mr. Shannon was probably not aware of the political bashing involved with this project. He advised that the YARTS CEO is working on the Coulterville bus system and it is taking longer than originally anticipated to try to accomplish Mr. Shannon's goal. He further advised that there was no intent on the part of the Board of Supervisors or the YARTS Board to embarrass Mr. Shannon.
- Supervisor Stewart advised of recent concerns expressed by downtown merchants and citizens relative to problems with skateboarders which have resulted in injury, fighting and skateboards with profanity being held up to passing motorists. He requested that time be scheduled on the Board's agenda to discuss a skateboard loitering ordinance for downtown. Chairman Parker asked that the Sheriff be notified of the problems and be asked to look into enforcement issues to deal with these problems in the interim. Bill Flaherty, DA/Victim-Witness Coordinator, asked about the status of the skatepark project, and commented on the problems occurring between different groups clashing. Chairman Parker advised that the design is being reviewed to match the available funding. Board concurred with Supervisor Stewart scheduling this matter for further consideration; possibly on the May 23rd and/or June 20th agenda.
- Supervisor Stewart presented copies of the new YARTS bus demonstration project brochures.
- Chairman Parker, along with Janet Hogan's, County Administrative Officer, assistance, presented Supervisor Pickard with gag gifts for his 40th birthday.

9:48 a.m. Recess

9:58 a.m. Approval of Minutes of 4/18/00 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Dr. Mosher, Health Officer;

Resolution Authorizing Chairman to Execute Letter to CalEPA Regarding Mariposa County's Intent to Apply as a Certified Unified Program Agency (CUPA)

BOARD ACTION: Chairman Parker advised that this item will be rescheduled.

Jim Petropulos, Public Works Director;

A) Resolution Authorizing an Increase of \$10,239 in the Contract Amount with Cen Cal Construction for the Family Support/Evans Building Remodel (\$85,340 to \$95,579)

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 00-161 adopted/Ayes: Unanimous.

B) Resolution Adopting Plans and Specifications for the Sherlock Road Rehabilitation, PW 99-04, Authorizing Public Works to Advertise for Bids, Set Bid Opening for June 8, 2000 at 2:00 P.M., and Authorizing the Public Works Director to Execute an Agreement with the Lowest Responsible Bidder

BOARD ACTION: (M)Reilly, (S)Stewart, Res. 00-162 adopted/Ayes: Unanimous.

Bill Flaherty, DA/Victim-Witness Coordinator, appeared on behalf of Christine Johnson, District Attorney;

A) Resolution Authorizing an Informal Bidding Process in Lieu of a Formal Bidding Process Regarding the Purchase of an Overhead Liquid Crystal Display Projector, with Case, in the Amount of \$3,950 Plus Tax

BOARD ACTION: Following discussion, (M)Reilly, (S)Pickard, Res. 00-163 adopted/Ayes: Unanimous.

B) Approve Budget Action Transferring Appropriations from Salaries/Advocate and Benefits/Advocate Line Item to Operating Expense Professional Services Line Item, Office Expense Line Item and Equipment Category/Computer in the Amount of \$6,800

BOARD ACTION: Following discussion, (M)Pickard, (S)Reilly, Res. 00-164 adopted/Ayes: Unanimous.

Supervisor Reilly initiated discussion relative the status of a computer acquisition policy which addresses specifications, cost, and maintenance issues, etc. Supervisor Pickard agreed and asked that this come back to the Board before the final budget hearings.

C) Resolution Authorizing Submission of the Request for Application (RFA) to the Office of Criminal Justice Planning for 100 Per Cent Funding of the Mariposa County Victim/Witness Program Grant Over a Three-Year Period from July, 2000 to June, 2003 with Augmentations Yearly Subject to the Board's Approval

BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Res. 00-165 adopted, with the deletion of the approval of future extensions and amendments without coming back to the Board. Bill advised that the program augmentation information is brought to the Board each year during the budget process even though this is a three-year program. Ayes: Unanimous.

Approve and Authorize the County Administrative Officer to Sign an Application for Head Start Quality Improvement, Cost of Living Allowance (COLA), Teacher Quality,

and Training and Technical Assistance Supplemental Funding in the Amount of \$34,535 (Administration)

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 00-166 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Abstained: Parker.

Board Information and Announcements

- Supervisor Balmain advised of a three-hour conference call planned for Thursday to discuss the Sierra Conservation Framework.
- Supervisor Pickard advised he attended the dedication ceremony last Saturday for the Ponderosa Basin Fire Station and it was very successful. He commended the community and volunteers for a beautiful facility.
- Supervisor Stewart advised that he has been gathering information on GIS systems and how the system might benefit the County
- Supervisor Balmain advised that he has been assisting the Film Commissioner with obtaining photographs, including aerial photos, on the Northside.
- Janet Hogan, County Administrative Officer, advised that she and Supervisor Stewart and Public Works Director and staff will participate in a conference call this afternoon on court facilities, and they will bring information back to the Board. She also advised that she will be out of the office on Friday.

10:30 a.m. Janet Hogan, County Administrative Officer;
Review and Action Regarding 1999 Reclassification Requests

BOARD ACTION: Janet Hogan presented the staff report and reviewed the recommendations and her suggestion for a comprehensive classification study to be conducted in the future.

Input was provided by the following:

Mary Atkinson provided input for the special projects coordinator – advising that this is a position her husband has held since 1989. She noted that the data processing duties he performs for the department have changed a lot over the last few years, becoming more complex and time consuming. She also stated she feels his other job duties and workload have increased to the point that it is impossible for one person to do this job within a 40-hour work week. She stated he brings work home and she feels he needs assistance.

Discussion was held, and Supervisor Reilly asked whether the special projects coordinator would be reviewed with the reorganization Public Works is considering.

10:57 a.m. Recess

11:07 a.m. Supervisor Parker advised that he and Supervisor Reilly need to attend another meeting this morning, and he asked if this matter could be continued to later this date. Lisa Edelheit, SEIU field representative, advised that she has another meeting this afternoon and asked that the Board proceed at this time with this matter. Board concurred with continuing with this matter.

Lisa Edelheit stated she agrees with the suggestion for an overall classification study; and she supports the recommendations with the exception of the senior office assistant position in the Fire Department. She does not feel that the recommended reclassification to a secretary for this position is appropriate. Even though there are only two paid staff positions in the department, it covers twelve stations and 150 volunteers. There are personnel records to be kept and training programs to be monitored. She noted that this position also handles the fiscal aspect of the department and budget preparation and pursues grant funding. The employee in this position has prepared the Standard Operating Procedures for the department. She stated she feels the Farm Advisor's office

is a different situation relative to having a small number of employees – the 4-H coordinator position was added and the duties are very different. She feels an office technician classification would be appropriate for this position, or she is open to considering a separate classification. She further noted that she feels the Fire Chief is supportive of an office technician classification. She stated she feels the duties of dealing with equipment and safety gear are something that no other office staff handles. This employee oversees the office equipment, and she feels this is comparable with the office technician position in the Sheriff's Department. She stated she feels that internal decisions need to be reviewed – this position handles more complex duties than the 4-H coordinator, yet the coordinator position is at a higher salary range.

Connie Hunt, Fire Department/Senior Office Assistant, stated she is confused by the use of the senior office assistant classification in small and large departments where the duties are so varied. She stated she works very hard to ensure that the volunteers get what they need and she serves as a liaison between the Fire Chief and the volunteers. She supervises employees provided by Mother Lode Job Training Program and CalWORKs, and has volunteers to assist her in trying to keep up on the workload of the department. She feels the office technician classification is appropriate and applicable for the duties that are performed. She stated she loves her job, but the responsibility is heavy. She has been through the volunteer fire fighting training herself and can understand what the volunteers go through. She tries to relieve the Fire Chief of office duties as much as possible, as his workload is also quite heavy.

Discussion was held relative to the recommendations and input provided.

(M)Pickard, (S)Stewart, to approve the County Administrative Officer and Interim Personnel Officer's recommendations, with the omission of the Fire Department request, that is to come back for further review, died for lack of a second after Supervisor Stewart withdrew his second.

Following further discussion, motion by Supervisor Balmain to provide direction to Data Processing to handle the data processing workload of the Public Works Department and return the special projects coordinator employee to those duties in his classification; and to reclassify the senior office assistant position in the Fire Department to an office technician; and approve the balance of the recommended reclassification requests, died for lack of a second.

(M)Reilly, (S)Pickard, to approve the recommended reclassification requests; with the exception of the senior office assistant position in the Fire Department, and reclassify that position to an office technician, was further discussed. Supervisor Pickard requested that the motion be amended to take separate action on the Fire Department position – that amendment was unacceptable with the maker and he withdrew his second. Supervisor Balmain seconded the motion. Motion failed by the following vote – Ayes: Reilly, Balmain; Noes: Stewart, Parker, Pickard.

Motion by Supervisor Balmain to accept the County Administrative Officer's recommendations, with the special project coordinator and Fire Department position to come back for further discussion, was withdrawn following discussion.

(M)Pickard, (S)Reilly, Res. 00-167 adopted approving the County Administrative Officer's recommendations; direction was given for the secretary position in the Fire Department to be further reviewed, and for Public Works to bring back a recommendation for the special project coordinator classification with their reorganization/Ayes: Unanimous.

11:40 a.m. Supervisors Reilly and Parker were excused.

CONSENT AGENDA

- CA-1 Resolution Approving and Authorizing the Environmental Services Joint Powers Authority of the Regional Council of Rural Counties to Apply for a Department of Conservation Bottle Bill Block Grant and to Implement All of the Terms of the Grant as Designated by the Department's Division of Recycling (Public Works); Res. 00-159

- CA-2 Resolution Authorizing Fixed Asset Purchases Concerning a Replacement Computer System, from Line Items 001-0212-517.06-61 (DA-0009) Currently Funded in the Amount of \$4,100 and 001-0212-517.06-64 (DA-0009) Currently Funded in the Amount of \$4,800, Purchase Not to Exceed the Amount of \$8,900 (District Attorney); Res. 00-160

- CA-3 Waive Second Reading and Adopt Ordinance to Enforce the Changes to Those Existing Sections of the County Code Pertaining to Lake McClure and Lake McSwain Recreation Areas (County Counsel); Ord. 948

11:41 a.m. Adjournment in memory of Norma Lee Rader, Dwight L. Oliver, and Rudy Moellenbeck.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 16, 2000



Time Description

8:03 a.m. Meeting Called to Order at Mariposa County Government Center with Supervisors Reilly and Balmain excused until 10:00 a.m. meeting in Yosemite.

Pledge of Allegiance
Introductions

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

Approval of Minutes of 4/25/00 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: (M)Pickard, (S)Stewart, all items were approved/Ayes: Stewart, Parker, Pickard; Excused: Reilly, Balmain.

