

# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA JULY 7, 1998

<u>Time</u>	<u>Description</u>
<b>9:03 a.m.</b>	Meeting Called to Order Pledge of Allegiance

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

- Supervisor Pickard advised that AB 473 (Gas Tax Bill) received the necessary Senate votes and will now be going to the Senate Appropriations Committee in late July or early August.

Approval of Minutes of 6/16/98 and 6/23/98 Regular Meetings  
**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)  
**BOARD ACTION:** Supervisor Parker pulled item 1. Supervisor Balmain pulled item 2 for discussion. (M)Pickard, (S)Parker, balance of items were approved/Ayes: Unanimous. Supervisor Balmain suggested that the plaque for the new Government Center be done in slate by a local person instead of using the bronze selected by the contractor. Following further discussion, (M)Balmain, (S)Pickard, Res. 98-257 adopted authorizing staff to issue a change order authorizing the plaque for the County Government Center to be done in slate instead of bronze/Ayes: Unanimous.

Discussion was held relative to the wording of the plaque for the County Government Center and the need to recognize Supervisor Taber for her involvement. Supervisor Parker advised that some consideration is being given to doing something to recognize Supervisor Taber's efforts but that nothing is firm yet.

Consent Agenda item 1 – Following discussion with Supervisor Balmain, item 1 was continued to next week for clarification of the by-laws.

Audrey Noel, Mariposa Golden Oaks Lions;  
Request Approval to Restore and Repair the Old Jail Building to Make it Accessible for Tours to be Provided

**BOARD ACTION:** Discussion was held with Audrey Noel, Mariposa Golden Oaks Lions, relative to the Lions request to restore and repair the old jail building to provide tours to the public. Audrey advised that the Lions' intent is to clean up the old jail building by accomplishing the following: washing it, cleaning around the outside, replacing the old electrical wiring though keeping it in the same location, and replacing a broken step to make the building safe for public tours. She further stated that the Lions would provide free docent guided tours to the public. (M)Parker, to coordinate with the Public Works Department. Following further discussion, (S)Pickard, will request of maker that fee be waived. Discussion was held with Steve Hayes, Visitors Bureau Director, to take care of the fee amount because this is a tourism issue and to involve Public Works. Res. 98-268 adopted approving request of Golden Oaks Lions to get the old jail building in adequate condition, waive the fee which will be covered by the Visitors Bureau, and have Public Works and Planning work with the Lions. Audrey Noel further advised that they would like to sell minimal souvenirs to go back into a revolving fund for service of the Golden Oaks Lions. County Counsel advised that the Lions will need to come back to the Board with an agreement, following their discussion with Public Works/Ayes: Unanimous.

Becky Crafts/Supervising Appraiser, appeared on behalf of Gary Estep, Assessor/Recorder;

Resolution Authorizing Change in Hours of Operation in Recording for Providing Vital or Official Record Copies from 8:00 a.m. – 5:00 p.m. to 8:00 a.m. – 4:30 p.m.

**BOARD ACTION:** Discussion was held with Becky Crafts, relative to the request. The Board expressed concerns with limiting hours to the public and advised that since this department is on a flex schedule the Assessor should be able to solve this problem and continue to accommodate the public until 5:00 p.m. (M)Pickard, (S)Balmain, to deny request/Ayes: Unanimous.

Steve Hayes, Visitors Bureau Director;

Resolution Authorizing the Chair to Sign the Agreement Extension with the Mariposa County Chamber of Commerce for Operation of the Visitor Information Centers

**BOARD ACTION:** Following discussion with Steve Hayes, Visitors Bureau Director and Jan Mennig, Chamber of Commerce, (M)Parker, to extend agreement for three months at an annual rate of \$81,295. Following further discussion, (S)Balmain, Res. 98-256 adopted approving extension agreement with a change in the amount of \$23,267.23, to be paid monthly for the months of July through September of 1998/Ayes: Unanimous.

**10:00 a.m.** Public portion of Public Hearing to Consider Possible Community Development Block Grant (CDBG) Projects for the 1998 Funding Cycle, was opened and recessed to follow action by the Mariposa County Public Finance Corporation.

**10:01 a.m.** Recess

**10:17 a.m. MARIPOSA COUNTY PUBLIC FINANCE CORPORATION**

Conduct Annual Meeting and Select Officers (Public Works)

**BOARD ACTION:** President Stewart opened meeting. Following discussion with Mike Edwards, Public Works Director, (M)Parker, (S)Balmain, to elect Supervisor Reilly as President of the Corporation with Supervisor Pickard as the Vice-President, with further direction to hold selection of officers concurrent with selection of Chair and Vice-Chair in January/Ayes: Unanimous.

**10:20 a.m.** Reconvene as Board of Supervisors

**10:20 a.m.** Ed Johnson, Planning and Building Director;

A) PUBLIC HEARING to Consider Possible Community Development Block Grant (CDBG) Projects for the 1998 Funding Cycle

**BOARD ACTION:** Ed Johnson presented staff report and responded to questions from the Board relative to possible projects and the timeline for the public to turn in applications. Public portion of the hearing was opened.

- Ruth Breton advised that she previously applied for a housing rehabilitation grant and went through the process for seven months and was then told that there were no funds available. She further stated that she feels that a housing rehabilitation grant would be beneficial to the community.

- Candy O'Donel-Browne stated that the domestic violence shelter is very small and should be looked at as a possible project.

Public portion of the hearing was closed.

Ed Johnson advised that the second hearing is scheduled for August 4, 1998. At that time he advised that he would have applications for the Board to review. Further discussion was held relative to potential projects within the County.

B) Resolution Authorizing Chair to Sign Personal Services Agreement Between the Building Department and Resource Conservation District, for a Term Extending from July 1, 1998 to June 30, 1999, and Compensation of \$13,000 to Provide Grading Inspection Services

**BOARD ACTION:** Discussion was held with Ed Johnson relative to funding for the services that the Resource Conservation District provides in addition to the possibility of future grant funding. Jerry Progner, Resource Conservation District, advised that the Environmental Protection Agency (EPA) provided the original grant but added that there would be no opportunity for future grants from that agency. He further advised that he is seeking out other grant options. Following further discussion, (M)Pickard, (S)Stewart, Res. 98-269 adopted approving the Building Department to continue agreement with the Resource Conservation District at an amount of \$13,000 until July 13, 1998 or final budget, to work out the \$5,000 shortfall with approval to authorize the Chair to execute the agreement. Further discussion was held at which time Skip Skyrud, RCD, provided a copy of a letter dated 3/29/93, signed by then Chairman Eric Erickson to the State Water Resources Control Board. He hi-lighted a specific paragraph discussing the grant in question being established as a pilot program, which, if successful, would lead to a long term program funded through permit and inspection fees/Ayes: Reilly, Stewart, Pickard; Noes: Balmain, Parker.

**11:08 a.m.** Recess

**11:20 a.m. LOCAL TRANSPORTATION COMMISSION (LTC)**

Discussion of Yosemite Area Regional Transportation Strategy (YARTS)

**BOARD ACTION:** Ed Johnson introduced Jess Brown, Director of Merced County Association of Governments (MCAG) and Bonnie Nelson, YARTS Consultant. Chair Reilly introduced Henrietta DeGroot from the Department of Transportation. Bonnie Nelson provided a presentation giving an overview of the YARTS process and the next steps. Bonnie Nelson and Jess Brown responded to questions relative to development of parking on Highways 41, 120, and 140 as well as the concerns of a parking lot being placed within the Park. Other issues addressed were the cost for riders of the proposed transit system along with the cost of moving from an MOU to a JPA. Joan Gloor, Mariposa Lodge, advised that there is a need for alternate parking as well as interim parking. Barry Brouillette asked if there was any vision on the decision process for the parking. Chair Reilly requested additional discussion be brought back before the Board prior to the YARTS meeting scheduled for 8/3/98. Chair Reilly thanked Bonnie Nelson and Jess Brown for the presentation.

**12:23 p.m.** Lunch

**2:05 p.m.** Mike Edwards, Public Works Director;

A) PUBLIC HEARING and Adopt Resolution Reaffirming the Current Fees Charged by County Service Area (CSA) and Special Districts for Water, Sewer, Standby Fees, Fire Protection and Road Maintenance Zones of Benefit

**BOARD ACTION:** Mike Edwards reviewed the current fees charged for fire protection and roads in CSA zones of benefit; sewer and water in Coulterville Service Area; sewer in Don Pedro Sewer Zone 1; and sewer charges in Mariposa Pines Sewer District. He advised that the only changes are in the Midpines Fire Zone where parcels have changed and one significant reduction for the road zone on Leichtlin Lane. He explained that Leichtlin Lane is a small zone of four parcels of which the property owners have done most of the road maintenance, allowing their fund balance to build up substantially. Mike Edwards responded to questions from the Board. Further discussion was held relative to the concern of the Coulterville Special Districts fee being too high for the businesses in that area. Supervisor Balmain asked that this concern be brought to the Coulterville

Service Area Advisory Board at a later date. Public portion of hearing was opened. No public input. Public portion of hearing was closed. (M)Pickard, (S)Stewart, Res. 98-270 adopted/Ayes: Unanimous.

B) PUBLIC HEARING Regarding the "Report of Delinquent Fees" and Confirmation by Resolution the Addition of Delinquent Fees to the Appropriate Property Tax Roll for Collection of Water and Sewer Standby Fees and Water, Sewer and Road Fees in Several County Special Districts

**BOARD ACTION:** Public portion of hearing was opened. No public input was received. Public portion of hearing was closed. Mike Edwards advised that a fax was received from one person listed on delinquent account list stating that Yosemite West is billed annually and this person anticipated having a grace period of one year, as in past years. Mike Edwards explained that in past years the county was very relaxed and have in recent years taken a more aggressive approach to collecting fees. Marty Allan/PWD Fleet-Fiscal Manager, advised that the County has collected \$65,000 in delinquent fees for last year. (M)Pickard, (S)Parker, Res. 98-271 adopted/Ayes: Unanimous.

C) PUBLIC HEARING and Adopt Resolution to Adjust Fees for Solid Waste Disposal Effective August 1, 1998

**BOARD ACTION:** Mike Edwards advised that no fee increase is necessary this year and recommended keeping the current fee in place. Discussion was held relative to the following issues: the recycling program, drop off problems due to the heavy rainfall from El Nino, and the possibility of changing the hours of the landfill. Public portion of hearing was opened. No public input. Public portion of hearing was closed. Following further discussion, Chair Reilly requested the Solid Waste Committee bring back a recommendation to the Board to include change of hours for the landfill and possibly the recycling center.

D) PUBLIC HEARING and Adopt Resolution to Reaffirm Fees Charged for Fiscal Year 1998/99 for Yosemite West Maintenance District for Sewer, Water, Roads and Standby

**BOARD ACTION:** Discussion was held with Mike Edwards relative to the request. Public portion of hearing was opened. No public input was received. Public portion of hearing was closed. (M)Pickard, (S)Stewart, Res. 98-272 adopted/Ayes: Unanimous.

Don Cripe, Agricultural Commissioner/Sealer;

Presentation of the 1997 Mariposa County Agricultural Crop Report

**BOARD ACTION:** Don Cripe provided the Board with an annual presentation informing them of the value of the agricultural production in the County and its contribution to the economy. Discussion was held relative to various crops, insects, and the effect that El Nino may have had on the 1998 crops. Chair Reilly thanked Mr. Cripe for his presentation.

2:57 p.m. Supervisor Parker was excused from the meeting.

Amend Resolution by Revising Mario Diaz's Disability Retirement

Effective Date to February 1, 1998 (County Counsel)

**BOARD ACTION:** Following discussion with Jeff Green, County Counsel, (M)Stewart, (S)Pickard, Res. 98-273 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: 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) (County Counsel)

**BOARD ACTION:** Janet Hogan, County Administrative Officer, advised it would not be necessary to hold closed session.

Board Information and Announcements

- Supervisor Balmain advised that he will be routing an article to Board members regarding Bower Cave and the theme park in Atwater.
- Supervisor Parker advised that the Lions Club's Second Annual Car Show will be held this weekend and asked that Chair Reilly select the favorite car.

**CONSENT AGENDA**

- CA-1            Appoint Rick Roesch to the Coulterville Town Planning Advisory Committee (Supervisor Balmain); Continued to 7/14/98
- CA-2            Approve Design and Layout of Dedication Plaque for the Government Center (Public Works); Res. 98-257
- CA-3            Resolution to Update the Screening Card Names for the Office of Surplus Property, California State Department of General Services (Public Works); Res. 98-258
- CA-4            **LOCAL TRANSPORTATION COMMISSION**  
Resolution Allocating State Transit Assistance (STA) Funds for the 1997-98 Fiscal Year (Planning); LTC Res. 98-4
- CA-5            Resolution Authorizing the Chair to Execute the County-State Agreement Prepared by CalTrans that will Exchange All of Mariposa County's Eligible Regional Surface Transportation Program (RSTP) Funds for State Funds (Planning); Res. 98-259
- CA-6            Resolution Approving the Road Name "Shetland Lane" (Planning); Res. 98-260
- CA-7            Resolution Authorizing Chair to Sign Personal Services Agreement with Jane Siebeneicher to Provide In Home Family Preservation Services to At Risk Families (Human Services); Res. 98-255
- CA-8            Resolution Authorizing Chair to Sign Personal Services Agreement With Jane Siebeneicher for the Independent Living Skills Training Program (Human Services); Res. 98-261
- CA-9            Resolution Authorizing Chair to Sign Agreement with Infant/Child Enrichment Services, Inc. (ICES) to Provide Child Care Capacity Building Services (Human Services); Res. 98-262
- CA-10           Resolution Authorizing Chair to Sign Agreement with Mother Lode Job Training (MLJT) to Provide Assessment Services for CalWORKs Participants (Human Services); Res. 98-263
- CA-11           Resolution Authorizing Chair to Sign Agreement with U.C. Davis for Training of Human Services Department Staff (Human Services); Res. 98-264

- CA-12 Resolution Authorizing Chair to Sign the Multi-Year Negotiated Net Amount Contract with the State of California Alcohol and Drug Programs for Provision of Services in Mariposa County for Fiscal Year 1998/99 (Human Services/Mental Health); Res. 98-254
- CA-13 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**  
Resolution Authorizing Chair to Sign Revised Annual Contributions Contract with Housing Urban Development (HUD), and Accepting Renewal Increment CA127VO 0010, and Increment CA127VO 8801, which Corresponds to Fifteen Units of Housing Rental Assistance (Human Services); HA Res. 98-7
- CA-14 Resolution Authorizing Mental Health Director to Sign a Memorandum of Understanding (MOU) with Blue Cross of California, Blue Shield of California and Health Net, to Develop Interface Protocols for Providing Services to Seriously Emotionally Disturbed Children within the Healthy Families Program (Human Services/Mental Health); Res. 98-265
- CA-15 Resolution Approving Statement of All Votes Cast as Certified to the Secretary of State on June 18, 1998, and Declare Elected Those Persons in Local Races as Set Out in the Statement (Elections); Res. 98-266
- CA-16 Resolution Appointing the Following People to the Mariposa County Central Committees Pursuant to Election Codes 7228 and 7423:
  - Democratic – Carol Davis and Ronald Mackie
  - Republican – Keith Davis, Lois Scammon, and Richard Westfall(Elections); Res. 98-267

**3:15 p.m.** Recess in memory of Laura McCann, and continue meeting to Monday, 7/13/98 for further discussion relative to the proposed budget for fiscal year 1998/99 and the Planning/Building Department request to allocate a new Planner III position.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

By: RHONDA SCHERF  
Deputy Clerk of the Board

## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA

July 13, 1998 (Continued meeting from July 7, 1998)

**9:07 a.m.** Board convened in continued session from July 7, 1998, for further discussion relative to the Proposed Budget for Fiscal Year 1998-99, and relative to the Planning/Building Department's request to allocate a new Planner III position. Ken Hawkins/Auditor and Chris Ebie/Assistant Auditor, were present to respond to questions.

Discussion was held relative to the process for reviewing the Proposed Budget. Janet Hogan, County Administrative Officer, advised of request received from the Sheriff's Department for replacement of the HVAC system in the old jail for the portion of the facility that houses computer equipment. Janet advised of information received from the Assessor relative to a projected increase in property tax revenue and stated she will bring back all revenue modifications for consideration during final budget hearings.

Discussion was held relative to the replacement of the HVAC system in the old jail. Mike Edwards, Public Works Director, responded to question from the Board relative to maintenance for the Sheriff's Department facilities. (M)Parker, (S)Balmain, Res. 98-274 adopted appropriating \$2,500 in the Sheriff's budget for replacement of the HVAC unit at the old jail facility and reducing the Fiscal Year 1998-99 General Fund Contingency by \$2,500, and authorizing purchase of said unit at this time/Ayes: Unanimous.

The following budgets were reviewed:

**General Purpose Revenue:** Janet Hogan advised that this budget will be modified during final budget hearings when more accurate revenue projections can be made.

**Board of Supervisors:** County Administrative Officer to further review the increase in the benefits line item.

Discussion was held relative to the status of the Vehicle License Fee revenue, and Janet Hogan advised that the Proposed Budget does not reflect any change by the State.

**Administration:** Board concurred with further reviewing insurance costs as a separate issue. Board concurred with further considering request for two personal computers and software. Discussion was held relative to increases in training and seminar line items in all budgets. Discussion was held relative to legislative lobbying services, and the majority of the Board members agreed with continuing to fund this line item.

**10:07 a.m.** Recess

**10:27 a.m. Audits, General Fund Contingency, Assessment Appeals:** No changes were made.

**Auditor:** Board concurred with further considering the request for the personal computer. Board concurred with holding the line items for training and seminar expenses in all budgets to the FY 1997-98 adopted budget level pending further review during final budget hearings. Janet Hogan advised that she will ask department heads to notify the Board if there is a request for increase in these lines items that is for a conference that is

scheduled to occur prior to final budget hearings. Supervisor Parker requested that the dollar amount of the requested increases be provided for further consideration.

**Treasurer/Tax Collector:** Discussion was held. County Administrative Officer to check on the Trust Fund balance and review the Fund and its uses with the Treasurer/Tax Collector.

**Assessor/Recorder:** County Administrative Officer to review the request for the funding for the historical document preservation and whether that funding could be used to offset other expenses in the budget.

**County Counsel:** No changes were made.

**Personnel:** Further review to occur during final budget hearings relative to the funding requested for the customer service training.

**County Clerk, Elections:** No changes were made.

**PWD/Facilities Maintenance:** Supervisor Balmain requested that consideration be given to increasing funding for the Coulterville Community Club facility maintenance – more detailed information to be provided. Mike Edwards, Public Works Director, provided input relative to request for funding for table replacement. Discussion was held relative to the line item for equipment under \$1,000 and listing more specific detail. Discussion was held relative to the increase requested for maintenance of the buildings – Board concurred with approving the budgeted amount for FY 1997-98 in the amount of \$61,816, with the balance to be further considered during final budget hearings.

**Visitors' Bureau:** Discussion was held relative to the recommendation to change this budget from a special revenue fund to the General Fund. Board concurred with deleting the rent line item in the amount of \$4,402, as the rent is included in the contract with the Chamber; and with deleting \$3,881 from the Chamber contract line item. Board concurred with scheduling a separate workshop with the Visitors' Bureau Director to review the details of the promotional budget. Supervisor Parker requested that the line item for the Arts Council be reviewed to determine if it includes funding that was approved as one-time funding in a previous budget.

**PWD/Surveyor-Engineer, Data Processing:** No changes were made.

**Interfund Transactions:** Discussion was held. Mike Edwards, Public Works Director, provided input relative to the shortfall in the Airport fuel system sales to meet the loan payment. Discussion was held with Mike Edwards relative to youth facilities and the skatepark facility, landscaping project for the detention facility, and the Mariposa stage improvement project. Discussion was held relative to tracking one-time funding items so that the funding does not become part of the baseline budget. More detailed information was requested for the detention facility landscaping project. Further consideration of the budget was continued to later this date.

**12:20 p.m.** Lunch

**1:41 p.m. Planning and Building:** Discussion was held with Ed Johnson, Planning and Building Director. Janet Hogan advised of the bookkeeping change reflected in this budget to show all costs for the department, with specific costs to be billed against the various functions of the department. Discussion was held relative to the request to allocate a new Planner III position. Board concurred with not changing the budget at this



time, and with further reviewing the request for the additional position following review of the Planning Department's work priorities on July 21, 1998.

**2:32 p.m.** Recess

**2:52 p.m. Interfund Transactions:** Continued discussion was held. (M)Parker, (S)Stewart, Res. 98-275 adopted increasing the General Fund balance estimate by \$70,000 and funding \$70,000 for the skatepark project; and authorization was given for said project to move forward prior to final budget hearings/Ayes: Reilly, Stewart, Parker; Noes: Balmain, Pickard.

**Grand Jury:** No changes were made.

**Indigent Defense:** Janet Hogan advised that recommendation for a contract for indigent defense work on behalf of the County will be brought to the Board on July 21<sup>st</sup>.

**District Attorney – Family Support:** Janet Hogan advised that the request for a new position with a new job classification is pending Personnel's review. The position was continued for further review during final budget hearings.

**District Attorney – Criminal:** Janet Hogan advised that the child abuse vertical prosecution grant in the amount of \$85,166 was not received and this budget will be adjusted accordingly during final budget hearings. Discussion was held relative to the request for additional positions.

**District Attorney – Victim Witness Program:** Janet Hogan advised that there will be an increase in the grant for this program.

**Sheriff-Coroner:** Further review to be given to the increase in vehicle usage expenses and whether that is related to the take-home policy.

**PWD – Administration:** Mike Edwards, Public Works Director, responded to questions relative to the upgrade in the cost accounting software. Discussion was held relative to adding an assistant public works director position and oversight of the transportation issues. Janet Hogan recommended that Public Works provide oversight for transit operations, including the VIA contract and transit services provided by Community Services Department; that Planning provide oversight for transit planning functions; and she advised that more detailed discussion could be held on July 21<sup>st</sup> relative to reorganization of Community Services. (M)Parker, (S)Balmain, Res. 98-276 adopted adding position of assistant public works director and authorizing the recruitment process to begin prior to adoption of the final budget. Motion was amended, agreeable with maker and second, to include funding for the computer equipment for said position in the amount of \$2,500, with furniture to be dealt with at a later time, if necessary. Supervisor Parker requested that further consideration be given to designating the position as an "at-will" position. Ayes: Unanimous.

**Sheriff – Boating Safety:** No changes were made.

**Sheriff – Jail:** Discussion was held relative to medical and dental expenses for inmates and whether there are options for providing the service – Board concurred with reducing the line item to \$100,000. Supervisor Reilly requested that more information be provided relative to the request for computers and software.

**Probation – Juvenile Hall, Probation:** No changes were made.

**Fire:** Board concurred with further reviewing the rents and leases of equipment line item at final budget hearings.

**Agricultural Commissioner/Sealer of Weights and Measures:** No changes were made.

**Planning & Building/Air Pollution, Local Agency Formation Commission (LAFCo):** No changes were made.

**PWD/Airport, Health, HSD/Mental Health, Human Services/Social Services, Human Services/Public Conservator:** No changes were made.

