

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 7, 1998

Time Description

9:04 a.m. Meeting Called to Order, with Supervisor Reilly excused due to illness.

Pledge of Allegiance

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

Approval of Minutes of 3/11/98 (Continued from 3/10/98), 3/12/98 (Continued from 3/11/98), 3/16/98 (Continued from 3/12/98); 3/17/98 and 3/24/98 Regular Meetings
BOARD ACTION: Approved, with correction to minutes of 3/24/98 relative to AB 2400.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain pulled item 8. Supervisor Pickard pulled item 18. (M)Parker, (S)Stewart, balance of items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Following discussion, (M)Balmain, (S)Parker, item 8 was approved with change in the Revised Development Agreement relative to County Counsel's review of documents prior to recordation/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Following discussion, (M)Balmain, (S)Stewart, item 18 was approved with change to include the Mariposa and Northside History Centers/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Dennis Patrick, Technical Services Director;

Resolution Approving Appropriation from General Fund for the Data Processing Information Systems Specialist and Budget Action (\$13,000) (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Dennis Patrick relative to the request, possibility of obtaining future funding through the Courts, feasibility of contracting for some of the work, and relative to the status of the workload and pending projects. (M)Stewart, (S)Balmain, to approve the budget action request failed by the following vote - Ayes: Balmain, Stewart, Pickard; Noes: Parker; Excused: Reilly. (M)Parker, (S)Balmain, Res. No. 98-117 adopted transferring appropriation of \$13,000 from Contingency to the Data Processing budget to fund the information systems specialist position; with direction that JALAN implementation for the Courts and other pending data processing projects, which have not yet been approved by the Board, be held in abeyance until the Board has an opportunity to review possible restructuring in the Sheriff's Department and to determine whether funding can be located for the project for the Courts. Janet Hogan, County Administrative Officer, noted that some data processing assistance will need to be given to the Courts in the interim period. Ayes: Balmain, Stewart, Parker; Noes: Pickard; Excused: Reilly. Motion failed, and matter was continued to April 14, 1998.

9:58 a.m. Recess

10:12 a.m. Board reconvened and Vice-Chair Pickard passed the gavel to Supervisor Stewart and changed his vote from "no" to "aye" on the previous motion for the Data Processing matter. Motion passed.

Clif Price, PWD/Facility Maintenance Manager, appeared on behalf of Mike Edwards, Public Works Director;

A) Resolution Adopting Plans and Specifications to Purchase and Install New Outdoor Restrooms at Catheys Valley County Park, Public Works Number PW 96-20; Authorize Advertisement for Bids; Set Bid Date for April 27, 1998; and Authorize the Public Works Director to Execute a Contract with the Lowest Responsible Bidder
BOARD ACTION: Following discussion, (M)Stewart, (S)Parker, Res. 98-118 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

B) Resolution Authorizing Construction of Building Additions at the Mariposa Concession Ballfield by the Mariposa Little League
BOARD ACTION: Following discussion, (M)Parker, (S)Stewart, Res. 98-119 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Provide Authorization to Join the Educational Revenue Augmentation Fund (ERAF) Test Claim Filed with the Commission on State Mandates for Reimbursement of Property Tax Revenues (County Counsel)

BOARD ACTION: Following discussion, (M)Stewart, (S)Balmain, Res. 98-120 adopted approving recommendation to join the ERAF Test Claim/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Shaun Quinn, Deputy District Attorney, appeared on behalf of Christine Johnson, District Attorney;

Resolution Ratifying the Submission of the Application for Funding for the Continuation of the Grant to Encourage Arrest Policies Offered by the U.S. Department of Justice and Upon Grant Award Authorizing the District Attorney, Program Director, to Execute the Grant Award Agreement Including Any Extensions or Amendments Thereto, After Review and Approval by County Counsel

BOARD ACTION: Discussion was held relative to the request and relative to including indirect costs in grant applications. (M)Parker, (S)Balmain, Res. 98-121 adopted authorizing submission of the grant application with direction that the District Attorney work with the Auditor to identify indirect County costs associated with the grant program and include those costs in the application request; approval of the grant application includes agreements between the District Attorney/Mariposa County Family Violence Response Team and the Sheriff's Department, Victim-Witness Program, Mountain Crisis Services, All Tribes Counseling Center, and the Mariposa County Unified School District; and further direction was given to make it the policy of the Board to require that all grant applications include all costs, including indirect costs, in the future/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

10:32 a.m. Ed Johnson, Planning and Building Director;

Discussion and Direction to Staff Relative to Participating in Federal Emergency Management Agency (FEMA) Flood Insurance Program

BOARD ACTION: Discussion was held with Ed Johnson and Miguel Camacho/ Assistant Planner, relative to the Flood Insurance Program and what this action would mean for County residents and businesses, and relative to eligibility for emergency disaster assistance funding as a result of floods if the County does not participate in the Program. Supervisor Pickard asked if town planning areas could adopt the Program as a community without the entire County participating. Sarah Williams, Planning Manager, noted there would have been one change in the Yosemite Motels project relative to the level of the first floor if the County was participating in the Program.

Gregor Puziss /FEMA representative, provided input and responded to questions -- he advised that he felt that town planning areas could only be considered their own communities if they were incorporated; he commented on the federal lending institution

regulations relative to participation in the program; and he noted that decisions relative to providing future emergency disaster assistance to the County may depend on the status of the County's participation.

Bill Bondshu, Bondshu Insurance, commented on requests they have received for flood insurance coverage and stated that he feels that if the County participates in the Program, the residential rates will be available at a lower premium; and he noted that, currently, there is some flood insurance available for the commercial market. He further commented that they are starting to see a problem with fire insurance rates due to the recent wildfires and publicity the County received. He stated that usually lending institutions waive flood insurance requirements for a loan when they find out that the County does not participate in the Program. He further suggested that the Board consider the Program and the future effects for emergency disaster funding, and that the Board check with Yosemite Motels relative to potential impacts if the County participates in the Program. He also noted that there are few residences in the designated flood plain areas in the County.

Barry Brouillette, Yosemite Motels, asked for clarification of the definition of a flood plain for a commercial use and relative to the ability to being able to develop without creating a rise in the River. Gregor Puziss responded to his questions.

Blaine Shultz, Fire Chief, commented on the County's application for emergency funding for hazardous mitigation with regards to the Burns Creek project and changes in the approval process between the first and second application.

Further discussion was held. Supervisor Parker stated he feels a public hearing should be held to obtain public input if the Board determines to move forward with consideration of participation in the Program. Board concurred with directing staff to obtain an official determination as to whether town planning areas could participate in the Program on their own, and relative to updating the Flood Plain Maps.

11:46 a.m. Lunch

1:32 p.m. Waive First Reading and Introduce Ordinance Declaring the John C. Fremont Healthcare District a Weapons Free Zone (County Counsel)

BOARD ACTION: (M)Parker, (S)Stewart, Ordinance was introduced/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Recommendation to Allow the Cancellation of the Lake Don Pedro Grazing Lease Agreement with Stephen and Brenda Schmidt (County Counsel)

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 98-122 adopted allowing cancellation of the Lease Agreement as recommended, and direction was given to advertise for the re-leasing of the property/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Resolution Authorizing Chair to Execute a Memorandum of Understanding with the Stanislaus National Forest (USDA Forest Service) and the American Indian Council of Mariposa County for the Preservation of the Jordan Creek/Bower Cave Special Interest Area (Supervisor Balmain)

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 98-123 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Resolution in Support of SB 2055 (Costa) - California Youth Authority Sliding Scale (Administration)

BOARD ACTION: (M)Parker, (S)Stewart, Res. 98-124 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Board Information and Announcements

- Supervisor Stewart advised that he attended the YARTS meeting on Monday and will meet with Supervisor Reilly to bring more information back, and he feels the Board should review the timeline issues and the Park's relationship and provide direction in this regard.

- Supervisor Parker advised of the meeting held in Sacramento with himself, County Counsel, County Administrative Officer, and Dr. Kevin Starr/State Librarian and his staff relative to the new library project and grant funding. He noted that the meeting was very positive.

- Supervisor Pickard advised that he met with members of the Assembly Local Government Committee relative to AB 2400 (gas tax legislation), and updated the Board on its status.

- Jeff Green, County Counsel, provided a status report on the recruitment process for the librarian position, and advised that with the limited number of qualified applications being received, he plans to bring those applications to the Board for review and further direction.

- Janet Hogan, County Administrative Officer, advised that the microfiche of the Mariposa Gazette arrived at the University Media Center safely. She further advised that several back issues of the Mariposa Miner (predecessor to the Mariposa Gazette) have been located in the Merced Library and we can obtain a microfilm copy for approximately \$150.00 -- Scott Pinkerton/local historian, and the Library agree that it would be good to have these to add to our collection; therefore, she will proceed with this portion of the project to be funded from the Administration budget unless she hears any objection.

- Janet Hogan further advised of a request received from Regional Council of Rural Counties (RCRC) for additional funding for the CalFed Bay Delta water program -- she will schedule this matter on the agenda for April 21, 1998.

2:15 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

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

2:52 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

FORTHCOMING POLICY

Resolution Rescinding Resolution Nos. 91-390 and 92-554 and Granting the Public Works Director Authority to Award and Execute Contracts of \$75,000 or Less; Issue Contract Change Orders and Issue Notice of Completion for Public Construction Projects and Professional/Technical Services (Public Works) (Scheduled for Action on 4/14/98)

INFORMATION - No action necessary on the following:

Notice of Bid Opening for Computer with Projection Capabilities for the Public Health Education Program

CONSENT AGENDA

- CA-1 Resolution Authorizing Chair to Sign an Order of the Board to Reject Claim No. C98-6 in the Amount of \$4,743.75 (County Counsel); Res. 98-100
- CA-2 Resolution Authorizing Chair to Sign the Counties Exhibits Entry Form for the 1998 California State Fair (Visitors Bureau); Res. 98-101
- CA-3 Resolution Adopting Plans and Specifications to Replace HVAC Unit and Reconfigure Ducting on Two Units at the Mariposa County Hall of Records, Public Works Project Number PW 94-09; Authorize Informal Bids; and Authorize the Public Works Director to Execute a Contract with the Lowest Responsible Bidder (Public Works); Res. 98-102
- CA-4 Resolution Authorizing Chair to Sign an Order of the Board to Reject Claim No. C98-4 in an Amount Estimated by Claimants to Exceed \$500,000 (County Counsel); Res. 98-103
- CA-5 Resolution Authorizing Human Services Director to Sign Agreement with Infant/Child Enrichment Services (ICES) to Provide Child Care Services to CalWORKS Participants (Human Services); Res. 98-104
- CA-6 Resolution Awarding Contract for the Concrete Slab at the Old Jail, 10th and Old Highway, Public Works Project No. PW 97-19, to Craig Harper of Sierra Masonry for \$7,010 and Authorize the Public Works Director to Execute the Agreement (Public Works); Res. 98-105
- CA-7 Resolution Authorizing Chair to Sign Agreement with Self-Help Enterprises to Provide Program Implementation Services for the County Community Development Block Grant No. 96-STBG-1048 (Human Services); Res. 98-106
- CA-8 Waive Second Reading and Adopt Ordinance Approving Revised Development Agreement No. 83-1 (Storey Hill Project), Yosemite Motels Inc., Applicant (Planning); Ord.931
- CA-9 Resolution Designating Fresno Community Hospital, Cedar Vista Hospital, Tuolumne General Hospital, Merced Psychiatric Facility and Marie Green Center as Mental Health Evaluation and Intensive Treatment Facilities (Human Services); Res. 98-107
- CA-10 Resolution Approving Fiscal Year 1997-98 Exhibit "C" of the Three Year Mental Health Service Agreement with Kings View Corporation (Human Services); Res. 98-108
- CA-11 Resolution Authorizing Chair to Sign the 1997-98 FY Agreement with Kings View Corporation for Alcohol, Drug and Perinatal Services for Mariposa County (Human Services); Res. 98-109
- CA-12 Resolution Authorizing Chair and Mental Health Director to Sign Fiscal Year 1997-98 Mental Health Service Agreement for the County Child Abuse Prevention Program (AB1733) and the American Indian Community Mental Health Program Contract with Kings View Corporation (Human Services); Res. 98-110

- CA-13 Resolution Authorizing Transferring Funds from Professional Services to Extra Help for Building (\$3,000) LAFCo (\$1,000), and Air Pollution (\$1,000) Budget Units (Planning/Building); Res. 98-111
- CA-14 Resolution Approving the Road Name "Sierra Pines Drive" (Planning/Building); Res. 98-112
- CA-15 Resolution Approving Amendment One to the Contract for Architectural Design Services for Administrative and Development Services (Government Center) Building, Public Works Project Number PW 91-15, to Provide for an Additional Estimated \$4,800 of Printing/Copying Costs, and Authorize Director of Public Works to Execute Amendment One to the Agreement with the Architectural Firm of DuPertuis-Scott of Merced (Public Works); Res. 98-113
- CA-16 Resolution Authorizing Chair to Sign the Amended Standards Agreement for Fiscal Years 1996-1998 (#89-97911) with the State of California for the Health Education Grant (Tobacco Education) (Public Health); Res. 98-114
- CA-17 Resolution Authorizing Transfer of \$4,000 for AS/400 Criminal Justice Line to Training and Seminars in Data Processing Budget for Two Conferences (Data Processing); Res. 98-115
- CA-18 Resolution Supporting the Funding of the California Sesquicentennial Legacy Historical Preservation Projects (Visitors Bureau); Res. 98-116
- CA-19 Reappoint George Heiss to the Mariposa County Assessment Appeals Board, Representing District I (Supervisor Reilly)

2:53 p.m. Adjournment in memory of Juanita Bannon, Alma Breckenkamp, Velma Overstreet and Otis Moseley.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 14, 1998

Time Description
9:07 a.m. Meeting Called to Order, with Supervisor Pickard excused.

Pledge of Allegiance

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

Proclaim April 20 Through April 24, 1998 as “Week of the Young Child” in Recognition of National Week of the Young Child (Chair Reilly)

BOARD ACTION: (M)Parker, (S)Balmain, proclamation was approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Lee Jorgensen, Child Care Resource and Referral, presented the Board with a poster from the children at the Mariposa Lutheran Childhood Discovery Program. Phyllis Becker, Head Start Center Director, along with children and staff from the Head Start Program, presented the Board with posters.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Stewart advised that he wished to make a comment on item 4 when the Public Works Director is present later this date. Supervisor Reilly initiated discussion relative to item 1, the annual contract for animal damage control services, and further reviewing programs during the budget hearing process. (M)Balmain, (S)Stewart, all items were approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Jim Eutsler, Community Services Director;
Resolution Authorizing Chair to Sign the Federal Transportation Act (9FTA) Section 5311, Project Application for Operating Assistance Certifications and Assurances of the Applicant, FY 1996-97 and 1997-98

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 98-129 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

9:26 a.m. LOCAL TRANSPORTATION COMMISSION

Resolution Authorizing Chair to Sign the Certifications and Assurances for Project Budget/Operating Assistance, FY 1996-97 and 1997-98

COMMISSION ACTION: (M)Balmain, (S)Parker, LTC Res. No. 98-3 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Christine Johnson, District Attorney;
Resolution Authorizing and Funding (\$49,125) for the Purchase of a Prosecutors Automation System from HTE (Automation System Previously Known as JALAN), Direction for Connectivity with Applicable County Agencies for Full Utilization of Said Automation, Authorization for Chair to Execute Agreements Upon County Counsel’s Review and Approval, and Approve Budget Action Transferring \$49,125 from Contingencies (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Christine Johnson and Janet Bibby/District Attorney-Paralegal, relative to the request, and they advised that the price quote given will go up \$10,000 for their component of the system if authorization to purchase is not given this date. Discussion was also held relative to coordinating implementation of the automated systems for the criminal justice system departments

with other projects and with the workload for data processing. Dennis Patrick, Technical Services Director, provided input relative to the request and the price changes. Jim Moffett, Chief Probation Officer, provided input relative to the request and the benefits of the JALAN system. Discussion was held relative to the possibility of making a down payment to lock in the price quote – Board concurred with directing that JALAN be contacted to see if they would accept \$15,000 down payment to secure the price quoted for this system, with the contract for the system to be dealt with during the budget hearing process; with further direction that consolidation of the training costs between the systems be explored to save costs, and with further discussion to be held later this date.