Marita Green, Family Support Division Manager, appeared on behalf of Christine Johnson, District Attorney;
Resolution Authorizing Waiver of Formal Bid Process for Telephone and Voice Mail Equipment and Authorizing Purchase of the Equipment from Sierra Tel Business Systems in the Amount of \$11,969.59

BOARD ACTION: (M)Pickard, (S)Stewart, Res. 00-169 adopted. Jeff Green, County Counsel, advised that the amount given does not include tax and that will be in addition/Ayes: Stewart, Parker, Pickard; Excused: Reilly, Balmain.

Board Information and Announcements

- Supervisor Stewart advised that May 18, 2000, will be the YARTS bus demonstration event. He advised that he met with the Fair Board of Directors, along with Jesse Brown, YARTS CEO, as an off agenda item to discuss parking and bus stops. The Fair Board will schedule this matter on their next agenda.

8:06 a.m. Recess to travel to Yosemite for 10:00 a.m. meeting.

10:12 a.m. Reconvened at East Auditorium in Yosemite Valley

Patti A. Reilly, District I Supervisor;

Presentation of Yosemite Valley Plan with Tour to Follow (**No County Business will be Conducted During Tour**)

BOARD ACTION: Chip Jenkins, Chief of Strategic Planning, introduced the following: Margie Steigerwald, Yosemite Area Regional Transportation System (YARTS) Project Manager; John Isaacs, Contractor; Mark Neuweld, Park Ranger; Brenda Ostrom, Transportation Planner; and David Siegenthaler, Park Ranger; and he apologized for the absence of Park Superintendent, David Mihalic. Also present were Sarah Williams, Interim Planning Director; Dr. Mosher, Health Officer; and Jim Petropulos, Public Works Director.

David Siegenthaler provided a power point presentation on the Yosemite Valley Plan which he advised was the fourth draft environmental impact statement in the last eight years. He advised that this Plan blends the following documents: Valley Implementation

Plan, Draft Housing Plan, Yosemite Lodge Plan, and the Yosemite Falls Project. The Plan includes five alternatives that range from pulling out all roads and visitor accommodations to less extreme changes regarding parking, campgrounds, lodging, employee housing, new visitors' centers and transportation. It was also noted that the end of the public comment period is July 7, 2000.

A question period was then opened with Supervisor Pickard asking about the process after an alternative has been chosen. It was noted that follow-up planning would need to be done at that point to implement the Plan. Discussion took place concerning overcrowding of vehicles, people and parking issues and circulation within the Park. Pierce Loberg, Planning Commissioner, clarified the July 7th deadline to provide comments. Sarah Williams asked about the financial resources to implement the Plan.

11:28 a.m. Tour of Yosemite Valley on bus and proposed changes were pointed out.

CONSENT AGENDA

- CA-1 Proclamation of May 14 Through 20, 2000, as Emergency Medical Services Week (Health)
- CA-2 Resolution Authorizing the Chairman to Sign a Cooperative Fire Protection Services Agreement for Local Agencies to the State of California Department of Forestry and Fire Protection for Dispatching Services Only (Fire); Res. 00-168

12:56 p.m. Adjournment in memory of Cathy Zarate, Normand Menard, Harvey "Doc" Graber and Glenn Ballard.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 23, 2000



Time Description

9:07 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

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

- Leota Striplin advised that she read an article relative to the Board serving lunch at the Senior Center and asked if it was on today's agenda. Chairman Parker assured her it was and that the Board would be there.

Approval of Minutes of 5/2/00 Regular Meeting

BOARD ACTION: Minutes were approved with one typo noted by Supervisor Pickard.

Approval of Consent Agenda (See End of Minutes)

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

Steve Hayes; Visitors' Bureau Director;

Approval of the Following:

- Concept of Keeping the 6 Counties of Amador, Alpine, Calaveras, Mariposa, Merced and Tuolumne, Together in 1 Area Code
- Adopt Position to Keep 209 Area Code with Relief Alternatives and Authorize Chairman to Sign Letter which Communicates the County's Position to the California Public Utilities Commission (PUC)
- Authorize Visitors' Bureau Director to Communicate the Position of the County to the PUC at the 209 Area Code Public Meetings

BOARD ACTION: This item was heard out of order due to a scheduling conflict for the Visitors' Bureau Director. Steve Hayes referred to a resolution from Merced County supporting the retention of the 209 area code for the counties of Alpine, Amador, Calaveras, Mariposa, Merced, and Tuolumne and the City of Turlock, with a projected life of 6 to 7 years, which was given out to the Supervisors before the meeting. Steve also advised of another area code change in the works and that he has been attending meetings with Supervisor Pickard and area counties possibly affected by this change, and is now asking for a development of the County's position on the proposed changes by recommending Alternate 1B as shown in the information included in the Board's packet. Supervisor Pickard commented on the unanimous decision by all six counties to retain the 209 area code as a region due to the effect on tourism and to maintain our relationship economically, with San Joaquin and Stanislaus counties also pulling together to retain the 209 area code. It was noted that the alternate preferences range in the order of 1B, 6B and 4B and that Steve Hayes will travel to Merced this afternoon to testify before the California Public Utilities Commission on behalf of Mariposa County. It was also noted that another public hearing would be held on Wednesday in Sonora and Manteca and the end of the written comment period would be June 15th, allowing time for the preparation of a position for the Chairman to sign. Following discussion, (M)Pickard, (S)Reilly, Supervisor Pickard and Steve Hayes will bring back to the Board at a later time/Ayes: Unanimous.

Pelk Richards, Sheriff;

A) Approve Resolution Declaring the Smith and Wesson Model 66 Revolvers as Surplus Property and Allow the Current Deputies and Reserves to Purchase the Weapons at \$120.00 Per Unit, Obtaining Funds to be Used to Purchase New Semi-Automatic Pistols Needed for Use by the Department and Approve Budget Action (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Stewart, (S)Balmain, approve recommended action with any remaining surplus weapons left to come back to the Board, Resolution 00-183 adopted. Supervisor Pickard asked what would happen to the extra weapons that were not purchased with the Sheriff advising he would bring back a recommendation to the Board as to what would be done with the extras. Sheriff Richards advised that the weapons were purchased in 1975, and his recommendation would be to destroy them. Supervisor Reilly commented on issued safety equipment and purchasing for personal use/Ayes: Balmain, Stewart, Parker, Pickard, Noes: Reilly.

B) Resolution Ratifying the Submission of the 2000-2001 Application for Funding of \$158,599, for the Continuation of the Drug Enforcement Grant Administered by the Office of Criminal Justice Planning (OCJP), and Upon Grant Award, Authorizing the Sheriff to Execute Grant Award Agreement, Including Extensions or Amendments Thereto

BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, Resolution 00-173 adopted, with the understanding that there will be no extensions or amendments thereto without coming back to the Board for approval. It was noted that the required equipment is not covered in the grant and will cost the County approximately \$7,000 to \$10,000 for vehicle and fuel expense and overtime/Ayes: Unanimous.

Patti A. Reilly, District I Supervisor

Robert C. Stewart, District III Supervisor;

Report from Board Subcommittee and Action Regarding Elected Officials Salary and Benefit Increases (Continued from 4/18/00)

BOARD ACTION: Following discussion, (M)Stewart, (S)Balmain, Resolution 00-184 adopted to approve the recommended action of a 5 percent increase effective April 1, 2000 and a 3 percent increase effective January 1, 2001 and a request from the second for further investigation of inequities to be brought back to the Board at a later time agreeable with the maker/Ayes: Unanimous.

Jim Petropulos, Public Works Director;

A) Resolution Authorizing Public Works to Receive Public Donations from the Fund Raising Efforts of the Skate Park Committee to be Allocated to the Skate Park Project (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Marty Allan, Public Works Fiscal Manager; Kathy Delaney, Prevention Specialist, Mariposa Counseling Center and Chairperson for the Skateboard Committee; Jim Petropulos, Public Works Director; and Rich Begley, Deputy Director of Parks and Recreation present. Kathy advised of a \$2,000 donation by an anonymous local resident and the need for an account to deposit it into. Janet Hogan, County Administrative Officer, suggested accepting the donation and to come back to the Board with a specific budget action to use the funds. It was noted that the account would be used for any donations for the Skate Park with all previous donations on deposit at Yosemite Bank in the account of the Mariposa Youth Sports Association in the amount of \$15,000, with \$1,000 in the Scope Special Project Fund. It was also noted that no interest is accumulating in these accounts. Kathy advised that the funds are generated through a grant fund contracted through the Public Works Department. Jim Petropulos commented that the final stages of the redesign are \$140,000, which is more than the County has funded, and a revised design should be in

by the end of the month. It was noted that the overall fund amount is \$77,000 plus the funds raised by the Committee, (M)Reilly, (S)Stewart, Resolution 00-185 adopted/Ayes: Unanimous.

B) Resolution Adopting Plans and Specifications for Office Furnishings for the Family Support/Evans Building Remodel, Authorize the Public Works Director to Release the Plans for Bidding and Execute an Agreement for Manufacturer and Installation with the Lowest Responsible Bidder

BOARD ACTION: (M)Pickard, (S)Reilly, Resolution 00-186 adopted/Ayes: Unanimous.

C) Approve “4/10” Schedule for Public Works’ Administrative and Engineering Staff, Except Some Management Personnel, at the Director’s Discretion

BOARD ACTION: Discussion was held. (M)Stewart, (S)Balmain, Resolution 00-187 adopted. Jeff Green, Interim Personnel Director, advised this is a 3-month trial period at the end of which time the matter will come back to the Board, and the department head has authority, without going through any further process with the union or anyone else, to return to the existing schedule if he determines it is not in the best interest of the department/Ayes: Unanimous.

9:54 a.m. Recess.

10:12 a.m. Sarah Williams, Interim Planning Director;

PUBLIC HEARING to Consider Design Review No. 013-187-002, for 60-Foot Flag Pole Project in the Community of Mariposa (Continued from 5/2/00)

BOARD ACTION: Skip Strathearn, Planner, presented staff report reviewing the design and recommendations for this matter. Staff responded to questions from the Board relative to the flag size and lighting of the flag as well as the plaque.

Public portion of the hearing was opened and input was provided by the following:

Dieter Dubberke, and Dave Thomas, applicants, presented a tempered steel cylinder designed for the purpose of directing lighting onto the flag and to the ground only, with no beacon light at the top of the pole, only a gold dome. They presented a demo which was to scale of the 60 foot pole and 12 x 18 foot flag, stating that a 10 x 15 foot flag is also acceptable to them. It was noted that the monument issue has been turned over to the Veterans of Foreign Wars (VFW) and is scheduled on their next agenda. It was also noted that no advertising is planned for the flagpole. It was clarified that there are two tempered steel cylinder cones halfway up the flagpole, one directed on the flag and the other directed at the ground, which is light sensed, automatically turning on at dusk and off at dawn.