**Community Services/Veterans Services:** Janet Hogan advised that all of the Community Services budget units can be further reviewed during final budget hearings pending reorganization of the department.

**Library:** Supervisor Parker suggested that consideration be given to further reviewing the additional amount to go to the construction fund during final budget hearings.

**Farm Advisor:** Following discussion, (M)Balmain, (S)Stewart, Res. 98-277 adopted adding position of 4-H Coordinator and authorizing recruitment to begin prior to adoption of the final budget, with funding of \$11,041 to be added for position for this fiscal year, extra help to be reduced to \$3,397 and the General Fund Contingency adjusted accordingly/Ayes: Unanimous.

**PWD/Parks and Recreation:** Board concurred with funding the \$595 for this division's share of the upgrade of the accounting software for Public Works.

**4:03 p.m.** Recess

**4:18 p.m.** Janet Hogan advised of the status of the General Fund Contingency balance with the changes made thus far, and advised that review of the General Fund budgets has been completed.

Discussion was held relative to the following funds:

- Solid Waste – it was noted that with the changes in the fees that were recommended, there will be changes in this budget.
- PWD/Special Aviation – it was noted that this is grant funding that is tracked separately.
- Community Development Block Grant – it was noted that this fund is to track the grant funding.
- Water Agency – Janet Hogan noted that funds were double budgeted and a correction will be made in the final budget.
- Airport Slurry Seal – Janet Hogan advised that there is a \$32.00 issue and request will be made at final budget hearings to close out this account.
- Capital Improvement Projects – County Administrative Officer to review the status of the fund balances. Supervisor Parker suggested that consideration be given to capturing the projected savings by purchasing the used fire equipment versus the purchase of five new engines, with the savings to be added to the fire truck replacement fund.

- Data Processing – Janet Hogan advised of correction in the projected carryover balance to reflect that the funds were actually expended in FY 1997-98.
- Library – It was noted that the grant for the additional \$311,000 was not awarded to the County; however, the \$296,000 grant funding is still available for the library construction project.

**Interfund Transfers:** Continued discussion was held on this budget. Further consideration of the Community Services budget issues to be given at final budget hearings. Discussion was held relative to showing the baseline contribution, with additional funding to be shown separately, for the Road Fund – County Administrative Officer suggested that this change be considered when the road work program is brought to the Board next year for approval.

(M)Parker, (S)Stewart, Res. 98-278 adopted approving the Proposed Budget as recommended, with the following changes:

- line items for training and seminar expenses are to be held at the FY 1997-98 adopted budget level for all departments, pending further review at final budget hearings;
- \$6,920 was funded and purchase of two personal computers and software for Administration was approved prior to adoption of the final budget;
- \$2,500 was funded and purchase of a personal computer for the Auditor was approved prior to adoption of the final budget;
- \$595 was funded in PWD/Parks and Recreation for software;
- \$33,409 was deleted in PWD/Facilities budget for maintenance of buildings;
- \$4,402 was deleted in Visitors' Bureau budget for rent;
- \$3,881 was deleted in Visitors' Bureau budget for Chamber of Commerce contract;
- \$68,000 was deleted in Sheriff's budget for medical and dental expenses; and
- \$50,000 for insurance in Administration budget is to be further considered.

It was noted that the purchase of fixed assets and recruitment for new positions is not authorized pending adoption of the final budget unless specific action is taken prior to adoption of the final budget. Motion was amended, agreeable with maker and second, to include authorization for the Auditor and County Administrative Officer to make corrections to the dollar amounts as necessary to reflect actual estimated costs and to balance the budget/Ayes: Unanimous.

**5:13 p.m.** ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA JULY 14, 1998

Time                      Description  
**9:08 a.m.** Meeting Called to Order  
Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda  
- Chair Reilly announced that at its continued meeting on July 13, 1998, the Board of Supervisors adopted the proposed budget for FY 1998-99. Significant direction was given, including the funding of a 4-H Coordinator position in the Farm Advisor's Office, funding the skatepark project, approving the refilling of the assistant Public Works Director position, and the Board will move forward with final budget hearings in September.

Approval of Consent Agenda (See End of Minutes)

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

Resolution Recognizing Quinn Baranski for His Service to the County of Mariposa (District Attorney)

**BOARD ACTION:** (M)Pickard, (S)Stewart, Res. 98-279 was adopted and presented to Quinn Baranski/Ayes: Unanimous.

**9:19 a.m.** Recess

**9:31 a.m.** Mike Edwards, Public Works Director;

A) Request to Share El Nino Risk for Tech Four's General Conditions Costs for the County Government Center (\$5,200)

**BOARD ACTION:** Discussion was held with Mike Edwards, Dave Tucker/PWD-Engineer, and Sean Reeves/Tech Four, relative to Tech Four's request. It was suggested that the request be held pending completion of the project. No action was taken at this time.

C) Status Report Regarding Construction Progress for the County Government Center

**BOARD ACTION:** Report was provided by Dave Tucker/PWD-Engineer, and Craig Scott/DuPertuis-Scott Architects. Information on Change Orders 4 and 5 was also presented.

B) Resolution Approving Revised Summer 1998 Major Road Maintenance Efforts with Possible Action to Increase Project Support Needs to Expedite Project Deliveries

**BOARD ACTION:** Discussion was held with Mike Edwards and Bob Johnson, PWD-Deputy Director/Roads, relative to the revisions, including cancellation of the chip seal project for this summer. Supervisor Parker asked about the status of the sidewalk project (currently scheduled to be constructed at the end of the coming school year) and stated he feels it is important to have this project completed as soon as possible. Further discussion was continued for the following hearing to be opened.

**10:30 a.m. LOCAL TRANSPORTATION COMMISSION (LTC)**

Ed Johnson, Planning and Building Director;

PUBLIC HEARING to Consider Unmet Transit Needs for Fiscal Year 1998/99

**COMMISSION ACTION:** Hearing was opened and continued to after the following items.

Further discussion was held relative to revisions in the summer road maintenance efforts. Discussion was also held relative to the feasibility of reverting oiled roads with less traffic usage to gravel. Supervisor Balmain commented on his efforts and work with Public Works staff to obtain Proposition 204 funding to assist with road maintenance in watershed areas. (M)Pickard, (S)Parker, Res. 98-283 adopted approved the revised summer road maintenance program/Ayes: Unanimous.

**11:05 a.m.** Recess

**11:20 a.m.** D) Resolution Authorizing Chair to Sign Agreement with Joe Boland, Mariposa Junior Tennis, to Conduct Lessons and Instructions to Youth

**BOARD ACTION:** Discussion was held with Mike Edwards and Rich Begley/PWD-Recreation and Park Planner.

Input from the public was provided by the following:

Maury Varney, private tennis instructor, asked questions about the proposed contract with Joe Boland, collection of fees, and relative to insurance requirements.

Further discussion was held. (M)Pickard, (S)Reilly (who passed the gavel), to approve the contract with Joe Boland as recommended, failed by the following vote – Ayes: Reilly, Pickard; Noes: Balmain, Stewart, Parker. Further discussion was held relative to the youth tennis program. (M)Pickard, (S)Stewart, Res. 98-284 adopted allowing the existing arrangement with Joe Boland to continue as previously authorized for this season, with direction given to request Parks and Recreation Commission's recommendation on this matter/Ayes: Reilly, Stewart, Pickard; Noes: Balmain, Parker.

**11:55 a.m. LOCAL TRANSPORTATION COMMISSION (LTC)**

Ed Johnson, Planning and Building Director;

PUBLIC HEARING to Consider Unmet Transit Needs for Fiscal Year 1998/99

**COMMISSION ACTION:** Ed Johnson and Dave Walker/Planning-Transportation Specialist, presented staff report. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and Commission commenced with deliberations. (M)Balmain, (S)Parker, LTC Res. 98-5 adopted finding there are no new unmet transit needs in Mariposa County for fiscal year 1998-99/Ayes: Unanimous. Hearing was closed.

**12:02 p.m. MARIPOSA COUNTY AIR POLLUTION CONTROL DISTRICT BOARD**

Ed Johnson, Planning and Building Director;

Resolution Authorizing the Chair of the Air Pollution Control District Board to Sign the Mountain Counties Air Basin Control Council Basin Agreement

**DISTRICT BOARD ACTION:** Discussion was held with Ed Johnson and Dave Walker/Planning-Transportation Specialist. (M)Parker, (S)Pickard, APCD Res. 98-1 adopted/Ayes: Unanimous.

**12:09 p.m.** Lunch

**2:07 p.m.** Ed Johnson, Planning and Building Director;

PUBLIC HEARING to Consider General Plan/Zoning Amendment No. 95-38 and Development Agreement No. 96-1; Mack and Pam Toney, Applicants:

- Resolution Adopting a Mitigated Negative Declaration

- Waive the First Reading and Introduce an Ordinance Changing the Zoning from Mountain Home to Neighborhood Commercial-2
- Waive First Reading and Introduce an Ordinance Approving Development Agreement No. 96-1, with the Recommended Findings
- Schedule the Second Reading for the Zone Change and Development Agreement, and Adoption of General Plan Designation Amendment, Following the Signing of the Development Agreement by the Applicants

**BOARD ACTION:** Ed Johnson and Sarah Williams/Planning Manager, presented staff report, advised of revisions to the Development Agreement, and responded to questions from the Board relative to the Development Agreement. Public portion of the hearing was opened. Pam Toney, applicant, stated they were happy to be able to reach an agreement with their neighbors that they could live with. Public portion of the hearing was closed and Board commenced with deliberations. Mike Edwards, Public Works Director, responded to questions from the Board relative to the traffic count and future relocation of the encroachment. (M)Pickard, (S)Parker, Res. 98-285 adopted approving the mitigated Negative Declaration and Development Agreement/Ayes: Unanimous. (M)Pickard, (S)Parker, first reading was waived and an Ordinance introduced approving a change in the Official County Zoning Map from Mountain Home to Neighborhood Commercial-2, with the recommended findings and conditions/Ayes: Unanimous. (M)Pickard, (S)Parker, first reading was waived and an Ordinance introduced approving Development Agreement No. 96-1, with the recommended findings, and as revised this date/Ayes: Unanimous. Hearing was closed.

**2:26 p.m.** Recess

**2:34 p.m.** Consider Request from VIA Adventures, Inc., for an Amendment to the Existing Contract for Transit Services to Provide for Transportation to Summer Session Classes at Merced College

**BOARD ACTION:** Discussion was held with Steve Hayes, Visitors' Bureau Director, relative to the requested amendment. (M)Pickard, (S)Parker, Res. 98-286 adopted authorizing contract amendment with VIA Adventures, Inc., to extend the transportation services for the Merced College summer session classes to June 30, 1998, at a cost not to exceed \$2,520; approving adjustment to Visitors' Bureau FY 1997-98 budget to accommodate the amendment; authorizing contract amendment to extend the transportation services for the Merced College summer session classes to July 23, 1998; and directing the County Administrative Officer to include the additional funding of \$3,360 as a change in the FY 1998-99 budget for the final budget hearings. Further discussion was held. Ayes: Reilly, Stewart, Parker, Pickard; Noes: Balmain.

**3:11 p.m.** Recess

**3:14 p.m.** Mike Edwards, Public Works Director; Staff Presentation and Board Discussion Relative to Mariposa County's General Fund Facility Assets Maintained by the Facilities Maintenance Division of Public Works and Those Assets Maintained by Other County Departments, Current Maintenance Levels, Resources Needed to Eliminate the Large and Growing Backlog of Deferred Maintenance and Resources Needed to Avoid Deferred Maintenance

**BOARD ACTION:** Mike Edwards and Clif Price/PWD-Facility Maintenance Manager, gave the presentation and responded to questions from the Board. They reviewed changes in staffing levels over the years and advised of request for additional positions in the budget for fiscal year 1998-99. Discussion was held relative to maintenance of the facilities. Supervisor Parker requested that consideration be given to allocating costs for custodial services to the various departments in the future.

**4:07 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)Pickard, (S)Stewart, closed session to be held following the tour of the County Government Center/Ayes: Unanimous.

Mike Edwards, Public Works Director;  
Tour of the County Government Center

**BOARD ACTION:** Tour was held.

**4:57 p.m.** Board convened in closed session.

**6:08 p.m.** Board reconvened in open session. Chair Reilly announced that as a result of closed session, the Board determined to implement a three percent salary increase for appointed department heads and officials effective January 1, 1998; with a subsequent three percent salary increase to be effective January 1, 1999; and direction was given to the County Administrative Officer to bring back an item to the Board regarding salary adjustments for elected department heads. (M)Stewart, (S)Pickard, Res. 98-287 adopted implementing the salary increase as stated/Ayes: Unanimous.

#### Board Information and Announcements

- Supervisor Balmain provided a status report on efforts to obtain Proposition 204 funding for road improvements to reduce sedimentation to streams, and he advised that Public Works is preparing an agenda item for the Board's consideration. He provided a status report on efforts to amend the timber tax requirements. Janet Hogan, County Administrative Officer, advised that the matter has not been scheduled as previously directed due to the pending legislation to amend the tax requirements. Board concurred with the County Administrative Officer working with Supervisor Balmain on this matter. He further advised that a bear entered a residence on the northside over the weekend.
- Supervisor Stewart reported on the San Joaquin Air Quality Basin Policy Committee meeting he attended at Edwards Air Force Base and the search for scientific equipment to study the air quality issues in the Valley; and he advised of the tour they were given of the Air Force Base.

**INFORMATION** - No action was necessary on the following:

Inform the Board of the Results of the Bid Opening for Corrugated Galvanized Steel Pipe and Ban Couplers, Public Works Bid No. PWB 98-03 (Public Works)

#### **CONSENT AGENDA**

- CA-1 Resolution Authorizing Free Swim Days Paid by the Mariposa Children's Trust (Gertrude Taber) at the Mariposa Pool (Public Works/Parks & Recreation); Res. 98-280
- CA-2 Resolution Authorizing Chair to Sign Agreement with Infant/Child Enrichment Services (ICES) to Provide Stage One Services to CalWORKs Participants (Human Services/Social Services); Res. 98-281

- CA-3 Resolution Authorizing the Chair to Sign the 1998/99 Pesticide Application Reporting Contract #98-0081 with the Department of Pesticide Regulation (Agricultural Commissioner/Sealer); Res. 98-282
- CA-4 Appoint Rick Roesch to the Coulterville Town Planning Advisory Committee (Supervisor Balmain) (Continued from 7/7/98)

**6:30 p.m.** Adjournment in memory of Juanita Oliver and Wilma Robinson.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA JULY 21, 1998

<u>Time</u>	<u>Description</u>
<b>9:04 a.m.</b>	Meeting Called to Order Pledge of Allegiance

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

- Supervisor Balmain suggested that a meeting relative to the timber yield tax be held with the author of the legislation to amend the tax requirements versus scheduling the various departments involved to come to a Board meeting. He further stated that he would like to see the threshold of the proposed \$3,000 value raised. Board concurred.
- Supervisor Balmain asked the Board to consider County membership in the Farm Bureau versus individual membership – matter to be scheduled for further consideration.
- Chair Reilly introduced Jacque Meriam, the new County Librarian.
- Chair Reilly thanked Leota Striplin for bringing cookies for the Board meeting.
- Mike Edwards, Public Works Director, advised of request to support SB 1477 (Kopp) which would appropriate additional needed funding from the balance in the State Highway Account for the County Road System over the next three years. (M)Pickard, (S)Parker, Board waived rules requiring 72 hours agenda noticing to consider this matter finding it was not known at the time the agenda was prepared and action is required due the Assembly Transportation Committee meeting scheduled for July 27, 1998/Ayes: Unanimous. Discussion was held concerning the proposed legislation and the maintenance of effort clause. (M)Balmain, (S)Pickard, Res. 98-288 adopted supporting SB 1477. Further discussion was held relative to the maintenance of effort requirements and the status of the County's funding. Motion was amended, agreeable with maker and second, to include direction for the Public Works Director to research and clarify the maintenance of effort calculations/Ayes: Unanimous.

Approval of Minutes of 7/7/98 Regular Meeting

**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** Supervisor Stewart pulled items 5 and 6. Supervisor Parker pulled item 2. (M)Pickard, (S)Parker, balance of items were approved/Ayes: Unanimous. Mike Edwards, Public Works Director, provided input relative to item 5, and it was clarified that there are only two change orders. Following discussion, (M)Stewart, (S)Parker, items 5 and 6 were approved/Ayes: Unanimous. Item 2 will be rescheduled at a later date.

Pelk Richards/Undersheriff, advised the Board of an upcoming training session for methamphetamine and clandestine laboratories and invited the Board members and County Administrative Officer to attend.

Pelk Richards/Undersheriff, appeared on behalf of Roger Matlock, Sheriff;  
Resolution Authorizing the County Administrative Officer to Execute the Bureau of

Justice Assistance Grant

**BOARD ACTION:** Discussion was held and Pelk Richards advised that they will come back for action relative to the County's match if the grant is awarded. (M)Parker, (S)Balmain, Res. 98-294 adopted/Ayes: Unanimous.

**9:15 a.m.** Jeffrey G. Green, County Counsel;

A) PUBLIC HEARING to Discuss the Board of Supervisors Intention to Consummate the Purchase of Real Property Located at 4980 10<sup>th</sup> Street in Mariposa

**BOARD ACTION:** Jeff Green provided 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)Parker, (S)Pickard, Res. 98-295 adopted consummating the purchase of real property located at 4980 10<sup>th</sup> Street; authorizing Chair to sign escrow documents, etc., relative to the purchase; authorizing Auditor to draw a warrant for the purchase in accordance with the instructions contained in Mariposa County Resolution No. 98-251; and directing Planning staff to file a CEQA Notice of Exemption/Ayes: Unanimous. Hearing was closed.

B) Resolution Adopting Revised Class Specification for the Position of Community Services Director and Appointing Mary E. Williams to this Position Effective August 3, 1998 at an Annual Salary of \$39,590; and

C) Resolution Approving New Extra-Help Class Specification for the Position of Veterans' Services Officer at an Hourly Salary Rate Tied to Step One of the Social Worker III Salary Range

**BOARD ACTION:** (M)Parker, (S)Pickard, Res. 98-296 adopted approving revised class specification for the position of Community Services Director and appointing Mary E. Williams to this position effective August 3, 1998; and Res. 98-297 adopted approving the new extra help class specification for the position of Veterans' Services Officer as recommended. Motion was amended, agreeable with maker and second, to include designation of the Public Works Department, Parks and Recreation Division to oversee the County cemeteries. Mike Edwards, Public Works Director, provided input. Ayes: Unanimous. Chair Reilly introduced Mary Williams.

Mike Edwards, Public Works Director;

Discussion and Direction Regarding Possible Funding of a Revolving Loan Fund for County Service Area Zone of Benefit Financing

**BOARD ACTION:** Discussion was held and Mike Edwards clarified that a budget request has not been made for the funding; however, it could be considered during the final budget hearings. Board concurred with Supervisors Balmain and Parker working with Public Works Director and County Counsel to develop a specific proposal and bring it back to the Board.

Garry R. Parker, District IV Supervisor;

Discussion and Adoption of Resolution Approving Memorandum of Agreement for Designation of Emergency Medical Service (EMS) Landing Site Located at the Catheys Valley Park (Ballfield)

**BOARD ACTION:** Discussion was held. Dr. Mosher, Health Officer, provided input. Supervisor Stewart stated he did not see a problem, with ballfield area being used for emergency landings, but he does not want to lose the ballfield to a permanent landing site. Direction was given for further review of the request and for additional information to be brought back.

**10:26 a.m.** Recess

**10:40 a.m.** Public Hearing to consider draft changes to Chapter 18.02 of County Code (Surface Mining and Reclamation) was opened and continued to after the following matter.

Bob Pickard, District V Supervisor;  
Discussion and Possible Action Relative to the On-Going Road Maintenance Issues in the John Allen Flat Subdivision

**BOARD ACTION:** Supervisor Pickard advised that property owners in the area completed the maintenance on the emergency access road, and that Mrs. Moffitt agreed to the maintenance and to writing a letter to give permission to the property owners to do the maintenance on an on-going basis. He further advised that they are working to establish an informal maintenance agreement to include John Allen Flat, Woodview Lane, and the emergency access. Supervisor Parker requested that the property owners contact Mrs. Moffitt prior to performing any maintenance work on the emergency access road, and that it be clear that the County is not relieved of its responsibility to ensure that the emergency access road is maintained. Mike Edwards, Public Works Director, provided input. (M)Pickard, (S)Stewart, the Board's previous direction to Public Works to determine what maintenance needed to be done and for the County to proceed with maintenance on the emergency access road if the work was not done by the property owners and if a zone of benefit petition was not presented within a specified period of time, was rescinded; and direction was given for Mrs. Moffitt's letter to be included in the record/Ayes: Reilly, Stewart, Pickard; Noes: Parker; Abstained: Balmain. Further discussion was held. Supervisor Parker changed his "no" vote to an "aye" vote.

**11:09 a.m.** Recess

**11:16 a.m.** Ed Johnson, Planning and Building Director;  
PUBLIC HEARING to Consider Draft Changes to Chapter 18.02 of County Code (Surface Mining and Reclamation)

**BOARD ACTION:** Ed Johnson and Jay Pawlek/Senior Planner, presented staff report and responded to questions from the Board relative to the permit and fee process, and whether there is any discretion on the part of the State or County. Public portion of the hearing was opened.

Input from the public was provided by the following:

Leroy Persons, a placer miner, asked what impact these changes would have on his operation. Jay Pawlek advised that this does not change who needs to comply from what was previously required. Mr. Persons stated several agencies have requirements and fees for mining operations. Supervisor Stewart stated he felt it would be helpful if Mr. Persons could prepare a list of the agencies and licenses and fees that are involved for the mining operations for further consideration by the Board.

Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to question from the Board relative to flexibility with the minimum requirements to obtain an exemption. (M)Pickard, (S)Stewart, Board gave tentative approval of the changes and authorized submission to the State/Ayes: Reilly, Stewart, Parker, Pickard; Noes: Balmain.

**11:40 a.m. LOCAL TRANSPORTATION COMMISSION (LTC)**

Ed Johnson, Planning and Building Director;

Discussion of Yosemite Area Regional Transportation Strategy (YARTS) Progress  
**COMMISSION ACTION:** Discussion was held relative to the creation of a joint powers authority and costs, the need to cooperate with the National Park Service, the need for the bus system to be user friendly, consideration of the effect the Highway 140 construction access schedule will have on this project, and relative to the gate entrance fees to Yosemite.

**12:06 p.m.** Jeffrey G. Green, 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)  
**BOARD ACTION:** (M)Pickard, (S)Stewart, closed session to be held following lunch with Rick Bolanos/Labor Negotiator, to be present/Ayes: Unanimous.

