



COUNTY of MARIPOSA

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MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: RICHARD J. BENSON, CAO

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Discussion and Possible Further Action Regarding Continuation of the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

RESOLUTION 08-76

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on February 26, 2008

ACTION AND VOTE:

Discussion and Possible Further Action Regarding Continuation of the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer)

BOARD ACTION: Rick Benson provided input and recommended that the local emergency be continued. He advised that a staff level meeting is scheduled for Wednesday with representatives of the agencies that are involved and with representatives of the elected officials to discuss the alignment of the temporary bridges to see if they can be changed to get unrestricted access. Supervisor Bibby asked about participation in the April 4th PDT (Planned Development Team) meeting with CalTrans, and Rick Benson advised that he would like to attend if his calendar allows. Discussion was held.

Input from the public was provided by the following:

Kenneth Gosting, Executive Director of TIE, stated he is an independent politically and that TIE is not affiliated with the Sierra Club. He referred to a statement made by former Yosemite Superintendent BJ Griffith thanking God for the public or a huge mistake would have been made with Foresta; and he referred to the meeting scheduled for the 27th and his concerns that the public and the media is not being allowed to observe. He referred to the County Administrative Officer's report on the landslide; and he stated he feels that the Sierra Club should have a place at the table to explain their position. He referred to documents relative to the landslide, and he asked whether the US Geological Survey has been informed of the meeting, and he submitted a copy of their 2007 report to the Board. Chair Turpin advised that he is not personally aware that they have been invited; and he clarified that there are two issues: the permanent fix and getting unrestricted access in the interim.

Les Marsden stated he is not now a member of the Sierra Club, but he feels that Congressman Radanovich's attack on the Sierra Club was unwarranted and not factual; and he expressed concern with a closed meeting and asked the County Administrative Officer to see if there is any way the meeting can be opened up.

Ruth Catalan commented that no media, no elected officials and no public, and yet tax payer dollars are being used to pay for the room. She feels that is a secret meeting.

Ruth Sellers, as a Republican, she has the right to criticize the Congressman and she feels he made a horrific mistake with the article and she commented on his promise to get everything through Congress.

Dick Hutchinson stated he is disappointed with Congressman Radanovich over his comments in the paper. He referred to the traffic delay with the signal and he does not understand why something can't be done now.

Nancy Fagerstrom stated she is aware of a number of mechanical ways to set the traffic signals for emergency vehicle access, and she does not understand why this hasn't been done. She does not feel that private meetings should be taking place; the meetings should be open at least for people to listen.

Paul Chapman questioned whether anyone has considered having the Attorney General provide input relative to this secret closed session.

Skip Skyrud commented on the government process and questioned whether anyone has spoken directly with Will Kempton, CalTrans Director; and he feels it is important that he is involved in this.

Discussion was held. It was again clarified that no decisions will be made at the meetings.

Les Marsden stated everyone wants the road open, but he feels it is important to be able to listen to the opinions.

Nancy Fagerstrom asked what it would hurt for people to hear what is being said in the meeting.

Kenneth Gosting, TIE, stated he feels that having any meeting without having members of the Board of Supervisors is counter productive. He suggested that the meeting be rescheduled as a workshop session with the Board and everyone.

Rick Benson clarified that this meeting is not to discuss the permanent solution and that no decisions will be made. The purpose of the meeting is to discuss what can be done to get full length vehicle access while the permanent solution is being worked on, and it is the Board's direction that this is to be the number one priority. The meeting does not interfere or detract from the public process. He further advised that normally this type of meeting would be set up by the County Administrative Officer and the Board would not be involved; but because the Board is so concerned and involved, it is being discussed. Further discussion was held. Supervisor Fritz commented on her meeting with the Sierra Club and with the Friends of the River, and advised of her efforts to get them to meet together with CalTrans. Supervisor Bibby suggested that the attendees at tomorrow's meeting be advised of the requests that have been received relative to the meeting so they could determine whether to proceed with the meeting and whether they want the door open to the public. Rick Benson noted that the agenda item today is for the continuation of the local emergency.

(M)Bibby, (S)Fritz, Res. 08-76 was adopted finding the local emergency due to the landslides on Highway 140 enroute to Yosemite National Park continues to exist, and continuing the local emergency based on the findings; and it was requested that a full report of the meeting be scheduled on the March 4th agenda/Ayes: Aborn, Turpin, Bibby, Fritz; Excused: Pickard.

Cc: Dana Hertfelder, Public Works Director
File