Jim Moffett, Chief Probation Officer;
Resolution Authorizing the Probation Officer to Move Forward with JALAN Automation Project as Originally Approved During the 1997/98 County Budget Process and Authorize Chair to Execute Agreements Upon County Counsel's Review and Approval
BOARD ACTION: Matter was continued to later today for further consideration after the information is received from JALAN relative to the system for the District Attorney.

10:11 a.m. Recess

10:25 a.m. Consent Agenda item 4 – Discussion was held with Mike Edwards, Public Works Director, relative to this matter and Supervisor Stewart requested that future items be presented in a manner that is easier to understand.

Mike Edwards, Public Works Director;

A) Resolution Rescinding Resolution Nos. 91-390 and 92-554 and Grant the Public Works Director Authority to Award and Execute Contracts of \$75,000 or Less; Issue Contract Change Orders and Issue Notice of Completion for Public Construction Projects and Professional/Technical Services (Continued from Policy on 4/7/98)

BOARD ACTION: Discussion was held concerning the request. Supervisor Parker requested that the Board be kept informed relative to the status of projects. (M)Parker, (S)Balmain, Res. 98-130 adopted approving request with change to grant authority to the Public Works Director to award and execute contracts of \$25,000 or less, and with inclusion of direction for the Public Works Director to present informational items on the projects to keep the Board informed of their status/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

10:55 a.m. Recess

11:01 a.m. Continued discussion was held relative to the JALAN system for the District Attorney and the Probation Department. Dennis Patrick advised that JALAN is not willing to negotiate their price and if the Board wishes to pursue this system at the price quoted, a commitment will need to be made upfront and he can make payments over a period of 90 days. (M) Balmain, (S)Stewart, Res. 98-131 adopted authorizing and funding the purchase of a Prosecutors Automation System from HTE (Automation System Previously Known as JALAN) as requested. Jim Moffett provided input relative to the status of moving forward with their automated system. Further discussion was held. Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Resolution Authorizing the Probation Officer to Move Forward with JALAN Automation Project as Originally Approved During the 1997/98 County Budget Process and Authorize Chair to Execute Agreements Upon County Counsel's Review and Approval
BOARD ACTION: (M)Stewart, (S)Balmain, Res. 98-132 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Janet Hogan, County Administrative Officer, advised that she has been working with Dennis Patrick on preparing a priority data processing program and they will bring the program to the Board.

11:28 a.m. B) Staff Presentation and Board Discussion Relative to a Mariposa County Cross-Connection Control Policy to Protect the Public Potable Water Supply of County Dependent Special Districts or County Services Area Zones that Provide a Community Water System and Authorize Public Works to Bring the Policy Back to the Board for Possible Adoption

BOARD ACTION: Mike Edwards and Clif Price/PWD-Facility Maintenance Manager, presented a video relative to cross-connection control devices and why these assemblies are necessary to protect water systems, and advised that this matter is scheduled for information only at this time. Discussion was held relative to this matter and the draft policy, impacts on independent districts, and recommendations for implementation and costs. Public Works will schedule this matter for the Board's agenda as a policy item prior to scheduling for action.

Board Information and Announcements

- Janet Hogan, County Administrative Officer, advised that Supervisor Pickard requested direction from the Board relative to lowering the level of compensation for AB 2400 (gas tax bill) versus establishing a policy at this time and going back through the legislature next year to establish a compensation level – Board concurred with allowing Supervisor Pickard to make the decision which he feels is in the best interest of the County since he will be attending the Committee hearing and have the best feeling of which direction to request.
- Jeff Green, County Counsel, advised that two applications met the minimum qualifications for the Librarian position and he requested that Board members check their calendars for coordinating the scheduling of the interviews.
- Supervisor Stewart advised that he will attend a Trial Court Facilities meeting in Sacramento on Thursday, and the Mother Lode Job Training meeting on Wednesday.
- Supervisor Balmain commented on airport related statistics he received.
- Supervisor Reilly advised that she attended the annual spring meeting of the Merced River Canyon Committee.

12:26 p.m. Lunch

2:00 p.m. Ed Johnson, Planning and Building Director;
Discussion and Direction Relative to General Plan/Zoning Amendment No. 97-2; an Amendment to the Bed and Breakfast/Transient Rental Standards of County Code (Concept Proposal)

BOARD ACTION: Discussion was held with Ed Johnson and Sarah Williams, Planning Manager, relative to the concept proposal for County Code text amendments for Transient Occupancy facilities and whether they should be implemented countywide or just for Yosemite West. Staff also advised of the receipt of a letter from the Law Office of Paul Konapelsky relative to the proposed amendments.

Input from the public was provided by the following:

Mark Chapman stated he has lived in the Yosemite area since 1972 and has owned a house in Yosemite West since 1982, and he converted it to a bed and breakfast (B&B) operation in 1991. The property is currently being managed by LeBlanc Scenic Wonders, which is a co-op, and he would like to be able to build a second home sometime. With regards to the suggestion to limit a property owner to having a specified number of B&B's, he asked how that will impact co-op operations. He asked for clarification of the definition of a conditional use permit and for clarification of the 2,000 square foot size restriction. He commented on setback issues and stated he feels there should be allowances for houses attached to garages to be closer to the road due to the unique situation in Yosemite West with the snowloads, etc. He requested clarification on whether three rooms under one permit could be rented separately. He further stated that

he does not feel that the regulations should be changed for existing operations, unless they are going through an expansion process.

Pete Elliott stated he has owned property in Yosemite West since 1980 and used it as a rental facility for the first fifteen years, now he is just a resident, so he can see both sides of the issues. He complimented Planning staff for their work in this area and he feels the text amendment proposals are excellent – something is needed to slow down development and plan for the future. He noted that he serves on the Yosemite West Maintenance District Advisory Board and deals with the sewer, water and road issues. He feels there are two types of rental activities: 1) B&B's with minimal impacts; and 2) the operation of several transient rental facilities out of one location and those create more impact on the area – they tend to be run like a commercial operation versus a family-type business and that changes the characteristics of the community.

Gail Spilos, Realtor, expressed concern with the 2,000 square foot limitation; and advised that she currently has a home in escrow in Yosemite West with a buyer from the Bay Area. She advised that if this buyer leaves the area, he may want to be able to rent the home, and she commented on the economic profile a buyer needs to meet to be able to purchase a \$350,000 home. She further commented that she does not feel that a transient rental operation can be viable economically with just a couple of rental units and an operation will look very commercial to make it “pencil.” She feels the proposed text amendments are too convoluted, and she feels the community should get involved in the C C & R's (Covenants, Conditions and Restrictions) for Yosemite West and help themselves resolve these issues so that government does not have to police everything.

Richard Long, former President of the Yosemite West Homeowners' Association, commented on the C C & R's and enforcement. He further stated that he does not feel it is economically viable to build a 2,000 square foot residence and this restriction will stop economic growth in Yosemite West. He noted that tourism is the industry for Mariposa County. He further stated that he feels that funding for infrastructure improvements will need to come from the transient occupancy tax and a fair method is needed to collect – he feels rental property should pay for most of it. He commented on his occupancy rate for winter and summer months. He further stated that he feels the County permitted these types of uses once it allowed home enterprise business.

Debra Kroon, President of the Yosemite West Homeowners' Association, advised that the Association is a volunteer organization. She advised that the C C & R's are enforceable by anyone affected through a civil process. She further noted that a transient rental facility should have a maximum of six bedrooms per existing regulations. She commented on the following proposed text amendments:

- 1) With regards to restricting secondary residences, she believes a State law adopted in 1978 allows for secondary residences.
- 2) She feels that if the three-bedroom limit is enforced, the 2,000 square foot restriction would not be necessary. She feels the problem with conditional use permits is that when a situation changes, only those who can afford the process and the mitigation measures are able to comply.
- 3) With regards to limiting the number of facilities per owner, she feels it creates problems for individual out-of-town owners to manage their rental. The keys and maps are sent through the mail and no one is there to answer questions and assist the tenants, so neighbors get disturbed. She does not see the number of rentals as an issue, and feels this limitation may be a property rights issue.
- 4) She does not have a problem with two, three or four-story structures as long as it is a two-story home – she feels it is more environmentally acceptable to have multi-levels versus cutting into the bank to build a pad for construction. She feels a tall house is

not as much of a concern as a very tall and wide house. She feels the proposed amendment would make up-slope lots less desirable than down-slope lots.

- 5) Managers would need to know when on-site inspections are scheduled and that could allow time for changes to be made to meet requirements.
- 6) The proposed change in transient occupancy tax reporting would be more paperwork and still would not identify whether a facility was rented to 30 people for 12 nights or to 30 people for 30 nights.
- 7) She feels the expansion issue could be carried into other areas of County regulations and it changes the basic underlying principle of Title 17.
- 8) Before establishing a financing program for infrastructure upgrades, she feels it is necessary to have the results of the study being conducted by Public Works to know what work needs to be done.

3:23 p.m. Recess

3:35 p.m. Debbie Degan, homeowner in Yosemite West, stated she has no intention of renting her home. She is interesting in preserving the character of the neighborhood as originally intended and in protecting the environment. She is opposed to continued commercial growth, and feels the capacity of the water and sewer systems should be determined before allowing more growth. She commented on the following proposed text amendments:

- 1) She asked if a single-family residence include duplexes.
- 2) She agrees with a square footage limitation and asked if that includes duplexes, or allows duplexes to be 4,000 square feet.
- 3) She feels that if a number is set to limit a property owner to a specified number of rental operations, people will find ways to get around the limitation and it will be hard to enforce; however, she agrees with the intent.
- 4) She agrees with the intent to establish design criteria and with trying to keep structures aesthetically pleasing.
- 5) She agrees with the permit renewal process and on-site inspections, but feels people may try to get around these requirements – but it is a place to start.
- 6) She agrees with the proposal for transient occupancy tax reporting.
- 7) She agrees with establishing specific non-conforming use provisions for existing facilities, and she would be horrified if everyone increased their facilities by 50 percent.
- 8) She would be interested in knowing the capacity for the sewer and water systems. She feels things have changed drastically over the last 13 years and perhaps the area is being overdeveloped and causing problems with infrastructure.

Don Pitts, owner of Yosemite Peregrine Bed and Breakfast and President of the Bed and Breakfast Association, stated they want out of the transient rental section of the ordinance. He feels a problem at Yosemite West is with the consolidated rentals – where people act as agents for homeowners who do not live there. Parking is a problem with a central check-in, especially in the winter weather when people park on the street. There are now four rental agencies, with several having check-in outside of the condominium site. He does not feel it would be a problem for on-site inspections. He feels the 2,000 square foot limitation is for habitable space and does not include halls and laundry facilities. He does not see anything that would keep someone from building a six or seven bedroom family home. He agrees with the proposals from Planning and he feels the Board should move forward with the process and refer the matter to the Planning

Commission. He does not feel there should be an expansion of facilities without going through a conditional use permit process. Yosemite West is set up as a residential area with limited commercial/business uses being permitted. He commented on the C C & R's not being enforceable and advised that everyone is probably in violation in some area. He feels it will be up to the County to do some type of enforcement to keep the rural residential character of the community. He responded to a question from the Board and advised that in the long-term he feels a specific plan for the area should be looked at.

Ed Johnson responded to the questions asked and the issues raised relative to the conditional use permit process, the difference between co-op operations and individual ownership, regulations relative to secondary residences, room rental, recommendation for a 2,000 square foot construction limitation, and relative to duplexes. He advised that the proposed amendments are based on efforts to try to maintain the residential character of the community.

Discussion was held. Supervisor Stewart requested that the water meter information be provided along with the study on the water system capacity for Yosemite West. (M)Parker, (S)Balmain, direction was given to staff to proceed with preparing the draft ordinance amendment for the concepts as discussed for Yosemite West, and not on a countywide basis, and to conduct staff and environmental review, and schedule and notice public hearings for the project before the Planning Commission and then the Board of Supervisors/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

4:25 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

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

5:56 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

CONSENT AGENDA

- CA-1 Resolution Authorizing Chair to Sign Agreement No. 98-73-06-0260-RA the Annual Work Plan and Reimbursable Budget Plan for FY 1998/99 with USDA/APHIS/WS (Wildlife Services) (Ag Commissioner); Res. 98-125
- CA-2 Resolution Authorizing Chair to Sign the Agreement Between the County of Merced and the County of Mariposa for the Use of Weights and Measures Testing Equipment and Personnel for 1998/99 and 1999/2000 (Ag Commissioner); Res. 98-126
- CA-3 Resolution Approving the Second Amendment to the 1997-98 Head Start Program Agreement with the Madera County Action Committee, Inc. Increasing the Total Amount to \$410,986 (Administration); Res. 98-127
- CA-4 Ratify the Public Works Director's Approval of Amendment Two to the Contract for Geotechnical Services for Administrative and Development Services Building (Government Center), Public Works Project Number PW 91-15, to Provide for an Additional Estimated \$10,000 of Inspection Costs, with the Geotechnical Firm of Kleinfelder, Inc. of Merced (Public Works); Res. 98-128

5:57 p.m. Adjournment in memory of Jesse Attaway, Leland Hull, Loy “Joe” Hopkins, Martin Fitzpatrick, Aimee Taylor, and Marsha Tucker.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 21, 1998

Time Description
9:03 a.m. Meeting Called to Order
Pledge of Allegiance

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

- Don Phillips, County Clerk, advised of request received from the Secretary of State to declare April 27th to May 4th as "Voter Registration Week" to educate voters and potential voters about this year's new open primary format, and to promote voter registration and participation. Janet Hogan, County Administrative Officer, advised that this matter is being brought to the Board as an off agenda item as a matter of timeliness as the Board has scheduled later on today's agenda consideration of cancellation of the meeting for April 28, 1998. (M)Pickard, (S)Stewart, Board waived rules requiring 72 hours agenda noticing to consider this matter finding it was not known about at the time the agenda was prepared and it is a matter of timeliness/Ayes: Unanimous. (M)Pickard, (S)Stewart, Board proclaimed April 27th to May 4th as "Voter Registration Week"/Ayes: Unanimous.
- Sandra Chapman, representing 5th Annual Pow Wow Committee, invited the Board members to attend the Pow Wow event on May 8 – 10, 1998, at the Mariposa Fairgrounds, and she advised that they plan to recognize Julia Parker for 50 years of service to the Yosemite community.
- Leota Striplin advised that due to the weather, wet fields and work being done on the fields, the players have not been able to practice for Little League baseball. She also asked about the status of the skateboard facility project.

Approval of Minutes of 4/7/98 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Gail Neal, Deputy Probation Officer, appeared on behalf of Jim Moffett, Chief Probation Officer;

Resolution Approving Amendment to Probation Office Personnel Allocation to Include One Additional Deputy Probation Officer I and Authorize Transfer of Funds from Social Services to Probation Budget (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Balmain, (S)Pickard, Res. 98-138 adopted/Ayes: Unanimous. Supervisor Parker requested that when this program comes up for renewal, that all County overhead costs be included in the grant application.