**12:07 p.m.** Lunch

**1:07 p.m.** Closed session was held.

**3:14 p.m.** Board reconvened in open session with direction given to the Labor Negotiator as a result of closed session.

Ed Johnson, Planning and Building Director;

A) Review and Provide Direction on Planning Department Work Program Priorities

**BOARD ACTION:** Discussion was held.

Input from the public was provided by the following:

Gene Mickel stated he feels that, as business people, work needs to be prioritized, and he suggested that the list be categorized first. He stated it would be helpful if there was a way for real estate agents to know the zoning of specific parcels without having to call the Planning office.

Ken Mari questioned the need for increased staffing and stated he did not feel there was a problem with less staffing fifteen years ago. He stated he feels that government is growing and the County is not. He further stated that he feels that Public Works could take care of some things, such as all of the road issues.

Georgene Tarbox suggested prioritizing the items that will generate revenue, placing items that cost too much on a separate list for when funding is available, and placing items where the community is not ready on a separate list – that way the lists will reflect what Planning is working on and why the other items are being held in abeyance. She also suggested that more citizen input be encouraged at the planning phase for community issues.

Jerry Fischer complimented staff for their efforts on their (Yosemite Motels) projects, especially since the flood. He stated he feels some good things are happening with the department, especially when compared to other counties. He suggested looking at the list in terms of prioritizing from an economic standpoint, and perhaps obtaining EDC's input in developing the economic strength of the County. He likes the concept of devoting 80% of the effort to 20% of the list.

Candy O'Donel-Browne asked about the status of computerization, creating a Web page, etc., and she suggested that grant funding be sought out to assist with computer updates. She stated she feels the County is at a serious crossroad – we have had two bad years and pending National Park Service issues (Highway 140 construction) will cause full-time employees to become part-time, and part-time employees to work only some summer hours. She commented that her past impression is that Highway 41 businesses suffered economically when Highway 140 was closed, and this will also affect Highway 120 revenues. She stated she feels the tax base needs to be broadened.

Gene Mickel suggested that persons wishing to file a complaint should fill out a form, and was advised that this is the current practice of the department. He further suggested that computer experts in the County be contacted to see if they could provide assistance with computer issues.

**4:25 p.m.** Recess

**4:35 p.m.** Further discussion was held. Supervisor Parker stated he feels it is important to finish the process with the zoning text amendments and put zoning in place for future development. No action was taken.

B) Request to Allocate a New Planner III Position (Continued from 7/13/98)

**BOARD ACTION:** Discussion was held relative to the request for the position and pending activities, along with the CalWORKs project. Candy O'Donel-Browne, Economic Development Corporation (ECD), provided input.

Input from the public was provided by the following:

Georgene Tarbox commented on news information she heard relative to the Federal Government releasing funding to the State for job creation.

Further discussion was held. Board concurred with directing the Planning Director to work with the EDC to bring back a proposal for EDC to do the CalWORKs plan with the funding received from the State, and with using the balance of the funding allocated in the Proposed Budget for FY 1998-99 to be used for temporary extra help in the Planning Office to work on other planning issues.

Resolution Authorizing County Counsel and the County Administrative Officer to Negotiate a Contract for Indigent Defense Services with Thomas Mills, David Smothers and Dale Blea with the Actual Contract to be Brought Back for Board of Supervisors Approval (Administration)

**BOARD ACTION:** Discussion was held relative to the recommendation and proposals submitted, and the term of an agreement. Motion by Pickard to authorize negotiations as recommended for a one-year agreement, died for lack of a second. Further discussion was held.

**5:30 p.m.** Recess

**5:39 p.m.** Board concurred with continuing discussion regarding the contract for indigent defense services to August 4, 1998.

Board Information and Announcements

- Supervisor Parker requested that the Highway 140 construction access schedule be placed on the August 4<sup>th</sup> agenda for discussion.

**INFORMATION** - No action was necessary on the following:

Notice of Award of Mariposa County Fuel Contract with Bartlett Petroleum (Public Works)

### **CONSENT AGENDA**

- CA-1            Accept Resignation of Ann Gehrig from the Area 12 Agency on Aging Advisory Council (Supervisor Balmain)
- CA-2            Appoint Rita Croucher to the Mariposa County Commission on Aging as a Member-At-Large (Supervisor Stewart); Matter was continued to be rescheduled.
- CA-3            Appoint Mary Williams to the Area 12 Agency on Aging Advisory Council as a Provider (Supervisor Pickard)

- CA-4 Appoint Inez Terra to the Mariposa County Commission on Aging, Representing District IV (Supervisor Parker)
- CA-5 Resolution Approving Change Order 1 and 2 to the Contract for Installation of the Concrete Slab at the Old Jail, Public Works Number PW 97-19, and Authorize the Public Works Director to Sign the Change Orders, in the Amount of \$5,682 (Public Works); Res. 98-292
- CA-6 Resolution Authorizing Chair to Sign Amendment No. A-10 to the Multi-Year Agreement with the State of California Alcohol and Drug Programs for Fiscal Year 1997-98 (Human Services); Res. 98-293
- CA-7 Resolution Authorizing Chair to Sign Amendment to the Mountain-Valley Emergency Medical Services Agency Joint Powers Agreement (Supervisor Parker); Res. 98-289
- CA-8 Resolution Authorizing Consolidation the John C. Fremont Healthcare District Election and the Mariposa County Unified School District Election with the November 3, 1998 General Election, Pursuant to E.C. 10401; Directing County Clerk to Canvass Returns of Said Election Pursuant to E.C. 10411 and 15301; Directing County Clerk to Bill the Healthcare District and School District in Full for Costs of Services Performed in the Conduct of the Portion of the Election Relating to Each of the Districts (Elections); Res. 98-290
- CA-9 Resolution Authorizing an Encroachment Permit for the Annual Labor Day Parade and Request \$800 for the Purchase of Trophies for Parade Participants (Labor Day Parade Committee); Res. 98-291

**5:42 p.m.** Adjournment in memory of Irene Varnum, Diana Gourley, Bill Peterson, Kara Harrington, and Brandi Whitener.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

**MARIPOSA COUNTY BOARD OF SUPERVISORS**

**CONFORMED AGENDA  
JULY 28, 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 – None.

Approval of Minutes of 7/13/98 (Meeting Continued from 7/7/98 Regular Meeting)  
**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)  
**BOARD ACTION:** (M)Pickard, (S)Stewart, all items were approved/Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain.

Pelk Richards, Undersheriff, appeared on behalf of Roger Matlock, Sheriff;  
A) Resolution Authorizing the Sheriff to Use \$3,400 of the Asset Forfeiture Fund for Training of a Controlled Substance Detection Dog (4/5ths Vote Required)  
**BOARD ACTION:** Following discussion, (M)Stewart, (S)Parker, Res. 98-299 adopted/Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain.

B) Resolution Authorizing the Sheriff to Change the Graphics on Patrol Units to a New Design  
**BOARD ACTION:** Following discussion, (M)Parker, (S)Stewart, Res. 98-300 adopted/Ayes: Reilly, Stewart, Parker; Noes: Pickard; Excused: Balmain.

**9:26 a.m.** Recess

**10:16 a.m.** Resolution Approving Class Specification for Department Head Level Technical Services Director and Appoint Dennis Patrick to Fill the Position Effective August 1, 1998 at an Annual Salary of \$50,000 (Administration)  
**BOARD ACTION:** Discussion was held, and it was noted that the January 1, 1999, three percent salary increase for appointed department heads would apply to this position. (M)Pickard, (S)Stewart, Res. 98-301 adopted approving class specification for department head level Technical Services Director and appointing Dennis Patrick to fill the position effective August 1, 1998, at an annual salary of \$50,000; and the current position of Technical Services Director was eliminated/Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain.

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) (Administration)  
**BOARD ACTION:** Closed session was not held.

Board Information and Announcements

- Janet Hogan, County Administrative Officer, advised that she and Public Works Director have spoken with CSAC and Wagerman & Associates relative to the maintenance of effort issue for SB 1477, road funding. They are aware that some of the counties included extra funding in their road

budgets as a result of the flood damage, and they will try to get this issue clarified in the intent of the legislation.

- Supervisor Reilly asked about the status of the State's budget. Supervisor Pickard noted that the State's budget has affected the filing of the gas tax bill for the County with the Appropriations Committee.
- Janet Hogan advised that the RCRC and Bio-Diversity Council meetings are scheduled during the final budget hearings' schedule on August 11, 1998.

**10:30 a.m.** Tom Archer, Human Services Director;

A) PUBLIC HEARING for Comment on Grantee Performance Report on Community Services Block Grant (CDBG) 96-STBG-1018 (Health Services Project)

**BOARD ACTION:** Tom Archer presented staff report, and he advised that they are working with County Counsel to establish a contract for when the grant funding was first received. He responded to questions from the Board relative to the eligibility requirements for this program. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed. No action was necessary – the hearing process is required by the State pursuant to the grant conditions. Hearing was closed.

B) PUBLIC HEARING for Comment on Grantee Performance on Community Development Block Grant (CDBG) 96-STBG-1048 (Housing Rehabilitation for Native American Families Project)

**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. No action was necessary – the hearing process is required by State pursuant to the grant conditions. Hearing was closed.

### **CONSENT AGENDA**

- CA-1 Adopt the Following for General Plan/Zoning Amendment No. 95-38 and Development Agreement No. 96-1: Mack and Pam Toney; Applicants
- Resolution Approving an Amendment to the General Plan Pursuant to General Plan/Zoning Amendment No. 95-38; Res. 98-298
  - Waive Second Reading and Adopt an Ordinance Approving Development Agreement No. 96-1; Ord. 935
  - Waive Second Reading and Adopt an Ordinance Approving an Amendment and a Change in the Official County Zoning Map (Changing the Zoning on APN 015-060-025 from Mountain Home to Neighborhood Commercial-2) (Planning); Ord. 936

- CA-2 Accept Resignation of Jim Eutsler Upon His Retirement, Effective August 1, 1998, as the Director of the Department of Community Services (Administration)

**10:37 a.m.** Adjournment in memory of Maria Morales, Lynn Woods, James Archibald and Tony Borba

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA AUGUST 4, 1998

<u>Time</u>	<u>Description</u>
<b>9:06 a.m.</b>	Meeting Called to Order Pledge of Allegiance

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

- Herman Spranz, Commission on Aging, thanked the Board and everyone for their support of senior programs in the community. He presented a plaque to Supervisor Balmain on behalf of the Commission for his work with senior issues.
- Jim DeLucia advised that Yosemite Bank has sponsored signs, and he has a petition drive underway to obtain signatures of persons who support retaining the Mining and Mineral Museum in Mariposa County.
- Mike Edwards, Public Works Director, advised that he has an off-agenda request relative to Yosemite West Maintenance District – matter was continued to after the following item.

Resolution and Tile Plaque Recognizing Jimmie Eutsler Upon His Retirement from the Mariposa County Community Services Department (Community Services)

**BOARD ACTION:** (M)Balmain, (S)Pickard, Res. 98-302 adopted and was presented, along with the Tile Plaque, to Jimmie Eutsler/Ayes: Unanimous.

Mike Edwards advised of an off-agenda request to ratify the emergency hire of contractors to do rehabilitation work on the Yosemite West Maintenance District wastewater treatment facility and for authorization to expend additional funds from the Water Agency Fund in advance of the final budget hearings to allow the rehabilitation work to progress and be completed before the winter weather. He further advised that he would bring back a full report in two weeks. He advised that the existing funding in the Capital Improvement Project budget for wastewater projects has nearly been expended, and they anticipate needing up to \$300,000 as a loan to the District (\$200,000 was requested in the budget). (M)Pickard, (S)Stewart, Board waived rules requiring 72 hours agenda noticing to consider this matter, finding it is a matter of urgency for the work to continue and be completed prior to the winter weather/Ayes: Unanimous. Discussion was held relative to the status of the Water Agency Fund, and Supervisor Parker requested that a status report be presented on the Water Agency budget. Discussion was held relative to the rehabilitation work. (M)Pickard, (S)Balmain, the following actions were taken relative to the Yosemite West Maintenance District wastewater treatment facility:

- 1) appropriate and authorize a loan up to \$100,000 from the Water Agency Fund, with details to come back on August 18, 1998, and a progress report is to be presented on August 11, 1998 relative to the status of the rehabilitation and expenditures for the project;
- 2) Res. 98-303 adopted ratifying the hiring of force account contractors.

Further discussion was held. Ayes: Reilly, Balmain, Pickard; Noes: Stewart, Parker. Item 1 of the motion failed as it required a 4/5ths vote for the budget appropriation; and item 2 of the motion passed as it required a 3/5ths vote for the hiring of contractors. Further discussion was held. (M)Parker, (S)Balmain, Res. 98-304 adopted appropriating up to \$100,000 from General Fund Contingency to continue with the progress of the project/Ayes: Reilly, Balmain, Parker, Pickard; Noes: Stewart.

Approval of Minutes of 7/14/98 and 7/21/98 Regular Meetings

**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** (M)Parker, (S)Stewart, all items were approved/Ayes: Unanimous.

Janet Hogan, County Administrative Officer;

Resolution Authorizing County Counsel and the County Administrative Officer to Negotiate a Contract for Indigent Defense Services with Thomas Mills, David Smothers and Dale Blea with the Actual Contract to be Brought Back for Board of Supervisors Approval (Continued from 7/21/98)

**BOARD ACTION:** Janet Hogan advised that a meeting was held and the Committee reaffirms its previous recommendation; and she requested authorization to negotiate for a one-year contract, with two additional one-year renewal options by the County. It was clarified that the negotiated contract would be for level 1, 2 and 3 conflict cases. (M)Pickard, (S)Balmain, Res. 98-308 adopted approving recommendations. Jim Moffett, Chief Probation Officer, provided input relative to the Committee's recommendation and advised that it was unanimous. Judge LaRoche, Superior Court, provided input relative to this matter. Ayes: Reilly, Balmain, Stewart, Pickard; Abstained: Parker.

**9:50 a.m.** Recess

**10:05 a.m.** Garry R. Parker, District IV Supervisor and Bob Pickard, District V Supervisor; Information and Direction Relative to Request from the California State Mining and Mineral Museum Association

**BOARD ACTION:** Supervisors Parker and Pickard initiated discussion relative to the meeting with the Mining and Mineral Museum Association and their meetings in Sacramento to try to resolve the issues and to get a commitment from the State for the Museum to stay in the County.

Input was provided by the following:

Jim DeLucia asked if the petitions he is circulating to show support for retaining the Museum in Mariposa County will do any good, asked about the possibility of moving the building from the Fairgrounds to the Gloor site, asked if a full-time curator is necessary for the success of the Museum, and he asked who will pay for the proposed building at the Gloor site. Supervisor Pickard responded to his questions and urged him to continue with his petition drive – Supervisors Parker and Pickard could forward the petitions to the State.

Further discussion was continued for the following hearing to be opened and continued.

**10:28 a.m.** Public Hearing to solicit comments from the public regarding Community Development Block Grant project possibilities was opened and continued to after the following item.

Further discussion was held relative to the Mining and Mineral Museum issues.

Ed Hardy stated he feels the County still has two more shots at retaining the Museum: 1) prove stability, financing and location and reach an agreement with the State, and 2) develop the best request for proposal. He also stated that he feels the County is facing major decisions with the closure of Highway 140 for road improvements, and this Museum could help with tourism in the County in the interim.

Glenn Sutherland, President of the California State Mining and Mineral Museum, commented on the Association's position – they are a statewide association and need to do what is best for the Museum, and they have agreed with the recommendation for the Gloor site. He further advised that they have tried to reach a State/County agreement and that has not been successful. They were recently informed that the State intends to close the Museum after the summer season and turn part of it into a traveling display and issue a request for proposal. He stated the Association is looking for information from the County.

Steve Fortner stated he supports the Museum staying in the County and that he is not sure that it is in the best location; and he suggested that if the proposal for the Gloor site is not successful, that his proposed transit center location be considered.

Ed Hardy further stated that he would like to see the Board have a County person assigned the responsibility of ensuring the Museum's success.

Jim DeLucia advised of his conversation with Assemblyman George House relative to the Department of Conservation's oversight of the Museum versus the State Department of Parks and Recreation.

Further discussion was held relative to status of response from the State relative to the draft agreement that was submitted for retention of the Museum in the County, and relative to request for the State to provide \$100,000 in funding. Supervisor Pickard advised that Assemblyman House and Senator Monteith have been contacted to request a meeting with the State, and it is hoped that a response will be received soon. Ed Hardy and Glenn Sutherland provided input relative to these issues, and responded to questions from the Board relative to the actions they would like to see the Board take. Board concurred with directing Supervisors Parker and Pickard to continue to pursue a meeting with the State Department of Conservation to try to reach an amenable agreement relative to the Museum; and County Counsel suggested that the draft proposed agreement be scheduled for the Board's consideration and comments.

Ken Hawkins, Auditor;

Update Board of Supervisors Pursuant to Resolution 96-143, Linking Elected Officials to Cost-Of-Living Adjustments of the Superior Court Judge

**BOARD ACTION:** Matter was continued to later this date.

**11:11 a.m.** Recess

**11:20 a.m.** Ed Johnson, Planning and Building Director;

- PUBLIC HEARING to Solicit Comments from the Public Regarding Community Development Block Grant (CDBG) Project Possibilities
- Direct Staff to Work with Applied Development Economics (ADE) to Prepare the Necessary Application Materials for Funding a Project Associated with the Mining and Mineral Museum Relocation Effort

**BOARD ACTION:** Ed Johnson presented staff report. Public portion of the hearing was opened. Input from the public was received from the following: Barry Brouillette asked if grant dollars could be used for revolving loan funds for small businesses, and requested that this be included in consideration as a possible project. Public portion of the hearing was closed. Board commenced with deliberations. Ed Johnson and Jay Pawlek/Senior Planner, responded to questions from the Board relative to allowing for flexibility in the grant applications; and relative to the success rate of obtaining these grant funds. Steve Hayes/Visitors Bureau Director, provided input relative to the flexibility of a revolving loan fund for economic development purposes. Staff responded to additional questions from the Board relative to maximum amounts available for revolving loan funds; and consideration of previous requests from Mountain Crisis and housing rehabilitation on the northside for funding. (M)Parker, (S)Pickard, direction was given to staff to pursue an application for funding the Mining and Mineral Museum relocation effort/Ayes: Unanimous. Supervisor Reilly requested that information be provided for future consideration relative to the possibilities that exist with revolving loan funds. Hearing was closed.

Garry R. Parker, District IV Supervisor;

Discussion and Possible Action Relative to the Road Construction Access Schedule for Highway 140, Inside Yosemite National Park

**BOARD ACTION:** Bill Delaney, National Park Service; Dave Zanetell/Supervisory Highway Engineer, and Dick Gillette/Project Engineer, with Federal Highway Administration, were present for discussion. Discussion was held relative to the changes in the road construction

access schedule for Highway 140, inside Yosemite National Park, release of the draft press release, and economic impacts on the businesses and the County, tourist traffic, and employees. Bill Delaney reviewed the project, its history, and the request for proposal process and results. He advised that a three-year project with a morning, noon, and evening access schedule was not economically feasible. Bill Delaney advised that they inadvertently left the Easter holiday out of the access schedule and will try to work that back in.

Input from the public was provided by the following:

Mark Dagger, El Portal, stated he feels the construction access schedule is uncaring with regards to the travel schedules for the employees, and he asked if additional time could be given for access while the equipment is being warmed-up and cooled-down at the beginning and end of each work shift. He was advised that the warm-up and cool-down of the equipment would occur during the access hours so that actual construction work would occur during the entire work shift.

An employee at The Ahwahnee asked what impacts the construction would have on their regular travel time during the access hours. Dave Zanetell stated he feels travel time through the construction area will take three times longer.

Lisa Edelheit, SEIU, expressed concern with access for employee travel and asked if there could be a separate lane for employees so that they can convoy ahead of the tourist traffic for work in the Park. She suggested that Foresta Road be developed as an alternative access even if only for one-way traffic – stated she feels all projects of this type should include alternative access. She expressed concern with employees that need to work until 11:00 p.m. and would be required to drive the long way around as they would miss the access schedule. Dave Zanetell advised of their consideration of these issues and of their need to leave the road in a safe travel condition for each access period.

Another employee in the Park asked about consideration of a shuttle bus for employee travel, and was advised that the same safety issues exist for access.

Dick Gillette commented on the difficulty with the blasting and construction of a retaining wall construction along the River that is involved in this project.

Further discussion was held with the Board relative to the access schedule.

Barry Brouillette, Yosemite Motels, stated he has sympathy for those trying to do a job. He referred to their potential revenue loss as a result of this project and reminded everyone that this follows on the tail of the Park closure due to the Federal budget delay and due to the flooding – the impact with the construction access schedule is cumulative for the businesses. He further stated that the Valley Implementation Plan does not address the economic impacts outside of Yosemite. He stated he feels an economic impact analysis should be requested to determine if it would be less of an impact for the Federal government to pick up the costs for a three-year construction project versus the economic impact to the businesses. He requested that the press release be held pending this analysis.

Ruth Sellers asked if it would be better to improve Foresta Road for employee travel. Supervisors Reilly and Stewart advised of the Board's tour of Foresta Road to review its condition, and they advised that there are significant issues involved for improving Foresta Road.

An employee in the Park asked if anyone involved in the construction business participated in the tour, and was advised that the County's Public Works Director was present.

Another employee asked if the weather is good and the project is completed ahead of schedule if the road would be opened sooner. Supervisor Reilly advised that they are working on an information system whereby people could know the status of the access schedule.

Diane Mueller of El Portal asked whether employees would be able to park and stay in their vehicles overnight when they miss the evening access period. Bill Delaney advised that they are working on these types of issues.

Dana Walton, community representative for Congressman Radanovich, advised that the Congressman is aware of the pending issues and his office is in consultation with the Park Service and is waiting for direction from this Board to go forward. He advised that the Congressman would like to know if the economic impact study was done again after the changes

in the pending process. Bill Delaney advised that the economic impact study was done for the original project and it was felt that these changes do not void that study.

Lisa Edelheit stated she feels there should be an additional economic impact study, and she asked how many local residents would be hired for the construction project. Supervisor Reilly commented on the need to establish a system for local employees who lose their jobs in other areas due to the construction project to be hired for the construction positions.

Barry Brouillette referred to the YARTS economic analysis discussed on Monday, and stated he feels these construction workers will be like day-use visitors to the Park. He reiterated his request for an economic analysis to determine whether the County is losing dollars for the Federal government to save dollars.

Steve Hayes, Visitors Bureau Director, noted the access schedule for this construction project will have an affect on the entire Yosemite Region. He suggested that consideration be given to forming a liaison with other counties relative to the impacts on tourism as services are affected. He referred to statistics on the affect the tourism industry has on the County.

Following discussion, (M)Parker, (S)Stewart, Board requested the following:

- that an economic analysis be conducted based on the changes that have been made;
- that the press release be held until the economic analysis is complete and issues are resolved;
- that the Park Service reinstate the shoulder time periods for access in mid-October and mid-April;
- that the Park Service seek additional funding to address the economic impacts to the County;
- that the Park Service address the access concerns of individuals that work inside the Park, especially the need for night access; and
- that the Board be kept fully informed and be involved in addressing the access schedule issues.