Input in support of applicants:

Jim Turner stated he feels the 12 x 18-foot flag, also known as the “Garrison Flag,” appears throughout the nation and the military, and is proportional with the 60-foot pole. He also stated he feels the 10 x 15-foot flag would look cheap and downgrade the honor of the flag.

Les Rose, Commander of the American Legion and member of the VFW advised that the minimum size for a flag to go on a pole is a quarter length of the pole.

Ron Kiser passed out a sketch to the Board showing the sizes of the flag in contrast to the pole, reinforcing his belief that the flag should be 12 x 18 feet.

Opposition to the applicant: none.

Public portion of the hearing was closed.

Staff responded to questions from the Board relative to the lighting and size of the flag.

Board commenced with deliberations. Supervisor Reilly stated she felt item number 6 should include language to specify that the sole purpose of the pole is to fly the American

flag only, no other flag shall be flown, in addition to language that the pole is not to be used for any kind of advertising; and item number 5 should include language relative to any memorial having to be approved by a higher level of the VFW, and proposes that the monument come back to staff after approval by the VFW.

(M)Pickard, (S)Reilly, approve conditions 1 through 6 as outlined in the Design Review No. 013-187-002 with modifications; VFW to approve monument which will be reviewed by the Planning Department before it can be erected; and additional language in item 6 that only the American flag will fly from that pole and no other additions. The Board of Supervisors finds that the application complies with the architectural theme and development guidelines established by the Board of Supervisors, Res. 00-188 adopted, approving conditions 1 through 6 of the Design Review No. 013-187-002, with modifications. Discussion was held. It was noted that if a smaller flag is approved and then decided a larger flag would be more appropriate, an additional permit would then be required. Supervisor Balmain stated that he liked the language in item 6 as recommended by staff, and that the flag would be hanging instead of flying most of the time and the smaller size flag would be fine, which the applicant has stated he does not have a problem with. Supervisor Stewart stated he feels the size of the flag should be what the applicant asked for, and he also prefers the larger size flag. Chairman Parker thanked everyone for their input/Ayes: Reilly, Parker, Pickard, Noes: Balmain, Stewart. Hearing was closed.

Authorize Deletion of a Planner II Position and Planner IV Position and Adding Two Planner III Positions and Promote Incumbent Planner II, Skip Strathearn, to a Planner III (Personnel)

BOARD ACTION: (M)Stewart, (S)Reilly, Res. 00-189 adopted/Ayes: Unanimous.

11:04 a.m. Recess.

11:23 a.m. Board reconvened with Supervisor Balmain excused to return later in the morning.

Approve Request by the Joaquin Murietta Days Committee to Include their Fundraising Event on the County's Insurance Policy Contingent Upon Verification of Insurance from the Veterans of Foreign Wars (VFW) for the Sale of Alcohol During the Event (County Counsel)

BOARD ACTION: Discussion was held. Jeff Green, County Counsel, recommended to approve this event on the condition that there is no more at the event than what is stated in the letters from the Joaquin Murietta Days Committee, and that the server of alcohol have proof of insurance. It was noted that, if approved, the County could be held liable, should an injury occur at the event. Supervisor Reilly stated she felt the County should begin to establish a policy concerning these events. (M)Stewart, to approve the recommended action, (S)Pickard, contingent upon proof of Veterans of Foreign Wars (VFW) own liability insurance, Res. 00-190 adopted/Ayes: Stewart, Parker, Pickard, Abstain: Reilly, Excused: Balmain.

Resolution Authorizing Chairman to Sign Agreement with Yosemite Area Regional Transportation System (YARTS) Joint Powers Authority (JPA) to Provide Transit Services (County Counsel)

BOARD ACTION: Following discussion, (M)Stewart, (S)Pickard, Res. 00-191 adopted/Ayes: Stewart, Parker, Pickard, Abstain: Reilly, Excused: Balmain.

- Resolution Authorizing the Chairman to Sign Agreement with the Economic Development Corporation (EDC) wherein EDC will Perform All of the Tasks Required for the Agreement Between Mariposa County and the State of California to Implement a Job Creation Plan in the Amount of \$57,846

- Approve Donation of \$7,000 to the EDC as Seed Money and Budget Action Transferring Appropriations from the General Fund Contingency in the Amount of \$7,000 (4/5ths Vote Required) (County Counsel)

BOARD ACTION: Discussion was held. Jeff Green, County Counsel advised that the Board applied for some grants from the State Trade and Commerce for economic development and was given one grant for the preparation of the plan which has been done and is now recommending that the County enter into an agreement with the Economic Development Corporation (EDC) of Mariposa to provide services that would otherwise be required of the County through a grant with the State and recommend, based upon a request from EDC, for the Board to grant to the EDC seed money in the amount of \$7,000 from the general contingency to start up, and not requesting funds to be repaid for the reason of the EDC being an ongoing organization. Janet Hogan, County Administrative Officer clarified that the grant is in the amount of \$50,846, which is already in place, and the \$7,000 requested by the EDC is in addition. (M)Stewart, (S)Reilly, Res. 00-192 adopted/Ayes: Reilly, Stewart, Parker, Pickard, Excused: Balmain.

Supervisor Balmain returned.

Consider and Discuss the Appointment of Key County and Community Representatives to an Ad Hoc Committee to Facilitate Discussion of Relocating Administration Functions to Locations Outside of Yosemite National Park (Supervisors Stewart and Parker)

BOARD ACTION: Chairman Parker pulled item to be rescheduled at a later date, if necessary.

Discussion and Direction Regarding Preparation of Comments Relative to the Yosemite Valley Plan (Supervisors Reilly and Pickard)

BOARD ACTION: Board concurred with giving direction to Supervisors Reilly and Pickard to work with the County Administrative Officer, County Counsel and other department heads to draft a letter for the Chairman's execution, relative to a position based on the Yosemite Valley Plan, with the comment period ending on July 7, 2000. Supervisor Reilly encouraged all comments for the draft.

Chairman Parker requested that the Board begin to give some consideration to the possibility of creating a position within the County Government to deal with particular issues, such as the Federal Government of the Forest Service, and have the responsibility to keep the Board and public fully informed of the actions going on. Supervisors Reilly and Stewart agreed. Board concurred with giving direction to staff to explore the possibility of creating such a position.

11:41 a.m. CLOSED SESSION Relative to Conference with Legal Counsel Regarding Vacation Issues (County Counsel/Personnel)

BOARD ACTION: (M)Pickard, (S)Stewart, Board to convene in closed session until serving lunch at the Senior Center at 11:50 a.m./Ayes: Unanimous.

11:50 a.m. Lunch at the Senior Center.

2:05 p.m. Board reconvened with Chairman Parker announcing that direction was given to staff as a result of the closed session.

Tom Efird, Forest Service;
Presentation on Roadless Area Initiative

BOARD ACTION: Tom Efird, District Ranger, United States Forest Service, introduced Sue Exline, Public Affairs Officer, Alan Quan, Acting Forest Supervisor, and Steve

Cowdrey, Roads Engineer for the north half of the Forest. Sue gave the power point presentation.

Following presentation, staff responded to questions from the audience regarding roadless areas and maps, and questions from the Board relative to decommissioning of roads and encroachment on Forest Service land.

It was noted that the presentation on the Sierra Conservation Framework is scheduled on the Board's agenda for June 13, 2000 at 2:00 p.m.

2:50 p.m. Recess

4:00 p.m. Robert C. Stewart, District III Supervisor;
Discussion and Direction Relative to Implementing an Ordinance Prohibiting Skateboarding on Pedestrian Walkways

BOARD ACTION: Supervisor Stewart advised of complaints from merchants, pedestrians and motorists regarding safety issues and damage to property resulting from the use of skateboards in the downtown area.

Rich Begley, Deputy Director of Parks and Recreation, advised of a 90-day program for the construction of the skatepark and is hoping to get that out to bid for the summer construction season.

Supervisor Stewart expressed concern over County property being damaged by skateboards and the upcoming new sidewalk project being marked up due to some people's lack of respect for property and their own personal safety, with Supervisor Reilly in agreement stating the issues are of danger, personal safety, destruction of property and public nuisance.

Public comments were provided by the following:

Miriam Costello, owner of Miriam and Co., addressed the kids' safety as being the first priority. She stated she feels her customers going out of her doorway could easily be hit by a skateboard and that she has had personal property destroyed by skateboards.

Brent Schroeder, Cousin Jack's Music Merchant, stated he did not want to see kids without a place to go to have fun and proposed banning skateboards from the main street area.

Nancy Radanovich, owner of the Vault, submitted to the Board a petition signed by business owners requesting the adoption of an ordinance to eliminate all skateboarding activity on sidewalks and streets within the Mariposa Downtown Planning Area, stating she was shocked to hear what goes on regarding skateboarding, loitering and intimidation of tourists and locals.

Andrea Winton, Arts Council Gallery Coordinator, commented on the safety issue and felt the kids are bored.

Dan Croft, Manager of the Pizza Factory, also commented on the safety issue and stated he felt the loitering issue was the major problem in the areas of the Gold Coin, Pizza Factory and Meadows Ranch Café. He further stated he does not believe skateboarding is the issue.

Shirley Felix, Meadows Ranch Café, stated she has witnessed the kids walking through the café using vulgar language and stopping up the toilets in the bathrooms.

Robyn Holloway, Skateboard Leadership Team, stated he felt there are a lot of bad kids misrepresenting the skateboarders, and that the Leadership Team members are trying to communicate to those kids. He also stated he supports not skating in the historic area and would like to see the skatepark come along faster.

Carol Williams, stated she felt skateboarding is not a crime and should be dealt with individually, not labeled, and children need to be taught manners.

Connie Salvesson, Mariposa Hotel, stated she has had to call the Sheriff's Department due to noise and loitering of kids very late at night and agrees that children are out of control.

Dallas Gore, Leadership Team President, apologized to all the merchants, seeing what some skateboarders do, while working at the Rexall Drugstore.

Kathy Delaney, Prevention Specialist, Mariposa Counseling Center and also Chairperson for the Skatepark Committee, advised she has been working on the skatepark for 3½ years and feels everyone needs to think about the majority of the people, not the bad ones on the street.

Chairman Parker stated the skatepark is becoming a reality and gave a reminder of the issue presented today.

Rich Begley commented that part of the delay to the skatepark is due to the time and expense of repairing damage done by skateboards to County property.

Pelk Richards, Sheriff, responded to a question regarding the procedure for handling calls regarding skateboarders.

Discussion was held relative to implementing an urgency ordinance, which can be implemented when a safety or health issue is involved, to be in effect until a permanent ordinance can be developed.

Lynn DeLeon, suggested identifying areas for kids to skate until the skatepark is here.