Consider and Provide Direction Regarding Regional Council of Rural Counties' (RCRC) Request to Secure Funding Through an Additional Water Supplemental Assessment (\$10,000) (4/5ths Vote Required) (Administration)

BOARD ACTION: Discussion was held regarding the request and the various agencies that are working on water issues and requesting financial support. Board concurred with directing that this request be brought back for further consideration during the final budget hearing process in context with other efforts on the CAFED Bay-Delta Program.

Recommendation to Adopt Resolution Canceling the April 28, 1998, Regularly Scheduled Meeting for the Board of Supervisors (Chair Reilly)

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 98-139 adopted canceling the April 28th meeting/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Stewart advised of the Trial Court Facility meeting he attended in Sacramento, and of their tour of the new Federal Court building that is under construction. He also commented on the Civil War Reenactment event that occurred over the weekend.
- Supervisor Balmain commented on the Civil War Reenactment event and suggested that school children be encouraged to attend future events.
- Supervisor Pickard provided input relative to the status of AB 2400 (gas tax bill) and advised that it passed the Assembly Local Government Committee on April 15th.
- Janet Hogan, County Administrative Officer, advised that on Monday, principles from Herhof, Germany, with the HUWS Corporation visited the County with regards to the co-composting facility project. She further advised that on Thursday, April 23rd, County Counsel, Clerk of the Board and herself, will take staff to lunch for Secretary's Week, and she invited the Board members to attend.
- Supervisor Stewart advised that the San Joaquin Valley Supervisors' Association Conference will be held in Bass Lake this week.

9:55 a.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel); and

CLOSED SESSION Regarding Conference with Legal Counsel Relative to Existing Litigation (Mariposa County Superior Court Case No. 7661) (County Counsel)

BOARD ACTION: (M)Parker, (S)Pickard, closed session was held on these matters following a short recess/Ayes: Unanimous.

12:02 p.m. Lunch

2:04 p.m. Board convened in continued closed session, with Rick Bolanos, Law Offices of Whitmore, Johnson and Bolanos, present for a portion of the session relative to labor negotiations.

3:38 p.m. Board reconvened in open session with direction given to staff as a result of closed session on labor negotiations and the litigation matter.

CONSENT AGENDA

- CA-1 Resolution Approving Change Order Three to the Contract for Installation of the Keylock and Above Ground Fuel Tanks at the Coulterville Road Maintenance Yard, Public Works Project Number PW 94-11, Approve Funding From Road Division Fund, and Authorize the Public Works Director to Sign the Change Order, in the Amount of \$7,714.82 and Transfer Funds (\$23,190) from Roads Contingency (4/5ths Vote Required) (Public Works); Res. 98-133

- CA-2 Resolution Authorizing Chair to Sign the Forest Service 1998 Operating Plan for Providing Patrol Services to the Sierra and Stanislaus National Forests (Sheriff); Res. 98-134
- CA-3 Resolution Appropriating Unanticipated Revenue for Low Income Home Energy Assistance Program (LIHEAP Contract 98B 1021) for Fiscal Year 1997/98 (\$10,000) (4/5ths Vote Required) (Human Services); Res. 98-135
- CA-4 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Certifying Completion of Annual Client Re-Examinations for Year Ending June 30, 1998, and Authorizing Chair's Signature and Submission of Estimate of Total Required Annual Contributions Budget and Requisition for the Fiscal Year Ending June 30, 1999 (Human Services); Hous. Auth. Res. 98-4
- CA-5 Resolution Authorizing Chair to Sign Fairtime Rental Agreement (Sheriff); Res. 98-136
- CA-6 Waive Second Reading and Adopt Ordinance Declaring the John C. Fremont Healthcare District a Weapons Free Zone (County Counsel); Ord. 932
- CA-7 Confirm Designation of David L. Tucker, Senior Civil Engineer, as the County's Authorized Agency Representative to the State of California Department of General Services Telecommunications Division, and Authorize the Agreement for Services for Consultation in Conjunction with the New Government Center, arranged Through This State Agency (Public Works); Res. 98-137

3:39 p.m. ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 5, 1998

<u>Time</u>	<u>Description</u>
9:00 a.m.	Meeting Called to Order Pledge of Allegiance

Proclaim May 11 Through May 17, 1998, as Bluegrass Week in Mariposa County (Mariposa County Arts Council)

BOARD ACTION: (M)Pickard, (S)Parker, proclamation was approved and presented to Joe Fox on behalf of the Arts Council/Ayes: Unanimous. Joe Fox invited everyone to the Bluegrass Festival activities.

Resolution and Fire Department Plaque Recognizing Prudential Insurance Company for Their Efforts to Improve the Emergency Services System in Mariposa County (Fire); and Resolution and Fire Department Plaque Honoring Richard Shelton for His Efforts to Improve the Fire Protection System in Catheys Valley (Fire)

BOARD ACTION: (M)Stewart, (S)Pickard, Res. 98-141 adopted and presented to Dan Michaels, Prudential Insurance Company, along with a Fire Department plaque, and Res. 98-142 adopted and presented to Richard Shelton, along with a Fire Department plaque/Ayes: Unanimous. Blaine Shultz, Fire Chief, provided input relative to efforts to expand the automatic defibrillator program throughout the County.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Mike Edwards, Public Works Director, advised of the status of the well that was drilled at the landfill pursuant to settlement of a litigation matter with a neighboring property owner. The County negotiated with the neighboring property owner to have the well deepened, with the understanding that if more than ten gallons per minute of water was obtained, the well would be shared with the County. He requested that the Board take action to allow negotiations to continue to reach agreement for the long-term sharing of the well. (M)Stewart, (S)Pickard, Board waived rules requiring 72 hours agenda noticing to consider this request, finding it is a matter of timeliness to resolve this issue/Ayes: Unanimous. Following discussion, (M)Parker, (S)Pickard, direction was given for Public Works to work with County Counsel to negotiate and bring back a formal agreement for sharing the well at the landfill, with costs not to exceed \$10,000 at this point/Ayes: Unanimous.

Approval of Minutes of 4/14/98 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Parker pulled items 2 and 6. (M)Pickard, (S)Stewart, balance of items were approved/Ayes: Unanimous. Following discussion with Mike Edwards, Public Works Director, and Clif Price, Facility Maintenance Manager, (M)Stewart, (S)Pickard, item 2 was approved/Ayes: Unanimous. Following discussion, (M)Parker, (S)Pickard, item 6 was approved/Ayes: Unanimous.

Robert C. Stewart, District III Supervisor;

Resolution Authorizing the Mariposa Lions Club to Construct a Large Group Picnic

Shelter in the Existing Picnic Area at the Mariposa County Park

BOARD ACTION: Discussion was held with Ed Verley and Tom Kinard, Lions Club, relative to the proposed project. Mike Edwards, Public Works Director, and Rich Begley, PWD/Parks and Recreation, were present to respond to questions. (M)Stewart, (S)Parker, Res. 98-152 adopted authorizing the Lions Club to construct the picnic shelter. Tom Kinard asked about possibility of waiver of the building permit fees and was advised that the County still incurs the cost. Jeff Green, County Counsel, advised that the construction needs to be coordinated with Public Works and Parks and Recreation. Ayes: Unanimous.

Ken Hawkins, Auditor;

Resolution Designating the Appropriation Limits to be Computed for Fiscal Year 1997-98 for Each Jurisdiction as Follows: By Percentage Change in California Per Capita Personal Income in Conjunction with the Annual Percentage Change in Population of Mariposa County

BOARD ACTION: Following discussion with Ken Hawkins and Chris Ebie/Assistant Auditor, (M)Stewart, (S)Pickard, Res. 98-153 adopted/Ayes: Unanimous.

9:40 a.m. MARIPOSA COUNTY WATER AGENCY

Mike Edwards, Public Works Director;

Resolution Authorizing Funding of \$500 Request from Mountain Counties Water Resources Association (4/5ths Vote Required)

AGENCY ACTION: Following discussion, (M)Balmain, (S)Reilly, Water Agency Res. 98-1 adopted/Ayes: Unanimous. Discussion was held relative to responding the CALFED Bay-Delta Program by the June 1st deadline. Directors concurred with referring the matter to the Water Agency Advisory Board for review and recommendation.

10:00 a.m. Board reconvened and recessed.

10:12 a.m. Ed Johnson, Planning and Building Director;

Resolution Approving Request for Encroachment Permit to Allow the Mariposa Gazette to Install One Newspaper Rack on the Mariposa Courthouse Property and One Newspaper Rack on the Mariposa County Library/History Center Property

BOARD ACTION: Discussion was held with Ed Johnson and Jay Pawlek/Senior Planner. Helen Fowler, Chair of the Historical Sites and Records Preservation Commission, was present for the discussion and provided input relative to limiting the racks to in-county publications. Jay Pawlek advised that the Mariposa Tribune has filed a similar request. (M)Parker, (S)Balmain, Res. 98-154 adopted denying request for placement of racks on the Courthouse grounds; and directing that if the Mariposa History Center Board of Directors wishes to allow newspaper racks at the History Center, they could make that determination and bring the matter back to the Board for further consideration/Ayes: Unanimous.

Mike Edwards, Public Works Director;

Resolution Adopting Bid and Contract Documents for Construction at the Mariposa/Yosemite Airport, Public Works Project Number PW 96-11, Authorizing Advertisement for Sealed Bids, Set a Bid Opening Date for Thursday, June 4th at 2:00 p.m. and Authorizing the Public Works Director to Execute a Contract with the Lowest Responsible Bidder

BOARD ACTION: Following discussion with Mike Edwards and Gwen Foster/PWD-Engineer, Res. 98-155 adopted/Ayes: Unanimous. Mike Edwards advised of a correction of the figures given in the staff report.

Garry R. Parker, District IV Supervisor;

Discussion and Possible Action Regarding the John Allen Flat Subdivision

BOARD ACTION: Supervisor Parker initiated discussion relative to maintenance of the emergency access easement for the Subdivision which traverses through Betty Lou Moffitt's property. He advised that he feels the County required maintenance conditions which have not been met by the homeowners, and he noted that Mike Edwards, Public Works Director, is a resident of the Subdivision and has not become involved in the issue at this time.

Supervisor Pickard commented on his efforts to work with the homeowners in the Subdivision, and stated he feels that this should be a civil matter between the property owners and not a County issue. Discussion was held relative to the County's responsibility and whether this type of situation exists in other subdivisions in the County.

Jeff Green, County Counsel, provided input relative to the emergency access easement issue for this Subdivision and stated he feels the County has a role. He further provided his recommendation that notice be given to the property owners in the Subdivision giving them a period of time to form a homeowner's association and implement the Covenants, Conditions and Restrictions (CC&R's); with notice that if they fail, that the County will file a lawsuit for injunctive relief to require them to form an association.

Ron Iudice, property owner in the Subdivision, commented on his efforts in this matter.

Mike Edwards, speaking as a private citizen and resident of the Subdivision, provided input relative to this matter and stated that he feels if the County takes action to require a homeowners association, it will need to file a lawsuit against the property owners and that will create a difficult relationship between the property owners and the County. He feels a zone of benefit would be a better alternative. Further discussion was held.

(M)Parker, (S)Balmain, direction was given for Public Works to report back to the Board on what maintenance needs to be done to the emergency access easement for the Subdivision to comply with conditions that were imposed on this Subdivision; direction was given for staff to notify the affected property owners of what needs to be done and advise them that if the work is not done within 45 to 60 days, the County will do the work and bill the homeowners; and request was made for members of the John Allen Flat Subdivision to petition the Board for the creation of a zone of benefit to address maintenance on their internal roads and the emergency access easement, with further direction given that if the formation of the zone of benefit is not successful, then the County, on an on-going basis, will maintain the emergency access easement and file the necessary actions through Court for the costs to be recovered from the homeowners. Following further discussion motion was amended, agreeable with maker and second, to delete the portion of the motion directing that if the creation of the zone of benefit is not successful that the County will maintain the emergency access easement and file the necessary actions through Court for the costs to be recovered from the homeowners. Further discussion was held relative to alternatives, and it was noted that the property owners could apply to form a zone of benefit simultaneous to Public Works reviewing the maintenance needs. Ron Iudice stated he feels they have an obligation to form a homeowners association or zone of benefit, but he cannot force his neighbors to do that; and he requested the County's assistance to help persuade them that the easement access needs to be maintained and advise them of their options versus the threat of suit. Betty Lou Moffitt advised that she feels the maintenance currently needed is to mow and cut the branches on the emergency access easement prior to fire season. Ayes: Balmain, Parker, Stewart; Noes: Reilly, Pickard.

Supervisor Parker initiated further discussion relative to having Public Works take care of the fire hazard issues and delay implementation of the Board's action for 60 days.

Supervisor Pickard advised that the property owners have volunteered to perform the interim maintenance, and discussion was held relative to liability issues. Mike Edwards, Public Works Director, provided input relative to the expenditure of public dollars on a private road/easement; and he noted that as a citizen, he would agree to signing a hold-harmless agreement to relieve Mrs. Moffitt of liability. He further stated he feels that an implied threat would make the homeowners' job more difficult to form a zone of benefit.

Jeffrey G. Green, County Counsel;
Resolution Amending the Extra-Help Specialized Classes Hourly Rates for the Positions of Licensed Vocational Nurse, Registered Nurse, Public Health Nurse and Nurse Practitioner

BOARD ACTION: Matter was continued to later this afternoon.

11:38 a.m. Board recessed for lunch and to reconvene at 2:00 p.m., with LAFCO to convene following a short recess.

11:55 a.m. LOCAL AGENCY FORMATION COMMISSION (LAFCo)

Ed Johnson, Planning and Building Director;

- Presentation from the Lake Don Pedro Community Services District (LDPCSD) Regarding Place of Use for Merced Irrigation District (MID) Water
- Request from Lake Don Pedro Community Services District (LDPCSD) for a Letter of Support, from the Mariposa LAFCo, to Merced Irrigation District (MID) and the State Department of Water Resources Regarding Place of Use for MID Water

COMMISSION ACTION: Chair Earle called the Commission to order with all members present. Ed Johnson advised of the request received from the LDP CSD to make a presentation and request a letter of support. Jay Pawlek, Senior Planner, gave staff presentation and advised of a change in the draft letter of support. Lois DiTore, General Manager for LDP CSD, advised of the District's efforts to replace a map that was previously filed which contained an error in the service area. (M)Balmain, (S)Parker, Commission approved the letter of support as requested/Ayes: Earle, Mueller, Balmain, Parker, Pickard.

Jay Pawlek, Senior Planner, advised that they are expecting for the Commission to be more active this year.

12:08 p.m. Commission adjourned.

2:02 p.m. Mike Edwards, Public Works Director;

A) Approval of Upcoming Summer, 1998, Major Road Maintenance Efforts
BOARD ACTION: Following discussion, (M)Parker, (S)Pickard, Res. 98-156 adopted making a commitment of the current year's funding level (\$890,398), with an additional \$49,805 to be funded from the General Fund Contingency to fund the amount requested/Ayes: Unanimous.

B) Resolution Approving Upcoming Summer 1998 Sidewalk Construction Effort in the Town of Mariposa and Directing that the Budget Shortfall be Addressed by the Balance of Prop 116 Funds, Additional Mariposa Lighting District Funds (\$20,000) and State Transportation Improvement Program (S.T.I.P.) Funds (\$466,600) (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Mike Edwards and Gwen Foster/PWD-Engineer, relative to the sidewalk project and funding. (M)Parker, (S)Balmain, Res. 98-157 adopted directing that the \$90,000 funding identified for the Greeley Hill sidewalk

project be retained and brought back for final approval once more information is known; and direction was given to request that the Local Transportation Commission consider a change in the S.T.I.P. funding to increase the contribution amount to compensate for the \$90,000 set aside for the Greeley Hill project/Ayes: Unanimous.

