

DEPARTMENT: Administration

BY: Rick Benson
PHONE: 966-3222

Res No-07-515

RECOMMENDED ACTION AND JUSTIFICATION:

Discussion and possible appointment regarding filling the vacancy of the Sheriff/Coroner/Public Administrator effective January 1, 2008. On October 9, 2007, Sheriff Jim Allen announced his retirement effective December 31, 2007. Government Code Section 25304 charges the Board of Supervisors with the authority to make an appointment to fill this vacancy for the remainder of the term of this elected position which expires January 2011. Minimum qualifications for this position are specified in Government Code Section 24004.3 and individuals must be a properly trained and sworn law enforcement officer.

Sheriff Jim Allen has recommended that the Board appoint Undersheriff Brian Muller to fill the vacancy and the Undersheriff has expressed an interest in the position. Attached is a letter from Undersheriff Muller as well as several letters of recommendations. To date, Undersheriff Muller is the only individual who has notified the County that they are interested in the position.

It is recommended that the Board take one of the following actions:

1. Direct the County Administrative Officer to conduct a recruitment to fill the vacancy; or
2. Make an appointment of a qualified individual who has expressed an interest in filling the vacancy commencing January 1, 2008.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

In 2003, Sheriff/Coroner Pelk Richards retired and the Board appointed then Assistant Sheriff Jim Allen to fill the vacancy and the remainder of the term of office.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not give direction to staff. The position of Sheriff/Coroner/Public Administrator will become vacant January 1, 2008, and Undersheriff Muller would be charged with performing the duties of Sheriff until such time as the replacement appointment is made by the Board of Supervisors or the constituents of Mariposa County elect an individual to this position effective January 2011.

Financial Impact? () Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Undersheriff Muller letter of interest
Source:		Letters of Recommendation for Undersheriff Muller
Internal Transfer _____		Government Code Section 25304
Unanticipated Revenue _____ 4/5's vote		Government Code Section 24004.3
Transfer Between Funds _____ 4/5's vote		
Contingency _____ 4/5's vote		
() General () Other		

CLERK'S USE ONLY:

Res. No. 07-515 Ord. No. _____

Vote - Ayes: _____ Noes: _____

Absent: _____

Approved

Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

COUNTY MINISTRATIVE OFFICER:

Requested Action Recommended

No Opinion

Comments:

CAO: WPH



COUNTY of MARIPOSA

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BOB PICKARD

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
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MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: RICHARD J. BENSON, CAO
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Discussion and Possible Appointment Regarding Filling the Vacancy of the Sheriff/Coroner/Public Administrator Effective January 1, 2008
RESOLUTION 07-515

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on November 6, 2007

ACTION AND VOTE:

Discussion and Possible Appointment Regarding Filling the Vacancy of the Sheriff/Coroner/Public Administrator Effective January 1, 2008 (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Discussion was held.

Input from the public was provided by the following:

Dick Hutchinson stated he supports the appointment of Brian Muller.

Paul Chapman stated he supports the appointment of Brian Muller.

(M)Aborn, (S)Fritz, Res. 07-515 was adopted appointing Brian Muller as Sheriff/Coroner/Public Administrator as recommended. The motion was amended, agreeable with the maker and second for the appointment to be effective on January 1, 2008/Ayes: Unanimous. Brian Muller, Undersheriff, thanked the Board, Sheriff Allen, and the members of the community who have shown their support.

Cc: Chris Ebie, Auditor
Jim Allen, Sheriff
Sandi Laird, Personnel
Keith Williams, County Clerk
File