Following further discussion, motion was amended, agreeable with maker and second, to include direction for the Chair to sign letters to Superintendent Stan Albright, Congressman George Radanovich, Senator Barbara Boxer, Senator Dianne Feinstein, and others as appropriate/Ayes: Unanimous.

Mike Edwards, Public Works Director;

A) Resolution Requesting Approval of the Local Enforcement Agency and the California Integrated Waste Management Board to Change the Public Operating Hours of the Mariposa County Landfill and Recycling Center

**BOARD ACTION:** Matter was continued to be rescheduled.

B) Resolution Authorizing the Mariposa County Resource Conservation District to Prepare a Proposition 204 Delta Tributary Watershed Program (Phase II) Grant Application on Behalf of Mariposa County

**BOARD ACTION:** (M)Pickard, (S)Balmain, Res. 98-309 adopted/Ayes: Unanimous.

Ken Hawkins, Auditor;

Update Board of Supervisors Pursuant to Resolution 96-143, Linking Elected Officials to Cost-Of-Living Adjustments of the Superior Court Judge

**BOARD ACTION:** Matter was continued to August 18, 1998.

**12:52 p.m.** Lunch

**2:08 p.m.** Ed Johnson, Planning and Building Director;

PUBLIC HEARING to Consider the Industrial/Commercial Zone Code Revisions (General Plan/Zoning Amendment No. 97-1)

**BOARD ACTION:** Ed Johnson presented staff report and reviewed the revisions to the draft document. Ed Johnson and Jay Pawlek, Senior Planner, responded to questions from the Board relative to the square footage for outdoor storage use – the 1,000 square footage was corrected to reflect 2,000 square feet; relative to the underground utility section – it was corrected to exclude primary versus secondary utility lines; and relative to permitted and conditional uses for Resort Commercial (CR) zoning.

Public portion of the hearing was opened for comments of a general nature, and the following input from the public was provided:

Don Starchman asked about the revisions and definition of mobile home park with regards to compliance with the State statutes. Jay Pawlek advised that staff is reviewing this issue and will bring information back to the Board. Ed Johnson advised that the revisions being considered today are to the Zone Code and they will bring back the revisions to the General Plan. Don Starchman noted that the Seastrom batch plant on the northside is a permitted use, but if they change their zoning under the proposal, their use would become a conditional use. He asked if both applications could be processed together under the open window period application process. He further stated he believes that the existing sawmill operations may be in the same “catch 22” position. Ed Johnson advised that they can work on this issue in the rezoning process. Don Starchman further asked about the town planning areas (TPAs), especially Catheys Valley – by expanding use in the TPA, he asked if there would be more intense, concentrated uses, and restrictions on residences resulting in smaller TPAs and if the rest of the area would be rezoned back to Mountain Home. Ed Johnson commented on the processes and advised that areas could be rezoned to TPA 2. Staff responded to questions from the Board relative to the TPA issues.

Steve Fortner asked if the TPA 1, with revisions, will allow existing conditional uses to become permitted uses. Staff advised that there would be a staff discretionary review versus a hearing by the Planning Commission under the proposal.

Donald Rowe, property owner in the Mariposa TPA, asked how the zoning can be changed and whether there is anything in this document that changes zoning in the Mariposa TPA. Staff advised that there is not anything in this document that changes zoning.

Bart Brown advised that a firm called Planning Concepts reviewed the document, and he read their letter into the record. He requested that the Board defer action until a full environmental impact report (EIR) is prepared.

Robert Schmelzer read his letter into the record and stated industry does not always produce more revenue in taxes than costs to a community.

Ruth Sellers stated that in reviewing the recommendations and revisions in the current document, she feels it has deteriorated. She referenced the changes in the minimum parcel size from when the open window period application process began – 40 acres was proposed at that time and today smaller parcels are being proposed. She feels that this will compete with rural home industry, and anyone with five acres would be eligible for commercial zoning under the current proposal. She feels there should be a minimum of 20 acres for commercial and 40 acres for light industrial uses, and that an EIR should be required. She noted that in reviewing the Mariposa TPA there are 180 acres zoned for commercial and light industrial uses.

Mary Lou Tiner stated she would like to see 20 acre minimum parcel size maintained for the General Commercial (CG) zone, and she would like to see the 20 acre minimum parcel size retained for the Business Park (BP) zone. She feels that if the proposed revisions are adopted, that it will result in small parcels all over the County being used for commercial and light industrial operations and that will destroy tourism. She feels these types of uses should be concentrated. She also noted that with the new UC Merced, there will be more need for residential areas.

Don Starchman stated he feels the Board is headed in the right direction with the document, but he prefers not to see so many conditional uses. He stated that if a job is being created, he feels there are different requirements and processes to protect everyone in the County. He further stated that if someone builds a big barn or an ugly house, it only requires a

building permit. Don responded to questions from the Board relative to his feelings on the proposed thresholds in the original document, and relative to the environmental review process for a project.

Jeff Green, County Counsel, responded to questions from the Board relative to the environmental review process for this document.

Don Starchman noted that with regards to information provided by Ruth Sellers on the amount of property that is currently available for commercial and light industrial uses, that much of the property is not really available due to CalTrans' encroachment requirements and property owners that are not willing to develop their parcels – this property is like “fools gold.”

Staff responded to additional questions from the Board relative to the environmental review process for this document.

Robert Schmelzer stated he feels that CEQA requires environmental review for any changes made in the General Plan.

Discussion was held relative to the hearing schedule and Board member commitments, and it was agreed that the hearing would be continued for the full Board to be present.

**3:27 p.m.** Recess

**3:47 p.m.** Supervisor Balmain initiated discussion relative to the appeal process and requested that the revisions be considered separately from this process to expedite changes to allow an appellant to appeal directly to the Board of Supervisors versus the current process of appealing a Planning Director's decision to the Planning Commission first. Jeff Green advised that the public portion of the hearing could be opened to receive comments on this particular issue, and then the Board could take action to give direction to staff. No further noticing would be required and this issue would not need to be sent back to the Planning Commission for further review.

Public portion of the hearing was opened and input provided by the following on the appeal process issue:

Ruth Sellers asked if an appellant would have the option to appeal to the Planning Commission if they appealed to the Board first. Staff advised that they would not have the option.

Steve Fortner stated he felt that if an applicant was doing a project that is less controversial, he would have three processes available for appeal – the Planning Director, Planning Commission and the Board of Supervisors; and it does not seem fair that a major project would only have one process available for appeal – the Board of Supervisors.

Bart Brown stated he likes the current process of appeals being submitted to the Planning Commission first.

(M)Balmain, (S)Parker, direction was given to staff to bring back a language change for the appeal process to allow appeals to be submitted directly to the Board of Supervisors/Ayes: Balmain, Stewart, Parker; Noes: Reilly, Pickard.

Public hearing was continued to August 11, 1998, at 2:00 p.m.

**Board Information and Announcements:**

- Janet Hogan, County Administrative Officer, had the Board members practice peeling apples for the upcoming apple peeling contest at the County Fair.

**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) (Administration)

**BOARD ACTION:** Closed Session wasn't held.

**INFORMATION** - No action was necessary on the following:

Update Regarding Solid Waste Collection Franchises (Administration)

**CONSENT AGENDA**

- CA-1 Resolution Authorizing the Chair to Sign a Letter of Support to the Mariposa Youth Sports Association Regarding the Skate Park Project (Administration); Res. 98-305
- CA-2 Resolution Authorizing Chair to Sign an Order of the Board to Reject Claim No. C98-12 in the Amount of \$10,000 (County Counsel); Res. 98-306
- CA-3 Resolution Authorizing the Chair to Sign the 1998/99 Nursery Inspection Agreement No. 98-0203 with the Department of Food and Agriculture (Agricultural Commissioner/Sealer); Res. 98-307

**4:12 p.m.** Adjournment in memory of Cindy Roe.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA AUGUST 11, 1998

Time                      Description  
**9:03 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

- Pelk Richards, Undersheriff, advised of an off-agenda item that he will present with the Sheriff's item later this morning.
- Ed Johnson, Planning and Building Director, discussed coordination of the UC Merced tour with the Planning Commission and Merced County staff to review the new timelines for the project and to tour the site. Further discussion to be held later this date.
- Supervisor Parker advised of a meeting that he and Supervisor Pickard attended with the following present relative to the Mining and Mineral Museum: Doug Wheeler/California Resources Secretary, and Pat Meehan/Assistant Director of the California Department of Conservation, Ed Hardy, Herb and Joan Gloor, Glenn Sutherland/State Mining and Mineral Museum Association, Steve Hayes/Visitors' Bureau Director, Janet Hogan/County Administrative Officer, and Jeff Green, County Counsel. Supervisor Parker thanked Ed Hardy for his efforts in arranging the meeting. Doug Wheeler was able to visit the Gloor site. Discussion was held relative to this pending issues, participation by the County and the State, status of the \$50,000 requested in the State's budget, funding opportunities and relative to pursuing private sector funding. Jeff Green, County Counsel, stated that as a result of the meeting he feels there is a commitment on the part of the State to not go through the request for proposal process and to not close the Museum to give the County an opportunity to put together a program to retain the Museum. He further advised that it does not appear that the State will fund any portion of the Museum other than the \$50,000 requested in the pending budget.

Approval of Minutes of 7/28/98 Regular Meeting

**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** Supervisor Balmain pulled item 4 – action was taken later this date.

(M)Parker, (S)Balmain, balance of items were approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Pelk Richards advised of an off-agenda request to accept the Office of Community Oriented Policing Services (COPS) grant. (M)Parker, (S)Balmain, Board waived rules requiring 72 hours agenda noticing to consider this request finding that action is necessary prior to the next meeting/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Discussion was held and Pelk advised that the County's match was reduced to ten percent. He advised that he will meet with the Criminal Justice members and the County Administrative Officer and bring back a recommendation for allocation of the County's match during the final budget hearings. (M)Parker, (S)Balmain, Res. 98-313 adopted authorizing Chair to sign the COPS grant.

Roger Matlock, Sheriff;  
Resolution Awarding the Bid for the Purchase and Construction of the New Boating and Safety Patrol Vessel and Tandem Axle Trailer for the Sheriff's Department to the Low Bidder, Jetcraft of Oregon, Inc.

**BOARD ACTION:** Following discussion, (M)Parker, (S)Stewart, Res. 98-314 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Janet Bibby/DA-Paralegal, appeared on behalf of Christine Johnson, District Attorney;  
Resolution Authorizing Transfer of \$2,000 from Salary Line Item to Publication/Legal Notice Line Item, Utilizing Salary Savings for Anticipated Advertising Costs Associated with Vacant Deputy District Attorney Position

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Stewart, Res. 98-315 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Jeffrey G. Green, County Counsel;  
Resolution Amending the Employee Association Schedule for the Treasurer-Tax Collector/County Clerk-Public Administrator's Department by Eliminating One Senior Office Assistant Position and Adding One Account Clerk II Position

**BOARD ACTION:** Following discussion, (M)Stewart, (S)Parker, Res. 98-316 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Janet Hogan, County Administrative Officer;  
Consider Request from John C. Fremont Healthcare District for an Advance from Proceeds from the First Installment of 1998-99 Property Tax Collections

**BOARD ACTION:** Discussion was held. Claire Kuczkowski, Healthcare District Administrator, and Sherry Gamble, Healthcare District Board Chair, were present and provided input relative to their request. (M)Parker, (S)Stewart, Res. 98-317 adopted approving \$230,000 advance from proceeds from the first installment of 1998-99 property tax collections, with the interest to be equal to what the money would have earned for the County/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

### **9:34 a.m. LOCAL TRANSPORTATION COMMISSION (LTC)**

Ed Johnson, Planning and Building Director;

Resolution Approving 1998-99 Overall Work Program for Transportation Planning

**COMMISSION ACTION:** Discussion was held. Supervisor Stewart requested that consideration be given to gathering information for an inventory of major collector private roads in the County. (M)Parker, (S)Stewart, LTC Res. 98-6 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

### **9:39 a.m. Blaine Shultz, Fire Chief;**

A) Resolution Authorizing the Fire Department to Acquire Two Surplus Sheriff's Department Blazers for Use as Medical Response Squads for Greeley Hill and Midpines

**BOARD ACTION:** Discussion was held concerning the request, and whether this would become a policy to commit to replacement of these vehicles. Janet Hogan, County Administrative Officer, recommended that the replacement rate be dropped from the vehicle mileage charges for these vehicles. Discussion was held relative to paint colors – white versus red, etc., for fire engines and emergency vehicles. (M)Balmain, (S)Stewart, Res. 98-318 adopted, with the replacement rate to be dropped from the mileage charge for these vehicles/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Blaine Shultz advised that the Kern County Fire Chief visited and reviewed our County's fleet and commended Public Works for maintaining our older equipment. They are working on putting together the acquisition package for the equipment.

B) Resolution Authorizing the Fire Department to Establish the Community Emergency Response Team Allowing Members of the Community Wishing to Serve in Non-Fire Fighting Activities to Support the County During Disasters and Participate in Various Fire Prevention Programs

**BOARD ACTION:** Discussion was held. Jeff Green, County Counsel, stated he feels more information needs to be provided for a full program if the Board wishes to pursue this matter. Board concurred with the additional information being provided for further consideration.

**10:07 a.m.** Recess

**10:19 a.m. BOARD OF SUPERVISORS and MARIPOSA COUNTY WATER AGENCY**

Mike Edwards, Public Works Director;

Yosemite West Maintenance District Wastewater Treatment Facility Status Report, Ratify Public Works' Hire of Contract Labor and Equipment as Necessary, Approve Loan of Up to \$300,000 from County Water Agency and Approve Additional Extra-Help Allocation for Interim Project Work (4/5ths Vote Required)

**BOARD ACTION AND AGENCY ACTION:** Mike Edwards advised that \$373,000 is the revised estimated cost for phases 1 and 2 of the project, and that \$323,000 is the revised request for Water Agency funds. Discussion was held relative to the request for a loan and the Proposition 218 process to assess a fee to repay the loan. Dave Tucker/PWD-Engineer, provided input relative to the project. Staff clarified that the extra help funding is calculated in the project costs. (M)Stewart, (S)Balmain,

1) Board Res. 98-319 adopted:

- reversing the previous budget action to appropriate \$100,000 from the General Fund Contingency for this project;
- ratifying Public Works' hire of contract labor and equipment as necessary; and
- approving additional extra help allocation for the interim project work; and

2) Water Agency Res. 98-2 adopted:

- Directing Public Works Director, County Administrative Officer, and Auditor to prepare the necessary paperwork for final approval during the final budget hearings for a temporary loan up to \$323,000 from the Water Agency Fund, with direction that other sources of financing for the project be investigated, and with the understanding that Public Works has the authority to proceed with the project in interim within this budget/

Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Consent Agenda item 4 – Following discussion, (M)Balmain, (S)Stewart, item 4 was approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

**10:55 a.m.** Further discussion was held with Ed Johnson relative to scheduling the tour of the UC Merced site – final arrangements to be made later this date.

Consider Canceling Regular Board of Supervisors Meeting of August 25, 1998; Rescheduling Public Hearings for the FY 1998-99 Budget to Begin on September 8, 1998 with no Other Agenda Items to be Scheduled for September 8, 1998 (Administration)

**BOARD ACTION:** Following discussion, (M)Parker, (S)Balmain, Res. 98-321 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

**11:03 a.m.** Janet Hogan, County Administrative Officer;

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

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)Balmain, closed session was held for the above-referenced matters, with direction given for the Board to recess for lunch at the conclusion of the closed session/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

**11:44 a.m.** Lunch

**2:06 p.m.** Chair Reilly announced that direction was given to staff as a result of the closed session.

Ed Johnson advised that the UC Merced tour has been scheduled for Friday, August 21, 1998, and that the Planning Commissioners will also attend.

Ed Johnson, Planning and Building Director;  
PUBLIC HEARING to Consider the Industrial/Commercial Zone Code Revisions (General Plan/Zoning Amendment No. 97-1) (Continued from 8/4/98)

**BOARD ACTION:** Ed Johnson provided some examples of the zoning process under the proposed procedures for specific types of parcels, and he presented the concept of having an option to overlay a portion of a parcel for permitted uses, with the balance of the parcel for conditional uses. Ed Johnson and Jay Pawlek/Senior Planner, responded to questions relative to the proposed concept, and environmental review processes and costs.

Input from the public was provided by the following:

Steve Fortner asked about environment review processes and costs.

Kay Mickel asked about environmental review costs for developing a ten-acre parcel and using two to three acres of the parcel for a business and going through the subdivision process. She stated she wasn't sure if the overlay concept would work for parcels where business uses were being expanded.

Shirley Schmelzer asked if the setback requirements would apply with the overlay concept, and expressed concern with incremental planning.

Steve Fortner commented that the environmental review is too costly with the current process.

Further discussion was held. Board concurred with looking at the overlay concept and with staff bringing back policy issues and details. Supervisor Reilly advised of requests she has received from citizens to schedule evening meetings and to notice when zones or specific subject areas will be reviewed. Discussion was held. Jeff Green, County Counsel, requested authority to retain services of a law firm that specializes in CEQA to review the proposed amendments and follow the process to advise the Board with regards to environmental review requirements – Board concurred with this request. Jeff Green also suggested that the public be invited to submit written letters or comments on amendments and that a specific time and date be scheduled to discuss whatever is received. Supervisor Reilly commented that the community advisory committees may also want to have time to review the proposed amendments.

Kay Mickel commended the Board for moving forward, and she stated that she felt the County should have someone in government who is proactive and encourages businesses to locate here.

Steve Fortner stated he feels the Planning staff does well with encouraging businesses; however, Title 17 regulations do not allow this as the regulations are out of date.

Further discussion was held with regards to the timelines for this process. Ed Johnson advised that he hopes the Board can address and resolve pending details next week and give staff direction to prepare a final document for review by County Counsel and the environmental consultant. At the same time, the Planning Commission can review the Open Window Period applications in light of the new concepts. Jeff Green advised that he will come back with a funding request for the environmental consultant during the final budget hearings. Supervisor

Balmain asked about the status of processing the appeal issue, and was advised that staff is working on this issue.

Public Hearing was continued to August 18, 1998, at 2:00 p.m.

#### Board Information and Announcements

- Janet Hogan, County Administrative Officer, reminded the Board members to practice their apple peeling skills at the office following the meeting so that they will be prepared for the contest at the County Fair.
- Janet Hogan advised that with regards to the addition of the permanent 4-H Youth Coordinator position and the dollars discussed, that the Farm Advisor prefers to implement the position in January, 1999.

#### **INFORMATION** - No action was necessary on the following:

Notice of Bid Opening on August 20, 1998 at 2:00 p.m. for the 1998 Asphalt Concrete Overlay and Placement at Various Locations Program, Public Works Project Number PW 97-25 (Public Works)

#### **CONSENT AGENDA**

- CA-1 Resolution Authorizing Chair to Sign the 1998/99 Detection Trapping Contract No. 98-0043 (Ag Commissioner/Sealer); Res. 98-310
- CA-2 Resolution Authorizing Agreement with David M. Griffith to Provide Professional Consulting Services in the Preparation of the County Cost Allocation Plan at a Cost of \$4,450 for the 1998-99 Fiscal Year (Auditor); Res. 98-311
- CA-3 Resolution Approving Landscaping Plan for the New Government Center (Public Works); Res. 98-312
- CA-4 Resolution Authorizing Change Order for Telephone Equipment for the New Government Center with Sierra Tel Business Center (Public Works); Res. 98-320

**3:32 p.m.** Adjournment in memory of William Rowland.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA AUGUST 18, 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

- Pelk Richards, Fair Board Member, reminded the Board members of the upcoming apple peeling contest at the County Fair and advised that their members have been practicing.
- Kathy Delaney, representing the Youth Sports Association and Skate Park Committee, presented a letter of thanks for the Board's support of the skate park project, and the youth gave a demonstration of skateboard techniques.

Approval of Minutes of 8/4/98 Regular Meeting

**BOARD ACTION:** Minutes were continued to 9/1/98 for approval.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** Jeff Green, County Counsel, pulled items 1 and 6. Supervisor Parker pulled item 4. Action was taken later this date on these items. (M)Stewart, (S)Pickard, balance of items were approved/Ayes: Unanimous.

Roger Matlock, Sheriff;

Resolution Waiving the Hiring Freeze and Allowing a Sergeant and Captain Position to be Filled

**BOARD ACTION:** Following discussion, (M)Parker, (S)Balmain, Res. 98-324 adopted, with action effective immediately/Ayes: Unanimous.

Gary Estep, Assessor/Recorder;

Resolution Authorizing the Closure of the Northside Assessor-Recorder Office

**BOARD ACTION:** Discussion was held relative to the requested action. Supervisor Balmain requested that the matter be continued to allow for the Assessor to hold a community meeting to be held on the northside to explain the requested action to the citizens.

Input was provided by the following:

Joan Tune stated she agreed with Supervisor Balmain's request, and she requested that cost information be shared at the meeting for making this change versus keeping the existing office arrangement. She also noted that it is quite a distance for Buck Meadows residents to drive to Mariposa for services, and that service to the public is important.

Sally Punte, Lake Don Pedro resident, advised that when she was a member of the Board, there was a survey of the northside office services, and she feels things were working well. She requested that percentage information be provided that was asked for by Scott Godfrey. Supervisor Balmain advised that the Assessor would be able to provide the requested information.

Pelk Richards, Undersheriff, advised that the Sheriff is opening an office in Greeley Hill to be staffed by volunteers and that office could provide an additional resource for other County departments and they could assist with transporting documents to the northside.

Board concurred with continuing this matter until after the community meeting on the northside.

**9:40 a.m.** Larry Salinas, Public Affairs Manager for PG & E;  
Presentation Relative to Opposing Proposition 9 (Initiative to Stop Deregulation of Utility Taxes)

**BOARD ACTION:** Discussion was held with Larry Salinas. Matter was continued to September 1, 1998, for additional information to be provided, along with the actual proposition language.

**10:24 a.m.** Recess

**10:35 a.m.** Ken Hawkins, Auditor;

Update Board of Supervisors Pursuant to Resolution 96-143, Linking Elected Officials to Cost-of-Living Adjustments of the Superior Court Judge (Continued from 8/4/98)

**BOARD ACTION:** Discussion was held and it was noted that no raises for the Superior Court Judges have been received; however, there is legislation pending to provide a raise effective January 1, 1999. (M)Parker, (S)Pickard, to provide a three percent raise effective July 1, 1998, and a three percent raise effective January 1, 1999, to the elected department heads, with the Board members to be excluded, failed by the following vote – Ayes: Balmain, Parker; Noes: Reilly, Stewart, Pickard. (M)Pickard, (S)Stewart, Res. 98-325 adopted granting a three percent raise effective January 1, 1998, and a three percent raise effective January 1, 1999, to the elected department heads, with the Board members to be excluded/Ayes: Reilly, Stewart, Pickard; Noes: Balmain, Parker. Motion by Reilly (who passed the gavel) to make the same cost-of-living adjustment for the Board members, died for lack of a second. Ken Hawkins commented on the workload for Supervisors in counties where there are no cities; and he thanked the Board for the increase on behalf of the elected department heads.