Notice to Public Relative to the Board of Supervisors Intention to Hold a Closed Session with the County's Real Property Negotiator to Discuss a Possible Property Purchase (County Counsel)

BOARD ACTION: Notice was given.

3:02 p.m. CLOSED SESSION Regarding Conference with County's Real Property Negotiator for Property Located at 4980 10th Street, Mariposa to Discuss Terms of Purchase (County Counsel);

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel); and Jeffrey G. Green, County Counsel;

CLOSED SESSION Relative to Interview of Applicants for County Librarian Position
BOARD ACTION: (M)Parker, (S)Pickard, closed session was held following a short recess to consider the real property negotiation, labor relations, and interview/Ayes: Unanimous.

5:00 p.m. Board reconvened in open session with direction given to staff as a result of the closed session.

Jeffrey G. Green, County Counsel;

Resolution Amending the Extra-Help Specialized Classes Hourly Rates for the Positions of Licensed Vocational Nurse, Registered Nurse, Public Health Nurse and Nurse Practitioner

BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, Res. 98-158 adopted/Ayes: Unanimous.

Ratify Letter of Support for Grant Funding for Merced Irrigation District (Administration)

BOARD ACTION: (M)Parker, (S)Pickard, Res. 98-159 adopted ratifying the letter of support/Ayes: Unanimous.

Resolution Authorizing Expenditure of Funds from the Liability Insurance Set Aside in an Amount Not to Exceed \$2,640 to Replace Shelving Lost During the Relocation of the El Portal Library (4/5ths Vote Required) (Administration)

BOARD ACTION: Following discussion, (M)Pickard, (S)Parker, Res. 98-160 adopted/Ayes: Unanimous.

Resolution Opposing Assembly Bill No. 2586, Amending Section 1797.224 of, and to Add Section 1797.227 to, the Health Safety Code, Relating to Emergency Medical Services (EMS) (Supervisor Parker)

BOARD ACTION: (M)Stewart, (S)Parker, Res. 98-161 adopted/Ayes: Unanimous.

Resolution Authorizing Extension of the Agreement with the California State Mining and Mineral Association from July Through September 1998 with Appropriation of \$7,351 for Payment to the 35-A District Agricultural Association for the Mineral Exhibit Collection to be Included in the 1998/99 Fiscal Year Budget (Supervisor Parker)

BOARD ACTION: Discussion was held. Supervisors Parker and Pickard advised of legislation that Assemblyman House is planning to introduce to augment the Department

of Conservation's budget for one year to cover one-half of the anticipated shortfall for the operation of the Exhibit, with the County to match the other half of the \$52,000. They further advised that the funding being requested today could be used to offset the County's match of funding if the legislation is successful. Discussion was held relative to this matter. Supervisor Reilly requested that a status report be provided on the Mining and Mineral Museum issues. (M)Pickard, (S)Stewart, Res. 98-162 adopted approving request to extend the agreement and expend the funds as requested for rent. Jeff Green, County Counsel, advised that language will be included in the agreement that if for any reason the State closes the Museum, the rent payments will terminate. Janet Hogan, County Administrative Officer, further requested that language be included in the agreement conditioning the rent payments on the results of the feasibility study. Ayes: Unanimous.

Board Information and Announcements

- Supervisor Reilly advised that the U. S. Forest Service plans to keep the Mariposa Office open and staffed for the duration of the current lease agreement for the facilities. The rest of the reorganization decisions have not been made.
- Janet Hogan, County Administrative Officer, advised that she has not only toured each of the Supervisorial districts by vehicle, but also by flight. She further advised of the importance to watch a movement to repeal the Vehicle License Fee as this could have a great impact on the County's revenue and change the budget procedure.
- Supervisor Pickard advised that AB2400 (gas tax legislation) is scheduled to be heard by the Appropriations Committee on May 13th. He further advised that Assemblyman House requested that he testify on May 12th relative to the appropriation legislation for the Mariposa Creek project.
- Jeff Green, County Counsel, brought the Board up-to-date on the status of the solid waste diversion plan issue and the fine imposed by the State – one State Office continues to send notices for collection of the fine and the other Office has not responded to the County's request relative to their procedures, other than asking for additional information (which was provided by his office). Board concurred with County Counsel's suggestion to notify the Collections Department of the County's correspondence with the State relative to the procedures used in the matter.
- Supervisor Stewart asked about receiving information from government agencies that make decisions relative to neighboring counties that indirectly affect Mariposa County. Jeff Green, County Counsel, advised that this information may be submitted to the Planning Department for review.

FORTHCOMING POLICY

Resolution Adopting Mariposa County Cross-Connection Control Policy to Protect the Public Potable Water Supply of County-Dependent Special Districts or County Service Area Zones that Provide a Community Water System and Authorize the Respective District's Fund the Installation of Backflow Devices for Existing Customers and Require all Future Customers to Pay for Backflow Devices Which May be Required (Public Works) (Scheduled For Action on 5/12/98)

INFORMATION No action was necessary on the following:

- A) Board Members are Invited to Serve Lunch at the Senior Activity Center on 5/12/98
- B) Board Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

- CA-1 Resolution Recognizing Julia Parker for Her Outstanding Contributions to Yosemite National Park (Supervisor Reilly); Res. 98-140
- CA-2 Resolution Appropriating \$6,500 from General Fund Contingencies to Cover the Recent Cost of the Re-Keying Project (4/5ths Vote Required) (Public Works); Res. 98-150
- CA-3 Resolution Declaring as Surplus an Unused "Strata" Telecommunications Box, Located in the Basement of the Hall of Records, and Approve Sale to Sierra Telephone for \$100 and Approve Budget Action (4/5ths Vote Required) (Public Works); Res. 98-143
- CA-4 Resolution Authorizing Chair to Sign Fairtime Rental Agreement 98-3E with the 35-A District Agricultural Association to Rent Space in the 1998 Fair for the Alcohol and Drug Advisory Board (Human Services); Res. 98-144
- CA-5 Resolution Approving Budget Change Transferring Appropriation to the Personnel Budget in the Amount of \$25,000 for Negotiation Services Provided by Whitmore, Johnson and Bolanos Under Their Existing Agreement for Legal Services (Administration); Res. 98-145
- CA-6 Resolution Authorizing Chair to Sign Amended Agreement Between Mariposa County Department of Community Services, as Senior Service Provider and Area 12 Agency on Aging for C-1 Congregate Meals, Fiscal Year 1997-98 (Community Services); Res. 98-151
- CA-7 Resolution Authorizing Chair to Sign Amended Agreement Between Mariposa County Department of Community Services, as Senior Service Provider and Area 12 Agency on Aging for C-2 Home-Delivered Meals, Fiscal Year 1997-98 (Community Services); Res. 98-146
- CA-8 Resolution Authorizing Public Works Intent to Advertise for Bids for L.P. Gas Heating for the County Facilities (Public Works); Res. 98-147
- CA-9 Resolution Approving Budget Change in the Personnel Department to Pay for the Unanticipated Expense of Advertising for the County Librarian Position (Administration); Res. 98-148
- CA-10 Resolution Commending Bob and Doi DeWitt for Their Service to the Community of Mariposa (Chair Reilly); Res. 98-149

5:40 p.m. Adjournment in memory of Dennis Visser, Helen Maxine Jones, Anna McCauley, Charlotte Morgan, Matthew Colucci, Mary Boggs, Dorothy Petrinovich, and Larry Burgess.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 12, 1998

<u>Time</u>	<u>Description</u>
9:02 a.m.	Meeting Called to Order Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Janet Hogan, County Administrative Officer, announced that the Board of Supervisors offered the position of County Librarian to Jacqueline Meriam, and she accepted the position and will start in July.

Resolution Commending Kyle Stanners for His Heroic Efforts in Saving the Life of His Sister (Health)

BOARD ACTION: (M)Stewart, (S)Parker, Res. 98-163 adopted and presented to Kyle Stanners/Ayes: Unanimous.

Approval of Minutes of 4/21/98 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Parker pulled item 5 for discussion with Public Works Director later this date. (M)Pickard, (S)Stewart, balance of items were approved/Ayes: Unanimous.

Roger Matlock, Sheriff;

Resolution Authorizing Chair to Sign Agreement for Sheriff to Continue Participating in the State Funded Boating Safety Program

BOARD ACTION: Following discussion with Roger Matlock and Captain Davies, (M)Pickard, (S)Stewart, Res. 98-166 adopted/Ayes: Unanimous.

Chair Reilly thanked Captain Davies for his efforts with the animal control program.

Don Z. Phillips, County Clerk;

Resolution Authorizing Transfer of \$8,800 from Salary Savings to Fixed Asset for the Purchase of Three New Computers to Replace Existing Computers

BOARD ACTION: Discussion was held with Don Phillips, and he advised that following his discussion with the Technical Services Director, he would like to change his request relative to the network software as that particular program may not be necessary – he would like to keep the full amount of funding requested with the network system to be coordinated with the Technical Services Director. (M)Pickard, (S)Stewart, Res. 98-171 adopted transferring funds and authorizing purchase of computers as requested, with direction given for the County Clerk to work with the Technical Services Director on the purchase so that the computers and software are compatible with the rest of the County. Supervisor Reilly expressed concern that individual requests for computers are presented to the Board toward the end of the budget year using budget savings, without consideration of the countywide needs. She would like for the Board to be able to consider all of the requests in context with the budget. It was noted that the Technical Services Director had previously been directed to bring a plan for computer purchases on a countywide basis to the Board. Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly.

Consent Agenda item 5 – Following discussion with Mike Edwards, Public Works Director, (M)Pickard, (S)Stewart, item 5 was approved/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

Mike Edwards, Public Works Director;

A) Resolution Authorizing Fleet Maintenance to Use Window Decals for All County Owned Vehicles Except Sheriff, Fire, and Road Divisions; and

B) Resolution Authorizing Public Works to Negotiate a Written Contract Agreement Between the County, Mercy Ambulance and Chase's Foothill Petroleum to Allow Mercy Ambulance to Use the Coulterville Keylock Fueling System for Northside Ambulances and Authorize the Public Works Director to Execute the Agreement Upon Review by County Counsel

BOARD ACTION: (M)Parker, (S)Pickard, to approve both items was withdrawn by maker and second to allow for consideration of each item individually. Following discussion, (M)Stewart, (S)Balmain, Res. 98-173 adopted authorizing use of window decals for fleet maintenance vehicles as recommended/Ayes: Unanimous. Following discussion with Mike Edwards and Marty Allan/PWD Fleet-Fiscal Manager, (M)Balmain, (S)Stewart, Res. 98-174 adopted authorizing agreement for the Northside ambulances to use the Coulterville keylock fueling system as requested. Supervisor Pickard requested that this arrangement be tied to an on-going contract, and if no contract exists, that there be a sunset clause. Motion was amended, agreeable with maker and second, to include direction for Mercy Ambulance to prepare the agreement. Ayes: Unanimous.

9:36 a.m. Recess

9:45 a.m. E) Status Report Regarding Solid Waste Co-Composting Project, Possible Approval of Preferred Vendor of Technology, Possible Approval of Additional Travel for Board Approved Team Members to Further Investigate Viability of Selected Vendor Technology, and Appropriation of Necessary Funds from Solid Waste Enterprise Contingency for the Travel Expenses (4/5ths Vote Required)

BOARD ACTION: Mike Edwards reviewed the status of the team's consideration of the proposals submitted by Bedminster and HUWS. George Eowan gave a presentation on the process used by the team to get to this stage and options for proceeding to obtain a mixed solid waste compost facility. Discussion was held relative to recommendations presented by the team. (M)Pickard, (S)Stewart, Res. 98-175 adopted approving the following recommendations:

- 1) elimination of Bedminster Bioconversion Corporation from further consideration as a viable technology/vendor;
- 2) selection of HUWS Corporation/Herhof as the preferred technology/vendor for further consideration and possible negotiations, depending upon additional investigations by the team;
- 3) authorization for the team to continue investigation of other comparable technologies in order to broaden general County understanding. This will include additional domestic travel to visit other facilities in July or August. Staff will return to the Board with specific recommendations and funding appropriations in the near future;
- 4) direction for staff and the team to develop a comprehensive public education program in this regard;
- 5) June 16, 1998, at 7:00 p.m. was scheduled for a public workshop and meeting on this subject. Public Works Director advised that the Solid Waste Task Force members would be invited. Schedule the Board's regular meeting to commence at 2:00 p.m. on June 16th with a dinner break at 6:00 p.m.; and
- 6) It may be necessary to send County representatives to Germany to visit other Herhof facilities where they process mixed solid waste (MSW). To date, the team has not been able to confidently determine how well this technology is applicable

to MSW co-composting, although it appears to hold the most promise. The team will report back to the Board in this regard.

Ayes: Unanimous.

11:03 a.m. Recess

11:15 a.m. Discussion was held relative to the rest of the agenda schedule, and Chair Reilly reminded the Board members that they were scheduled to serve lunch at the Senior activity Center, and advised that Supervisor Pickard needed to be excused at noon for a meeting in Sacramento.

F) Status Report Regarding the County Government Center and Subsequent Tour at 4:00 p.m.

BOARD ACTION: Board concurred with rescheduling this matter and the tour for May 19, 1998.

D) Status Report and Board Direction on the Process to Implement a Solid Waste Collection Fee Within the Wawona County Service Area as Requested by the Wawona Community Advisory Committee and Select a Board Committee to Work with Staff to Negotiate the Best Service Arrangement and Cost

BOARD ACTION: Discussion was held relative to the efforts to resolve this matter and alternatives. Supervisor Pickard offered to draft a letter to Superintendent Albright formally requesting the Park Service's consideration of coordinating solid waste collection in Wawona with all residents – with the letter to be signed by the Chair and District V Supervisor. Following further discussion, (M)Pickard, (S)Stewart, the following direction was given:

- 1) for staff to start to actively implement the County Service Area (CSA), using option number one in the staff report, for providing trash collection service in Section 35/Wawona;
- 2) for a formal letter to be sent to the National Park Service strongly encouraging their consideration and cooperation to establish an equitable trash collection service for Wawona with one service provider; and to allow their employees who live in Wawona to participate in the CSA and not be exempt; and
- 3) direct staff to negotiate to develop a contract to provide service in Wawona with the Park Service; and if unsuccessful within 60 days, that the County would move forward with negotiations with Total Waste Systems, subject to County Counsel's review, to provide trash collection/Ayes: Reilly, Stewart, Pickard; Noes: Balmain; Abstained: Parker.

C) Resolution Adopting Mariposa County Cross-Connection Control Policy to Protect the Public Potable Water Supply of County-Dependent Special Districts or County Service Area Zones that Provide a Community Water System and Authorize the Respective District's Fund the Installation of Backflow Devices for Existing Customers and Require all Future Customers to Pay for Backflow Devices Which May be Required (Continued from Policy on May 5, 1998)

BOARD ACTION: Following discussion, (M)Parker, (S)Stewart, Res. 98-176 adopted/Ayes: Unanimous.

Resolution Approving Submission of Applications for Supplemental Funding for Mariposa County Head Start for the Program Year Beginning March 1, 1998 in the Total Amount of \$26,364 (Administration)

BOARD ACTION: (M)Pickard, (S)Stewart, Res. 98-177 adopted/Ayes: Unanimous.

Resolution Authorizing Issuance of a Request for Proposals for Indigent Defense Services; Direct the County Counsel and the County Administrative Officer to Negotiate a Month-to-Month Extension with the Current Service Provider to Accommodate the

Proposal Review Process and Authorize the Board Chair to Sign the Extension
(Administration)

BOARD ACTION: (M)Parker, (S)Stewart, Res. 98-178 adopted/Ayes: Unanimous.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: Board was advised that closed session was not necessary this date.