Larry Williams, commented on delays to the skatepark and asked for an explanation, with Supervisor Reilly responding that she takes pride in being part of the Board who made a push for the funding of the skatepark, and the project involves a lot of people, costs and time.

Chairman Parker advised that the skatepark is not a County project, but the County has contributed approximately \$75,000.

Chelsea Markovich, stated she felt skateboarding is just another sport and if it is taken away, what will the kids turn to?

(M)Stewart, direct County Counsel, Sheriff, and staff to draft an ordinance with an urgency clause that would prohibit skateboarding and loitering downtown, (S)Balmain, Res. 00-193 adopted. Urgency ordinance issue is scheduled to come back to the Board on June 13, 2000/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Stewart advised of the YARTS grand opening ride which was an enjoyable day. He further advised of gathering information relative to a Geographic Information System and is getting ready to make a presentation to the Board.
- Supervisor Pickard advised of the Memorial Day Service Parade to take place on Saturday, May 27th beginning at 10:00 a.m. in the Visitors' Bureau parking lot and proceeding to the cemetery. He further advised that he would be attending an RCRC meeting tomorrow in Sacramento and reported on legislation issues. He also mentioned the Public Hearing scheduled for the Old Highway bridge by CalTrans.
- Supervisor Reilly advised that Jim Petropulos and Gwen Foster attended the Rural Task Force last Friday, and will keep the Board advised on this issue. She further advised that she would not be here to attend the next Board Meeting on June 6, 2000.
- Supervisor Balmain advised of the next Bio-Diversity Meeting to be held in the Camp Pendleton area and invited other Board Members to attend, with hopes that Supervisor Stewart would go.

INFORMATION – No action was necessary on the following:

Dedication Plaque for the New Mariposa County Library (Library)

Board Members are Invited to Serve Lunch at the Senior Activity Center on this Date

CONSENT AGENDA

- CA-1 Resolution Recognizing Katherine R. Borgstahl as Senior Lady of the Year for 2000 (Community Services); Res. 00-172
- CA-2 Resolution Recognizing Douglas J. Pearse as Senior Gentleman of the Year for 2000 (Community Services); Res. 00-171
- CA-3 Resolution Recognizing Pearl and Winnie Williams as Senior Couple of the Year for 2000 (Community Services); Res. 00-170
- CA-4 Resolution Authorizing the Chairman to Sign the 2000-2001 Detection Trapping Contract No. 00-0019 and the CCC 1999 Certification Form (Ag Commissioner/Sealer); Res. 00-174
- CA-5 Accept Money Donated by the Friends of the Library-Wawona, to Provide 196 Additional Hours of Library Service for the Patrons of Wawona Library, Beginning May 29 and Ending September 4, 2000; New Hours would be: Monday Through Friday – 3:30 p.m. to 7:30 p.m. and Saturday – 10:00 a.m. to 2:00 p.m. (Library); Res. 00-175
- CA-6 Resolution Approving and Authorizing the Environmental Services Joint Powers Authority of the Regional Council of Rural Counties to Apply for a California Integrated Waste Management Board 2000-2003 Used Oil Recycling Block Grant and to Implement All the Terms of the Grant as Designated by the California Integrated Waste Management Board (Public Works); Res. 00-176
- CA-7 Resolution Authorizing Public Works to Enter Into a Lease Agreement with the Lowest Responsible Dealer for a 4WD, 4-Door SUV, Approved in the Budget for D.A. Family Support Investigator; and to Purchase a 4-Door Sedan from the Lowest Responsible Dealer Approved in the Social Services Budget Not to Exceed \$21,000 (Public Works); Res. 00-177
- CA-8 Approval of the Following:
- Road Closure Requested for Jessie Street in Front of the Mariposa Museum and History Center on June 11th, from 5:00 a.m. to 6:00 p.m. for the Mariposa Heritage Day Festival Parade
- Use of Miller Road as a Staging Area Prior to the Parade
- Authorize the Visitors' Bureau Director to Sign the CalTrans Encroachment Permit for the Parade as an Extension of the Mariposa County Wagon Train Event (Visitors' Bureau); Res. 00-178
- CA-9 Resolution Authorizing the Fire Chief to Enter Into Agreements to Utilize Donated Structures for Purposes of a Training Burn (Fire); Res. 00-179
- CA-10 Resolution Changing the Employer's Contribution Under the Public Employee's Medical and Hospital Care Act (Personnel); Res. 00-180
- CA-11 Accept Resignation of Vicki McMichael from Yosemite West Community Planning Advisory Committee (Supervisor Reilly)

- CA-12 Acknowledgement of Indirect Cost Rate for Madera County Community Action Agency in Regard to the Head Start Program (Administration); Res. 00-181
- CA-13 Approve County Tile Plaque to be Presented at the Memorial Service for Dwight L. Oliver on June 3, 2000 (Chairman Parker)
- CA-14 Resolution Authorizing the Director of Human Services to Execute Contract Amendment 01 to Existing Department of Energy Weatherization Contract #99C-1220 (Human Services); Res. 00-182

5:50 p.m. Adjournment in memory of Jerry Baldwin and Wendy Palisca.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

By DONNA WASS
Deputy Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 6, 2000



Time Description

9:06 a.m. Meeting Called to Order, with Supervisor Reilly excused.
Pledge of Allegiance
Introductions

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

- Supervisor Balmain commented on the large volume of materials included in the agenda package for this meeting.
- Jeff Green, County Counsel, initiated discussion relative to the recruitment schedule for the County Administrative Officer position; and the Board concurred with the recommended schedule for application (application deadline of September 22), interview (interview week of October 9th) and selection (selection during the week of October 23rd).
- Jeff Green initiated discussion relative to scheduling interviews for the Planning Director position. Board concurred with scheduling interviews on Wednesday, June 28, 2000, at 9:00 a.m.
- Janet Hogan, County Administrative Officer, initiated discussion relative to options for the County to vote at the NACO Annual Conference in July. Following discussion, the Board concurred with directing that this matter be scheduled for further consideration on June 13, 2000.
- Janet Hogan advised of the strategy developed for seeking funding for the co-composting project, and advised that she will keep the Board informed of the status.

Approval of Minutes of 5/9/00 and 5/16/00 Regular Meetings
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Stewart asked for clarification and provided comment on items 1, 7, 8, and 10. Tom Archer, Human Services Director, responded to questions and provided clarification and information on the programs for items 7, 8 and 10. Howard Davies, Assistant Sheriff, provided input relative to item 1. (M)Stewart, (S)Pickard, all items were approved. Tom Archer responded to additional questions from Supervisor Pickard relative to item 10. Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Guy Spurlin, Advocate, appeared on behalf of Christine Johnson, District Attorney; Resolution Authorizing Request for Application to the Office of Criminal Justice Planning (OCJP) for 100 Percent Funding of the Mariposa County District Attorney Statutory Rape Vertical Prosecution Unit Grant Covering the Period from July 1, 2000 to June 30, 2001, in the Amount of \$50,000
BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, Res. 00-201 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Steve Hayes, Visitors' Bureau Director;
Authorize Chairman to Sign Agreement for Term of 7/1/00 to 6/30/01 with Mariposa County Chamber of Commerce to Operate the Mariposa County Visitor Centers in Mariposa and Coulterville in the Amount of \$96,801; and Request Permission to

Negotiate a Lease Agreement with the Veterans for the Bureau's Current Office Space Separate from the Chamber Visitor Center Agreement and Return with an Agreement
BOARD ACTION: Discussion was held with Steve Hayes. Janet Hogan, County Administrative Officer, provided input relative to her recommendation concerning the methodology used to calculate the increase in the fee-for-service contract.

Input was provided by the following:

Bob Perez, President of the Chamber of Commerce, thanked everyone for their efforts in negotiating this contract.

Jan Mennig, Executive Director of the Chamber of Commerce, thanked the Visitors' Bureau Director, County Administrative Officer, and County Counsel, for their efforts in this matter. He further advised that they are still trying to bring the Chamber's salaries in line with those who perform similar duties in the County.

(M)Pickard, (S)Balmain, Res. 00-202 adopted approving the contract with the Chamber of Commerce, with changes as recommended by the County Administrative Officer, for a total contract amount of \$96,570; and direction was given for a lease agreement to be negotiated with the Veterans for the Visitors' Bureau current office space/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

9:56 a.m. Recess

10:12 a.m. Jim Petropulos, Public Works Director;

A) Presentation by Belinda Green, Solid Waste Specialist, from California Rural Water Association on the Programs for Waste Reduction Provided to Mariposa County
BOARD ACTION: Tom Starling, PWD/Solid Waste Coordinator, introduced Belinda Green. Belinda advised that she is working on a one-year grant through the California Rural Water Association to teach recycling and waste reduction in the County. She advised of her efforts with youth and civic organizations thus far, and she stated she is available to given presentations. Supervisor Parker suggested that the County Fair would be a good place to set up a booth to distribute information. Discussion was held relative to the programs that she provides.

B) Resolution Approving and Authorizing Chairman to Sign Letter to State Senator, Byron Sher, Requesting Legislation to Exclude Class II Waste from AB 939 Diversion Accounting

BOARD ACTION: Discussion was held with Tom Starling. (M)Pickard, (S)Balmain, Res. 00-194 adopted approving the letter/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Jacque Meriam, Librarian

Jim Petropulos, Public Works Director;

Approve Plans and Specifications; Authorize the County Librarian to Advertise for Bids and Set Bid Opening; and Authorize the Public Works Director to Execute an Agreement for Furnishings and Signage for the New Library

BOARD ACTION: (M)Balmain, (S)Pickard, Res. 00-204 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Janet Hogan, County Administrative Officer

Jeff Green, Interim Personnel Director;

Approve Classification Specification for County Surveyor, Set Salary at Range 295, Allocate One 70 Percent Permanent Part-Time Position to the Department of Public Works, Delete One Associate Surveyor Position and Waive Hiring Freeze to Allow Recruitment for a County Surveyor to Commence

BOARD ACTION: (M)Balmain, (S)Stewart, Res. 00-205 adopted/Ayes: Balmain, Stewart, Parker Pickard; Excused: Reilly.