**10:55 a.m.** Mike Edwards, Public Works Director;

A) Status of Mariposa-Yosemite Airport Construction Project and Direction from the Board on Unfunded Items

**BOARD ACTION:** Discussion was held with Mike Edwards and Gwen Foster/PWD-Engineer, relative to the status of the project and options in the construction project and the status of funding. Mike Edwards also advised of the need to provide a match for the contingency amount of the grant. Board concurred with further considering funding of the recommended options during the Final Budget hearings.

B) Resolution Requesting Approval of the Local Enforcement Agency and the California Integrated Waste Management Board to Change the Public Operating Hours of the Mariposa County Landfill and Recycling Center (Continued from 8/4/98)

**BOARD ACTION:** Discussion was held relative to the operating hours and the recycling center hours, and relative to making the recycling center more user friendly. Fred Youngren, Total Waste Systems, commented on the peak periods of use of the recycling center. Discussion was also held relative to being able to make changes without impacting the tipping fee. (M)Parker, (S)Stewart, Res. 98-326 adopted approving the proposed operating hours of 7:00 a.m. to 4:00 p.m. on weekdays, 8:00 a.m. to 4:00 p.m. on weekends, and being closed on Wednesdays, for the landfill and the recycling center; and that the additional cost of \$20,441 be taken from the Solid Waste Contingency/Ayes: Unanimous. Supervisor Stewart asked about the possibility of changing the hours for the Hornitos transfer station to address requests received from the community – Mike Edwards advised that they will review this matter.

**12:05 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) (Administration)

**BOARD ACTION:** (M)Balmain, (S)Stewart, closed session was held with Rick Bolanos, Labor Negotiator, to be present/Ayes: Unanimous.

**12:15 p.m.** Board reconvened in open session with direction given to staff as a result of closed session.

CLOSED SESSION Regarding Conference with Legal Counsel Relative to Anticipated Litigation with Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 549056.9 (County Counsel)

**BOARD ACTION:** (M)Stewart, (S)Balmain, following lunch break, Board to convene in closed session at 1:30 p.m., with Mike Edwards, Public Works Director, and Tom Starling, PWD-Solid Waste Coordinator, to be present/Ayes: Unanimous.

**12:16 p.m.** Lunch

**1:37 p.m.** Board convened in closed session.

**2:12 p.m.** Board reconvened in open session with direction given to staff as a result of closed session.

Ed Johnson, Planning and Building Director;

Continued PUBLIC HEARING to Consider the Industrial/Commercial Zone Code Revisions (General Plan/Zoning Amendment No. 97-1) (Continued from 8/11/98)

**BOARD ACTION:** Ed Johnson presented information on the overlay concept – zone 1 would be for conditional uses, and zone 2 would be for permitted uses for each zone classification. As a framework for discussion during this portion of the hearing, he proposed reviewing how this concept would apply in general to the rest of the ordinance and to each zone, and that the development standards be reviewed after each zone – Board concurred. Ed Johnson and Jay Pawlek/Senior Planner, responded to questions from the Board relative to permitted uses and whether open space could be included in the 1 zones.

**Special Use (SU) Zone:**

Ed Johnson reviewed the SU zone and advised that no overlay is proposed for this zone. Public input was provided by the following:

Bart Brown asked if this zone provides for a minimum size if the 20 acre minimum parcel size could be reduced if approved by the Planning Commission, and he expressed concern with allowing heavy industrial uses on smaller parcels.

Staff responded to questions from the Board relative to the minimum parcel size for this zone and advised of the Planning Commission’s concern that business owners be able to own the land that contains their business.

Steve Fortner stated he feels that this is the flip side of the “right-to-farm” concept – this would allow for the right to do business in an area.

Jeff Green, County Counsel, stated he felt it needs to be very clear that the 20 acre minimum parcel size remains. Staff advised that there is a difference between the minimum size for the zone and for subdivision purposes.

**Business Park (BP) Zone:**

Ed Johnson reviewed the BP zone with regards to the overlay concept, and recommended that the minimum parcel size be 20 acres. Supervisor Balmain asked about the 2,000 square foot outdoor storage and suggested that more square footage be allowed; and he asked about a previous request for sample scale drawings to get a feel for the size restrictions. Staff responded to questions from the Board relative to the minimum parcel size, whether there are permitted uses in the 1 zone, and relative to developing a portion of the parcel and maintaining open space.

Public input was provided by the following:

Steve Fortner stated he feels this is site specific and it is difficult to review the concept on a general basis. He stated that as an example there could be a ten acre parcel bordering the National Forest and a need for a special use in the area.

Bart Brown commented on the previous goal to concentrate uses so that they are not scattered, and so that they are within the good transportation areas, but out of the tourist



corridors. He stated he feels as Rural Home Industry uses grow they should be encouraged to locate within this zone, and he does not feel that a ten-acre site lends itself to that.

Bill Wendt noted that a twenty-acre minimum parcel size would only attract someone who is serious, and it would provide a buffer for environmental concerns. He stated that this is what he supports.

Staff responded to questions from the Board relative to uses in the BP and SU zones; occupancy load, and outdoor storage space threshold. Board concurred with allowing 2,000 square feet of outdoor storage, ten-acre minimum parcel size, and with the overlay concept for this zone.

### **3:14 p.m.** Recess

### **3:26 p.m. Agricultural Commercial (CA) Zone:**

Ed Johnson reviewed the overlay concept for this zone, and he responded to a question from the Board relative to allowed uses.

Public input was provided by the following:

Steve Fortner asked if this zone would be appropriate for a golf course and was advised that it would not be.

Board concurred with the overlay concept for this zone.

### **Resort Commercial (CR):**

Ed Johnson reviewed the overlay concept for this zone, and he recommended that the conditional uses remain conditional for zones 1 and 2. Staff commented on reconsidering campground sites and uses and the need to review development standards for these uses. Staff responded to questions from the Board relative to: conditional uses versus permitted uses for tennis clubs, etc.; whether permitted uses should be allowed in this zone; relative to submission of a use permit at the same time as a re-zone application; and relative to ability to go through a conditional use process and approve a project without conditions if it was found that no further conditions are necessary after the environmental review process; and relative to the need to further review this issue after review of the development standards.

Public input was provided by the following:

Steve Fortner stated he feels this is the zone to draw the tourists; however, he does not see why someone would bother to go through a rezoning process to obtain CR2 and still only be able to have conditional uses.

Staff responded to questions from the Board relative to the five-acre minimum parcel size and the 9,000 square foot minimum size.

### **General Commercial (CG):**

Ed Johnson reviewed the overlay concept for this zone – uses in the 1 zone would be conditional and most uses in the 2 zone would be permitted, and some uses would be conditional. He advised that he does not recommend that hazardous materials, bulk storage type uses and entertainment type uses be permitted in the 2 zone. The minimum parcel size is five-acres. Staff responded to questions from the Board relative to the allowable outdoor storage space; whether churches, meeting halls, mortuaries, and auto repairs are allowed in other zones; and relative to the appropriate zone(s) for golf courses.

There was no public input for this zone.

### **Neighborhood Commercial (CN):**

Ed Johnson recommended that the overlay concept apply with permitted uses allowed in zone 2 and conditional uses in zone 1, with two and one-half acre minimum parcel size. Staff responded to a question from the Board relative to conditional uses.

Public input was provided by the following:

Steve Fortner asked about similar use determinations for this zone.

**Town Planning Area (TPA):**

Ed Johnson reviewed how the overlay concept would apply to the TPA zone. For CN zones outside of the TPA, permitted uses would be allowed. He recommended that the Planning Commission's review be changed to staff level review for CN uses. Staff responded to a question from the Board relative to TPAs with Specific Plans and how the overlay concept would apply.

Input from the public was provided by the following:

Steve Fortner noted that with conditional or non-conforming uses, it is difficult to obtain a loan.

Staff responded to a question from the Board relative to making conditional or non-conforming uses, conforming in this zone. Staff advised that they are further considering the option of a zone change as an alternative to a Specific Plan for businesses in TPAs.

Staff advised that specific development standards still need to be reviewed.

**4:47 p.m.** Recess

**5:04 p.m.** Staff reviewed the following development standards and recommendations:

Height – Board concurred with permitting thirty-five feet, and with reviewing anything over that as a conditional use at staff level.

Steve Fortner suggested that there be a difference in the standards between the actual height of the structure versus architectural treatment.

Signs – Staff responded to a question from the Board relative to lit signs for 24-hour businesses.

Lighting – Staff responded to questions from the Board relative to lighting for CN; and consideration of making lighting in all zones subject to some review.

Shirley Schmelzer shared Bart Brown's request that lighting standards be considered for all areas of the County – that the lighting be confined to the owner's property.

Staff responded to additional questions from the Board relative to taking into account changes in technology; looking at elevation differences and problems with lighting; and whether this would be discretionary.

Steve Fortner asked if someone wanted to light something like a baseball field in Catheys Valley and lighting was needed that is higher than allowed in the standards, whether that would be possible. Staff advised that it would be possible with a conditional use permit.

Grading – Board concurred with applying the standards to the 1 zones and not to the 2 zones.

Preservation of wildlife corridors – Staff advised that this would not apply in the 2 zones.

Tree preservation – Board concurred with not applying this to the 2 zones.

Water – Staff reviewed options.

Shirley Schmelzer commented on mitigation for neighbor's wells and potential problems.

Staff responded to questions from the Board relative to defining "adequate water" and how it would be determined if a new well interfered with an existing well.

Steve Fortner stated he feels it would be difficult to obtain permission to test a neighboring well and to determine who has prior rights.

Staff responded to additional questions from the Board relative to off-site testing. Jeff Green, County Counsel, responded to a question from the Board relative to the County's liability

in this matter. Board concurred with deleting this section and with water issues being addressed in environmental review for projects.

Commercial, Business Park and Special Use standards – Following discussion on nuisance standards, Board concurred with applying these standards to the 1 zone, and issues for the 2 zone would be a civil matter.

Cultural Resources – Staff recommended that item B be rewritten so that if cultural resources are discovered during any project, there would be an effort to preserve them. Jeff Green asked about affect this would have on a currently-zoned parcel. Ed Johnson advised that they would include wording in this section so that it would not apply to parcels that are already zoned. Staff responded to a question from the Board as to whether this is covered in the CEQA process.

Traffic – Staff reviewed recommendations and responded to questions from the Board relative to having a second set of standards for the 2 zone.

Shirley Schmelzer noted that future development would be halted at the point the traffic count numbers tripped the next set of requirements.

Steve Fortner stated he feels that traffic count numbers are difficult to obtain.

Board concurred that any significant impact, regardless of the level of service, would trigger an impact, and agreed to meet with the Planning Commission in the next six months on this issue.

Noise – Staff recommended that this apply to permitted and conditional uses. Staff responded to a question from the Board relative to measurement of noise levels in the night versus day-time.

Names for staff processes – Staff recommended changing use permit determinations to something like administrative permit. Staff will further review this issue and come back with a recommendation.

Open Window Period applications and minimum parcel size requirements – Staff asked whether wording should be included to exclude those open window period applications that were submitted that do not meet the minimum parcel size, based on a case-by-case review as long as it meets the intent of the zone. Discussion was held relative to whether the parcels could then be sold and with a different use. Staff responded to questions relative to this issue. Staff to further review this matter with County Counsel.

Changes made during the hearing process are to be incorporated in the next draft for review by the environmental consultant. Staff advised that the revised document will need to go back out for public review and public hearing.

Public Hearing was continued to September 22, 1998, at 11:00 a.m.

**6:49 p.m.** Doug Balmain, District II Supervisor;

Discussion and Request for Direction to County Counsel to Notify the Park Service of a Possible Violation in the Ambulance Transfer Service Contract with Doctors Medical Center

**BOARD ACTION:** (M)Parker, (S)Balmain, Res. 98-327 adopted. Motion was amended, agreeable with maker and second, directing that the committee notify the Park Service/Ayes: Unanimous.

Consent Agenda item 1 – Discussion was held and Jeff Green, County Counsel, requested that authorization include requirement for the student help to sign a volunteer statement waiving

workers compensation rights, and that the student not be allowed to drive either his/her own vehicle or a county vehicle for any work-related activities. (M)Parker, (S)Pickard, item 1 was approved, including County Counsel's recommendation/Ayes: Unanimous.

Consent Agenda item 6 – Jeff Green advised that Attorney Blea will be unable to provide the level 3 services, and he recommended that the contract be approved, and they will come back with a recommendation from the Judges to replace Mr. Blea; and in the interim the dollars allocated in the contract for level 3 services will be set aside pending the retention of another attorney. Following discussion, (M)Pickard, (S)Stewart, item 6 was approved, with contract amendment to follow as discussed/Ayes: Reilly, Balmain, Stewart, Pickard; Abstained: Parker.

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

#### Board Information and Announcements

- Janet Hogan, County Administrative Officer, provided apples and peelers for Board members to practice peeling apples for the contest with the Fair Board members at the County Fair.
- Supervisor Pickard advised that AB 473 (gas tax legislation) cleared the Appropriation Committee on August 11, 1998; and on August 17, 1998, the Senate passed the legislation by a vote of 31 to 1; and it will be heard by the Assembly in the next day or two.

#### **INFORMATION** - No action was necessary on the following:

A) Bid for the Electrostatic Painting of Cabinets for the New Government Center has been Awarded to Magna-Kote (Public Works)

B) Informing the Board on the Success of Household Hazardous Waste Collection Events (Public Works)

C) Note that the August 25, 1998 Meeting has been Cancelled by the Board (Clerk of the Board) (No Folder)

#### D) **FINAL BUDGET HEARING**

Tuesday, September 8, 1998, at 9:00 a.m., PUBLIC HEARING on Final Budget for Fiscal Year 1998/99, and Continuing to September 9, 10, and 11, 1998, Until Adoption of Said Budget (Administration)

Wednesday, September 9, 1998, at 2:00 p.m., PUBLIC HEARING to Consider Fees Proposed with Implementation of Mariposa County Final Budget for Agricultural Commissioner (Agricultural Commissioner)

#### **CONSENT AGENDA**

CA-1 Resolution Authorizing the Planning Director to Allow an Unpaid Volunteer to Work After School and During School Vacations in the Planning and Building Department (Planning/Building); Res. 98-328, including County Counsel's recommendation

CA-2 Resolution Authorizing the Chair to Sign a Personal Services Agreement with Clara Mossman for Janitorial Services at the Health Department from November of 1998 Through June of 1999 (\$3,200) (Public Health); Res. 98-322

- CA-3 Appoint Rita Croucher to the Mariposa County Commission on Aging to Represent an At-Large Position; and Appoint Harter Bruch to the Area Agency on Aging PSA-12 Advisory Board (Supervisors Balmain and Stewart)
- CA-4 Resolution Authorizing Agreement with Mariposa/Amador/Calaveras/Tuolumne Health Board Inc., to Provide Dental Clinic Services Funded Through Community Development Block Grant (CDBG) 96-STBG-1018 (Human Services); Res. 98-330
- CA-5 Resolution Authorizing the Following Actions:
- Amendment to Planning Department Budget to Create a Revenue and Expenditure Line Item for Tenaya Lodge Concert Noise Monitoring (all Costs Associated with Monitoring are to be Born by the Project Applicant)
  - Authorize the Chair to Sign an Agreement with Dobbs Acoustics to Perform the Noise Monitoring, Required by Conditional Use Permit No. 256 (Tenaya Lodge Concerts), at a Cost not to Exceed \$4,000 (all Costs Associated with Monitoring are to be Born by the Project Applicant) (Planning); Res. 98-323
- CA-6 Resolution Authorizing Chair to Sign Contract for Indigent Defense Services with Thomas Mills, David Smothers and Dale Blea (County Counsel); Res. 98-329, with amendment to come back as discussed

**7:05 p.m.** Board recessed in memory of Jean Brandon, and continued the meeting to Friday, August 21, 1998, at 9:00 a.m. for a tour of the UC Merced site.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA

**August 21, 1998 (Continued Meeting from August 18, 1998)**

**9:15 a.m.** The Board of Supervisors met in continued session (continued from meeting of August 18, 1998) with the Mariposa County Planning Commission for a tour of the proposed U. C. Merced Campus site, in the parking area of the Merced Hills Golf Club, Merced, California. Supervisors Reilly and Pickard were excused. The following Commissioners were present: Colliver, Pucilowski, Rudzik, Radanovich, and Loberg.

Ed Johnson, Planning Director, introduced Robert "Bob" Smith, Merced County Planning Director. Bob Smith reviewed the selection process and criteria used for selecting the Merced site and the planning process for the campus and the surrounding community.

At 10:00 a.m., the tour group proceeded to caravan to a viewpoint on the proposed campus site, which overlooked a bowl-shaped terrain where the main campus is proposed to be located. Bob Smith reviewed the layout of the area and asked for ideas and/or suggestions for the site. He responded to questions from the audience relative to the campus project and the planning process.

Bob Smith advised that the Merced County Zoning Ordinance was recently revised, and he responded to questions relative to the process and content of the ordinance.

**11:30 a.m.** ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA SEPTEMBER 1, 1998

<u>Time</u>	<u>Description</u>
<b>9:06 a.m.</b>	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  
- Brandon Roberts presented a petition signed by citizens in the Leonard Road area objecting to the removal of old growth pine trees along Leonard Road, especially the tree referred to as the "Saunders Tree." Mike Edwards, Public Works Director, commented on the status of the project and advised that they could delay further action on the project pending direction of the Board. Board concurred with delaying the project pending further consideration. Ed Hibler stated he feels the tree is 80 to 90 years old and is in beautiful condition – if the road is going to be widened, he could understand the need to remove the tree. Cliff Seymour stated he has lived in the area for 20 years and the tree does not have any damage from being hit.

Resolution and Tile Plaque Recognizing Roderic B. "Rod" Sinclair Upon His Retirement from the Mariposa County Sheriff's Department (Sheriff's Department)  
**BOARD ACTION:** (M)Stewart, (S)Parker, Res. 98-331 adopted and presented to Rod Sinclair along with the tile plaque/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Approval of Minutes of 8/4/98 Regular Meeting, 8/11/98 Regular Meeting, 8/18/98 Regular Meeting and 8/21/98 Meeting (Continued from 8/18/98 Meeting)  
**BOARD ACTION:** Minutes of 8/4/98 were approved. Minutes of 8/18/98 and 8/21/98 were continued to 9/15/98.

Approval of Consent Agenda (See End of Minutes)  
**BOARD ACTION:** (M)Parker, (S)Stewart, all items were approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Patti A. Reilly, District I Supervisor;  
Resolution Adopting California State Minimum Wage as the Minimum Wage to be Paid by Mariposa County  
**BOARD ACTION:** Following discussion, (M)Parker, (S)Stewart, Res. 98-338 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Mike Edwards, Public Works Director;  
A) Resolution Approving Revised Budget for the New Government Center, Increasing County Contribution by \$89,000 Within the Existing Capital Improvement Budget  
**BOARD ACTION:** Discussion was held with Mike Edwards and Dave Tucker/PWD-Engineer. It was clarified that the requested action only approves a revised budget, and that authorization to for the changes such as the El Nino risk will require approval of change orders. Supervisors Stewart and Reilly discussed their tour of the National Park Service's vault storage facility in El Portal, and they requested that staff review this system and consider its amenities when finishing the vault in the Government Center. Mike Edwards advised that the system has been ordered, and suggested that it could be changed at a later date with a re-design and taking into account new technology for record storage. (M)Parker, (S)Stewart, Res. 98-339 adopted approving the revised budget/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

B) Status Report Relative to the Yosemite West Maintenance District Wastewater Treatment Project Emergency Work (No Folder)

**BOARD ACTION:** Mike Edwards presented photographs of the construction in progress for the emergency work; advised that they are still working on addressing all of the incoming seepage from groundwater; and that work has started on the leach field. Dave Tucker/PWD-Engineer, commented on the diversion of the forest spray irrigation away from any area of seepage into the pond.

**9:45 a.m.** Larry Salinas, Public Affairs Manager for PG & E;  
Presentation Relative to Opposing Proposition 9 (Initiative to Stop Deregulation of Utility Taxes)  
(Continued from 8/18/98)

**BOARD ACTION:** Discussion was held with Larry Salinas. (M)Stewart, (S)Balmain, Res. 98-340 adopted opposing Proposition 9 and supporting participation in the coalition/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

**10:00 a.m.** Rick Jones, Response and Transportation Coordinator for the Mountain-Valley Emergency Medical Services Agency;  
Discussion and Direction Relative to Approval of an Agreement for Designation of Emergency Medical Service (EMS) Landing Site Located at the Catheys Valley Park (Ballfield) (Supervisor Parker)

**BOARD ACTION:** Discussion was held with Rick Jones relative to request and formal designation of landing sites versus the use of non-designated sites. Discussion was held relative to liability issues, concerns with protecting the ballfield and facilities; and relative to possible alternative locations. It was suggested that the Fire Chief could make the appropriate agencies aware of non-designated sites. Board concurred with having the Fire Chief handle this matter.

**10:25 a.m.** Recess

**10:34 a.m.** Ed Johnson, Planning and Building Director;  
PUBLIC HEARING to Consider Amendments to the County Appeals Procedures and Chapter 17.136 (Appeals) of County Code

**BOARD ACTION:** Ed Johnson and Jay Pawlek/Senior Planner, presented staff report and responded to questions from the Board relative to changing the office address to reflect the address for the new Government Center – Board concurred with using the new address; change in the number of days allowed to file an appeal from determination – change will be made when the final amendments to Title 17 are adopted; and relative to appeal procedures.

Public portion of the appeal was opened and input was provided by the following:

Ken Mari asked for clarification and was advised that an appellant would have the choice of whether to file an appeal with the Planning Commission or with the Board.

Public portion of the hearing was closed and Board commenced with deliberations. (M)Parker, (S)Stewart, first reading was waived and an ordinance introduced amending the County appeals procedures/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Hearing was closed.

Discussion and Consideration of Giving Direction to County Counsel to Sign Off on an Amicus Brief for a Recent Court Ruling that Could Significantly Raise the Automobile Insurance Rates for the Citizens of Rural Communities (Supervisor Parker)

**BOARD ACTION:** Following discussion, (M)Parker, (S)Stewart, Res. 98-341 adopted giving direction to County Counsel to sign off on an Amicus Brief/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Discussion and Possible Action Relative to the Purchase of Real Property Owned by Zeora



Wommack for the Purpose of a Parking Lot (Supervisor Parker)

**BOARD ACTION:** Discussion was held. (M)Stewart, (S)Parker, Res. 98-342 adopted directing staff to proceed with commencement of the purchase/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Consider Equity Adjustments for the Positions of Fire Chief/Emergency Services Officer, Human Services Director and Auditor (Administration)

**BOARD ACTION:** Following discussion, (M)Parker, (S)Stewart, Res. 98-343 adopted approving equity adjustments/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Supervisor Stewart requested that the Assessor's position also be reviewed for consideration of an adjustment.

