

PROPOSED MARIPOSA COUNTY ROAD POLICY AMENDMENT

The Board of Supervisors directed Supervisor Balmain to return to the Board of Supervisors with a proposed policy to allow the Board to take appropriate action to substitute a road that is not in the County Maintained Road System for a road that is currently in the County Maintained Road System when the road to be included serves a higher public purpose than the road to be removed. Based upon the direction of the Board, the following amendment is provided to the Board for discussion. Add the following language to paragraph H "Acceptance", 4-d.

"d. Notwithstanding anything to the contrary contained in this Section H, a road may be accepted into the County Maintained Road System by action of the Board of Supervisors upon the following conditions: Upon a recommendation by the Public Works Director that a road currently in the County Maintained Road System no longer serves a general public purpose and that road should be deleted from the County Maintained Road System, and a road not currently in the County Maintained Road System of approximately equal distance does in fact serve a higher public purpose than the road to be deleted shall be included in the County Maintained Road System in substitution of the County road to be deleted if the Board of Supervisors makes a finding it is substantially in the general public interest to include the new road in the County Maintained Road System."



COUNTY of MARIPOSA

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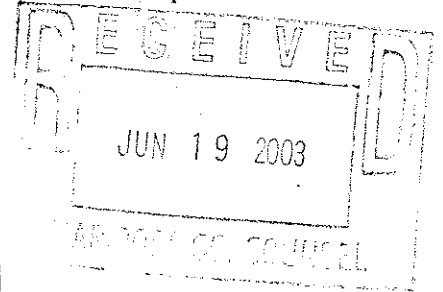
DEPARTMENT OF PUBLIC WORKS

Divisions of:

- Design & Construction
- Administration
- Operations


James J. Petropulos
Director

June 17, 2003



M E M O

TO: Jeffrey Green, Co. Counsel

FROM:  James J. Petropulos, Public Works Director

SUBJECT: Proposed Mariposa County Road Policy Amendment

Thank you for the opportunity to review and comment on the proposed Road Policy Amendment. In general I agree with the amendment and have no problem with it. I am concerned however that it may not allow for the substitution of the County Road to be deleted because some "jail house lawyer" may argue what is meant by higher public purpose. I guess if the Public Works Director can argue the benefits of including a certain road to the point of convincing the Board that is all that matters.

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