Authorize Chairman to Execute Personal Services Agreement with Kim Van Meter in the Amount of \$45,000 for Film Commission Services from July 15, 2000 to June 30, 2001 and Reappoint Ms. Van Meter as Mariposa County Film Commissioner (Administration/County Counsel)

BOARD ACTION: (M)Balmain, (S)Stewart, Res. 00-206 adopted. Discussion was held. Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Consider and Authorize Chairman to Sign Letter Opposing the Environmental Impact Scoping Report on the San Francisco Airport Expansion Bay Fill Project (Chairman Parker)

BOARD ACTION: Following discussion, (M)Stewart, (S)Balmain, Res. 00-207 adopted authorizing Chairman to sign a letter opposing the EIS Report/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Discussion and Possible Action to Establish a Mariposa Town Planning Area Advisory Council (Supervisors Stewart and Parker)

BOARD ACTION: Following discussion, (M)Pickard, (S)Balmain, direction was given to staff to bring back a resolution establishing a Mariposa Town Planning Area Advisory Council. Supervisor Balmain requested that consideration be given to including MPUD in the representation on the Council. Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Resolution Canceling the July 5, 2000, Regularly Scheduled Board Meeting (Clerk of the Board)

BOARD ACTION: (M)Balmain, (S)Stewart, Res. 00-208 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Resolution Scheduling the July 11, 2000, Regularly Scheduled Board Meeting to Commence at 10:00 a.m. in Coulterville, with the Afternoon Portion of that Meeting to be Held in Mariposa, at the Government Center (Supervisor Balmain)

BOARD ACTION: (M)Balmain, (S)Stewart, Res. 00-209 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Board Information and Announcements

- Supervisor Balmain advised that he will get information on the upcoming Bio-Diversity Council meeting scheduled in Camp Pendleton to Supervisor Stewart. He further commented on a meeting in Tuolumne County relative to the Forest Service road proposal.
- Supervisor Pickard advised of the status of legislation and funding contained in the Governor's proposal. He further advised that RCRC sent a letter to the Governor and the Conference Committee opposing the proposal relative to the transportation funding.
- Supervisor Stewart advised of a Court Facilities meeting he attended in Redding, and he stated he feels it could be a long process for the State to take over court facilities. Janet Hogan, County Administrative Officer, advised that she reviewed some draft language on the court facilities which finally addresses historic courthouses.
- Supervisor Parker thanked Supervisor Balmain for arranging for the slate name plates for the Board hearing room.

Chairman Parker that the meeting would be adjourned at the conclusion of the tour with the Planning Commission, and that no County business would be conducted during the tour this afternoon.

11:07 a.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Memorandum of Understanding (MOU) Travel Allowance, Service Employees International Union (SEIU), Mariposa County Managerial and Confidential Association (MCMCO), Deputy Sheriff's Association, and Sheriff's Management Association (County Counsel)

BOARD ACTION: (M)Pickard, (S)Balmain, closed session was held/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

11:28 a.m. Lunch

1:39 p.m. Sarah Williams, Interim Planning Director
Jim Petropulos, Public Works Director;

Joint Meeting with the Planning Commission to Tour Zone of Benefit Roads and Privately Maintained Roads in Mariposa County (For Action on 6/27/00)

BOARD ACTION: All of the Planning Commissioners were present for the joint meeting with the Board: Bob Rudzik, Leroy Radanovich, Gary Colliver, Pierce Loberg and Don Pucilowski. A bus tour was conducted of samples of privately maintained roads, roads maintained through zones of benefit, and roads that were built to various standards. Sarah Williams advised that a public hearing has been scheduled for June 27, 2000, to review the Road Improvement Circulation Policy Amendments. Sarah Williams, Jim Petropulos and Bruce Atkinson/PWD-Special Projects Coordinator, responded to questions from the Board and Commission.

3:40 p.m. Board and Commission returned to the Government Center. A brief discussion was held relative to scheduling a further discussion on this matter. It was agreed to hold a workshop on June 20, 2000, at 2:00 p.m.

INFORMATION – No action necessary on the following:
Information Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

- CA-1 Authorize Chairman to Sign Amendment to Lease Purchase and Maintenance Agreement for Enhanced 911 Equipment (Sheriff); Res. 00-195
- CA-2 Change Summer Hours for El Portal Library, Due to Absence of Staff During the Summer, to Monday, 10:00 a.m. to 12:30 p.m. and 5:30 p.m. to 7:30 p.m., Tuesday, 10:00 a.m. to 1:00 p.m. and Wednesday, 5:30 p.m. to 7:30 p.m. (Library); Res. 00-196
- CA-3 Appoint Harriet Engleman to the San Joaquin Library System Advisory Board (Library)
- CA-4 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Approve Resolution Changing the Voucher Payment Standard from 100 Percent of the Government Published FMR, to 110 Percent, for One and Two Bedroom Vouchers, New Payment Standard to be Effective July 1, 2000, for Turn Over Vouchers and at the Next Regularly Scheduled Annual Recertification for Existing Voucher Holders (Human Services); HA Res. 00-2

- CA-5 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Closing Fund 333 and Transfer Balances to Fund 332 as of June 30, 2000 (Human Services); HA Res. 00-3
- CA-6 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Authorizing Chairman of the Housing Authority Board of Commissioners to Sign a Contract with the Calaveras-Mariposa Community Action Agency for a Grant to Prepare a Family Self Sufficiency Action Plan, and Authorize Expenditure of the \$500.00 for Purchase of a Model Plan (Human Services); HA Res. 00-4
- CA-7 Approve Standard Agreement with State of California for Child Abuse Prevention, Intervention and Treatment (CAPIT) (Human Services); Res. 00-197
- CA-8 Authorize Release of Requests for Proposals (RFP's) for Organizations to Submit Program Funding Requests for the Child Abuse Prevention, Intervention and Treatment (CAPIT), County Allocation (Human Services); Res. 00-198
- CA-9 Resolution Authorizing the Director of Human Services to Execute Department of Energy Weatherization Contract #00C-1320 with the State of California Department of Community Services and Development and Any Subsequent Contract Amendments Upon County Counsel's Review and Approval, and Approve Budget Action to Adjust FY 99-00 Community Action Program Budget, Fund 335, to Reflect Grant Award in the Amount of \$4,407 (4/5ths Vote Required) (Human Services); Res. 00-199
- CA-10 Approve Awarding the 2000-2001 Fiscal Year Substance Abuse and Mental Health Services Administration (SAMHSA) Native American Mental Health Contract to Kingsview (Human Services); Res. 00-200
- CA-11 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Approving the Agency Plan, Including the Annual Plan for the Housing Authority of the County of Mariposa (Human Services); HA Res. 00-5
- CA-12 Approve Request for Two Tile Plaques to be Presented to First Mariposan who Completes the 60 Miler and 100 Miler in the Annual Mariposa "Run for the Gold" Endurance Ride (Chairman Parker)

3:55 p.m. Clerk of the Board announced that direction was given to staff as a result of the closed session earlier this date, and the meeting was adjourned in memory of Geneva Dorsey, Leonard DeGrendele, John P. Cornejo, Geraldine Besack, Dorothy Mae Boyer, John Daley, Sr., and Beckie Jay.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 13, 2000



Time Description

9:12 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Leota Striplin advised that the Kiwanis will be unable to do the fireworks at the Fairgrounds this year for the 4th of July.

Approval of Minutes of 5/23/00 Regular Meeting
BOARD ACTION: Approved, with clarifications.

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

Steve Hayes, Visitors' Bureau Director;
Authorize Chairman to Sign Letter Communicating the Board's Position to the Public Utilities Commission Regarding the 209 Area Code Change
BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, letter was approved/Ayes: Unanimous. Supervisor Pickard advised of a story that ran in the Modesto Bee and possible alternatives that are being considered for a boundary change.

Jacque Meriam, Librarian
Jim Petropulos, Public Works Director;
Resolution to Approve Specifications; Authorize County Librarian to Advertise for Bids and Set Bid Opening; and Authorize Public Works Director to Execute an Agreement for Telephone System, Voice and Data Cabling for the New Library
BOARD ACTION: (M)Pickard, (S)Stewart, Res. 00-215 adopted/Ayes: Unanimous.
Jacque Meriam invited everyone to the walk-through to see the status of the construction of the new library facility on Wednesday.

Presentation of the 1999 Mariposa County Agricultural Crop Report was continued to this afternoon.

Blaine Shultz, Fire Chief;
Authorize Fire Chief to Release a Request for Proposal to Three Water Truck Producers for a Replacement/Re-Chassis of One Water Tender; Approve Budget Action Transferring Appropriations from the General Fund Contingency to Fund 514, Fire Truck Replacement in the Amount of \$100,000; and Authorize Expenditure of Capital Funds for this Project Prior to Adoption of Final Fiscal Year 2000-2001 Budget (4/5ths Vote Required)
BOARD ACTION: Discussion was held relative to the request and the status of service for the Jerseydale area and the use of the Fish Camp water tender as a back-up unit. (M)Pickard, (S)Stewart, Res. 00-216 adopted; and direction was given for the Fire Chief to come back to the Board as soon as the ISO rating review has been completed with a proposed policy and information for a program to address the water tenders and identify vehicle replacement funds for fire trucks. Further discussion was held relative to alternatives for replacing the water tender. Ayes: Reilly, Balmain, Stewart, Pickard;

Noes: Parker. Janet Hogan, County Administrative Officer, suggested that the Fire Chief be very prudent in the expenditure of these funds and that any funds not used on this project not be expended without approval of the Board.

9:48 a.m. Recess

10:04 a.m. Jim Petropulos, Public Works Director;

Approve Budget Action Transferring Appropriations from the General Fund Contingency to the Mariposa Rotary Amphitheater Capital Improvement Account in the Amount of \$23,134 and Approve and Authorize Chair to Execute Contract (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Pickard, (S)Reilly, Res. 00-217 adopted/Ayes: Unanimous.

Sarah Williams, Interim Planning Director;

Initiate Amendment to Title 17, County Code (Zoning Ordinance) to Adopt Coulterville and Fish Camp Town Planning Area Specific Plans by Ordinance

BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, direction was given to staff to process the amendment as recommended/Ayes: Unanimous.

Jeff Green, County Counsel;

Waive Readings and Adopt an Urgency Ordinance Prohibiting Skateboarding in the Downtown Area of Mariposa (4/5ths Vote Required)

BOARD ACTION: Discussion was held. Jeff Green advised that information is being gathered to prepare a more comprehensive ordinance which will include an update of the loitering ordinance and more than just the downtown area. This urgency ordinance is for the interim. (M)Balmain, (S)Stewart, Ord. 949 adopted.

Meriam Costello, Meriam and Company, asked if there is a curfew law and suggested that a curfew be reviewed as she feels this leads to problems also.

Ayes: Unanimous.

Additional input from the public was provided by the following:

Trish Nady stated she works for Meriam and Company, and she asked where the youth can skateboard. Jeff Green advised that skateboarding is allowed any place that it is not specifically prohibited.

Supervisor Reilly suggested that it would be good to post and distribute information as to where skateboarding is specifically prohibited.

Nancy Radanovich advised of a recent story in the Fresno Bee relative to motorized skateboards and their gain in popularity, and she suggested that this be taken into consideration in the ordinance.

Trish Nady asked about the status of the new skatepark facility. Chairman Parker advised of the status – plans are being redrawn to fit with the available funding. Trish asked how the businesses could help support the project.

Pelk Richards, Sheriff, advised of a meeting scheduled for this evening to advise skateboarders of the action being taken by the Board; he advised that information will be submitted to the newspaper for publication; and there will be a grace period of warnings.