Board Information and Announcements

- Supervisor Stewart advised that he toured the Airport construction project on Monday; he attended the concert at Tenaya Lodge in Fish Camp over the weekend; and he attended the memorial services for former Supervisor Eugene Dalton on Saturday.

**10:54 a.m.** Janet Hogan, County Administrative Officer;

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

CLOSED SESSION Regarding Conference with Legal Counsel Relative to Anticipated Litigation with Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 549056.9 (County Counsel)

**BOARD ACTION:** (M)Parker, (S)Stewart, closed session was held with Rick Bolanos to be present for portion relative to labor negotiations/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

**11:54 a.m.** Board recessed for lunch and continued the closed session to 1:00 p.m.

**1:07 p.m.** Board reconvened in continued closed session.

**2:10 p.m.** Board reconvened in open session with direction given to staff, and with closed session relative to anticipated litigation to be continued to later today if necessary.

Garry R. Parker, District IV Supervisor

Discussion and Possible Direction Relative to the Highway 140 Improvement Construction and Impact on the Economy in Response to Concerns Expressed by the Public

**BOARD ACTION:** Supervisor Parker advised that he scheduled this matter as a result of the numerous letters received from business people in the community expressing concerns over the Federal Government's change in the construction project from a three-year to a two-year project without going through a public process to take comments on the change.

The following persons asked questions and/or provided input:

A member of the audience asked how Small Business Assistance (SBA) loans could help and what kind of assistance could be provided.

Jan Mennig/Chamber of Commerce Executive Director, advised of their research into the SBA assistance and advised that they are working to have a representative available at the Chamber office.

Kathleen Pfeffer asked why they were not told of the change from a three-year construction project to a two-year construction project with changes in the access schedule – the contract was awarded on June 1<sup>st</sup> without talking with the businesses and the community.

Supervisor Reilly advised that she had prepared a chronology of events, and she advised of the meeting she and Supervisor Parker attended with the Park Service earlier in the year.

Elaine Seymour asked what the Board did after it found out about the change in the schedule. She stated the businesses feel hurt and like no one is trying to help them; she asked what is coming from the Board to help them; and she noted that SBA loans have to be repaid.

A member of the audience stated he feels that this has all been decided for some time. He feels there has not been enough done and everyone should rally together to get some action taken as to why the Federal Government has this much power over the citizens and that the matter should be taken to court and stopped, or find people in local government to assist.

Meriam Costello stated she purchased her Christmas inventory based on the three-year construction project, and she would have purchased differently if she knew the schedule was going to change.

Donald Weston, Mariposa Museum and History Center, advised that their visitation has dropped by 10,000 people over the last ten years, and they are concerned with the decrease in revenue. They have been working to encourage buses to stop at the Rest Area and visit the History Center, and they have been working with the motels to encourage visitors to come by the History Center.

Ron Iudice stated he feels there are two options: 1) let them do this to us; and 2) fight. He stated he feels we should fight and throw a monkey wrench in their plans as they did not give us much regard in making this decision.

Dave Martella, speaking as a citizen, stated he feels the Park is showing that they do not need us, that we need them. He stated he was surprised that the Park did not have a representative present for this discussion. He stated the businesses and interested parties need to be protected and fought for – if there is legal recourse, he feels it should be pursued. He stated there is a philosophy in town that we are dying – it is an emotional coffin, and he feels something should be done.

A member of the audience asked what the Board was going to do to help them on this matter and he stated he would like to see this situation in the newspapers so that the citizens would know what is happening.

Dan Elsom, owner of a local deli, commented on a meeting he attended with Senator Monteith's representative and when they asked if the Senator would be a little more public about the economic impacts on what is happening, they would told that it was not the Senator's style. He stated he would like to see the Board take a different position – what is politically correct does not matter in his business. He stated there are a lot of people who are concerned and he feels the elected officials should be more concerned and vocal. He further stated that there should be other alternatives to be explored to get this project done.

Jean Harris, Sugar Pine Restaurant, stated she agrees with Dan, and stated she is tired of being kicked around by the Feds.

A member of the audience stated he feels that people can fight back by watching what is put in the paper; and he stated that when CNN is saying that Yosemite is going to be closed for two years, someone needs to meet with them.

Ron Wiley, Pizza Factory, stated he feels a position should be taken to fight this; and he challenged everyone in the community to allow more businesses to come to the community and contribute. He stated he feels we should move forward for the long-term and not be so dependent on the Park. He further noted that he does not see anything positive on the Bay area news.

Jerry Fischer noted that a meeting was held with the Park Service and a commitment was made and the community supported a three-year project. He feels the Park Service should be challenged for not following their promise to share information and for not keeping their commitment with the three-year schedule. He stated he does not know the best way to do this, but we need to assert that we are a player in the process.

Herb Gloor commented on the meeting with the Park Service and their commitment, and he noted that the Park Service staff went back to Denver and ignored the commitment they made. He stated he feels the Park Service should be made to be accountable. He stated if the Highway could be left open until 9:00 a.m., it would make a big difference to the businesses, and the school schedule could be adjusted.

Marguerite Collins noted that some school schedules were adjusted.

Nancy Strathearn, The Vault, stated accountability is a big issue, and she feels other issues will be forthcoming, and she referred to the establishment of World Horizon zones around national parks in the country. She stated she feels the citizens' freedom and ability to do things will be diminished. She stated she feels this matter needs to be challenged, perhaps legally. The new schedule will not help businesses as people will come and go through town during their closed hours – a lunch access schedule would help to alleviate the impact. She also noted that delaying implementation of the access schedule until October 15<sup>th</sup> and having the Highway open during Easter week and President's Day would help.

Supervisor Parker referred to the June 16, 1997, letter to Superintendent Albright relative to the Environmental Assessment as a result of the Board's meeting of June 10, 1997, and the August, 1998, letter relative to the proposed access schedule which is being discussed today. He advised that the Board has not received a reply to the letter and it has been doing a great deal on this issue. He further referred to the meeting he and Supervisor Reilly attended with the Park Service in February, 1998, at which time the Park Service advised that they were not sure that they could meet the original agreement for the access schedule. The Park Service advised that this information was not for public release and was confidential as they were still in contract negotiations with the potential contractor for the project. Between the time of that meeting and until recently, there was not further correspondence.

Justine Kirchner, Mariposa Townhouse Bed and Breakfast, noted that during the flood disaster their revenue was down, but as long as they were able to maintain payment of their bills, they were not eligible for assistance. She stated she does not feel that the government is caring for our little community, and stated she feels we should have the government in court.

Elaine Seymour stated she feels there is more that can be done. She stated she feels the question is ethics with regards to this matter – we need to ask ourselves if we want to step back and let this occur or do something about it.

Jim Dulcich, Coast-to-Coast, commented on the legal side and the possibility of losing the project; and he stated he feels the businesses will die if the Highway is closed.

Supervisor Reilly commented on the County's economic dependency on Yosemite, and referred to statistics relative to the transient occupancy tax.

Barry Brouillette, speaking as a private citizen, stated he feels the construction improvements will be done because the Park Service and we need it. The problem is the process that occurred and the breach of faith. He stated he feels it is time, based on principle, to stand up for our rights and to be treated on an equal basis – even if we lose in court.

Jim Dulcich noted that through his years of active work with the Chamber of Commerce that whenever they requested financial assistance, the County got behind them. With regards to the construction schedule, he stated he believes that a percentage of the work could be done in the summer during the night and that would have less of an impact. He was advised that the two-year schedule includes work during the night in the summer.

Elaine Seymour stated she feels that if this was the road to Tahoe, it would be fixed in no time, and she stated that she agrees with Barry Brouillette's comments.

A member of the audience stated he feels the legal staff in the County should be contacted to see what can be done. He stated he feels that Mariposa needs to become a destination and that the downtown area needs to be cleaned-up.

Dan Elsom stated that collectively a lot of people share these concerns and they want the Board of Supervisors to do something. He asked whether there will be concerted effort on the part of the Board to do something.

Jim Dulcich stated that we need to be the squeaky wheel.

Don Weston, speaking as a citizen, advised that he is involved in many civic activities and he agrees with the need to develop economic development. He stated he feels we need to start looking at this and pull the community together to allow for development, and he noted that it does not have to be smokestack type development. He noted that there is a lot of volunteerism and giving in this community.

Dave Martella stated he does not feel that the Federal Government respects the Board and the citizens, and he feels that they have overplayed their hand. He stated he feels it is the Board's responsibility to find a loophole.

Nancy Strathearn commented that the legal challenge could be used to put the brakes on the project and to get some concessions in the schedule. She feels that legally, the Park Service has done the wrong thing. She further stated that she feels that Congressman Radanovich could be of assistance in obtaining legal counsel for the County.

A member of the audience asked about the environmental review process, and was advised of the environmental assessment process used for this project.

Supervisor Parker asked the audience if it was agreed that the major concern is the way the Park Service handled this project with the absence of the public process, and the majority of the audience responded affirmatively.

Herb Gloor stated he feels the Park Service is forcing this schedule down their throats.

Dave Martella stated he feels the road is important and it is okay for now. He stated the Park Service has the dollars to do the project and he feels it should be pro-longed.

Supervisor Parker advised that if a legal course is pursued, there is a lot at risk – the schedule could be more restrictive. Jeff Green, County Counsel, advised that if action is taken forcing the Park Service to go through the environmental process, they will go through the process and there is no guarantee that the ultimate outcome of mitigation would be the same as what is on the table now. The Park Service could determine that there are environmental affects that cannot be mitigated.

Meriam Costello asked whether Yosemite Concession Services (YCS) has been contacted and what their feelings are. Supervisor Reilly advised that a representative of the YCS employees was in attendance at the meetings and is working on the issues.

Burney Stephens asked if there is any indication of what could be worse. Supervisor Parker advised that the project could be lost altogether, but he does not feel that this will happen due to the infrastructure and sewer lines that need to be improved; a different project could be approved that does not fit the long-term needs; or they could close the Highway to fix it.

Ron Iudice asked if the option of opening Foresta Road has been explored. Supervisor Reilly advised of the Board's tour of the Road and its condition.

Barry Brouillette commented on the negotiation process, and noted that this access schedule is a seven million-dollar issue. He advised that he heard it could cost two million dollars to demobilize the contractor.

Justine Kirchner stated the Board's negotiations have not worked and asked what can be done when no one listens.

Discussion was held by the Board relative to filing for injunctive relief.

Ron Iudice noted that time is of the essence.

Jim Dulcich asked if the Park Service gets away with this, where will it stop? He noted that the friendly manner has not worked.

Neil Stonum, Chamber of Commerce, noted that they and the Economic Development Corporation are supportive of the Board taking action to file for injunctive relief.

Following discussion, (M)Parker, (S)Balmain, Res. 98-344 adopted:

- 1) giving direction to County Counsel to seek outside legal assistance to file injunctive relief due to the Park Service's change in the Highway 140 improvement construction access schedule;
- 2) in the interim, direction was given for Supervisors Parker and Reilly, County Administrative Officer, and County Counsel to meet with the Park Service to request implementation of the original access schedule;
- 3) authorization was given for staff to solicit one or more private businesses to be named as plaintiff(s) in the lawsuit, if necessary; and
- 4) legal costs to be addressed during the Final Budget hearings/

Ayes: Balmain, Stewart, Parker; Noes: Reilly; Excused: Pickard.

(M)Parker, (S)Balmain, direction was given for a member of the Planning staff to be designated to work with the Board liaison committee on Park issues and report to the Board on any issues that are raised during committee meetings/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

**3:58 p.m.** Recess

**4:15 p.m.** Following discussion, Board concurred with the appointment of the County Administrative Officer as spokesperson for any press releases or requests for information.

Garry R. Parker, District IV Supervisor and Bob Pickard, District V Supervisor;  
Recommendation to Preserve the California State Mining and Mineral Museum in Mariposa County

**BOARD ACTION:** Discussion was held.

(M)Stewart, (S)Parker, Res. 98-345 adopted approving the Committee recommendations as follows:

1. Approve a resolution wherein the Board of Supervisors will support the preservation of the Museum in Mariposa County to be housed in a building which will be constructed at the intersections of Highways 49 North and 140 at no expense to the State;
2. Approve the preparation of a consulting agreement, to be brought back to the Board for approval, with Ed Hardy as outlined in Mr. Hardy's letter, in the amount of \$30,000;
3. Approve the preparation of an agreement, to be brought back to the Board for approval, with a foundation specialist in the amount of \$30,000 for the purpose of legally forming a foundation and paying for the services of the specialist to solicit funds for the foundation;
4. Provide authorization to the Committee and staff to negotiate a proposed agreement with the Gloors relative to the site for the Museum, contingent upon securing a Community Development Block Grant (CDBG);
5. Direct the Committee to request that the Department of Conservation place a member of the Mariposa County Board of Supervisors on the Department of Conservation's Museum Advisory Board;
6. Direct Planning Department staff to place the CDBG grant application for the Museum as a priority, and further direct Planning Department staff to meet with the Committee regarding the proposed application for CDBG funding; and
7. Funding sources to be determined during the Final Budget hearings/

Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Ed Hardy thanked the Board for their support.

(M)Stewart, (S)Parker, Res. 98-346 adopted supporting the preservation of the Museum in Mariposa County to be housed in a building which will be constructed at the intersections of Highways 49 North and 140 at no expense to the State/

Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Supervisor Parker requested that the Visitors' Bureau Director prepare a press release for this matter. Supervisor Stewart suggested that a letter be sent to Jim DeLucia thanking him for his efforts with the signature petition drive to retain the Museum – Board concurred with sending a letter from the Chair. Discussion was held relative to the process for appointment of a Board member to the Advisory Committee. Jeff Green, County Counsel, said this request could be included in a cover letter forwarding the Resolutions to the State. Joan Gloor stated she would like to be considered for membership on the Advisory Committee for the State. Ed Hardy commented on the Advisory Committee and its role.

Steve Hayes, Visitors Bureau Director;  
Workshop Regarding Visitor's Bureau Plan for Promotional Activities for Fiscal Year 1998-99  
**BOARD ACTION:** Matter was continued to September 8, 1998, at 10:00 a.m.

Janet Hogan, County Administrative Officer, reminded Board members that the binder from the recommended budget considerations, along with a binder of supplemental materials, will be used for the final budget hearings next week.

**INFORMATION** - No action was necessary on the following:

A) Board Hearing Schedule (Clerk of the Board)

B) FINAL BUDGET HEARING -

Tuesday, September 8, 1998, at 9:00 a.m., PUBLIC HEARING on Final Budget for Fiscal Year 1998/99, and Continuing to September 9, 10, and 11, 1998, Until Adoption of Said Budget (Administration); and

Wednesday, September 9, 1998, at 2:00 p.m., PUBLIC HEARING to Consider Fees Proposed with Implementation of Mariposa County Final Budget for Agricultural Commissioner (Agricultural Commissioner)

### **CONSENT AGENDA**

- CA-1 Reappoint Brian Brouhard to the Regional Advisory Committee (RAC) from Mountain-Valley Emergency Medical Service Agency (EMS) (Health)
- CA-2 Appoint Deborah Williams to the Mariposa County Emergency Medical Care Committee (EMCC) as John C. Fremont Hospital Administration Representative (Health)
- CA-3 Appoint Karen Mathes, to the Mariposa County Emergency Medical Care Committee (EMCC) as MICN-Base Liaison Representative (Health)
- CA-4 Resolution Authorizing Chair to Sign Agreement with State of California for Receipt of County Medical Services Program One-Time Grant in the Amount of \$39,951 and Appropriate the Amount for Projects Previously Submitted by All Tribes Counseling Center and the Northside Rural Health Clinic Enterprise (4/5ths Vote Required) (Health); Res. 98-332
- CA-5 Resolution Authorizing Chair to Sign a Personal Services Agreement with Janet K. Stutzman to Continue as Planning Consultant for the 1998-99 Fiscal Year (Human Services); Res. 98-333
- CA-6 Accept Resignation of Randy Swager from the Midpines Town Planning Advisory Committee (Supervisor Reilly)
- CA-7 Appoint Harry Hagan, Jeff Hornacek, Louise Bond, Michael Manahan, Pete Ulyatt, Ray Doblick, Vicki McMichael, Ken LeBlanc and Don Pitts to the Yosemite West Community Planning Advisory Committee (Supervisor Reilly)
- CA-8 Resolution Authorizing Chair to Sign State of California Office of Traffic Safety Grant Agreement to Acquire Two Radio Repeaters for the Sheriff's New Radio Frequency and Satellite Phones for the Sheriff and Fire Department Command Units (Fire); Res. 98-334

CA-9 Resolution Authorizing Chair to Sign an Agreement with the Mariposa Golden Oaks Lions to Renovate the Old Jail and Conduct Tours (County Counsel); Res. 98-335

CA-10 Resolutions Recognizing the Mariposa County Chamber of Commerce Business Man and Business Woman of the Year 1998 (Chamber of Commerce); Res. 98-336 recognizing Elna Philbert as businesswoman and 98-337 recognizing Lowell Young as businessman

**4:42 p.m.** Adjournment in memory of former Supervisor Eugene Dalton, Alice Richardson, Florence Hill, and Mary Shannon Klein.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA SEPTEMBER 8, 1998

<u>Time</u>	<u>Description</u>
<b>9:03 a.m.</b>	Meeting Called to Order Pledge of Allegiance

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

- Phillip King-Woolsey, 4-H member, brought in the goose that the Board members and staff purchased at the Junior Livestock Auction during the County Fair. It was noted that a pond had been located for the goose.
- Chair Reilly announced that the Board of Supervisors won the apple-peeling contest against the Fair Board members over the weekend.
- Supervisor Stewart advised that he and Janet Hogan, County Administrative Officer, flew in a helicopter over the Chowchilla River Canyon area with CDF to check for lightning strikes in the area, and he passed around aerial photographs.

Chair Reilly advised of items that were added to the agenda for a closed session regarding conference with legal counsel relative to anticipated litigation with significant exposure to litigation; and discussion and possible direction relative to the Highway 140 improvement project and impact on the economy in response to concerns expressed by the public.

PUBLIC HEARING on Final Budget for Fiscal Year 1998/99

**BOARD ACTION:** Hearing was opened and continued to after the following items.

**9:14 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) (Continued from 9/1/98)

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

**10:50 a.m.** Recess and Lunch

**12:37 p.m.** Board reconvened in continued closed session.

**1:00 p.m.** Board reconvened in open session. Janet Hogan, County Administrative Officer, reviewed the press release outlining the action taken by the Board in closed session to determine to continue to pursue formal legal action against the National Park Service to protest the process used to develop an access schedule for the upcoming road improvements to Highway 140 within Yosemite National Park. This action was taken after receiving a report from Supervisors Reilly and Parker about a meeting held with the Park Service personnel on September 3, 1998.

Garry R. Parker, District IV Supervisor;

Discussion and Possible Direction Relative to the Highway 140 Improvement Construction and Impact on the Economy in Response to Concerns Expressed by the Public (Continued from 9/1/98)

**BOARD ACTION:** No action was taken as direction was given as a result of the closed session.

**1:04 p.m.** Recess



**1:15 p.m.** PUBLIC HEARING on Final Budget for Fiscal Year 1998/99

**BOARD ACTION:** Janet Hogan, County Administrative Officer, presented the staff report and gave an overview of the budget and the hearing process. Ken Hawkins/Auditor, and Chris Ebie/Assistant Auditor, were present.

Public comment: none.

The following budgets were reviewed:

**Assessor/Recorder** – Discussion was held with Gary Estep/Assessor-Recorder relative to request for using salary savings to purchase two personal computers and Vital Records Trust funds for one personal computer. Board concurred with recommendation to fund the purchase of two personal computers in the amount of \$5,000 and return the balance of the salary and benefit savings (\$5,385) to the General Fund, and with the purchase of one computer from the Vital Records Trust.

Steve Hayes, Visitors' Bureau Director;  
Workshop Regarding Visitors' Bureau Plan for Promotional Activities for Fiscal Year 1998-99  
(Continued from 9/1/98)

**BOARD ACTION:** Steve Hayes gave a presentation on their plan for promotional activities; reviewed the flood recovery related advertising; and advised that he filled his office staff position. Janet Hogan, County Administrative Officer, advised that \$60,000 needs to be considered for Mining and Mineral Museum consultants. He reviewed the California Travel Ideas map advertising, the "YES" – Yosemite Extra Savings program, FAM tours advertising, events and festival promotions, request for additional funding for the Web site advertising, Mariposa Beautiful Campaign, and magazine and television advertising. Ed Hardy commended Steve on the success of his program in comparison with others he has observed.

**2:31 p.m.** Recess

**2:48 p.m.** Board continued with review of the following budgets:

**Visitors' Bureau** – Discussion was held with Steve Hayes, Visitors' Bureau Director, relative to requested changes and increases in the budget. He advised that Peggy Kukulus, Yosemite Visitors' Bureau Director, was present.

Discussion was held relative to request to organize a Yosemite Regional Marketing Organization with other interested counties – Board concurred with continuing matter for further review at a later time. Board concurred: 1) with budgeting \$90,000 for professional services, with \$60,000 designated for the Mining and Mineral Museum (\$30,000 for contract with consultant and \$30,000 for contract for establishment of a foundation); 2) with not funding the requested increase for the State Fair and State Capitol exhibit – these items can be handled from the promotional budget; 3) with funding the requested \$2,318 for the Chamber of Commerce contract (resulting in an overall reduction in this budget item); 4) with additional information to be brought back relative to the promotional activities budget; 5) with reducing \$17,698 to the promotional account transferring the appropriation to the Interfund Transfers to allow the previous Visitors' Bureau Fund 305 to be closed; and 6) with keeping the training and seminars budget at last year's amount (\$6,500).

Discussion was held relative to the status of the Film Commission. Jan Mennig/Chamber of Commerce Executive Director, and Joan Coolidge/Chamber of Commerce Executive Assistant, provided input relative to the Chamber's past efforts with the Film Commission and advised that they felt it could provide revenue to the County.

Neil Stonum/Chamber of Commerce President, noted that the Chamber does a number of things that are complimentary to what the Visitors' Bureau does. He stated he felt it would be premature at this point for the Chamber to lose the contract for visitors' bureau services. Steve Hayes advised that this suggested action was raised by the Chamber awhile back; and stated he

feels the Chamber is doing a great job. However, he noted that if the staff were under the Visitors' Bureau, they could do visitors' bureau tasks versus Chamber tasks when they were not busy with visitors' bureau activities. Board concurred with further discussing this issue at another time.

Supervisor Pickard initiated discussion relative to establishing a fund to provide seed money to the Chamber for assisting events to become self-supporting – to be further considered with review of promotional budget.