Board Information and Announcements

- Janet Hogan, County Administrative Officer, advised that she will be in Sonora on Wednesday to assist with interviewing applicants for Tuolumne County Administrative Officer; and that she will be out of the office on Friday and Monday.
- Supervisor Reilly advised of Park Services changes in administration in Yosemite – Jerry Mitchell will be in Denver and Hal Grovert is leaving, and more information will be provided relative to the changes.

INFORMATION - No action was necessary on the following:

A) Information Regarding Emergency Medical Care Committee Activities
(Health)

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

CONSENT AGENDA

- CA-1 Resolution Proclaiming May 22, 1998 as “Mariposa County Senior Exposition/Health Fair Day” (Community Services); Res. 98-167
- CA-2 Resolution Recognizing Leota Striplin as Senior Lady of the Year for 1998 (Community Services); Res. 98-164
- CA-3 Resolution Recognizing Joe Brundage as Senior Gentleman of the Year for 1998 (Community Services); Res. 98-165
- CA-4 Resolution Awarding Bid to EdTech for Computer with Projection Capabilities for the Public Health Education Program (Health); Res. 98-168
- CA-5 Appropriate Unanticipated Revenue in the Capital Improvement Budget, Hazardous Waste Cleanup Account, PW 91-55, (\$43,065), Reimbursement from the State Underground Storage Tank Cleanup Fund Program, Received for the Remediation Costs at the Coulterville Road Yard, for Use in Future Underground Tank Removal and Cleanup (4/5ths Vote Required) (Public Works); Res. 98-172
- CA-6 Resolution Authorizing a One Year Renewal for the Airport Management Personal Services Agreement with Maria Liddle for \$2,000 Per Month Through June 30, 1998 and \$2,167 Beginning July 1, 1998 (Public Works); Res. 98-169

- CA-7 Appoint Don Pitts to the Mariposa County Tourism Advisory Council,
Representing the Yosemite-Mariposa County Bed and Breakfast
Association (Visitors Bureau)
- CA-8 Resolution Authorizing the Director of Human Services to Execute DOE
Contract 98C-1120, and Any Subsequent Amendments, with the
Department of Community Services and Development (\$5,096) (Human
Services); Res. 98-170

12:05 p.m. Adjournment in memory of Margaret Athey, Zilla May Haag, Walt Bannon,
and Marilyn Tablett.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 19, 1998

Time Description
9:02 a.m. Meeting Called to Order
Pledge of Allegiance

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

- Mike Edwards advised that he has an off-agenda item – matter was continued to after the following items.
- Supervisor Reilly commended the organizers of the Blue-Grass Festival for the great event held over the weekend.

Proclaim May 17 Through May 23, 1998 as Emergency Medical Services Week
(Supervisor Parker)

BOARD ACTION: (M)Parker, (S)Stewart, proclamation was approved and presented to Phil Whitson, Emergency Medical Services Coordinator, and Dr. Mosher, County Health Officer/Ayes: Unanimous.

Resolution Commending Bill Bondshu for His Service as Chairman of the Emergency Medical Care Committee (Health)

BOARD ACTION: (M)Stewart, (S)Parker, Res. 98-179 adopted and presented to Bill Bondshu/Ayes: Unanimous.

Mike Edwards, Public Works Director, advised of an off-agenda item to consider a moratorium on new construction in Yosemite West due to a serious failure of the leach field for the area. (M)Parker, (S)Stewart, Board waived rules requiring 72 hours agenda noticing to consider this matter based on the emergency situation with the leach field failure/Ayes: Unanimous. Mike Edwards advised that they just found out about the failure of the leach field and provided a status report on their interim efforts to contain the sewage flow and to provide notifications as required. He recommended that the Board consider issuing a moratorium for any new building permits in Yosemite West that would impact the sewer system – an urgency ordinance could be prepared for adoption on May 26th. He further advised of the Planning Commission's consideration of Yosemite West growth issues on Friday, which was prior to finding out about the failure of the leach field. He also advised of the status of pending applications for building permits and recommended that permits not be issued; and that only those permits that were previously issued and in progress be allowed to proceed. Discussion was held relative to considering the bed and breakfast and transient rental operations with regards to reducing the sewage flow. (M)Balmain, (S)Parker, Res. 98-180 adopted directing Public Works Director to prepare an urgency ordinance for adoption on May 26th to place a moratorium on any new building permits for Yosemite West that would impact the sewer system; directing Planning and Building to not issue any permits that would affect the sewer system; and directing staff to implement the water conservation program for Yosemite West. Supervisor Parker requested that staff review the current usage and look at ways that it could reduce the sewer systems impacts. Ayes: Unanimous.

Approval of Minutes of 5/5/98 Regular Meeting

BOARD ACTION: Supervisor Parker requested that the minutes be continued to May 26, 1998, for his further review relative to the John Allen Flat Subdivision portion – Board concurred with the continuance.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain pulled item 5. Supervisor Stewart pulled items 9 and 13. Chair Reilly advised that Probation Officer requested that item 10 be continued to May 26, 1998. (M)Balmain, (S)Pickard, balance of items were approved/Ayes: Unanimous. Discussion was held with Mike Edwards, Public Works Director, and Marty Allan, PWD-Fleet Fiscal Manager, relative to including aviation fuel in the County vehicle fuel contract – Public Works advised that they will continue to research options for lowering the fuel costs at the Airport. (M)Balmain, (S)Stewart, item 5 was approved/Ayes: Unanimous. Following discussion with Jim Moffett, Chief Probation Officer, (M)Stewart, (S)Pickard, item 9 was approved/Ayes: Unanimous. Following discussion relative to item 13 and the process for Board member appointments, (M)Stewart, (S)Pickard, item 13 was approved/Ayes: Unanimous.

Chris Ebie, Assistant Auditor, appeared on behalf of Ken Hawkins, Auditor;
Resolution Establishing Appropriation Limits for the 1997-98 Fiscal Year

BOARD ACTION: (M)Parker, (S)Stewart, Res. 98-189 adopted/Ayes: Unanimous.

Roger Matlock, Sheriff;

Resolution Approving a Fifty Percent Deputy Sheriff-Bailiff Position for the Court

BOARD ACTION: Discussion was held with Roger Matlock. Janet Hogan, County Administrative Officer, provided input relative to recapturing the costs through Trial Court Funding, and advised that she will further review this with the Auditor before the end of the fiscal year. (M)Parker, (S)Balmain, Res. 98-190 adopted/Ayes: Unanimous.

10:02 a.m. Recess

10:12 a.m. Janet Hogan, County Administrative Officer;

A) Appoint Jacqueline M. Dodd Meriam as Mariposa County Librarian at an Annual Salary of \$42,000 Effective no Later than July 13, 1998

BOARD ACTION: (M)Parker, (S)Stewart, Res. 98-191 adopted/Ayes: Unanimous.

B) Review Third Quarter Financial Report and Approve Budget Changes (4/5ths Vote Required)

BOARD ACTION: Janet Hogan presented the report and reviewed the pending issue with the Governor's proposal relative to the Motor Vehicle In-Lieu payments. Discussion was held relative to the requests. Supervisor Parker requested that the policy to allow department heads to make advance step appointments for employees be brought back to the Board for further review and consideration. (M)Pickard, (S)Parker, Res. 98-192 adopted approving the recommended budget changes/Ayes: Unanimous. Supervisor Parker initiated discussion relative to budgeting for the computer system project for the courts, and requested the Board's consideration of budgeting to contract with a vendor for services. It was also noted that it would be helpful to have the list of computer priorities for making these types of decisions.

Mike Edwards, Public Works Director;

Status Report Regarding the County Government Center and Subsequent Tour at 4:00 p.m. (Continued from 5/12/98)

BOARD ACTION: Mike Edwards and Craig Scott, DuPertuis-Scott Architects, presented status report and advised of the meetings of the subcommittees and their consideration of issues. The communications consultant has been selected; they are still working with options for the furnishings and costs; they are working on options for enhanced landscaping; they formed a decorations subcommittee and all of their recommendations will be brought back to the Board for final approval; the use policy subcommittee is drafting a use policy for the facilities; and they advised that the archive layout is complete and shelving units have been identified. They reviewed the status of

the budget for the various areas of the project. Discussion was held, and everyone was reminded of the tour scheduled for later this date of the facilities.

Resolution Authorizing Chair to Execute Agreement with the Coulterville Community Club for Use of the Coulterville Community School for Various County Purposes (County Counsel)

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 98-193 adopted/Ayes: Unanimous.

Discuss and Provide Direction Relative to Membership in National Association of Counties (NACO) (Supervisor Stewart)

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, direction was given for the County to renew its membership with NACO/Ayes: Unanimous. (M)Parker, (S)Balmain, Res. 98-194 adopted transferring \$204.00 from General Fund Contingency to the Board of Supervisors budget for membership dues for the remainder of this calendar year/Ayes: Unanimous. Board concurred with Supervisor Stewart serving as the representative.

LAKE DON PEDRO SERVICE AREA 1M

Lake Don Pedro Resolution and Board of Supervisors Resolution Declaring the Board's Intention to Lease Grazing Property Located in the Lake Don Pedro 1M Area (County Counsel)

BOARD ACTION: (M)Parker, (S)Balmain, Co, Service Area 1M (Lake Don Pedro) Res. 98-1 and Board of Supervisors Res. 98-195 were adopted/Ayes: Unanimous.

Discussion and Direction Relative to Board Committees and Status of Membership (Clerk of the Board)

BOARD ACTION: Discussion was held and the matter was continued to May 26th, with direction for information to be provided relative to the statutory requirements for each of the committees.

Board Information and Announcements

- Supervisor Pickard advised of his meetings in Sacramento to work on AB 2400 (gas tax bill), and the hearing scheduled before the Appropriations Committee on Wednesday.
- Supervisor Stewart advised the Air Control Policy Committee meeting he attended on Friday.

11:45 a.m. CLOSED SESSION Regarding Conference with Legal Counsel Relative to Anticipated Litigation with Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel)

BOARD ACTION: (M)Parker, (S)Pickard, closed session was held/Ayes: Unanimous.

11:59 a.m. Board reconvened in open session with direction given to staff as a result of closed session.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: This closed session was not held.

12:00 p.m. Lunch

4:00 p.m. Mike Edwards, Public Works Director;
Tour of the County Government Center (Continued from 5/12/98)
BOARD ACTION: Tour was held with Supervisors Parker and Pickard excused.

INFORMATION No action was necessary on the following:

- A) Information Provided to the Board Regarding Award of Public Works' Project PW 96-20, Purchase and Installation of Rest Rooms at Catheys Valley Park, to Rex A. Fouch in the Amount of \$19,045 (Public Works)
- B) Treasurer's Monthly Report of Investment Transactions Per Government Code 53607 (Treasurer)

CONSENT AGENDA

- CA-1 Reappoint E.O. Lewis to the Mariposa County Assessment Appeals Board, Representing District III (Supervisor Stewart)
- CA-2 Resolution Approving Five-Year Contract with Vargas, Lopez, and Company for Audit Services for the Fiscal Years 1997-98, 1998-99, 1999-2000, 2000-2001, 2001-2002 (Auditor); Res. 98-181
- CA-3 Resolution Approving the Mariposa County Pioneer Wagon Train Event as a County Activity which will be Held June 11-13, 1998 and Authorizing Chairman to Execute Related Agreements (County Counsel); Res. 98-182
- CA-4 Resolution Authorizing Chairman to Sign Addendum to Agreement with Ross and Castillo Claims Administration for the 1998/99 Fiscal Year (County Counsel); Res. 98-183
- CA-5 Resolution Adopting Bid Specifications and Authorizing the Public Works Director to Award County Vehicle Fuel Contract to the Lowest Responsible Bidder with Bid Opening Set for Thursday, June 18, 1998 at 10:00 a.m. at the Public Works Office (Public Works); Res. 98-187
- CA-6 Resolution Appropriating Unanticipated Revenue for Capital Improvement Project (CIP) Fund 540, Don Pedro Wastewater Treatment Plant Project and Increasing Expenditures the Same Amount (\$19,967) (4/5ths Vote Required) (Public Works); Res. 98-184
- CA-7 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Approving Revision to Chapter VI of the Administrative Plan for the Housing Authority to Define the Manner in which Applicants will be Ranked on the Application/Waiting List for Housing Rental Assistance (Human Services); HA Res. 98-5
- CA-8 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Authorizing Chair to Sign the Amendments to Annual Contributions Renewal Funding Increments, CEO0007; VO0008; VO0009 and Attendant Documents, Replacing Two Expired Voucher Increments and One Expired Certificate Increment (Human Services); HA Res. 98-6

- CA-9 Resolution Authorizing Transfer of Funds from Juvenile Salaries to Fixed Assets Maintenance on Equipment and Software Within Juvenile Hall Budget (\$2,400) (Probation); Res. 98-188
- CA-10 Resolution Creating a Temporary Aid for Needy Families (TANF) Local Planning Council (Probation); Matter was continued to May 26, 1998
- CA-11 Resolution Authorizing the Auditor the Pay for Fixed Assets Approved by the Board During Budget Deliberations (Public Works); Res. 98-185
- CA-12 Resolution Modifying the Membership Requirements of the Fish Camp Community Planning Advisory Council (Supervisor Pickard); Res. 98-186
- CA-13 Recommendation of District I Supervisor to Appoint Joseph L. Fox to the Tourism Advisory Council (TAC) to Represent the Board of Supervisors (Supervisor Reilly)

4:47 p.m. Adjournment in memory of Ruth Robeson, Gaurah Maude Shaw, and Vivian Donahue.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 26, 1998

Time Description
9:04 a.m. Meeting Called to Order
Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Dr. Mosher, County Health Officer, advised that he has an off-agenda item – matter was continued to after the following item.

Resolution Recognizing Mark Rowney for His Exemplary Efforts on the Saxon Creek Water Project (Supervisor Parker)
BOARD ACTION: (M)Parker, (S)Stewart, Res. 98-196 adopted and presented to Mark Rowney/Ayes: Unanimous.

Dr. Mosher, County Health Officer, advised the Board of an urgent public safety issue involving a private piece of property off of Old Highway with a couple of deep pits (perhaps old mine shafts) which were recently discovered. He advised of his work with County Counsel to request that the property owner fill the pits or fence the area to prevent someone from accidentally falling in, with a compliance deadline of May 25th. He further advised that they obtained two quotes for taking care of this matter – one from a private contractor and one from Public Works. As of this date, the property owner has not taken care of this matter. (M)Stewart, (S)Parker, Board waived rules requiring 72 hours agenda noticing to consider this matter, finding it is a matter of public safety, and the Board will not be meeting next Tuesday due to elections/Ayes: Unanimous. Discussion was held. (M)Parker, (S)Stewart, direction was given for County Counsel to contact the property owner and if a satisfactory arrangement is not reached by the end of this date to alleviate the public safety issue, that County Counsel proceed with necessary action to take care of the situation and recoup any public funds that are expended/Ayes: Reilly, Stewart, Parker, Pickard; Abstained: Balmain.

Approval of Minutes of 5/5/98 (Continued from 5/19/98), and Minutes of 5/12/98 Regular Meeting
BOARD ACTION: Approved.

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

David Whitcomb;
Presentation Relative to the Results of the Mariposa Community Profile Project II (Supervisor Reilly)
BOARD ACTION: Dr. David Whitcomb thanked his wife, Dr. Susanne Whitcomb, and Dr. Gene Mallory for their assistance, along with all of the people in the community who participated in this effort. He gave a presentation on the results of the survey and responded to questions from the Board. Dr. Mallory provided input relative to the High School survey. Dr. Whitcomb advised of Tom Dowlan's interest in the project, and of Yosemite Bank's willingness to support the next project to form a volunteer task force to brainstorm and develop goals with steps for the goals to be achieved relative to the future

of the County. He advised that they would need the assistance and involvement of County staff to serve as resources for the project.