Additional public input was provided after the following item.

Jeff Green, County Counsel;

Discussion and Possible Action Relative to Mariposa County Becoming Involved in the Federal Housing and Urban Development's (HUD) New Dollar Home Initiative

BOARD ACTION: Discussion was held. (M)Pickard, (S)Reilly, direction was given for staff to pursue the subject property that was brought to County Counsel's attention with the non-profit organization, with a contract to come back to the Board for final approval; and with more information on the program to be provided for further consideration/Ayes: Unanimous.

Additional public input on the skateboarding ordinance: James Moore, Uncle Bingo's Skate Shop, stated his son skateboards, and he read a letter he submitted to the Gazette – young children use playgrounds and there is a need for recreational opportunities for older children. He stated he feels skateboarding should be encouraged. He stated he understands the problems created with skateboarding downtown in front of the businesses and with the tourists. He stated he would like to see the skateboard project pushed to become a reality.

Consider and Act on Reorganization Plan for the County Administrative Officer's Office (Administration)

BOARD ACTION: Discussion was held with Janet Hogan, County Administrative Officer, relative to the recommendation. Supervisor Stewart commented on the need for staff to assist with reviewing and commenting on the large documents the County receives. Supervisor Reilly stated she feels there is a need for assistance with obtaining funding for various projects, and she suggested that the requested position be discussed with each Board member to determine the needs and see how to best meet them. Supervisor Pickard stated he hoped the reorganization would allow for the County Administrative Officer to assist with legislative matters in Sacramento that affect the County. Janet Hogan recommended that the new position be approved today, filled shortly after July 1st, and that Head Start revenue funds be used to help offset the costs. (M)Pickard, (S)Stewart, Res. 00-218 adopted approving class specification for a staff analyst position, setting the salary range at 194, with the position not to be filled prior to July 1, 2000, and funding to be incorporated in the FY 2000-01 budget/Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly.

Direction for Voting Credentials for the National Association of Counties (NACO) 2000 Annual Conference (Administration)

BOARD ACTION: Discussion was held relative to the request and options. Motion by Stewart to authorize Chairman to sign the Identification Form for voting at the NACO conference indicating that the County does not want CSAC to pick up the credential materials for the County, died for lack of a second. No action was taken.

11:33 a.m. CLOSED SESSION Relative to Public Employee Performance Evaluation for Community Services Director (County Counsel)

BOARD ACTION: (M)Reilly, (S)Balmain, closed session was held/Ayes: Unanimous. Chairman Parker announced that the Board would recess for lunch following the closed session.

12:45 p.m. Lunch

2:18 p.m. Board reconvened and Chairman Parker recognized the presence of Dana Jones, State Park Mineral Exhibit. Dana reviewed activities related to the Exhibit; advised that they are going to have a visioning workshop with attendees from all over the State to plan for the future of the Exhibit, and she will keep the Board updated; a seasonal interpreter has been hired; and they are starting a volunteer group.

Chairman Parker announced that direction was given to staff as a result of the closed session.

Sue Exline, Public Affairs Officer, appeared on behalf of Tom Efird, United States Forest Service;
Presentation on Sierra Conservation Framework

BOARD ACTION: Sue Exline and Mark Smith, United States Forest Service, gave a presentation on the Sierra Conservation Framework, reviewing the problem areas and alternatives. It was noted that the comment period opened on May 9th for 90 days – August 11th being the deadline for comment. Discussion was held.

Dick Kunstman provided input relative to the spotted owl studies.

Further discussion was held relative to the preferred alternatives and impacts they would have on the County, especially relative to timber receipts and grazing. Sue advised that they have a series of workshops planned for the public, and that they are willing to come back to the Board and to research any questions that the Board may have.

3:53 p.m. Recess

4:09 p.m. Don Cripe, Agriculture Commissioner/Sealer;
Presentation of the 1999 Mariposa County Agricultural Crop Report

BOARD ACTION: Don Cripe introduced his wife, Sharon. Don reviewed the report for 1999, and advised of a correction to reflect a .4% versus 1.4% in the total estimated value for agriculture from the previous year. Supervisor Parker asked for additional information on the timber revenues and cattle sales for the last several years. Concern was expressed with the potential impacts the Sierra Conservation Framework could have on agricultural production in the County.

4:31 p.m. Supervisor Pickard was excused.

Board Information and Announcements

- Supervisor Stewart reported on the status of the YARTS bus demonstration project. He advised that he plans to attend the CSAC meeting on Thursday, and they will discuss the Tobacco Settlement funds and engineering issues.
- Supervisor Parker advised that the Regional Emergency Medical Services Agency meeting will be held here on Wednesday, and they will further discuss the defibrillators for the County.
- Janet Hogan, County Administrative Officer, advised of the status of the State budget, and advised that more detailed information will be provided once it is available.

FORTHCOMING POLICY

Review and Provide Direction Regarding Recommendations from the County Administrative Officer Addressing Transition Tasks and Issues (Scheduled for Action on 6/27/00) (Administration)

CONSENT AGENDA

- CA-1 Resolution for Winnie Williams recognizing his outstanding service to the Community (Chairman Parker); Res. 00-210
- CA-2 Approve Budget Action Transferring Appropriations from Depreciation, Contingencies and Utility Capital in Coulterville Water and Sewer Service and Supply Line Items to Cover Emergency Pump Replacement and Other Operating Shortfalls in the Amount of \$18,536 (4/5ths Vote Required) (Public Works); Res. 00-211
- CA-3 Resolution Approving and Authorizing Public Works Director to Execute a Contract in the Amount of \$15,000, with Einarson, Fowler, and Watson, dba

Conor Pacific, for Special Geologic and Hydrogeologic Services at the Mariposa County Landfill for Fiscal Year 2000-2001 and Authorization to Extend Contract for Two Additional One-Year Periods, If There Are No Appreciable Changes in Service or Cost (Public Works); Res. 00-212

- CA-4 Status Report on General Plan/Zoning Amendment No. 99-4, the Yosemite West Overlay Zone for Transient Rental Check-In Offices (Planning)
- CA-5 Resolution Authorizing the Chairman to Sign the 2000-2001 Glassy-Winged Sharpshooter/Pierce's Disease Program Contract #99-0796 and the 1999 Contractor Certification Clauses Form (Ag Commissioner/Sealer); Res. 00-213
- CA-6 Approve Budget Action Transferring from Library Materials Account to Fixed Assets to Support Computer Services and Equipment in the Amount of \$3,800 (Library); Res. 00-214

4:36 p.m. Adjournment in memory of Margaret Harper, Annette Schroeder, and J. Hampton "Hamp" Pool.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 20, 2000



Time Description

9:07 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda – none.

Approval of Minutes of 6/6/00 Regular Meeting
BOARD ACTION: Approval was continued to later this date.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Pickard pulled item 8 for discussion. (M)Reilly, (S)Stewart, balance of items were approved/Ayes: Unanimous. Following discussion with Bruce Atkinson, PWD/Special Projects Coordinator, (M)Pickard, (S)Stewart, item 8 was approved/Ayes: Unanimous.

Pete Judy, Chief Probation Officer;
Resolution Ratifying the Submission of the 2000-2001 Application for Funding of \$72,001, for the Continuation of the Jail Removal Grant Administered by the Office of Criminal Justice Planning (OCJP), and Authorize the Chief Probation Officer to Execute Grant Award Agreement, Including Extensions or Amendments Thereto
BOARD ACTION: Following discussion, (M)Stewart, (S)Reilly, Res. 00-219 adopted/Ayes: Unanimous.

Don Z. Phillips, County Clerk;
Discussion of Possible Purchase of a New Election Ballot Counting System
BOARD ACTION: Discussion was held with Don Phillips and Marjorie Wass/Assistant, relative to the request. Sheree Noell, Sequoia Pacific Systems, provided input and stated she feels the new system will pay for itself in six elections. (M)Balmain, (S)Stewart, Board approved request to move forward with a lease-purchase of a new election ballot counting system, with direction for the agreement to be reviewed by County Counsel and the County Administrative Officer, and the final agreement is to be brought back to the Board for approval/Ayes: Unanimous.

Jeff Green, County Counsel;
Waive First Reading and Introduce Ordinance Amending Chapter 12.24 of the Mariposa County Code Entitled “Motorized Use on Pedestrian and Equestrian Trails Prohibited” to Include “Obstruction on Pedestrian and Equestrian Trails Prohibited”
BOARD ACTION: Following discussion with Rich Begley, PWD/Deputy Director Parks and Recreation, (M)Stewart, (S)Balmain, ordinance was introduced/Ayes: Unanimous.

9:40 a.m. Recess

10:07 a.m. Jim Petropulos, Public Works Director;
Resolution Approving a Personal Services Agreement for Appraisal Review Services with Herman L. Hamm and Authorizing the Public Works Director to Execute Agreement in the Amount of \$1,500

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 00-228 adopted. Supervisor Stewart requested that it be emphasized that the appropriate processes be followed in the future. Ayes: Unanimous.

Discussion and Possible Action Relative to Authorizing the Chairman to Sign a Letter in Support of the Application for a Federal Public Lands-Highways Grant in the Amount of \$917,000 for Fiscal Year 00-01 and \$1,300,000 for Fiscal Year 01-02, which will Augment Service and Enlist Innovative Technology to Inform Riders of Route Information and Bus Arrivals in Regard to the Yosemite Area Regional Transportation System (YARTS) Project (Supervisor Stewart)

BOARD ACTION: (M)Stewart, (S)Pickard, Res. 00-229 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly.

Janet Hogan, County Administrative Officer;
Presentation and Possible Action Regarding Tobacco Securitization Financing Program

BOARD ACTION: Robert Barna, Sutro and Company, gave a presentation on the Tobacco Securitization Financing Program. Board concurred with having its fiscal liaison committee (Supervisors Pickard and Reilly) meet with the County Administrative Officer, Auditor, and Treasurer to obtain more information on what this program means for the County and evaluate the pros and cons and options for the County.

FORTHCOMING POLICY

Review and Provide Direction Regarding Recommendations from the County Administrative Officer Addressing Transition Tasks and Issues (Scheduled for Action on 6/27/00) (Administration)

DISCUSSION: Supervisor Parker asked if there were concerns or additional items that should be considered relative to this matter on June 27th. Janet Hogan, County Administrative Officer, advised that the District Attorney/Family Support Division transition will be scheduled for action on June 27th, and that she will review the Sund/Pelosso claiming with the Auditor. Supervisor Reilly suggested that direction be given for more definitive responsibilities during the interim of filling the County Administrative Officer's position.

11:40 a.m. Lunch

2:11 p.m. Board reconvened, and Chairman Parker advised that it is planned to schedule interviews during the week of July 31st for the Human Services Director position.

Approval of Minutes of 6/6/00 Regular Meeting

BOARD ACTION: Approved.