Neil Stonum further commented on the Chamber's contract and their reliance on the revenue to do projects.

Supervisor Stewart requested that something be brought back relative to plans for the Sesquicentennial event.

Further discussion of the promotional budget to be held later in the hearing.

**Arts Council** – Discussion was held with Cathy Collier/Executive Director, relative to request for additional funding for staff hours. Supervisor Parker asked that one-time funding requests be tracked so that they do not become part of the baseline budget. Board concurred with further considering this request as a part of the promotional budget for Visitors' Bureau.

Consent Budgets:

**Elections** – re-budget software and grant money from FY 1997-98.

**Grand Jury** – Discussion was held relative to request for a laptop computer and printer. Dennis Patrick, Technical Services Director, responded to question from the Board and advised that he was not aware of any computers or laptops that were available for use. Board members suggested the request be further reviewed.

**Human Services/Mental Health** – reduced maintenance of effort requirement.

**Library** – funding for Internet and E-mail services previously funded by a grant.

(M)Balmain, (S)Pickard, the changes in the consent agenda items were approved as recommended/Ayes: Unanimous.

Supervisor Parker initiated discussion relative to restoring the General Fund General Reserve to four million dollars – request to be further considered later in the hearing.

The rest of the budgets scheduled for review on this date were continued to September 9, 1998.

**General Purpose Revenue** – Discussion was held. Supervisor Pickard asked about the status of reimbursements for the court-automation costs – County Administrative Officer to further review with the Auditor. Board concurred with the recommended changes.

**4:48 p.m.** Board recessed and continued the hearing and the meeting to September 9, 1998, at 9:00 a.m.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA SEPTEMBER 9, 1998 (Meeting continued from 9/8/98)

<u>Time</u>	<u>Description</u>
<b>9:11 a.m.</b>	Meeting Called to Order (Continued meeting from 9/8/98)

Continued Public Hearing on Final Budget for Fiscal Year 1998/99 (Continued from 9/8/98)

Public Comment:

Supervisor Stewart requested that a letter be sent to Glenn Sutherland thanking him for his efforts with retaining the Mining and Mineral Museum in the County. He also commented on a suggestion for a fountain for the Government Center.

Janet Hogan, County Administrative Officer, gave a recap of the budget changes made on September 8, 1998, and changes since the adoption of the proposed budget. Ken Hawkins/Auditor, and Chris Ebie/Assistant Auditor, were present.

The following budgets were reviewed:

**Planning/Building** – Discussion was held with Ed Johnson/Planning and Building Director, relative to the requested changes. Discussion was held relative to funding the CalWORKs job creation plan development and allocating funding for contracting with Economic Development Corporation (EDC) to prepare the plan. Board concurred with moving funding from the staff line item to the contract line item. Planning Director to initiate contract amendments. Board concurred with funding requests for extra help for file purging and for professional services for computer automation as recommended by County Administrative Officer. Requests for reorganization expenses and GIS software were not funded. Board concurred with having all departments involved in the GIS software program meet with the Technical Services Director to bring back a recommendation. More detailed information is to be prepared relative to the reorganization request. Board concurred with funding \$1,000 for Microsoft Office Software and \$2,750 for desktop computer upgrades. Janet Hogan advised that the changes to this budget result in a reduction of \$9,168 from the proposed budget.

Supervisor Parker asked about the budget amount for training and seminars and was advised that it is at the same level as for last year.

**Local Transportation Commission** – Janet Hogan advised that this budget would have changes based on changes made to the Transit, Transportation Planning and Road Department budgets.

**Transportation Planning** - Discussion was held with Ed Johnson, Planning and Building Director, relative to the requested changes. Board concurred with the recommended changes, including the \$17 insurance adjustment.

**CDBG/Economic Development** – Following discussion, Board concurred with the recommended changes.

**Building Department** – Discussion was held with Ed Johnson, Planning and Building Director, relative to the status of the department's revenue and expenses. Board

concluded with its subcommittee meeting with Ed Johnson on this matter. Board concurred with the approval of \$5,000 of General Fund dollars for grading services as a one-time contribution, and with staff bringing back a fee modification proposal or another mechanism to fund this service in the future. Supervisor Balmain stated he felt that the grading ordinance needed to be reviewed and changes made to make it compatible with the rural community.

**Air Pollution** – No changes were made.

**Local Agency Formation Commission (LAFCo)** – No changes were made.

Supervisor Parker asked about the status of the application for the CDBG grant for the Mining and Mineral Museum, and was advised that it is being drafted.

**10:48 a.m.** Recess

**11:05 a.m.** Board concurred with scheduling the balance of the Visitors' Bureau budget at 1:00 p.m. this date.

**Community Services** – Chair Reilly presented Mary Williams/Community Services Director with a County name badge.

**Veterans' Services** – Board concurred with changes as recommended.

**Senior Services and Senior Nutrition** – Janet Hogan advised that there would be a more detailed discussion of the program and options at a later date. Board concurred with recommended changes.

**Transit** – Board concurred with recommended changes, including the inclusion of the depreciation account, and the authorization of the lease of a new van. Supervisor Balmain requested that the Dial-a-Ride information be made available at the Airport.

**Data Processing and Data Processing CIP** - Discussion was held with Dennis Patrick/Technical Services Director. Janet Hogan advised that Public Works is handling their Year 2000 conversion project separately. Discussion was held relative to consolidating of all the data processing needs of the County. Discussion was held relative to the requested changes. Board concurred with not funding the optical scanner and the maintenance increase; and concurred with funding \$3,000 for the increase for training and seminars, and with funding \$100,000 for the Year 2000 conversion project and software. Discussion was held relative to record retention and options. Supervisor Reilly requested that more information be brought back on the scanner and archiving County records – Board concurred with further considering the request for scanner after the budget hearings. Discussion was held relative to request for additional staffing and the increase in computers in the County. Supervisor Parker suggested the County Administrative Officer look at a mechanism whereby each department could pay its proportional share of data processing costs. Request for position was not funded at this time.

**12:24 p.m.** Lunch

**1:37 p.m. Visitors' Bureau** – Continued discussion was held with Steve Hayes/Visitors' Bureau director, relative to the promotional budget. Board concurred with not funding request for movies at the amphitheater and the industry-training program. Further discussion was continued for the following hearing to be opened and continued.

**2:00 p.m.** Public Hearing to consider fee adjustments and new fees for pest control annual registration, maintenance gardeners, and farm labor contractors registration, was opened and continued to after the following item.

Further discussion was held relative to the requested changes in the Visitors' Bureau budget. Board concurred with not funding the increase for the Web Site. Board concurred with not funding the vacation planner this year and with using the supply that is on-hand. Board concurred with not funding the wedding and film resource guides. Board concurred with funding \$2,000 for promotional items, and \$15,000 for film attraction. Board concurred with not funding request for valley newspapers, radio, and public service announcements. Board concurred with funding a total of \$20,000 for all events. Janet Hogan noted that the promotional budget is funded at \$248,977 with the changes.

Budget Hearing was continued to after the following fee hearing.

**2:30 p.m.** Don Cripe, Agricultural Commissioner;  
**PUBLIC HEARING** to Consider Fee Adjustments and New Fees for Pest Control Annual Registration, Maintenance Gardeners, and Farm Labor Contractors Registration  
**BOARD ACTION:** Don Cripe/Agricultural Commissioner, presented staff report. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed. Board commenced with deliberations. (M)Pickard, (S)Stewart, first reading was waived and an ordinance introduced approving the fees as recommended/Ayes: Unanimous. Hearing was closed.

Board continued with the Public Hearing on the Final Budget. The following budgets were reviewed:

**Agricultural Commissioner** – There were no changes.

**Farm Advisor** – Discussion was held with Wain Johnson/Farm Advisor. Board concurred with funding \$500 for a FAX machine replacement. Discussion was held relative to the status of the Timber Yield Tax legislation.

**2:40 p.m.** Recess

**3:00 p.m. District Attorney/Criminal** – Discussion was held with Christine Johnson/District Attorney and Janet Bibby/DA-Paralegal. Board concurred with the grant program budget modifications as recommended. Discussion was held relative to request for additional positions and increase for training and seminars. Board concurred with funding the increase in training and seminars, with reduction in child abduction program; and with funding the Office Assistant II position and extra help in the amount of \$16,067. Board concurred with not funding request for a Chief Deputy in lieu of a Deputy III and the investigator position. Roger Matlock/Sheriff, provided input relative to the usage of the investigator position in the Sheriff's Department.

**DA/Victim-Witness** – Discussion was held with Christine Johnson and Bill Flaherty/Victim-Witness Coordinator. Board concurred with the recommended changes.

**DA/Family Support – Remodel** – Discussion was held with Christine Johnson and Marita Green/Family Support Officer, relative to the remodel project and options. Board concurred with transferring the additional dollars, with direction given for the County Administrative Officer to meet with Public Works Director, District Attorney,

and Board's Space Needs committee to further review the options before moving forward with the project.

**3:55 p.m.** Recess

**4:10 p.m. Sheriff/Coroner** – Roger Matlock/Sheriff was present for discussion. Discussion was held with Pelk Richards/Sheriff-elect and Captain Jim Allen. Board concurred with recommended changes and with funding \$20,000 for the radio frequency and \$24,343 for replacement of the dispatch center recording system. Janet Hogan advised that the multi-year recap of the vehicle expenses for the department was provided for information.

**SO/Boating Safety**- Discussion was held with Pelk Richards and Captain Howard Davies. Board concurred with recommended changes.

**Jail** - Discussion was held with Pelk Richards and Captain Davies. They advised that they are working with other counties to review ideas for saving medical costs. Board concurred with increasing inmate medical expenses by \$50,000 for a total of \$150,000.

**Supplemental Law Enforcement Services** – Discussion was held with Pelk Richards and Captain Davies. Board concurred to designate \$56,758 until further review and action.

**Probation and Juvenile Hall** – Discussion was held with Jim Moffett/Chief Probation Officer. Board concurred with changes as recommended.

**Fire Department** – Discussion was held with Blaine Shultz/Fire Chief. Board concurred with changes as recommended by the County Administrative Officer. Supervisor Pickard requested that long-term funding sources be investigated for fire services.

**Health** – Discussion was held with Dr. Mosher/County Health Officer. Board concurred with the budget as recommended. Janet Hogan noted when the budget is adopted, she will request a transfer of the percentage of the proceeds deposited in this year from the Social Services Realignment Account to the Health Realignment Account to fund eligible activities within the Health Department.

**5:08 p.m.** Board recessed and continued the hearing and the meeting to September 10, 1998, at 9:00 a.m.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA SEPTEMBER 10, 1998 (Meeting continued from 9/9/98)

<u>Time</u>	<u>Description</u>
<b>9:07 a.m.</b>	Meeting Called to Order (Continued meeting from 9/9/98)

Continued Public Hearing on Final Budget for Fiscal Year 1998/99 (Continued from 9/9/98)

Ken Hawkins/Auditor, and Chris Ebie/Assistant Auditor, were present.

Public Comment: None.

The following budgets were reviewed:

**Human Services** – Discussion was held with Tom Archer/Human Services Director. He reported on the status of implementation of the CalWORKs program, presented an organizational chart for the Department, advised of the reduction in net County costs for the budget, and he advised that the requested positions are 100% grant funded. Board concurred with recommended changes

Janet Hogan gave a recap of the budget changes thus far, and referred to the Data Processing Fund balance and \$9,334 Interfund under Data Processing. Board concurred with County Administrative Officer's recommendations. Supervisor Parker asked for consideration of restoring \$400,000 to the General Reserve to have a four million-dollar balance - Board concurred with putting \$420,017 on the board for further consideration later during the budget hearings.

### **Public Works budgets:**

**Facilities Maintenance** – Discussion was held with Mike Edwards/Public Works Director, and Marty Allan/PWD-Fleet Fiscal Manager, relative to requested changes. Board concurred with funding \$10,000 from CIP budget for Hall of Records HVAC system and \$20,096 for roof repairs at the Hall of Records. Clif Price/PWD-Facilities Maintenance Manager, provided input relative to roof maintenance needs for County facilities and HVAC maintenance. Board concurred with funding \$14,000 for extra help for Yosemite West wastewater treatment repairs, \$34,441 reduction to correct Transfer In revenue to correspond to Proposed Budget appropriation reductions, \$18,795 from Don Pedro Sewer for preventative maintenance of lift stations, and an additional \$16,500 for HVAC maintenance. Board concurred with deferring \$52,750 of other roof program items, and with approving \$20,096 from the CIP budget for the Hall of Records roof repair. Board concurred with funding \$15,309 for Woodland Park irrigation and \$3,500 to repair and paint Stagg Hall, and with deferring maintenance request for the Hall of Records. Board concurred with \$2,469 net costs for miscellaneous items – reduction to correct salary account, repairs for Coulterville Community Hall, Year 2000 software, and to purchase a power threader. Board concurred with \$4,076 for additional fixed assets under \$1,000 for Health and Safety items. Discussion was held relative to swimming pool equipment and maintenance. Rich Begley/PWD-Recreation and Park Planner, provided input. Board concurred with funding \$34,050 for swimming pool maintenance and equipment. Board concurred with further reviewing the request for \$5,000 code compliance for fire stations with the Fire budget. Board concurred that the above-approved items are one-time expenses.

**10:39 a.m.** Recess

**10:56 a.m.** Clif Price reviewed maintenance request of \$9,500 for the Hall of Records – Board concurred with deferring this request. Discussion was held relative to the request for additional staffing: Maintenance Worker I, Senior Maintenance Worker, Housekeeping Foreman, Maintenance Worker II and Custodian. Discussion was held relative to the workload, requested equipment, and consideration of including the fire stations and the jail under facilities maintenance. Board concurred with not funding the request for floor maintenance machines at this time. Board concurred with funding Maintenance Worker I and Housekeeping Foreman positions. Discussion was held relative to funding sources for the Senior Maintenance Worker position. Board concurred with funding the Senior Maintenance Worker position.

**Surveyor/County Engineer** – Discussion was held relative to the requested changes. Board concurred with adding \$1,000 for training and seminars, with deferring request for additional office expense until after the Road budget is reviewed, and with directing that the GIS system be reviewed by a committee as recommended by the County Administrative Officer.

**Public Works Administration** – Discussion was held. Board concurred with changes as recommended for funding the chairs and training and seminars and data processing expenses; and authorized Public Works Director to regularly utilize a county vehicle.

**12:04 p.m.** Lunch

**1:24 p.m. Airport** – Discussion was held and Board concurred with the recommended changes, including elimination of the current contractual services for airport management and creation of a permanent county position for Airport Manager.

**Parks and Recreation** – Following discussion, Board concurred with the recommended changes to restore funding for training and seminars, fund Year 2000 software, reduce professional services due to an anticipated reduction in staff support from the Road Department, transfer \$3,000 from Veterans' Service budget to this budget for cemetery water service costs, and fund \$2,000 to address deferred maintenance needs of the Coulterville Cemetery irrigation system.

**Roads** – Discussion was held relative to the requested changes, projected revenue through SB 45 and SB 1477 and request for additional staffing: Associate Engineer and Engineering Technician II positions. Board concurred with recommended changes including the addition of the positions. Board concurred with placing the \$80,000 requested for the expansion of the engineering building on the list for further consideration later in the hearings.

**Solid Waste** – Discussion was held and it was noted that the Solid Waste Committee has a meeting on September 18, 1998, with the preferred vendor relative to the co-compost facility project. Supervisor Pickard requested that implementation of waste flow control come back to the Board for further discussion. Board concurred with the recommended changes.

**Fleet** – Following discussion, Board concurred with recommended changes.



**Mariposa Creek Project** – Janet Hogan advised that the actual grant revenue to the County will be \$182,225, as the State keeps a one and one-half percent administrative fee. Discussion was held relative to the status of the project. Board concurred with increasing the budget to reflect the grant revenue, and with further discussing the project in the future.

**Library Development (CIP Budget)** – Janet Hogan advised of a \$311,000 reduction as additional State grant funds were not awarded. Discussion was held relative to the status of funding for the library project. Janet Hogan advised that she will be meeting with a representative of the State Librarian at the end of the month relative to the next step for the project and she will bring back a status report. Board concurred with the recommended changes. Supervisor Parker asked for consideration of adding an additional \$100,000 to the project – request to be further considered when reviewing Interfund Transfers.

**Water Agency** – Discussion was held. Board concurred with the changes as recommended for the Yosemite West Wastewater Treatment Plant project, and with the funds being treated as a loan. Board concurred with funding \$4,000 for the RCRC request for a contribution to support involvement with the CALFED Bay-Delta Program from the Special Departmental line item.

**2:26 p.m.** Recess

**2:45 p.m. Yosemite West Maintenance District** – Board concurred with changes as recommended.

**Lake Don Pedro Wastewater Treatment Project** – Board concurred with changes as recommended to change the revenue source as the Proposition 204 funds were not received.

**Youth Facilities/Skatepark Project** – Board concurred with changes in the CIP Fund to match changes made during the proposed budget process.

**Capital Improvement Projects/Interfund Transfers** – Discussion was held relative to the requests. Discussion was held relative to changes in the State law that will require playground equipment changes by 2000, and the need to move the equipment at the Mariposa Park for the skatepark project. Public Works to review the costs for replacing the Mariposa Park swimming pool versus repairs and the addition, and funding was not approved at this time for the pool surface, deck and addition.

Requests for funding for animal shelter study, stone building (Planning/Building facilities) remodel, and old jail addition for data processing were not funded.

Discussion was held relative to the request received from the Ponderosa Basin Fire Company for funding for their new facility. Supervisor Pickard recognized the efforts of the Chowchilla Mountain Women's Club in raising funds for the Fire Company and to purchase the site. Janet Hogan advised that she resides in Ponderosa Basin and would not participate in the discussion relative to funding for the firehouse. Blaine Shultz/Fire Chief, provided input relative to the request. Discussion was also held relative to the status of the firehouse for the Bridgeport area, status of repairs on the Mormon Bar firehouse, and relative to repairs for other firehouse facilities. Dave Small/Ponderosa Basin Fire Company, provided input relative to the status of the site for the firehouse. A member of the audience urged the Board members to attend the fundraiser on Saturday for the Ponderosa Basin firehouse. Discussion was held relative to request for addition of a meeting room and restroom to the Fish Camp firehouse and a training room and housing for emergency response vehicle at the Midpines Fire Station.

**3:57 p.m.** Recess

**4:13 p.m.** Further discussion was held relative to funding requests for the firehouses and options. Mike Edwards/Public Works Director, provided input relative to the revolving loan fund that is being requested for maintenance on private roads and advised that it could be used for other projects including firehouses.

Ken Hawkins/Auditor, provided input relative to request for improvements in the basement in the Hall of Records building.

Further discussion was continued to after the following discussion.

Discussion was held relative to the following pending issues affecting the General Fund: \$30,000 for outside legal counsel assistance for the zoning code revisions; \$4,800 for recording equipment for the Board room in the new Government Center; restoration of additional training and seminar funding that was requested in the various budgets; funding for department head salary changes; insurance changes; and group health insurance costs for retirees.

Further discussion was held relative to the Capital Improvement Projects. Board concurred with funding the \$80,000 for the addition to the engineering facilities from the Road Fund.

Board concurred with funding \$25,000 for Ponderosa Basin firehouse, \$8,000 for Midpines firehouse, and \$8,000 for Fish Camp firehouse. Funding for these requests is to come from the Fire Department budget, reversing the \$49,237 lease payment for fire truck replacement decision of September 9, 1998. \$5,000 is also to come from this fund for code compliance work as requested by Public Works, and the balance of the funds (\$3,237) is to be added to the Fire Truck Replacement fund.

Board concurred with funding \$30,000 for outside legal counsel assistance for the zoning code revisions.

Marty Allan presented additional information relative to the request for floor maintenance equipment.

Board concurred with funding \$40,000 for El Portal pool surface project; \$36,000 for Mariposa Park playground equipment, with the balance of the playground equipment requests to be deferred; \$100,000 for library development; \$8,000 for floor maintenance equipment; and \$350,000 for the General Fund General Reserve.

The following request was not funded: Mariposa Stage improvements.

Board concurred with funding \$6,100 for Mariposa Creek project; \$168,400 for School Services; \$135,457 for AB233 State Trial Court; \$320,000 for Government Center/Special Departmental; \$5,684 for SLEF match; and \$890,398 for Roads contribution. \$79,000 for Hall of Records LBI was not funded and \$75,000 for Detention Center Landscaping was funded.

**4:58 p.m.** Board recessed and continued the hearing and the meeting to September 11, 1998, at 9:00 a.m.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA SEPTEMBER 11, 1998 (Meeting continued from 9/10/98)

Time                      Description  
**9:03 a.m.** Meeting Called to Order (Continued meeting from 9/10/98)

Continued Public Hearing on Final Budget for Fiscal Year 1998/99 (Continued from 9/10/98)

Ken Hawkins/Auditor, and Chris Ebie/Assistant Auditor, were present.

### Public Comment:

- Supervisor Reilly advised of a FAX that Planning staff received from Mark Butler/Yosemite National Park, relative to the Housing Plan for the Park. She will schedule discussion relative to this matter on a future agenda.
- Supervisor Balmain requested that in regard to the department head salary equity adjustments, that the Treasurer/Tax Collector/County Clerk be included in the evaluation. Discussion was held relative to reviewing other positions. Janet Hogan/County Administrative Officer, advised that she could work with County Counsel to prepare something for the Board to discuss on a future agenda – Board concurred.
- Supervisor Balmain initiated discussion relative to the construction project at the Airport. Mike Edwards/Public Works Director, and Marty Allan/PWD-Fleet-Fiscal Manager, provided input relative to the project and the request for a change order to include additional fill at the end of runway number 26. Discussion was held relative to requirements for a displaced threshold and plans to construct an extension to the runway in the next grant phase. Mike Edwards advised that the cost for the change order would be about \$35,000, and it would result in another week of closure of the Airport. Discussion was held relative to requesting grant funding from the State which would require a ten percent match from the County. Board concurred with funding \$3,500 for a County match.

Janet Hogan gave a status report on the budget on the budget changes thus far.

The following budgets were reviewed:

**Interfund Transactions** – Discussion was held. Board concurred with reduction in Airport Fuel System of \$2,555; increase in contribution to the Law Library of \$873; increase in contribution to Mariposa Parking of \$1,029; and funding matching funds for bus stop improvements of \$8,500. Mike Edwards and Marty Allan provided input relative to the requested funding for Airport improvements – Board concurred with funding \$32,000 and \$17,000 for hazmat cleanup. Board concurred with funding \$100,000 for the Lake Don Pedro wastewater treatment project, as a loan; and with funding \$236,170 for the new Government Center loan payment and contribution to reserve.

**Board of Supervisors** – Board concurred with funding \$360 for NACO membership; \$4,800 for recording equipment; and with reducing benefits by \$6,571.

**County Counsel/Liability Reserve** – Board concurred with funding \$20,000 for potential litigation relative to the Highway 140 improvement project from the Liability Reserve.