9:57 a.m. Recess

10:12 a.m. Mike Edwards, Public Works Director;

A) Resolution Authorizing Support of the Proposed Place of Use Correction for Merced Irrigation District Water for the Lake Don Pedro Community Service District (LDPCSD)

BOARD ACTION: Lois Di Tore, General Manager for LDPCSD, presented her request for support of the District's efforts in pursuing an administrative correction to the current Place of Use Map on file with the State Water Resources Control Board. (M)Balmain, (S)Parker, Res. 98-201 adopted/Ayes: Unanimous.

10:31 a.m. **YOSEMITE WEST MAINTENANCE DISTRICT**

Recommendation to the Board of Supervisors to Adopt Urgency Ordinance Prohibiting Sewer and Water Hook-Ups, and the Issuing of Permits for Projects that Would Impact the Sewer System in the Yosemite West Maintenance District

DISTRICT ACTION: Mike Edwards, Public Works Director, and Dr. Mosher, County Health Officer, were present for discussion relative to the situation with the failed sewer leachfield for the Yosemite West area. Photos of the area were presented. Discussion was held relative to the draft ordinance and recommended changes, including change to add a condition that would give the County the ability to relax the restrictions upon recommendation of staff and with the concurrence of the Health Officer and the Regional Water Quality Control Board if corrections are made to the system and any such hook-up(s) would not affect the stabilization of the system. Ed Johnson, Planning and Building Director, provided input relative to the status of building permits that have been issued for the area. Input from the public was received from the following:

Ken Wall advised of the status of his construction project and stated he will be ready for a final inspection in three to four weeks – the delay has been waiting for a hood. He further commented on his work in the area on construction projects since 1970, and stated he has another project under construction with a final inspection due the middle of August. He advised that for 1997, he paid for 28,000 gallons of water and that amount is very minimal considering the amount of infiltration of water into the system at the present time – he stated he feels some recognition should be given to allowing existing permit holders to hook-up. He further noted that his other construction project is for weekend type use.

Don Pitts stated that many of the thirteen homes that have not been finalized have been operating for several years with water service – only four of the homes are currently not using the sewer system and one of those has not broken ground for construction. He stated he feels the County has an obligation to provide water and sewer services. He stated he feels that the Board of Supervisors acting as the governing body for the Yosemite West Maintenance District is a conflict – what is in the best interest of the County may not be in the best interest for Yosemite West and vice versa. He noted that there may be problems with construction loans with the restriction for hooking up to the sewer system.

Debbie Hagen stated they hope to have their house (being constructed by Ken Wall) completed in August, and she feels that they are caught in the middle and hopes the Board will be able to help.

Debra Kroon, President of the Yosemite West Property Homeowners Association, stated the Association agrees with the concern for taking care of the sewer system. She suggested that the state of construction as of this date should be taken into consideration for prioritizing processing of permits when the system is stable. She suggested that consideration be given to restricting the use of hot tubs to minimize the impact on the

sewer system. She further noted that people have converted single family residences to more than a duplex unit and that is not authorized and creates an overload on the system. She suggested that a maximum occupancy be established, perhaps twelve, per residential parcel. She noted that Bed and Breakfast operations have permanent residents, plus guests; and transient rental operations are only occupied when guests are present and have less of an impact on the water usage.

Richard Long stated he has a few transient rentals in Yosemite West. He stated the issue is the sewer system and not the number of people and the use of hot tubs. He stated he supports a limited moratorium on construction, but does not feel the moratorium should affect those projects that are under construction. He stated he feels a permanent correction to the system needs to be done and not a temporary one.

11:27 a.m. Recess

11:43 a.m. Discussion was held with staff relative to the input provided and the draft ordinance. Ken Wall noted that hook-ups are allowed to test facilities. Supervisor Parker requested that staff investigate and bring back information relative to the number of people who are connected and using the system without a certificate of occupancy, and how many of those connections are for construction purposes. Supervisor Stewart requested that information be brought back relative to prioritizing the hook-ups once the system is functioning again. Mike Edwards, Ed Johnson, and Dr. Mosher responded to questions relative to impacts if action on the urgency ordinance is delayed for additional information to be obtained. (M)Pickard, (S)Stewart, the Yosemite West Maintenance District Board of Directors took action to recommend to the Board of Supervisors that the urgency ordinance be adopted with the recommended changes. Further discussion was held relative to staff bringing back a status report on June 9th. Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

12:15 p.m. Board of Supervisors reconvened.

B) Adopt Urgency Ordinance Prohibiting Sewer and Water Hook-Ups, and the Issuing of Permits for Projects that Would Impact the Sewer System in the Yosemite West Maintenance District

BOARD ACTION: (M)Pickard, (S)Stewart, Board accepted recommendation of the Board of Directors for the Yosemite West Maintenance District and adopted urgency Ordinance No. 933. Discussion was held. Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel)

BOARD ACTION: Closed session was not held.

Discussion and Direction Relative to Board Committees and Status of Membership (Clerk of the Board) (Continued from 5/19/98)

BOARD ACTION: Matter was continued to be rescheduled.

Board Information and Announcements

- Supervisor Pickard advised that AB 2400 (gas tax legislation) failed by one vote in the Appropriations Committee last Thursday, and he thanked everyone for their support.

INFORMATION – No action was necessary on the following:

- A) Results of the Formal Bid Process for Fleet Purchases Appropriated During the Budget Process (Public Works)
- B) Notice of Advertisement for Formal Bids for Corrugated Galvanized Steel Pipe and Band Coupler; Public Works Bid No. PWB 98-03 (Public Works)

CONSENT AGENDA

- CA-1 Resolution Modifying the Ex-Officio Membership of the Wawona Town Planning Advisory Committee (Supervisor Pickard); Res. 98-197
- CA-2 Resolution Approving “The Temporary Assistance for Needy Families Block Grant Welfare-To-Work” Plan for Mariposa County and Memorandum of Understanding with Human Services (Mother Lode Job Training); Res. 98-198
- CA-3 Resolution Recognizing James Lee Smith for His Acceptance to the Navel Academy at Annapolis (Supervisor Parker) (No Folder); Res. 98-199
- CA-4 Appoint Joe Sherry, Steve Hanson and Tom Brownell to the Mariposa County Alcohol and Drug Advisory Board; and Accept the Resignation of Carol Bryant from the Mental Health Board (Supervisors Parker and Pickard)
- CA-5 Resolution Creating a Temporary Aid for Needy Families (TANF) Local Planning Council (Probation) (Continued from 5/19/98); Res. 98-200

12:22 p.m. Adjournment in memory of Bengt Olander, Vivian Beattie Donahue, Gary Milani, Vito Mazzone, and Vonna Rowe.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 9, 1998

Time Description
9:02 a.m. Meeting Called to Order, with Supervisor Pickard arriving at 9:06 a.m.

Pledge of Allegiance

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

Approval of Minutes of 5/19/98, and Minutes of 5/26/98 Regular Meeting
BOARD ACTION: Approved

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Reilly pulled item 4 for discussion later this date, and item 9 for discussion with the Planning Director. Supervisor Stewart pulled item 10 – action was taken later this date. (M)Parker, (S)Stewart, balance of items were approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. NOTE: Later this date, Supervisor Pickard requested that his vote be reflected as an “Aye” vote for the Consent Agenda.

Opening of Sealed Proposals for the Lease of Grazing Property Described as Parcel 1 in Area 1M of Lake Don Pedro (County Counsel)
BOARD ACTION: Chair Reilly asked if anyone was present to present oral bids – there was no one. Bid opening was continued to later this date.

Glenn Sutherland, President, California State Mining and Mineral Museum Association Board of Directors;

Discussion Relative to the Importance of the Museum Remaining in Mariposa County

BOARD ACTION:

Several students with staff from Mariposa Elementary School (MES) were present in support of retaining the Museum in the County. Chair Reilly thanked the students and staff for their efforts with the “million penny” project for the Library construction fund. Susan Robinson, MES Principal, noted that approximately \$11,500 was raised through this project.

Glenn Sutherland commented on the Association’s role with the Museum and he advised that they agree with the Gloor site (corner of Highway 140 and 49) for the Museum. He provided input relative to the State’s intent to close the Museum when the funding ends and to issue requests for proposals (RFP) for relocation of the Museum. He further advised that the Association has pledged \$45,000 to operate the Museum and that will be sufficient to keep the Museum open through September; and if the County pays the rent, there will be funding available to keep the Museum open through June 1999. He asked that the Museum be kept open as long as funding is available. He advised that they received confirmation on Monday from the State that the Museum will be kept open through September. He requested the Board’s assistance in requesting that the State delay the RFP process to allow time for a specific and viable proposal to be developed for retaining the Museum in the County.

Susan Robinson and her staff commented on the importance for the students to be able to study history, and on the advantages of the Museum being so close.

Supervisors Parker and Pickard advised of their meeting with Deputy Director Pat Meehan for the Department of Conservation on Monday relative to the Museum. The State is reviewing the feasibility study. The County hopes to have an answer in a couple of weeks relative to the State's plans for the RFP.

Paul Beard noted that he participated with the moving of the exhibit to Mariposa County and has served as a docent for the Museum. He commented on the many schools outside of the County that come to visit the Museum.

Mary Foster, President of the Gem and Mineral Club, reiterated the students feelings relative to the importance of retaining the Museum in the County.

Jerry Fischer stated he feels the change in location to the Gloor site would make a difference in the success of the Museum, and he thanked Herb and Joan Gloor for their efforts in this matter.

Candy O'donel-Browne, speaking as a small business owner and as a citizen, noted that each community has assets, and intangible assets such as cultural history. She feels the Museum is the heart and soul of our community and hopes it can be retained in the County.

Helen Caperon, member of the Board of Directors for the Association and liaison between the Board and mineral clubs, noted their overall memberships contain approximately 2,000 members from all over the State and outside of the State. When the clubs visit the Museum, they also bring business to the community.

Jan Mennig, Executive Director for the Chamber of Commerce, stated he was impressed with the support that is shown this morning for the Museum and noted that several of the Chamber members are also present. He stated he feels that we need this asset.

Ed Hardy noted that he developed the County's Tourism Development Program and he sees this Museum as a nugget in the program. He feels the Museum generates revenue to the community and should be retained in the community.

Supervisor Reilly commented that this community could become the 4th grade field trip capital of the world with the Museum, Courthouse and History Center. Supervisor Pickard commented on the need to develop a site that will become viable and stand on its own and attract more attendance. Supervisor Parker advised that more information should be available in a couple of weeks, and noted that if citizens would correspond their thoughts on retaining the Museum in the County to the Board or directly to the State, that would be helpful.

Bill Yaley, member of the Board of Directors for the Association, and speaking as a businessman, urged the Board to retain the Museum in the County. He stated he feels the State is in the driver's seat and not the County. This is an urgent matter and risks may need to be taken to retain the Museum in the County.

Bud Swift, member of the Board of Directors for the Chamber of Commerce and a local cattleman, suggested that Bill Jones be contacted for his support in retaining the Museum in the County.

Glenn Sutherland asked what will happen if the State does not delay the RFP process. Supervisor Parker advised that the Board will need to evaluate that decision at that time.

9:37 a.m. Recess

9:52 a.m. Opening of Sealed Proposals for the Lease of Grazing Property Described as Parcel 1 in Area 1M of Lake Don Pedro (County Counsel)

BOARD ACTION: Clerk of the Board advised that one proposal was received. Chair Reilly announced that the proposal was received from Don Pucilowski in the amount of \$1,051. Mr. Pucilowski's son-in-law advised that they will accept a three-year commitment. Chair Reilly again asked if there was anyone present to present oral bids, and there was not. (M)Balmain, (S)Stewart, Res. 98-207 adopted accepting the proposal

received from Don Pucilowski and directing County Counsel to prepare the lease agreement/Ayes: Unanimous.

Jim Allen/SO-Captain, appeared on behalf of Roger Matlock, Sheriff;
Resolution Authorizing the County Administrative Officer to Execute the Application for a “Cops More ‘98” Grant for Technology

BOARD ACTION: Discussion was held regarding the request, and it was noted that if the grant is awarded, the Board will need to discuss resources for the County’s match during the budget hearing. (M)Parker, (S)Stewart, Res. 98-202 adopted/Ayes: Unanimous.

Tom Archer, Human Services Director;
Resolution Authorizing Adding an Employment and Training Worker II to the Department of Human Services for CalWORKs Implementation

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 98-208 adopted/Ayes: Unanimous.

Blaine Shultz, Fire Chief;
Resolution Authorizing the Lease Purchase of Five New Fire Engines for a Period of Ten Years and Approve Budget Change (\$29,984) (4/5ths Vote Required)

BOARD ACTION: Lengthy discussion was held regarding the request and options and fiscal impacts. (M)Balmain, (S)Stewart, to approve the lease purchase of five new fire engines as requested, failed by the following vote/Ayes: Reilly, Balmain, Stewart; Noes: Pickard; Abstained: Parker. (M)Parker, (S)Stewart, to pursue the acquisition of three new fire engines on a lease purchase based on a purchase with ten annual payments at 5.15 percent interest and \$150,000 down payment, failed by the following vote/Ayes: Stewart, Parker; Noes: Reilly, Balmain, Pickard. Supervisor Pickard requested that direction be given to staff to form a community services district for funding the fire services operation. It was noted that this request could be brought back as a separate agenda item. (M)Parker, (S)Stewart, to purchase three new fire engines as requested in the previous motion, with specific direction that the fleet replacement program be changed to accommodate the Catheys Valley Fire Station to change their ISO rating, failed by the following vote/Ayes: Stewart, Parker; Noes: Balmain, Pickard; Abstained: Reilly.

11:46 a.m. Recess

11:59 a.m. Supervisor Parker requested that further consideration of the fire engine issues be brought back on June 16, 1998.

YOSEMITE WEST MAINTENANCE DISTRICT BOARD OF DIRECTORS

Recommend that the Board of Supervisors Rescind Urgency Ordinance No. 933 and Adopt a General Ordinance which Restricts Water and/or Sewer Hook-ups and the Issuance of Building and Other Permits within the Yosemite West Maintenance District

BOARD OF DIRECTORS ACTION: Jeff Green, County Counsel, explained the ordinance process. Mike Edwards, Public Works Director, provided a status report on the situation with the failure of the wastewater treatment facility in the District. Dr. Mosher, County Health Officer, was present for the discussion. Discussion was held relative to the status of building permits that have been issued and not finalized.

Public input was provided by the following:

Rich Romero, property owner in Yosemite West, advised of the status of construction of his residence and stated he is in the process of selling his house in Rio Vista, and has enrolled his son for school in September.

Jeff Hornacek advised that he has not broken ground for his construction; but he has contracts to deal with for the construction. They plan to live in this house and build a bed and breakfast. He asked about alternative septic systems and the Board's thought, and what the costs and assessments might be. Dr. Mosher responded to questions relative to the use of graywater systems and alternative septic systems; and he advised that they are willing to look at various systems if the Board directs them to do so as long as the public health issues are covered. Jeff Hornacek requested that the Board grandfather their right to build a home and bed and breakfast since they have been working with Planning and Building Department on both of these projects. Jeff Green, County Counsel, advised that the Board could not take action to grandfather something that is not currently legal with the ordinance that restricts building permits.

Mr. Romero asked if he could receive written assurance that he will be able to hook-up to the septic system in the future. Jeff Green advised that the Board could adopt a resolution directing that the permits which are in process will have first priority for processing when the wastewater treatment facility system is functioning properly.