Sarah Williams, Interim Planning Director;
PUBLIC HEARING to Consider Appeal No. 2000-1; Appeal of Interim Planning Director's Determination Regarding Proposal to Exchange Building Permits in Yosemite West; Jeffrey Hornacek, Appellant (APN 006-110-003)

BOARD ACTION: Hearing was opened and continued to July 11, 2000, at 2:00 p.m. upon the appellant's request.

Sarah Williams, Interim Planning Director;
Jim Petropulos, Public Works Director;
Workshop with the Planning Commission to Discuss Recommended Policy Changes to the Mariposa County Road Improvement and Circulation Policy (Scheduled for Action on 6/27/00)

BOARD ACTION: The following Planning Commissioners were present: Leroy Radanovich and Pierce Loberg. Chairman Parker advised that the workshop is for informational purposes and no action will be taken.

Commissioner Radanovich advised of an analysis he just finished for Congressman Radanovich relative to the activity that may take place in the County over the next four years – he advised that this could result in substantial new construction, including the Yosemite Valley Plan and the UC Merced projects. He further advised that the Commission is proposing some changes in the Road Improvement and Circulation Policy to raise some standards for development which they hope will result in roads that are maintained.

Discussion was held as to why roads need to be maintained, and why roads are offered for dedication and not accepted by the County into its maintained system. Supervisor Reilly commented on the need for a satisfactory circulation element in the General Plan Update and referred to legal issues raised in Calaveras County – Sarah Williams will review this matter. Supervisor Balmain stated he feels the recommendations are too extreme. Discussion was held relative to the waivers of conditions that have been granted and enforcement issues. Bruce Atkinson, PWD/Special Projects Coordinator, provided input relative to the maintenance of the zones of benefits.

3:08 p.m. Recess

3:29 p.m. Board and Commissioners continued with discussion.

Input from the public was provided by the following:

Mrs. Negrin asked how existing subdivision roads will fit into the new policy for maintenance.

Mr. Negrin commented that roads that are not maintained lead to poor road conditions, environmental problems with the dust, health problems, are bad for property values, increase vehicle maintenance, and make it difficult for emergency access.

Ken Melton stated he feels that regulations become an emotional issue; he opposes forcing zones of benefit for maintenance. He feels there are many other issues that need to be addressed such as outside people using the roads and the landowners being responsible for maintenance. He asked how far the County will go to protect people.

Discussion was held relative to continuing with the workshop and rescheduling the Public Hearing for this matter. Board concurred with continuing the workshop to June 27th at 1:30 p.m., and with continuing the Public Hearing until the conclusion of the workshop.

Board Information and Announcements

- Supervisor Reilly advised that there is a planning workshop for the Mother Lode Investment Board at Tulloch Lakes this weekend; and on June 26th, there will be Proposition 10/Children and Families First Commission meeting at the Best Western Conference Room for strategic planning.
- Supervisor Stewart advised that he was in Pismo during the weekend.
- Supervisor Parker advised that approval was given to order the defibrillators at the Mountain Valley Emergency Medical Services Agency meeting last Wednesday. Blaine Shultz, Fire Chief, stated he hopes they will be here in the next week or so.

INFORMATION – No action was necessary on the following:
Change of Operating Hours for the Coulterville Transfer Station as Follows:
Fridays 9:00 a.m. to 4:00 p.m.
Saturdays 8:00 a.m. to 3:00 p.m.
Sundays 8:00 a.m. to 3:00 p.m. (Public Works)

CONSENT AGENDA

- CA-1 Approve Budget Action Transferring Appropriations from the Building Department Contingency to Various Accounts to Meet Year-End Needs in the Amount of \$4,326 (4/5ths Vote Required) (Building); Res. 00-220
- CA-2 Approve Budget Action Increasing Fund Balance and Appropriation In the Amount of \$384,332 as a Correction to the Road Fund Budget (4/5ths Vote Required) (Auditor); Res. 00-221
- CA-3 Authorize the Chairman to Sign an Addendum to the Agreement with Ross and Castillo, the County's Workers' Compensation Claims Administrator (Risk Management); Res. 00-222
- CA-4 Resolution Authorizing the Chairman to Sign Agreement No. 00-73-06-0260-RA, the Annual Work Plan and Reimbursable Budget Plan for FY 2000-2001 with USDA/APHIS/WS (Wildlife Services) (Ag Commissioner/Sealer); Res. 00-223
- CA-5 Recommend Approval of County Treasurer's Investment Policy with No Changes to Last Approval (Treasurer); Res. 00-224
- CA-6 Approve Budget Action Transferring Appropriations from Incline Road Project to Communications to Accurately Account for Project Expenses in the Amount of \$738 (Public Works); Res. 00-225
- CA-7 Approve Budget Action Transferring Appropriations from Contingency and Other Line Items to Cover Shortfalls in Services and Supply Line Items in Mariposa Pines Sewer and Yosemite West Maintenance Districts in the Amount of \$7,781 (4/5ths Vote Required) (Public Works); Res. 00-226
- CA-8 Resolution Authorizing Public Works to Purchase a New Trimble Pathfinder Pro XRS Receiver System and Training from the State of California Multiple Award Schedule (CMAS) Contract #4-95-66-0001A (Trimble) expiration of 11/30/00 (Public Works); Res. 00-227

4:01 p.m. Adjournment in memory of Rechetta K. Munn and Ernest Smart.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 27, 2000



Time Description

9:10 a.m. Meeting Called to Order

Pledge of Allegiance led by 4-H members.

Introductions

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

- Jacque Meriam advised that 113 children signed up for the summer reading program.
- Supervisor Stewart referred to a letter received from the Fair Board concerning the annual apple peeling contest, and he advised that he will prepare a response to the letter.

Resolution and Tile Plaque Recognizing Janet Hogan for her Services as County Administrative Officer

BOARD ACTION: (M)Balmain, (S)Pickard, Res. 00-230 adopted/Ayes: Unanimous.

Chairman Parker presented Janet Hogan with the “unofficial” shortest resolution and a Courthouse pin.

The following persons from Head Start thanked Janet for her assistance and support of the program: April Chambers, Toni Southwood, Suzie Purmort, Carolyn Brent, Phyllis Becker, and MJ Nabors, and children from the program were present. In Janet’s honor, a quilted banner containing a self portrait of many of the children enrolled in the program was presented for temporary display in the hearing room – it was noted that the quilt will be entered in the County Fair. A plaque was also presented to Janet on behalf of the Parent Policy Committee and staff and from the Madera County Community Action Agency.

Becky Crafts, on behalf of 4-H and along with the following 4-H members – Emma Santi, Sandra Santi, Vincent Santi, Philip Vigil, Nita Vigil and Rebecca Bloom, thanked Janet for her assistance and support of the 4-H program and presented her with a plaque.

Janet presented each of the youth with a Courthouse pin.

Jim Allen, Assistant Sheriff, read a letter from Sheriff Richards thanking Janet for her service and support of the Sheriff’s Department, and he presented her with a Sheriff’s tile plaque.

Chairman Parker presented Janet with a formal resolution and a County tile plaque.

Board members and Jeff Green, County Counsel, commended Janet for her service to the County and wished her well in her new position as County Administrative Officer for Tulare County.

Janet Hogan thanked staff for their support.

9:41 a.m. Recess

9:56 a.m. Approval of Minutes of 6/13/00 Regular Meeting

BOARD ACTION: Minutes were continued to July 11, 2000.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Jeff Green, County Counsel, pulled item 7 for discussion later this date. (M)Stewart, (S)Reilly, balance of the items were approved/Ayes: Unanimous.

Pete Judy, Chief Probation Officer;
Resolution Authorizing the Chief Probation Officer to Execute Contract with the Department of Youth Authority to Provide Diagnostic and Treatment Services and Temporary Detention During the Period of Study for Persons Eligible for Commitment for a Total Amount of \$21,780

BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, Res. 00-238 adopted/Ayes: Unanimous.

10:10 a.m. Public Hearing to consider Specific Plan/Zoning Amendment No. 98-1 was opened and continued to after the following items.

Janet Hogan, County Administrative Officer;
Resolution Establishing Department Head Classification of Child Support Services Director, Establishing Compensation Effective July 1, 2001 at \$50,000 Per Year and Authorizing a 20 Percent Allowance for the Family Support Division Manager for the Transition Period Effective July 1, 2000

BOARD ACTION: Jeff Green, County Counsel, was excused for this item. Discussion was held. Supervisor Balmain asked about the portion of the District Attorney's salary that has been charged to this division, and the impact that this change will have. Christine Johnson, District Attorney, provided input relative to flexibility of the transition time and suggested that the Director's salary not be set until it is known what other counties are going to do. (M)Balmain, (S)Pickard, Res. 00-239 adopted as recommended/Ayes: Unanimous.

10:21 a.m. Recess

10:31 a.m. Sarah Williams, Interim Planning Director;
PUBLIC HEARING to Consider Specific Plan/Zoning Amendment No. 98-1;
Development Agreement No. 98-1; Design Review APNs 012-140-009 and -058;
Richard Roesch and Norman Gallagher, Applicants

BOARD ACTION: Sarah Williams provided introductory comments and reviewed process issues. Jean Clark, Planner, provided the staff report. Staff responded to questions from the Board relative to the location of the project in relation to St. Andrews Road; parking requirements for the different phases; whether St. Andrews Road is County-maintained and pending request for the Road to be taken into the County system; architectural plans for phase 1; and relative to the status of the design review process for phases 2 and 3.

Public portion of the hearing was opened. Input was provided by the following:

Rick Roesch, applicant, stated he is proposing this development along with Norman Gallagher – they hope to be able to start construction on the first phase next summer and open the facility in about two years. The second phase would occur if there is a need for additional beds, and then they would move on to the apartment phase.

Staff responded to questions from the Board clarifying the 30-year agreement and timeframes for site plan approval and design review and whether extensions could be granted.

Persons speaking in support of the applicants:

Carol Williams, Interim Director of Nursing at John C. Fremont Healthcare District, noted the need for this type of facility. She advised that the Ewing Wing is full with 28 patients, and it is the only skilled nursing facility in the County. She urged the Board to expand the commitment to the seniors by approving this project so that they can live out their life in the County. She feels the proposed location is excellent – it is close to the Hospital and to the doctors for treatment of the patients. It would provide

employment for our citizens. She also noted that she has been coordinating training with Merced Junior College. She commended Rick for his work with Mercy Ambulance.

Roberta Standen stated she feels this is a difficult development project and she supports this project and feels the location is perfect. She commended the applicants for going through this process.

Bob Spiers, St. Andrews Church, stated the Church supports this project.

Persons speaking in opposition: none.

General comments: none.