**10:08 a.m.** Recess

**10:23 a.m. Zone of Benefit Revolving Loan Fund** – Discussion was held with Mike Edwards and Marty Allan relative to the request for a revolving loan fund to fund private road improvements with the formation of a zone of benefit, and funding sources and amounts. Marty Allan advised that there are policy issues to be resolved before the program can be implemented, and that they will be brought back to the Board. Ken Hawkins asked about recovery of the up-front costs if a zone of benefit is not formed. It was agreed that a policy could be established to require a percentage of the property owners to be in support of formation of a zone of benefit before any costs are incurred. Board concurred with establishing the revolving loan fund in the amount of one million dollars and with moving forward in concept with the program – funding to be taken from the General Reserve. Supervisors Balmain and Parker (Board subcommittee) stated they would like to work closely on the establishment of the program.

**Training and Seminars** – Discussion was held relative to restoring the additional funding recommended for training and seminars in the various budgets. Board concurred with the recommended changes. Discussion was held relative to budgeting for these requests for the next budget – County Administrative Officer to put together a separate item for review for next year’s budgeting purposes.

**Fish and Game** – Discussion was held relative to the request received from the Fish and Game Association for funding for quail habitat and night vision binoculars. Motion by Pickard to approve the request for funding, died for lack of a second. (M)Parker, (S)Stewart, to approving the request for funding for the binoculars, failed by the following vote – Ayes: Stewart, Parker; Noes: Reilly, Balmain, Pickard. Board asked that Fish and Game Commission present requests at a regular Board meeting.

**Personnel** – Discussion was held relative to the request for funding for countywide training in customer service – Board concurred with the request.

**Insurance** – Following discussion, Board concurred with the recommended changes.

Board concurred with funding \$55,761 for the salary adjustments approved for the department heads. Discussion was held relative to reviewing the salary for the Planning/Building Director, with the transfer of responsibilities – Board concurred with further reviewing this matter with the completion of the new Government Center and the implementation of the permit streamlining process.

**11:49 a.m.** Lunch

**1:37 p.m.** Janet Hogan advised that she drafted a letter to the Yosemite Park Superintendent relative to the draft Housing Plan, and she left a copy for each Board member.

Board concurred with authorizing Auditor to make minor adjustments to balance the various funds, as necessary.

Supervisor Balmain initiated discussion relative to the Airport construction project and the change order, and advised that Public Works has not heard back from the State as to

whether grant funds will be available. Board concurred with setting aside a total of \$35,000 to cover the costs for the change order portion of the project in case funding is not available from the State.

Board concurred with reducing the General Fund Contingency to balance the budget – General Fund Contingency to be funded at \$121,040 (later calculated to be \$124,540). Janet Hogan advised that the General Reserve is \$2,929,983, and initiated discussion relative to placing a portion of that amount in a designation for economic uncertainties – Board concurred with not creating a separate fund.

Janet Hogan and Board members thanked Ken Hawkins, Chris Ebie and Mary Hodson/Administration-Executive Secretary, for their efforts with the budget process.

Board concurred with reviewing the old outstanding loans from the General Fund to Capital Improvement Projects on a future agenda.

Hearing was closed.

**1:57 p.m.** ADJOURNMENT

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA SEPTEMBER 15, 1998

Time                      Description  
**9:10 a.m.** Meeting Called to Order with Supervisor Parker excused.

Pledge of Allegiance

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

Resolution Recognizing Sally Edmundson for Her Outstanding Contributions and Commitment to the Mariposa County Museum and History Center (Supervisor Parker)

**BOARD ACTION:** (M)Stewart, (S)Balmain, Res. 98-347 was adopted and Don Weston, Mariposa County Museum and History Center, accepted the Resolution on behalf of Sally Edmundson's family and the History Center/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Approval of Minutes of 8/11/98 Regular Meeting, 8/18/98 Regular Meeting, and 8/21/98 (Continued from 8/18/98)

**BOARD ACTION:** Minutes of 8/11/98 were approved. Approval of minutes of 8/18/98 and 8/21/98 were continued to September 22, 1998.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** Supervisor Pickard pulled item 4. (M)Pickard, (S)Stewart, balance of items were approved/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker. Supervisor Pickard advised that he opposes item 4 – matter was continued to September 22, 1998, for a full Board to be present.

Jeffrey G. Green, County Counsel;

Resolution Approving Agreement with Ed Hardy for Consulting Services Relative to Retaining the Mining and Mineral Museum in Mariposa County

**BOARD ACTION:** Following discussion, (M)Pickard, (S)Balmain, Res. 98-353 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Mike Edwards, Public Works Director;

A) Resolution Authorizing the Auditor to Issue a Warrant for \$500 to the SWANA Legislative Task Force for Solid Waste Legislative Advocacy

**BOARD ACTION:** Following discussion with Mike Edwards and Tom Starling/PWD-Solid Waste Coordinator, (M)Pickard, (S)Stewart, Res. 98-354 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

C) Status Report Relative to the Yosemite West Maintenance District Wastewater Treatment Project Emergency Work (No Folder)

**BOARD ACTION:** Mike Edwards gave a status report. He advised that the work is progressing well and that nearly all of the leach field infiltration system is installed; and they are working on the pond and sealing work. He stated they met with a representative of the Regional Water Quality Control Board on-site and the representative agreed with their approach to the project. They are hoping to have the majority of the work completed by October 1, 1998, and he commended Dave Tucker for this efforts with this project.

B) Discussion and Direction from Board on a Land Acquisition Impasse Reached on a Parcel Needed for the Airport Construction Project

**BOARD ACTION:** Discussion was held with Mike Edwards and Bruce Atkinson/PWD-Special Projects Coordinator, relative to negotiations for land acquisition with the trustees of the Meyer's estate. Betty Mankins, co-trustee, advised that the appraisal they requested is not available at this time; and she commented on the complexities of the estate. She responded to a question from the Board and advised that she feels the trust is willing to sell the land if a price can be agreed to. Jeff Green, County Counsel, recommended that the Board take action to initiate the process to prepare a Resolution of Necessity and commence the condemnation actions on the required parcels in order to resolve the timeliness issue for completing the project. He advised of the court process whereby the money for the County's appraisal value of the property can be deposited and the County can go forward with the project while negotiating a settlement. Discussion was held relative to the status of acquisition of the other parcels for the project. (M)Pickard, (S)Balmain, direction was given to staff to work with County Counsel to initiate the processes necessary to prepare a Resolution of Necessity and commence condemnation actions on the required parcels/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Recommendation to Substitute in Gary Collings to Handle Level 3 Conflict Cases Under the Indigent Defense Services Agreement Effective September 15, 1998 (County Counsel)

**BOARD ACTION:** Following discussion, (M)Pickard, (S)Stewart, Res. 98-355 adopted authorizing Chair to sign agreement substituting Gary Collings, as recommended/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Ratify the Acquisition of a Master Bond for Public Officials and Department Heads (County Counsel)

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Pickard, Res. 98-356 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

**10:02 a.m.** CLOSED SESSION Regarding Conference with Legal Counsel Relative to Existing Litigation (Case No. 7678, **William Winterberg vs. County of Mariposa**) (County Counsel);

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) (Continued from 9/8/98); and

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) (Administration)

**BOARD ACTION:** (M)Pickard, (S)Balmain, closed sessions were held following a short recess. It was noted that Supervisor Parker would be joining the Board for the closed session relative to an anticipated litigation matter with significant exposure via a teleconferencing call, and that attorneys from the Law Firm of McCormick, Barstow, Sheppard, Wayte and Carruth would be present/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

**11:59 a.m.** Board reconvened in open session and Chair Reilly announced that the Board took action in closed session to seek injunctive relief against the Federal Government for failure to follow NEPA procedures by the following vote – Ayes: Balmain, Stewart, Parker (via telephone); Noes: Reilly, Pickard.

Discussion and Possible Direction Relative to the Highway 140 Improvement Construction and Impact on the Economy in Response to Concerns Expressed by the Public (Supervisor Parker) (Continued from 9/8/98) (No Folder)

**BOARD ACTION:** This matter was not discussed.

Continued PUBLIC HEARING on Final Budget for FY 1998/99; if Necessary

**BOARD ACTION:** Janet Hogan, County Administrative Officer, advised that the hearing is not necessary today, and that she will schedule the resolution to adopt the Final Budget on

September 22, 1998. She reviewed the two methods available for adoption of the Budget: 1) adopt with actual dollar amounts, and 2) adopt by reference to the Final Budget, and she recommended the second method as they do not have all of the final numbers.

**Board Information and Announcements:**

- Supervisor Reilly advised that she will be on vacation following next week's Board meeting and that she plans to attend a conference on gateway communities.
- Supervisors Stewart and Pickard advised that they plan to attend the RCRC Conference this week.
- Supervisor Balmain advised that he plans to attend the Bio-Diversity Council portion of the meeting with the RCRC Conference.

**INFORMATION** - No action was necessary on the following:  
Informing the Board of the Change in Operating Hours for the Mariposa County Landfill and Recycling Center (Public Works)

**CONSENT**

- CA-1 Resolution Authorizing Chair to Sign Personal Services Agreement with Beverly Nowlin for Employment Assessment Services for CalWORKs Participants (Human Services); Res. 98-348
- CA-2 Resolution Approving a Winter Schedule, September Through June, of Library Hours at the El Portal Branch Library as Follows:
  - Tuesday 12:00 p.m. – 3:00 p.m. and 5:00 p.m. – 8:00 p.m.
  - Thursday 10:00 a.m. – 2:30 p.m.No Additional Hours are Being Requested (Library); Res. 98-349
- CA-3 Resolution Authorizing Chair to Sign an Order of the Board to Reject Claim No. C98-13 in the Amount of \$4,706 (County Counsel); Res. 98-350
- CA-4 Waive Second Reading and Adopt Ordinance Approving the Proposed Changes to Chapter 17.136 (Appeals) of County Code and Adopt Resolution Approving Proposed Changes to the Mariposa County Appeals Procedure Information Sheet and Direct Staff to File a Notice of Exemption on the Project (Planning); Matter was continued to September 22, 1998.
- CA-5 Resolution Approving Acceptance of Fiscal Year 1998-99 Renewal Application for the Substance Abuse and Mental Health Services Administration (SAMHSA) Block Grant for "All Tribes" Counseling Center (Human Services); Res. 98-351
- CA-6 Resolution Approving the Final Map, Phase I for Roland Gale Medlicott and Marian B. Medlicott, Major Subdivision 3/1/96 (Public Works); Res. 98-352

**12:05 p.m.** Adjournment

Respectfully submitted,

MARGIE WILLIAMS,  
Clerk of the Board



# MARIPOSA COUNTY BOARD OF SUPERVISORS

## CONFORMED AGENDA SEPTEMBER 22, 1998

<u>Time</u>	<u>Description</u>
<b>9:08 a.m.</b>	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 8/18/98 Regular Meeting and 8/21/98 (Continued from 8/18/98)

**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)

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

Bob Pickard, District V Supervisor;

Discussion and Possible Direction Relative to Tree Removal on Leonard Road

**BOARD ACTION:** Supervisor Pickard reviewed the history and situation in regard to the pine tree in question. Discussion was held with Mike Edwards/Public Works Director, and Bob Johnson/PWD-Deputy Director for Roads, relative to their recommendation for removal of the tree and options.

Input from the public was provided by the following:

Brandon Roberts stated he does not feel that anyone has hit the tree and it is growing straight; and he noted that the road will still be narrow even if the tree is removed.

Erv Schmelter stated he has lived in the area for fifteen years and about five years ago the tree issue was raised – he feels this tree is a hazard and he noted that the school bus travels Leonard Road.

Cliff Seymour, property owner across the road from the tree, stated he feels it would be better to remove the oak tree on his side of the road as it is old and falling apart. He advised that two years ago, someone from the Road Division asked permission to remove the oak and he agreed, but they never came back.

Brandon Roberts stated he feels the pine tree is over 100-years old and he does not feel that it will grow much larger.

Erv Schmelter asked Mr. Seymour if he is willing to donate land to the County for an easement and removal of the oak tree. Mr. Seymour responded affirmatively.

Donald Norquist stated he feels this matter should be tabled for sixty days to work out the discrepancies.

Mike Edwards explained the road realignment that would be necessary if the oak tree was removed and the pine tree remained.

Jim Hackman said he felt that removal of the pine tree would be like mercy killing and asked where the line would be drawn. He also stated he did not understand the need to realign the road to keep the pine tree.

Cliff Seymour advised of a problem with erosion around the culvert area near the pine tree, and stated he felt that if the oak tree was removed and that edge of the road repaired, it would be sufficient.

Mike Edwards advised that the culvert area is scheduled for repair. (M)Pickard, (S)Stewart, Board concurred with Public Works' recommendation to remove the pine tree.

Jim Hackman advised that during the fire emergency two years ago, the equipment did not have a problem.

Further discussion was held by the Board relative to the options, costs and liability issues. Ayes: Reilly, Stewart, Pickard; Noes: Parker; Abstained: Balmain.

**9:59 a.m.** Recess

**10:16 a.m.** Ed Johnson, Planning and Building Director;  
Discussion and Direction on the Following Regarding the Yosemite Area Regional  
Transportation Strategy (YARTS):

- YARTS Demonstration Project Bus Stop Locations
- YARTS Joint Powers Agreement
- YARTS Intercept Parking Areas

**BOARD ACTION:** Supervisor Reilly advised that this matter was scheduled so that input could be provided relative to the issues prior to the next scheduled YARTS Management Board meeting on October 5, 1998. Supervisor Balmain advised that he invited citizens from the Highway 132 Merchants Association to provide input relative to their concerns that bus stops have not been included on Highway 132. Ed Johnson provided an update on YARTS activities, and advised that he will attend the YARTS Technical Committee meeting next Monday relative to these issues.

Ed Johnson and Jay Pawlek/Senior Planner, reviewed the proposed bus stop location information, and responded to questions. Discussion was held relative to the proposed demonstration project; timing of the project with the construction improvements on Highway 140; whether tourists would use the bus system if they had to transfer buses with their carry-on items; visibility from the bus windows; and integrating the tour buses into the system. Discussion was held relative to the need for participation by all parties and the National Park Service in order for the system to be successful. Ed Johnson reported on the responses received from the vendor conference from various bus companies relative to the proposed system.

Input from the public was provided by the following:

Barry Brouillette stated he shares the concerns expressed and noted that he has been involved in this project for five years. He stated he feels the demonstration project is out of phase – it was to be set up to pay its own way and it needs to be subsidized and that issue has not been addressed. He stated he would like to see this work. He further noted that only reason bus stops are being discussed is because there is funding available at this time for that portion of the project. He stated he agrees with holding up the demonstration project until we know what we are going to demonstrate.

Erik Bruun stated he feels the bottom line is day-use versus reservation and long-term uses. He stated he sees a problem with families trying to transfer buses with all of their items. He commented on the emissions from buses versus vehicles and the efficiency of scale – how many passengers will it take per bus to make the bus system work. He expressed concern with the inconvenience of a bus system; air quality issues; transportation hazards with buses; and he stated he opposes adding any more buses.

Frank Shannon, business owner in Coulterville, stated he was representing merchants and citizens and was speaking as Chair of the Highway 132 Merchants Association. He expressed several concerns: asked why Highway 132 was not included in this program; stated he feels that if this project is on a volunteer basis, that it is set up for failure; if it is mandatory, people would use the buses and tourism may drop some; stated that all of their traffic would use another route if a stop is not included for Coulterville; and he stated he feels that Highway 132 is one of the easiest driving routes to the Park. He stated he would like to see the Board condition its participation in the program on Highway 132 being included.

Further discussion was continued for the following hearing to be opened.

**11:06 a.m.** Public hearing to consider the Industrial/Commercial Zone Code Revisions (General Plan/Zoning Amendment No. 97-1) was opened and continued to after the following item.

Supervisor Balmain read a letter into the record from Elvie Bullis requesting that the proposal for bus stops include Coulterville and J-132. Supervisor Reilly commented on the need for

ridership to support a system and suggested that ways to connect to the other corridors be investigated, and noted that Highway 49 needs to be built into the system.

Frank Shannon stated he understands that Coulterville does not have the volume for a stop in the first phase on a voluntary basis; but if the system becomes mandatory, they want to be included.

John Miller stated he worked in the Park and their aim is for zero cars and gas burning buses or vehicles in the Park – he feels they will eventually close the Park to all vehicles.

Further discussion was held by the Board relative to developing the loop concept for visiting the Park. Supervisor Reilly advised of a letter received from Kay Pitts requesting that Yosemite West be considered for a bus stop.

Barry Brouillette stated this is a complex issue and we need to stay with the idea that that we can resolve the issues; however, as a matter of policy, we should not let the YARTS project get ahead of the Park Service. There should be contracts on a step-by-step basis. He further stated that he does not feel that the demonstration project should be pursued at this time.

Board agreed that the demonstration project should not be pursued at this time, and that in order for the project to be successful in the future, all parties will need to participate.

**11:23 a.m.** Recess

**11:36 a.m.** Ed Johnson, Planning and Building Director;  
PUBLIC HEARING to Consider the Industrial/Commercial Zone Code Revisions (General Plan/Zoning Amendment No. 97-1)

**BOARD ACTION:** Ed Johnson requested authorization to send the revisions to the environmental attorneys for review in regard to the environmental determinations proposed for the document, and recommended that in the interim the document be available for public review. Discussion was held relative to holding workshops and scheduling the public hearing process. Board concurred with continuing the hearing for staff to give a presentation on the changes and to provide information on the document, and then to continue with the formal hearing process. Board concurred with sending the document to the attorneys for review. Public hearing was continued to October 20, 1998, at 6:00 p.m. at the Best Western Conference Room. Jeff Green, County Counsel, requested that staff publish the continued hearing in the newspapers.

Janet Hogan, County Administrative Officer;  
Consideration of Response to Draft Analysis of Impacts on Local Economies for the Proposed Yosemite Valley Housing Plan

**BOARD ACTION:** Supervisor Reilly advised that the Park planners have been working with our staff on comments for the Housing Plan, and they have asked for comments from various departments on specific areas. Ed Johnson, Planning and Building Director, provided input. Discussion was held relative to being able to respond to the draft analysis without having the benefit of being able to review the entire document, and it was noted that the County's previous comments were not addressed. Board concurred with Planning staff preparing a response to the Park's planning staff and for the Chair to request a meeting with the Park Service on this matter.

Resolution Adopting the Fiscal Year 1998-99 Final Budget (County Administrative Officer)

**BOARD ACTION:** (M)Parker, (S)Pickard, Res. 98-360 adopted/Ayes: Unanimous.

Supervisor Parker asked about the status of the County's investments with regards to the recent changes in the Stock Market. Janet Hogan, County Administrative Officer, advised that the bi-annual presentation from Seidner is scheduled for next month.

Resolution Approving the Response of the Board of Supervisors to the 1997-98 Mariposa County Grand Jury Report and Direct the County Administrative Officer to Transmit the

Response to the Judge of the Superior Court (County Administrative Officer)

**BOARD ACTION:** Discussion was held and Supervisor Parker asked about the letter Board members received to meet with the Grand Jury. Robert Pingleton, Grand Jury Foreman, and members of the Grand Jury were present, and they advised that the meeting was to see what the goals of each member are for their district and to learn more about what the Supervisors do. Discussion was held relative to the response to the Report. (M)Parker, (S)Stewart, Res. 98-361 adopted approving the response/Ayes: Unanimous.

Resolution Authorizing Chair to Execute a Cooperative Agreement with the Mariposa County Arts Council and the Mariposa Rotary Club for the Stage Project at the Mariposa Park (County Counsel)

**BOARD ACTION:** Jeff Green, County Counsel, advised that there are still some issues to be resolved and advised that he will reschedule the matter.

Resolution Approving Revised Designation of Specific Employee Positions as Management and Confidential Employees (County Counsel/Personnel)

**BOARD ACTION:** Following discussion, (M)Pickard, (S)Parker, Res. 98-362 adopted/Ayes: Unanimous.

Resolution Approving New Memorandum of Understanding Between Mariposa County and the Mariposa County Managerial/Confidential Organization, a Chapter of AFSCME, Local 2703 (County Counsel)

**BOARD ACTION:** Following discussion, (M)Pickard, (S)Parker, Res. 98-363 adopted/Ayes: Unanimous.

Waive Second Reading and Adopt Ordinance Approving the Proposed Changes to Chapter 17.136 (Appeals) of County Code and Adopt Resolution Approving Proposed Changes to the Mariposa County Appeals Procedure Information Sheet and Direct Staff to File a Notice of Exemption on the Project (Planning) (Continued from 9/15/98)

**BOARD ACTION:** (M)Parker, (S)Balmain, Ord. No. 937 and Res. 98-364 adopted/Ayes: Balmain, Stewart, Parker; Noes: Reilly, Pickard.

#### Board Information and Announcements

- Supervisor Reilly advised that she received a call from Tom Efir/Sierra National Forest. He stated the reorganization plan for the Sierra National Forest has gone into effect, and effective October 5, 1998, the business office will move to North Fork and he will be the Ranger-in-Charge. He advised of the Sierra/Nevada Conservation Framework – this matter is scheduled on the Board's agenda for October 6, 1998, and workshops are scheduled in Sonora and Clovis.
- Supervisor Balmain advised that he attended the Bio-Diversity Council joint meeting with RCRC and they discussed timber, water, planning and environmental issues.
- Supervisor Pickard advised that he attended the RCRC meeting and received a gift basket in the raffle; and he thanked staff and everyone who contributed items for putting together the gift basket from Mariposa.
- Supervisor Stewart advised that he attended the RCRC meeting and workshops on water issues.

**12:37 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) Service Employees International Union (SEIU) (Administration)

**BOARD ACTION:** (M)Stewart, (S)Pickard, closed session was held with Rick Bolanos, labor negotiator, to be present/Ayes: Unanimous.

**1:15 p.m.** Board reconvened in open session with direction given to staff as a result of closed session.

**CONSENT**

- CA-1 Resolution Authorizing Augmentation and Extension Through June 30, 1999 of the Office of Criminal Justice Planning Grant for the Mariposa County District Attorney's Office Statutory Rape Vertical Prosecution Unit (District Attorney); Res. 98-357
- CA-2 Resolution Authorizing Augmentation and Extension Through June 30, 1999 of the Office of Criminal Justice Planning Grant for the Mariposa County Victim/Witness Program (District Attorney); Res. 98-358
- CA-3 Resolution Extending the Date of Establishment of the Voter-Approved Debt Rate to October 3, 1998 Pursuant to Government Code Section 29100 and Establishing the Tax Rate on the Yosemite High School Bond Voter-Approved Debt for the Secured Property Tax Roll of 1998/99 (Auditor); Res. 98-359
- CA-4 Reappoint Ray Standley to the Fish Camp Community Planning Advisory Council (Supervisor Pickard)

**1:16 p.m.** Adjournment in memory of Harold Stutsman, Rose Marie Moore, Bob Bevington, Al Ducret, Floyd Cook, Walter Hoy, Doris Lirou, and Laetitia Simmons.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board