RECOMMENDED ACTION AND JUSTIFICATION:

Authorize the Public Works Director to implement the process for the County to assume the gate duties at the Mariposa County Landfill and to allocate two full time positions required as part of the implementation.

The gate is currently staffed by Total Waste Systems. There have been problems associated with the gate operations including record keeping, communication with the customers, accounting etc. Also, Total Waste is the largest commercial customer at the landfill, thereby creating a potential conflict of interest.

There exists an established Gate Attendant classification and salary range; however, this classification has only been used for extra-help positions. The current salary range for this position is $1684.00 to $2048.00 per month. The Board approved funding for the full-time positions during the 2004/2005 budget hearings but at the time, the positions were not allocated. At their meeting of November 15, 2004, the Solid Waste Committee recommended that County personnel staff the gate because of the aforementioned problems facing the gate operations.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board approved the funding for the new positions in the 2004-2005 Solid Waste Budget.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Negative action would result in delays and continuance of service and performance related problems associate with the existing gate operations. This could result in compliance problems. Other implications would certainly apply.

<table>
<thead>
<tr>
<th>Financial Impact? (X) Yes ( ) No</th>
<th>Current FY Cost: $</th>
<th>Annual Recurring Cost: $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budgeted In Current FY? (X) Yes ( ) No ( ) Partially Funded</td>
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<tr>
<td>Amount in Budget: $74,999 &amp; 38,999</td>
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<td>Additional Funding Needed: $</td>
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<td>Source:</td>
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<tr>
<td>Internal Transfer</td>
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<tr>
<td>Unanticipated Revenue</td>
<td>4/5's vote</td>
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<tr>
<td>Transfer Between Funds</td>
<td>4/5's vote</td>
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<tr>
<td>Contingency</td>
<td>4/5's vote</td>
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<tr>
<td>( ) General ( ) Other</td>
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</tbody>
</table>

CLERK'S USE ONLY: COUNTY ADMINISTRATIVE OFFICER:

Res. No.: Ord. No. ________
Vote – Ayes:____ Noes: _____
Absent: ______
Approved ______
Minute Order Attached ( ) No Action Necessary

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

Date: ________________
Attest: MARGIE WILLIAMS, Clerk of the Board
By: ___________________ Deputy CAO: ____________________

Revised Dec. 2002
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA 95338 (209) 966-3222
GARRY R. PARKER, CHAIR
DOUG BALMAIN, VICE-CHAIR
LEE STETSON
BOB PICKARD
JANET BIBBY

MARIPOSA COUNTY BOARD OF SUPERVISORS
MINUTE ORDER

TO: DANA HERTFELDER, Public Works Director
FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: AMENDMENT TO AGENDA; AUTHORIZATION FOR PUBLIC WORKS DIRECTOR TO IMPLEMENT THE PROCESS FOR THE COUNTY TO ASSUME THE GATE DUTIES AT THE MARIPOSA COUNTY LANDFILL; AND TO ALLOCATE OF TWO FULL-TIME POSITIONS REQUIRED

Resolution Nos. 04-543 and 04-544

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on December 21, 2004

ACTION AND VOTE:
Chairman Pickard advised that there will be an amendment to the agenda to add an item based on information that was just received relative to the operation of the landfill. Tom Guarino, County Counsel, asked that the Board take action to amend the agenda to add the item due to the urgency of the nature of the item which requires immediate action. (M)Balmain, (S)Parker, the Board waived the rules requiring 72 hours agenda noticing to consider the item due to the urgency, as stated/Ayes: Unanimous. (M)Parker, (S)Balmain, the agenda was amended to add the item, for discussion with the agenda item later this morning to implement the process for the County to assume the gate duties at the Mariposa County Landfill, as the information is pertinent to that item/Ayes: Unanimous.

B) Authorize the Public Works Director to Implement the Process for the County to Assume the Gate Duties at the Mariposa County Landfill and to Allocate the Two Full-Time Positions Required
BOARD ACTION: Chairman Pickard advised of the earlier action that was taken to amend the agenda to include an item to discuss the current events at the Landfill and to provide the direction necessary for maintenance and operation of the facility. Dana Hertfelder advised that the gate at the Landfill is currently staffed by Total Waste Systems, and that there is a need for discussing the operation of the Landfill. Tom Guarino, County Counsel, advised that recently notice was received from the current operator (Total Waste Systems) that they will terminate operating the Landfill on about January 3, 2005, and the Public Works Department needs direction to deal with the operation of the facility. Discussion was held.

(M)Parker, (S)Bibby, Res. 04-543 was adopted authorizing the Public Works Director to implement the process for the County to assume the gate duties at the Mariposa County Landfill and to allocate the two full-time positions required as recommended/Ayes: Unanimous.
(M)Parker, (S)Balmain, Res. 04-544 was adopted authorizing the County Administrative Officer, County Counsel and the Public Works Director to execute whatever action is necessary to gain control of the landfill operations. Supervisor Parker requested that the action include the Chair of the Board of Supervisors to work in close conjunction with this matter in the absence of the Board's Solid Waste Committee liaison. The motion was amended, agreeable with the maker and second, to include authority for staffing, to rent equipment, for the Chair to sign any contracts that are necessary, and to change the hours of operation. Supervisor Bibby requested that the Board be provided with periodic updates on the status of the operation. Ayes: Unanimous.

cc: Rich Inman, County Administrative Officer
    Mary Hodson, Deputy County Administrative Officer
    Ken Hawkins, Auditor
    Tom Guarino, County Counsel
    Dr. Charles Mosher, Health Officer
    Sandi Laird, Administrative Analyst
    File