Public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to considering a larger sphere of influence area; status of the rezoning if the project does not move forward; processes of the road maintenance/zone of benefit for the project; plans to improve traffic circulation in the area; and relative to the State versus the County issuing the building permit. Staff responded to a question from Jeff Green relative to maintenance of St. Andrews Road if the Road is not taken in to the County-maintained system. Rick Roesch responded to a question from the Board as to whether this will be a private care/private pay facility.

(M)Balmain, (S)Stewart, the following actions were taken:

- application for design review was approved for APNs 012-140-009 and 058;
- Res. 00-240 adopted adopting a mitigated Negative Declaration for Specific Plan/Zoning Amendment No. 98-1 and Development Agreement No. 98-1;
- Waive first reading and introduce an ordinance approving a change in the Mariposa Town Planning Area (TPA) Specific Plan Zoning Map, with the recommended findings and conditions;
- Waive first reading and introduce an ordinance approving Development Agreement No. 98-1, with the recommended findings and provisions; and
- Directing that the second reading and adoption of the ordinances and adoption of the resolution approving the Specific Plan designation amendment be scheduled following the signing of the Development Agreement by the applicants

Ayes: Unanimous. Hearing was closed.

11:25 a.m. Board recessed until 1:30 p.m.

LOCAL AGENCY FORMATION COMMISSION (LAFCo)

COMMISSION ACTION: (See separate minutes)

1:36 p.m. Sarah Williams, Interim Planning Director;

Jim Petropulos, Public Works Director;

PUBLIC HEARING on Proposed Amendments to the Mariposa County Road Improvement and Circulation Policy

BOARD ACTION: Public hearing was opened and continued to after the following items and the workshop.

Authorize the Chairman to Sign an Extra-Help Employment Agreement with Tom Archer for his Services as Human Services Director Effective June 27, 2000 Through July 21, 2000; Approve the Appointment of Nancy Bell as Interim Welfare Director Effective July 22, 2000; and Authorize the Chairman to Sign a Subsequent Extra-Help Employment Agreement with Tom Archer Effective July 22, 2000 for his Services as Mental Health Director (Personnel)

BOARD ACTION: Discussion was held with Jeff Green, County Counsel, and he clarified that Tom Archer's effective date of retirement with PERS is June 27, 2000; however, he will continue to serve through July 21, 2000 by agreement with the County.

(M)Stewart, (S)Reilly, Res. 00-241 adopted approving the recommendations/Ayes: Unanimous.

Review and Provide Direction Regarding Recommendations from the County Administrative Officer Addressing Transition Tasks and Issues (From Forthcoming Policy of 6/20/00) (Administration)

BOARD ACTION: Discussion was held with Janet Hogan, County Administrative Officer, relative to the following transition tasks and issues in the interim before a new CAO is hired:

Head Start and monitoring – Janet advised that a monitoring visit was recently completed – discussion was held relative to recommendations and options for relinquishing the grant in the future. Board concurred with scheduling a discussion on this matter with the Program Specialist for Head Start for this Region, and with the Administrative Office Staff Analyst handling the Head Start activities in the interim and serving as the County contact.

Agenda preparation – Board concurred with the Clerk of the Board working with the Board Chair and County Counsel in reviewing the agenda; and with the Staff Analyst reviewing the individual agenda items.

Budget development – Discussion was held relative to options. Supervisor Pickard suggested that the County Administrative Officer leave a list of options for discussion on issues that can not wait until the CAO position is filled, such as the requests for increase in coroner costs and animal control. Board concurred with requesting a list of essentials for program changes in the final budget for further review, along with a list of other budget requests.

Family Support transition – action was taken earlier this date on the transition, and Board concurred with having the Staff Analyst coordinate administrative items with the Family Support Administrator.

Grand Jury response – Board concurred with recommendation for County Counsel to oversee this matter.

Legislative initiatives – Board concurred with recommendation and with Supervisor Pickard serving as contact person.

Mail review – Board concurred with recommendation.

Sund-Pelosso claiming – Janet Hogan advised that she will be unable to finish the initial claiming paperwork, and the Board concurred with the Auditor taking the lead for this project.

Unanticipated items – Supervisor Stewart initiated discussion relative to the status of the transfer of court facilities and our historic Courthouse – Janet Hogan advised that language has been included for historic structures and the project is not being as rushed. She further advised that County Counsel will sign payroll certificates for employees for Administration and the Clerk of the Board's office. Board concurred with recommendation for any other unanticipated items.

Resolution Authorizing the County Administrative Officer to Assign a 9/80 Flex Schedule to the Staff Analyst Position (Administration)

BOARD ACTION: (M)Pickard, (S)Stewart, Res. 00-242 adopted/Ayes: Unanimous.

Consent Agenda item 7 – Following discussion with Jeff Green, County Counsel, (M)Pickard, (S)Stewart, Res. 00-243 adopted with change as recommended to exempt this position from overtime compensation under the Fair Labor Standards Act and to grant administrative leave/Ayes: Unanimous.

Delete One Currently Unfilled Account Clerk II Position in the Department of Human Services and Replace with an Account Technician I Position Effective July 1, 2000 (Human Services)

BOARD ACTION: Following discussion, (M)Stewart, (S)Pickard, Res. 00-244 adopted/Ayes: Unanimous.

Approve Letter of Response to the Yosemite Valley Plan (County Counsel)

BOARD ACTION: Discussion was held and Jeff Green, County Counsel, advised of typographical corrections. Board members provided input on concerns and changes they would like to see to the draft letter of response, and reviewed input that was received from others. Board concurred with County Counsel working with the Board committee to make changes to the response. (M)Pickard, (S)Balmain, Res. 00-245 adopted approving the letter of response with changes as discussed and authorizing Chairman to sign the letter. Pierce Loberg commented on the letter from the attorney on behalf of the Wawona Area Property Owners Association, and he emphasized the public process; and he suggested that the Board request an extension of time to respond. Motion was amended, agreeable with maker and second, to include a request for extension in the letter/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Pickard advised of the Governor's appointment of Yolo County Supervisor Dave Rosenberg to the Governor's Affair Committee, and he advised of the status of transportation funding issues in the State budget.
- Supervisor Stewart advised that he attended the CSAC meeting and heard Dave Rosenberg speak about county-state relations. He further advised that YATI, Inc., has taken action to dis-incorporate. Supervisor Reilly asked about the YATI logo and website and status with the dis-incorporation.

2:45 p.m. Recess

3:06 p.m. Sarah Williams, Interim Planning Director;
Jim Petropulos, Public Works Director;

Workshop with the Planning Commission to Discuss Recommended Policy Changes to the Mariposa County Road Improvement and Circulation Policy (Continued from 6/20/00)

BOARD ACTION: The following Planning Commissioners were present: Don Pucilowski, Pierce Loberg, and Leroy Radanovich. Sarah Williams advised that the purpose of the workshop is to provide an opportunity for an informal and informational discussion between the Board and Commission; and she provided a staff report reviewing the Commission's goals for future subdivision development.

Commissioner Radanovich and Sarah Williams reviewed samples of subdivision maps and various road standard issues. Commissioner Radanovich requested that staff prepare an inventory of undeveloped parcels.

Discussion was held relative to the Commission's goals.

Input was provided by the following:

Ken Melton commented on the mechanics for waiving a zone of benefit and the requirement that property owners become a part of the zone at a later date. He stated a covenant of non-protest has been required, but there isn't anything in policy requiring that to occur. He further commented on the costs of running major subdivisions through the State process, and he asked if there is any way that the County can take over the Public Report process.

Bruce Atkinson, PWD/Special Projects Coordinator, commented on the zones of benefit maintenance process and allowance for the property owners to do the maintenance themselves.

4:25 p.m. Recess

4:46 p.m. Discussion was held relative to handling the policy changes separately from the technical changes.

Ken Melton commented on the PRC 4290 regulations relative to emergency access. Jim Petropulos, Public Works Director, commenting on the County's action to address these issues.

Discussion was held relative to scheduling a public hearing and continuing the workshop. Commissioner Pucilowski commented on recent sales and development plans for the Lake Don Pedro subdivision area. Board concurred with scheduling a public hearing on August 1, 2000, at 2:00 p.m. to consider the technical portions of the Policy; with scheduling another workshop with the Planning Commission on August 4, 2000, at 1:30 p.m.; and with keeping August 15, 2000, at 1:30 p.m. open for further discussion.

The Planning Commission adjourned at 5:09 p.m.

CONSENT AGENDA

- CA-1 Approve Budget Action Transferring Appropriations Between Salary and Benefit Line Items in the Road Fund to Cover Shortfalls in Budgeted Line Items in the Amount of \$14,985 (Public Works); Res. 00-231
- CA-2 Approve Budget Action Transferring Appropriations from Retire Long-Term Debt to Transfer Out to Appropriately Account for Transaction in Fleet Budget in the Amount of \$18,214 (Public Works); Res. 00-232
- CA-3 Resolution Authorizing the Chairman to Sign the 2000-2001 Regulatory Pesticide Enforcement Contract #00-0025L and the 2000-2001 Pesticide Application Reporting Contract #00-0110S with the Department of Pesticide Regulation (CDPR) (Ag Commissioner/Sealer); Res. 00-233
- CA-4 Approve Lease Agreement for Visitors' Bureau Office Space with the VFW Post 6042 in the Amount of \$332 Per Month for the Period of 7/1/00 to 6/30/01 and Authorize the Chairman to Sign the Agreement (Visitors' Bureau); Res. 00-234
- CA-5 Resolution Approving the 1999-00 Adjusted Budget as Mariposa County's Operating Budget and Extending Contracting Authority Granted to Department Heads by Resolution 99-305 from July 1, 2000 Until Adoption of the FY 2000-2001 Final Budget (Administration); Res. 00-235
- CA-6 Resolution Authorizing a Revision to the County Administrative Officer Class Specification (Personnel); Res. 00-236
- CA-7 Resolution Designating the Staff Analyst as a Management and Confidential Position (Personnel); Res. 00-243, with changes as recommended
- CA-8 Authorize County Librarian to Apply for and Accept the Library Services and Technology Act Grant, InFoPeople Digital Divide (Library); Res. 00-237
- CA-9 Waive Second Reading and Adopt Ordinance Amending Chapter 12.24 of the Mariposa County Code Entitled "Motorized Use on Pedestrian and Equestrian Trails Prohibited" to Include "Obstruction on Pedestrian and Equestrian Trails Prohibited" (County Counsel); Ord. 950

5:09 p.m. Meeting was recessed and continued to Wednesday, June 28, 2000 at 9:00 a.m. for Closed Session to conduct personnel interviews for the Planning Director position.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

**CONFORMED AGENDA
JUNE 28, 2000
(Continued Meeting from June 27, 2000)**



Time Description

9:08 a.m. Board met in closed session (continued meeting from June 27, 2000) to conduct personnel interviews for the Planning Director position.

2:59 p.m. The Clerk of the Board adjourned the meeting.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board