Don Pitts stated he operates a bed and breakfast and is currently building a duplex which he plans to have completed by August 1st and rented by September 1st. He stated he has paid the fees for sewer and water hook-up, and he feels that is a contract to be able to hook-up to the system. He stated he feels illegal uses should be taken care of, and he cited the differences in water usages between the transient rentals and bed and breakfast operations. He noted that he has been researching septic system options; and asked if he combined his two lots, if he could do a septic system.

Mr. Hornacek asked for clarification of being able to hook-up to the system for construction purposes. Mike Edwards advised that they have allowed hook-ups for construction purposes.

Mr. Pitts stated he does not see any need for the California Regional Water Quality Control Board to be included in the ordinance.

Following discussion, (M)Pickard, (S)Stewart, Board of Directors recommended that the Board of Supervisors rescind Urgency Ordinance No. 933 and adopt a General Ordinance which restricts water and/or sewer hook-ups and the issuance of building and other permits within the Yosemite West Maintenance District/Ayes: Unanimous.

1:12 p.m. Waive First Reading and Introduce Ordinance Rescinding Urgency Ordinance No. 933 and Adopting a General Ordinance which Restricts Water and/or Sewer Hook-ups and the Issuance of Building and Other Permits within the Yosemite West Maintenance District (County Counsel)

BOARD ACTION: (M)Pickard, (S)Stewart, first reading was waived and an Ordinance introduced rescinding Urgency Ordinance No. 933 and adopting a General Ordinance which restricts water and/or sewer hook-ups and the issuance of building and other permits within the Yosemite West Maintenance District/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

Consent Agenda item 4 – Following discussion, (M)Balmain, (S)Pickard, item 4 was approved/Ayes: Unanimous.

Consent Agenda item 9 – Following discussion, (M)Pickard, (S)Stewart, item 9 was approved, with change to reflect that staffing would be provided as available by the Planning Department/Ayes: Unanimous.

1:22 p.m. Lunch

2:23 p.m. Mike Edwards, Public Works Director;

C) Resolution Authorizing Staff to Proceed with the Sale of and Encroachment Permit for a Portion of Seventh Street to the Owners of Certain Buildings which Encroach into the Street

BOARD ACTION: (M)Parker, (S)Stewart, Res. 98-211 adopted/Ayes: Unanimous.

A) Presentation by Mrs. Kudela Relative to the Mariposa Creek Project Annenburg Challenge Grant (No Folder)

BOARD ACTION: Rich Begley, PWD-Parks and Recreation Deputy Director, advised that the following presentation is the result of the work by three classes led by Mrs. Kudela. The following students gave a presentation on their thoughts for making the Mariposa Creek Project a four-mile historical walkway from the 1700's to the present: Sarah Mosher, Candace Lopez, Joe Goger, Mike Lackl, Morgan Holderfield, John Klein, and Regan Barnes.

Resolution Certifying the Disability Retirement of Mario Diaz Effective January 1, 1998 (County Counsel)

BOARD ACTION: Following discussion, (M)Stewart, (S)Parker, Res. 98-212 adopted/Ayes: Unanimous.

Resolution Authorizing Counsel Continued Blanket Authority to Retain Outside Counsel to Represent the County in Legal Matters (County Counsel)

BOARD ACTION: (M)Parker, (S)Stewart, Res. 98-213 adopted/Ayes: Unanimous.

Consent Agenda item 10 – Following discussion with Mike Edwards, Public Works Director, (M)Stewart, (S)Parker, item 10 was approved/Ayes: Unanimous.

Supervisor Pickard requested that the record reflect an “aye” vote for him on the action taken previously this date to approve the consent agenda items.

B) Status Report on Don Pedro Sewer Zone Waste Water Treatment Facility Project, Resolution Authorizing the Public Works Director to Amend the Contract with Nolte and Associates to Complete the Project Engineering and Related Services and Authorize the Public Works Director to Apply for Necessary Site Rezoning and District Annexation

BOARD ACTION: Mike Edwards introduced Patrick Garvey/Senior Engineer and Kyle Erickson/Civil Engineer with Nolte and Associates. They provided a status report on the project and reviewed recommended actions. (M)Balmain, (S)Parker, Res. 98-215 adopted/Ayes: Unanimous.

3:20 p.m. Recess

3:29 p.m. D) Resolutions Accepting Dedications of Road Easements not Previously Accepted by the Board on Major Subdivisions

BOARD ACTION: Discussion was held and it was clarified that these actions are consistent with County policy in place at the time the maps were approved by the Board. (M)Balmain, (S)Pickard, Res. 98-216 adopted for road easements accepted for public access but not for County maintenance on major subdivisions; and Res. 98-217 adopted for roads in the Lake Don Pedro area, including those accepted for public access and maintenance/Ayes: Ayes: Unanimous.

Board Information and Announcements

- Supervisor Stewart commented on the re-counting of the ballots on Friday and the process.

3:42 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO), and General Employees (SEIU) (County Counsel); and
CLOSED SESSION to Discuss Public Employee Employment for Community Services Director (County Administrative Officer)

BOARD ACTION: (M)Stewart, (S)Pickard, closed sessions were held with Rick Bolanos/County Labor Negotiator, to be present for labor negotiations/Ayes: Unanimous.

5:07 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

INFORMATION - No action was necessary on the following:

The Board Meeting Scheduled for June 16, 1998, will Begin at 2:00 p.m., Followed by a Dinner Break at 6:00 p.m., with Workshop on Co-Compost Facilities at 7:00 p.m.

CONSENT AGENDA

- CA-1 Resolution Authorizing Chair to Sign the Regulatory Pesticide Enforcement Contract #98-0025 with the Department of Pesticide Regulation for 1998/99 (Ag Commissioner/Sealer); Res. 98-203
- CA-2 Reappoint Theresa Steagall to the Mariposa County Assessment Appeals Board, Representing District II (Supervisor Balmain)
- CA-3 Resolution Authorizing the Chair to Sign the Agreement Amendment #4 to Further Amend the Existing Public Transit Services Provided by VIA Adventures, Inc. (Visitors Bureau); Res. 98-204
- CA-4 Resolution Approving McKinney Homeless-PATH Grant to Provide Services for the Homeless Mentally Ill Dual Diagnosis Residents of Mariposa County for the Fiscal Year 1998-99 (Human Services); Res. 98-209
- CA-5 Accept Resignation of Stephene Henry from the Coulterville Town Planning Advisory Committee (Supervisor Balmain)
- CA-6 Approve a County Tile Plaque to be Presented to the First Mariposan who Finishes the Endurance Ride Scheduled for June 27, 1998 (Rich Theodore/4-H Equine Project)
- CA-7 Resolution Authorizing Mariposa Little League to Construct One Batting Cage at Catheys Valley Ball Park (Public Works); Res. 98-205
- CA-8 Resolution Authorizing the Purchase of Three Computers from EdTech in Accordance with Available Funding by the Supplemental Law Enforcement Services Fund and Data Processing's Bid Assistance and Review (District Attorney); Res. 98-206
- CA-9 Resolution Establishing the Yosemite West Community Planning Advisory Committee (Supervisor Reilly); Res. 98-210

CA-10 Resolution Approving a Temporary Extension of the 240-Hour Vacation
Limit for One Employee in the Facilities Maintenance Division (Public
Works); Res. 98-214

5:08 p.m. Adjournment in memory of Ralph Payton, Hunter Johns and Lee Berlin.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 16, 1998

Time Description
2:12 p.m. Meeting Called to Order with Supervisor Reilly excused.

Pledge of Allegiance

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

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Stewart pulled item 5. (M)Parker, (S)Stewart, balance of items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Following discussion with Captain Davies, Sheriff's Department, (M)Stewart, (S)Parker, item 5 was approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Dennis Patrick, Technical Services Director;

A) Resolution Authorizing the Upgrade of the AS/400 Operating System from V3R7 (Version 3 Release 7) to V4R2 (Version 4 Release 2); and

B) Resolution Authorizing the Purchase of a New Tape Subsystem for the AS/400 in the Amount of \$13,200

BOARD ACTION: Following discussion, (M)Stewart, (S)Balmain, Res. 98-228 adopted authorizing upgrade of the AS/400 Operating System as requested; and Res. 98-229 adopted authorizing purchase of a new tape subsystem as requested/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Jim Eutsler, Community Services Director;

Resolution Authorizing Chair to Sign the Title III-B Contract Extensions for Chore, Assisted Transportation, Transportation and Information and Assistance Services, and Title III-C1, Congregate Nutrition and C2, Home-Delivered Nutrition for FY 1998-99

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 98-230 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Doug Balmain, District II Supervisor;

Consider and Adopt the Mariposa County Public Service Policy, Direct that the Final Policy be Distributed to All Employees and Approve Expenditures from the County Administrative Officer's Budget to Provide Display Copies for All Public Counters

BOARD ACTION: Vice-Chairman Pickard advised of Supervisor Reilly's request for the matter to be continued for her to be present for the discussion. Discussion was held relative to the draft policy. Lisa Edelheit, SEIU, advised that they are okay with having the item continued for the full Board to be present; and she provided input relative to concerns that employees raised, and suggested that consideration be given to making this a mission statement versus a policy. Following further discussion, (M)Parker, (S)Balmain, Res. 98-231 adopted approving the policy with a change to reflect that we work for the "public benefit" versus the "public good"/Ayes: Balmain, Parker, Pickard; Excused: Reilly; Noes: Stewart.

2:58 p.m. Recess

3:10 p.m. Blaine Shultz, Fire Chief;

Resolution Authorizing the Lease Purchase of Five New Fire Engines for a Period of Ten Years and Approve Budget Change (\$29,984) (4/5ths Vote Required) (Continued from 6/9/98)

BOARD ACTION: Blaine Shultz advised that Kern County is acquiring new fire engines and plans to dispose of over twenty used engines and equipment. He advised that Supervisors Parker and Stewart went with him to look at the equipment on Friday, and it is equipment that could be used for structural fire protection and bring our County's fleet from an average age of 31 – 32 years to 20 years. He withdrew his request for the lease purchase of five new engines, and recommended that the Board authorize him to acquire the used equipment from Kern County, and use the funding set aside for the lease purchase for this acquisition and for refurbishing as necessary and to add new radios. Refurbishing will include changing the County fleet to white with blue stripes. Discussion was held.

(M)Parker, (S)Stewart, Res. 98-232 adopted approving a budget change that incorporates the transfer of \$29,984 from the Fire Truck Replacement Fund to the General Fund Fire Department Budget, and takes \$121,016 from Fire Department Rents and Leases line item and creating a new line item in the total amount of \$150,000 for the purchase of the fire engines from Kern County and the refurbishing of the engines, including radio replacement; and directing that these funds be encumbered for said purpose, and that any unused funds be returned to the Fire Truck Replacement Fund; and authorizing the acquisition of said engines. Blaine Shultz introduced the following persons who were present for discussion: Art Laursen/Greeley Hill Fire Station; Bill Bondshu/Mariposa Public Utility District; and Orin Crosby, Midpines Advisory Committee. Motion was amended, agreeable with maker and second, to include authorization for Chair to sign any documents required by Kern County for the purchase/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Supervisor Pickard initiated discussion relative to the formation of a countywide service district for the long-term solution for fleet maintenance. Board concurred with directing the Fire Chief to explore this possibility and other options and to come back to the Board with recommendations and suggestions. The Board's subcommittee (Supervisors Parker and Stewart) is to work with the Fire Chief on these issues.

Approve Letter of Support of Senate Bill No. 1703, Regarding the Efforts to Facilitate the Transfer of the Crows Landing Air Field from the National Aeronautics and Space Administration (NASA) to Stanislaus County (Supervisor Stewart)

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 98-233 adopted approving letter of support to be signed by the Chairman/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

3:46 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO) (County Counsel)

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

4:16 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

4:17 p.m. Recess

4:28 p.m. Richard McMechan, Superior Court Judge;

Report on JALAN Automated System for the Courts

BOARD ACTION: Discussion was held with Judge McMechan, Mickie Romeike/Administrative Court Clerk, and Dennis Patrick/Technical Services Director. Janet Hogan, County Administrative Officer, advised that they have held meetings relative to the automated court system, and this system is critical to the courts. Discussion was held relative to data processing priorities and funding. Judge McMechan provided input relative to the history of the AS/400 system and the courts need for automation to assist with collecting delinquent fines and to integrate with the Department of Motor Vehicles system to add enhancements for prior convictions. Discussion was held relative to the status of the State funding the position that was added to assist with the data processing workload. Mickie Romeike provided input relative to her discussions with the State on this issue and advised that funding is included in the FY 1999-00 budget, and they will work with the State to try and get reimbursement for the expenses incurred prior to that budget year. Supervisor Pickard requested that any future new data processing projects include information on impacts to existing priorities. (M)Stewart, (S)Parker, direction was given to the Technical Services Director to allocate his time and his staff's time to implement the JALAN system for the courts as a number one priority. Motion was amended, agreeable with maker and second, to include request for the courts to pursue reimbursement of funding the data processing staff/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Dennis Patrick, Technical Services Director;
Computer Plan/Program Report (No Folder)

BOARD ACTION: Dennis Patrick presented the Board with a list of pending projects; and advised that following his recent conference, he feels it is important to consider adding security to the list of projects. Janet Hogan, County Administrative Officer, advised of a request received for the budget for next fiscal year for a GIS system to be shared with Public Works and Planning, and requested that Dennis Patrick discuss this matter with the affected departments. Discussion on the computer plan/program report was continued to be rescheduled.

Board Information and Announcements

- Supervisor Balmain advised that he attended the Bio-Diversity Council meeting and the watershed restoration improvement funding was discussed and there might be an opportunity to apply for Proposition 204 funding in the future.
- Janet Hogan, County Administrative Officer, advised of discussions she and County Counsel had with the Visitors Bureau Director and VIA relative to the situation with the current closure and repair of Highway 140 – VIA will run the buses to El Portal and use Highway 41 to access the Park.
- Supervisor Pickard advised of the status of the legislation to provide funding for the Mariposa Creek project the Mineral Museum – both projects were approved at the Budget Committee hearing and recommended for the Conference Committee. He also advised that AB 2400 (gas tax) legislation was amended into two other Assembly bills and there is still a possibility of this legislation being passed.

5:24 p.m. Dinner Break

7:09 p.m. Mike Edwards, Public Works Director;
Public Workshop on Solid Waste Co-Composting Project Providing Background Information and Vendors' Technologies

BOARD ACTION: Mike Edwards and George Eowan, President of Integrated Recycling, Incorporated (IRI), presented an historical accounting of the solid waste co-composting project including: economical and environmental need, selection process and vendor technology. Video and slide presentations were also given showing the different systems, and staff advised that the Heroff process was selected as the preferred

alternative. Staff responded to questions from the audience relative to the project. Kary Weaver/Resource Conservation District, asked about the process and timeframes for the project. Mike Hubert/Resource Conservation District, asked about physical changes that would take place at the landfill and whether solid waste from outside of the County would be accepted. Dick Kunstman asked if this project would be subject to CEQA; asked about the definition of “cost effective;” and expressed concern with impacts to farmland in future. Supervisor Parker advised that purpose of the workshop is to inform the public of the project and get input so that concerns can be addressed. Anyone with comments or concerns are encouraged to write to the Board or Public Works. Jan Hamilton asked about the location of other Heroff facilities and whether there are other businesses of this type in California. Staff advised that this would be the first in-vessel system handling municipal solid waste in California. Brian Hodge/Health Department, provided input relative to including septage in the project.

CONSENT AGENDA

- CA-1 Resolution Authorizing the Chair to Sign a Personal Services Agreement with Jeff Millar for Wildland Fire Officer Training (Fire); Res. 98-218

- CA-2 Resolution Authorizing Chair to Sign a Personal Services Agreement with Bill Hodson for Wildland Fire Officer Training (Fire); Res. 98-219

- CA-3 Resolution Authorizing Chair to Sign Personal Services Agreement with Carl “Bill” Murdock for Wildland Firefighter Survival Training (Fire); Res. 98-220

- CA-4 Appoint Ted Fernandez to the Lake Don Pedro Sewer District Ad Hoc Committee (Supervisor Balmain)

- CA-5 Resolution Authorizing the Sheriff to Purchase a Furuno CRT Radar Unit for Use on the New Boating Safety Patrol Vessel (Sheriff); Res. 98-227

- CA-6 Resolution Awarding the Contract for L.P. Gas Fuel for County Facilities, Public Works Bid No. PWB 98-01, to Amerigas Propane Company of Los Banos in the Amount of \$46,690 and authorize the Public Works Director to Execute the Agreement (Public Works); Res. 98-221

- CA-7 Resolution Authorizing Changing the Greeley Hill Nutrition Site Supervisor-Cook Position from Sixty Percent Permanent Part-Time to Fifty Percent Permanent Part-Time (Community Services); Res. 98-222

- CA-8 Resolution Authorizing El Portal Library to Allow Volunteers to Fill in Occasionally During Summer Months and Change Hours Through the Summer Months as Follows:
 - Tuesday: 1:30-3:30 p.m. and 4:30-8:00 p.m.
 - Thursday: 9:00 a.m.-2:00 p.m.
 Existing Hours:
 - Tuesday: 12:30-3:30 p.m.
 - Wednesday: 3:00-6:00 p.m.
 - Thursday: 9:30 a.m.-2:00 p.m.
 (Library); Res. 98-223

- CA-9 Resolution Accepting Donation from the Wawona Friends of the Library to Provide Additional Extra Help Hours for the Wawona Library and Authorize the Scheduling of These Hours (Library); Res. 98-224
- CA-10 Resolution Authorizing the Visitors Bureau Director to Sign a Contract with the Mariposa County Arts Council, Inc. (Visitors Bureau); Res. 98-225
- CA-11 Request the Board's Formal Acceptance of a Forty-Foot Conex Box Donated to the County (Public Works); Res. 98-226

9:08 p.m. Adjournment in memory of John Reymann and Ward Schertz.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

**CONFORMED AGENDA
JUNE 23, 1998**

<u>Time</u>	<u>Description</u>
9:00 a.m.	Meeting Called to Order Pledge of Allegiance

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

Approval of Minutes of 6/9/98 Regular Meeting
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Item 1 was pulled for discussion with the Auditor. Item 9 was pulled for discussion with the Health Officer. Supervisor Parker pulled item 6 for a separate vote. (M)Pickard, (S)Stewart, balance of items were approved/Ayes: Unanimous. (M)Pickard, (S)Stewart, item 6 was approved/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

Consent Agenda item 9 – Discussion was held with Dr. Mosher, Health Officer, and he requested that the contract be modified to a four-month term as the environmental health staff will be moved to the new Government Center before the end of the year. He will bring back another contract for the Health Department facilities at that time. (M)Pickard, (S)Balmain, item 9 was approved, as modified/Ayes: Unanimous.

Dr. Mosher, Health Officer;

B) Resolution Approving the Provision of Hepatitis B Vaccine to Certain Members of the Sheriff's Search and Rescue Team and Appropriating \$1,000 for that Purpose (4/5ths Vote Required) (Health/Sheriff)

BOARD ACTION: Discussion was held with Dr. Mosher and Roger Matlock, Sheriff, concerning this matter, funding sources, and relative to including all members that may be exposed at this time. (M)Parker, (S)Balmain, Res. 98-244 adopted transferring \$1,000 within Health Department budget and transferring \$4,100 from General Fund Contingency, making available a total of \$5,100 to provide the Hepatitis B Vaccine to members of the Sheriff's Search and Rescue Team. Further discussion was held. Suzanne Turpin, Medical Leader for Search and Rescue, provided input. Ayes: Unanimous.

A) Resolution Authorizing Health Officer to Apply for Available One-Time Grant Funds from County Medical Services Program (CMSP) (\$39,366) on Behalf of All Tribes Counseling Center and the Northside Rural Health Clinic Enterprise

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 98-245 adopted/Ayes: Unanimous.

Roger Matlock, Sheriff;

A) Resolution Authorizing Chair to Execute the Contract for Veterinary Services with Dr. Rosebrock for the Animal Control Function for Fiscal Year 1998-2000; and

B) Resolution Authorizing the Sheriff's Department to Open a Satellite Office in Greeley Hill and for the Chair to Execute the Contract with Ralph Swenson for Lease of Office Space for a Five-Year Period in the Amount of \$1.00 Per Year

BOARD ACTION: (M)Parker, (S)Pickard, Res. 98-246 adopted authorizing Chair to execute contract for veterinary services; and Res. 98-247 adopted authorizing Chair to execute contract for lease of office space in Greeley Hill/Ayes: Unanimous.

Dana Walton, local liaison for Congressman Radanovich, introduced Steve Samuelian, District Director for Congressman Radanovich, and advised that he will be available in the area today to meet with citizens. Supervisor Stewart presented Mr. Samuelian with a coffee cup with the Mariposa Courthouse logo.

9:48 a.m. Recess

10:02 a.m. Doug Balmain, District II Supervisor;

Consider Inviting the Chair and Executive Officer of the California Board of Forestry, Representatives from the State Board of Equalization and the Director of California Department of Forestry to a Regularly Scheduled Board Meeting to Discuss the Timber Yield Tax and its Effects on Private Property Owners

BOARD ACTION: Discussion was held relative to the changes to the Timber Yield Tax and its effects on private property owners. Wain Johnson, Farm Advisor, provided input relative to his research on this matter and discussions with individuals and organizations. He advised that legislation is being prepared to exempt a landowner from the tax for up to 25,000 board feet, and he will provide information on this to the Board when he receives it. (M)Balmain, (S)Parker, Board approved request to invite the Chair and Executive Officer of the California Board of Forestry, representatives of the State Board of Equalization and the Director of California Department of Forestry, along with representatives of our local legislators and from the author of the legislation to amend the tax, to a regularly scheduled Board meeting to discuss this matter/Ayes: Unanimous. Supervisor Balmain stated his preference is to have the tax only apply to commercial operations.

Dave Tucker/PWD-Engineer, appeared on behalf of Mike Edwards, Public Works Director;

Resolution Approving Plans and Specifications for Office Furnishings for the New Government Center; Approve Estimated Budget of \$150,000; Authorize Department of Public Works to Release Documents for Bidding and Authorize Public Works Director to Sign Contract with the Lowest Responsive and Responsible Bidder

BOARD ACTION: Discussion was held with Dave Tucker and Janet Hogan, County Administrative Officer, relative to the request and status of funding for the Government Center and the communications portion of the project. (M)Pickard, (S)Stewart, Res. 98-248 adopted approving recommended action, with costs not to exceed \$150,000 for the office furnishings and electrostatic finishing of the file cabinets/Ayes: Unanimous.

10:38 a.m. Tom Archer, Human Services Director;

A) PUBLIC HEARING for Comment on Final Grantee Performance Report for the 1994 Community Development Block Grant (CDBG) General Allocation Housing Rehabilitation Project (94-STBG-868)

BOARD ACTION: Tom Archer presented staff report. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and Board commenced with deliberations. (M)Balmain, (S)Pickard, Res. 98-249 adopted authorizing Human Services Director to sign the Final Grantee Performance Report and the Certificate of Completion to close out the grant for the project/Ayes: Unanimous. Hearing was closed.

B) PUBLIC HEARING for Comment on the Final Grantee Performance Report and the Certificate of Completion to Close Out Community Development Block Grant (CDBG) No. 95-STBG-908, Mariposa Pines Sewer Project

BOARD ACTION: Tom Archer presented staff report and responded to questions from the Board relative to the status of the Water Agency funds that were allocated, but not expended for this project. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and Board commenced with deliberations. (M)Balmain, (S)Pickard, Res. 98-250 adopted authorizing Human Services Director to sign the Final Grantee Performance Report and the Certificate of Completion to close out the grant for the project/Ayes: Unanimous. Hearing was closed.

Resolution of Intention to Purchase Real Property Located at 4980 10th Street, Mariposa and Setting a Public Hearing for July 21, 1998 at 9:15 a.m. (County Counsel)

BOARD ACTION: Following discussion, (M)Parker, (S)Stewart, Res. 98-251 adopted/Ayes: Unanimous.

10:47 a.m. Recess

10:57 a.m. Janet Hogan, County Administrative Officer;

A) Consider and Adopt Resolution Permanently Extending Dates and Time Periods Relating to Review and Adoption of the Annual Budget as Allowed by California Government Code Sections 29066, et seq.

BOARD ACTION: Following discussion, (M)Pickard, (S)Balmain, Res. 98-252 adopted/Ayes: Unanimous.

C) Resolution Authorizing the Auditor to Make the Final Adjustments from the General Fund Designations for Unemployment and Accrued Benefits to Close Out FY 1997-98 (4/5ths Vote Required) (No Folder)

BOARD ACTION: Following discussion, (M)Pickard, (S)Balmain, Res. 98-253 adopted/Ayes: Unanimous.

B) Review and Approve the County Administrative Officer's Recommended Budget as the Proposed Budget for FY 1998-99

BOARD ACTION: Janet Hogan presented staff report and discussion was held. Board concurred with scheduling further review of the proposed budget for Monday, July 13th. The matter was continued to this afternoon for further consideration.

11:57 a.m. Lunch

1:41 p.m. Ed Johnson, Planning and Building Director;
Resolution Approving Allocation of New Planner III Position in Planning and Building Department for Economic Development, Permit Facilitating, Transportation Coordination, and/or Computer Tracking for Fiscal Year 1998/99

BOARD ACTION: Discussion was held with Ed Johnson concerning the request. Input from the public was provided by the following:

Ken Mari cited the lack of jobs and development in the County and questioned the need for adding a position and expanding government. He stated he feels appropriate zoning needs to be in place.

Jim Eskra stated he feels that economic development in government is a conflict in terms – he feels government should make it readily available for businesses to open and operate. He stated he does not understand the need to add an employee versus reassigning existing staff since there is no development occurring at the present time. He stated he feels that the permit facilitating can be done by existing employees if they will

provide better assistance with the permit process. He stated he does not feel the grant dollars should be used to hire an employee – that will generate into a larger budget for the department. He further commented on P. G. & E.'s proposal to increase their line installation rates and he feels that will stop development due to the increased costs.

Candy O'donel-Browne, President of Mariposa County Economic Development Corporation, stated she feels that the CalWORKs grant dollars could be used as a planning device for the first half of the year, and she noted that it is part of a package for the new welfare program. She stated that she feels that the Planning Department is trying to catch up on projects that should have been dealt with in the past and is overworked. She stated that she feels the County should not let the grant dollars go, but that in the end, the dollars should go to a private organization who works with Planning to make development possible.

Discussion was held relative to options for performing the work under the CalWORKs Grant, the tasks that the grant project could include, and tasks for the requested position. Board concurred with continuing this matter to Monday, July 13th.

2:34 p.m. Recess

2:44 p.m. Further consideration was given to the County Administrative Officer's recommended Budget as the Proposed Budget for FY 1998-99. Board members agreed with continuing this matter to Monday, July 13, 1998, at 9:00 a.m. for discussion, with July 20th to be calendared if additional time is necessary for this matter. It was agreed that the discussions would not include department heads at this time; that this would provide the Board members with an opportunity to ask questions of staff and pull items for further discussion and review with the Final Budget hearing in September. County Administrative Officer to review the budget for issues that have time-sensitive dates, and advise the Board accordingly.

Board Information and Announcements

- Supervisor Stewart advised that he plans to attend the Air Resources Control Board meeting at Edwards Air Force Base on July 10th.
- Supervisor Pickard advised that AB 2400 (gas tax) legislation has been resurrected as AB 473 and is scheduled for hearing before the Senate Local Government Committee on July 1st, and he advised of the process for this legislation. He further advised that the appropriations legislation for the Mineral Museum and Mariposa Creek project cleared the Conference Committee and will be forwarded to the Governor.
- Janet Hogan, County Administrative Officer, advised that Debbie Isaacs/Tax Collector's Office, was asked to serve as the nationwide coordinator for the user group for HTE and that speaks well for Mariposa County; however, Ms. Isaacs is transferring to the Auditor's Office. She further advised that she will be out of the office from June 30th to July 7th.
- Supervisor Reilly advised that a YARTS presentation will be scheduled on the Board's agenda for July 7th, and a YARTS Management Board meeting has been scheduled in August to approve the short and long-range plan. She advised that she circulated the executive summary (the whole text of the plan is available at the Planning Office) and would like any comments the Board members have for the Management Board meeting.

3:00 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Sheriff's Management Association (MSMA), Deputy Sheriff's Association (DSA), Mariposa County Managerial/Confidential Organization (MCMCO) (County Counsel)

BOARD ACTION: (M)Balmain, (S)Stewart, closed session was held/Ayes: Unanimous.

3:54 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

CONSENT AGENDA

- CA-1 Resolution Approving Agreement with David M. Griffith to Provide Professional Consulting Services in the Preparation of the County Cost Allocation Plan (\$4,450) (Auditor); Auditor to obtain additional information.
- CA-2 Resolution Authorizing Public Works to Extend Emergency Hire Position Additional 320 Hours During the Personnel Recruitment Process (Public Works); Res. 98-234
- CA-3 Resolution Approving Transfer of Unused Funds from Fixed Asset Line Item for P.C. Computer System to Publications/Legal Notices (\$500) (Personnel); Res. 98-235
- CA-4 Resolution Authorizing Chair to Sign the "Declaration of Intent" to Contract with Department of Health Services for Public Health Services for FY 1998-1999 (Public Health); Res. 98-236
- CA-5 Resolution Recommending to the State of California the Disencumbrance of Funds from Community Development Block Grant (CDBG) 96-STBG-1048 (Human Services); Res. 98-237
- CA-6 Waive Second Reading and Adopt Ordinance Rescinding Urgency Ordinance No. 933 and Adopt a General Ordinance which Restricts Water and/or Sewer Hook-ups and the Issuance of Building and Other Permits within the Yosemite West Maintenance District (County Counsel); Ord. 934
- CA-7 Resolution Authorizing Transfer of Funds from Probation Extra Help to Juvenile Hall Extra Help in the Amount of \$2,000 (Probation); Res. 98-238
- CA-8 Resolution Authorizing the Mariposa County Sealer of Weights and Measures to Sign the 1998/99 Weights and Measures Agreement P-56922 with California Department of Food and Agriculture-Division of Measurement Standards and the 1998/99 Weights and Measures Agreement W-56922 (Ag Commissioner/Sealer); Res. 98-239
- CA-9 Resolution Authorizing Chair to Sign Personal Services Agreement with Clara Mossman for Janitorial Services (Health); Res. 98-243, with modification for a four-month contract

- CA-10 Resolution Authorizing the Mariposa County Agricultural Commissioner to Sign the 1998-99 Agreement Between California Department of Food and Agriculture Egg Quality Control Program and the County of Mariposa as Well as the Drug Free Work Place Form (#98-0096) (Ag Commissioner/Sealer); Res. 98-240
- CA-11 Resolution Authorizing Chair to Sign the Section 5311 Operating Assistance Project Contract (Community Services); Res. 98-241
- CA-12 Resolution Adopting Plans and Specifications for the Mariposa Town Sidewalks on County Roads, Certify the Negative Environmental Declaration, Waive Road Improvement and Circulation Policy Requirements, and Authorize the Director of Public Works to Award the Project to the Lowest Responsible Bidder and Execute a Contract (Public Works); Res. 98-242

3:55 p.m. Adjournment in memory of Robert Hoffman, Wilmer Alcantar and Robert "Bob" Webb.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board