



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA January 14, 2003



Time      Description

**9:07 a.m.** Meeting Called to Order  
Pledge of Allegiance

#### Introductions

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

- Jim Petropulos, Public Works Director, introduced Carl Casey, the new Fiscal Officer for the Department.
- Cathi Boze, Deputy Agricultural Commissioner/Sealer, presented information relative to the 2002 Census of Agriculture.
- Eleanor Keuning presented photographs and expressed concern with the status of maintenance on Leonard Road; and she asked where road work is occurring in the County. Chairman Pickard advised that her concerns would be forwarded to Public Works.

#### Board Information

- Supervisor Balmain congratulated Supervisor Pickard on being selected to serve on the County Medical Services Program (CMSP) Governing Board. Supervisor Balmain also advised that he did not observe any activity at the Airport on Monday or this morning for the improvement project.

#### Approval of Minutes 12-17-02 Regular Meeting

**BOARD ACTION:** Approved, with the noted correction.

#### Approval of Consent Agenda (See End of Minutes)

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

Jim Allen, Assistant Sheriff, appeared on behalf of Pelk Richards, Sheriff;

Approve the Budget Action Increasing Revenue and Corresponding Expenditure Accounts in the Sheriff's Budget for Unanticipated Revenue from the California Law Enforcement Equipment Program (CLEEP) and the Sheriff's Asset Forfeiture Account; and Approve the Purchase of a Dictaphone Freedom Recorder (\$18,999) (4/5<sup>th</sup>'s Vote Required)

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Stetson, Res. 03-10 was adopted approving the request/Ayes: Unanimous. Jim invited the Board members to come and see the new equipment when it is installed.

John Davis, Building Department Director;

A) Adopt the Model Codes for the Enforcement of Permits and Inspections for Mariposa County

**BOARD ACTION:** Following discussion, (M)Bibby, (S)Stetson, Res. 03-11 was adopted adopting the Model Codes as recommended/Ayes: Unanimous.

C) Approve the Budget Action Transferring \$54,634 from the Building Department Fund to the Data Processing Fund for the Geographic Information System (GIS) for the County (4/5<sup>th</sup>'s Vote Required)

**BOARD ACTION:** Eric Toll, Planning Director, gave a presentation on the request, reviewing recommendations for implementation and funding – requesting a commitment of \$200,000 for the next two fiscal years and \$25,000 for each year thereafter; plus consideration of \$50,000 for aerial photos and \$50,000 for making the system available on the internet. He advised that the Technical

Services Director was unable to be present. Discussion was held concerning the request, funding, future uses of the system, and maintenance costs. John Davis responded to questions relative to the status of the Building Department Contingency Fund. Supervisor Balmain advised of information he received from Merced Irrigation District relative to a GPS project they are doing for the Lake to identify the location of hazards, and he noted how the GIS could help in the future. Eric Toll stated their priority would be the election project to identify the new precincts, and they plan to have the other projects completed by July 1st. He suggested that consideration could be given to forming a more formal committee to provide oversight of implementation of the GIS.

(M)Balmain, (S)Stetson, to approve the requested budget action for \$54,634, was withdrawn by the maker following further discussion. Discussion was held relative contracting with a consultant, and it was noted that the agreement would need to come back for approval by the Board. Mary Hodson, Administrative Analyst, advised that the inter-departmental budget transfers to implement the remainder of the program for this fiscal year would be presented at a future date, possibly during the mid-year budget process. Board members requested that more detailed information be presented on the proposed inter-departmental budget transfers, including the Building Department. Marjorie Wass/Treasurer-Tax Collector-County Clerk, responded to questions relative to the election precinct project and timeframes for updating the records.

The matter was continued to January 28, 2003.

B) Approve the Budget Action Transferring Funds Within the Building Fund to Upgrade Computers for the Geographic Information System (GIS) System (\$3,460)

**BOARD ACTION:** Following discussion with John Davis, (M)Bibby, (S)Parker, Res. 03-12 was adopted/Ayes: Unanimous.

Mary Hodson, Administrative Analyst;

Discuss and Provide Direction to Staff Regarding Two Proposals (One for a Two Year Countywide Chipping Program and the Other to Fund a Coordinator on the South West Interface Project (SWIFT) for a Two Year Period) for the Use of the Secure Rural Schools and Community Self-Determination Act of 2000 (HR2389) Funds

**BOARD ACTION:** Discussion was held with Mary Hodson, Administrative Analyst. Jan Hamilton, Chair of the Fire Safe Council, welcomed the new Board members, and she provided input relative to the proposals. Blaine Shultz, Fire Chief, responded to questions relative to the information concerning the proposals. Supervisor Bibby asked about the possibility of using these funds for the GIS system in County planning, and was advised that is being reviewed. (M)Stetson, (S)Bibby, direction was given to staff to move forward with the notification process for public comment and scheduling of the proposals for formal action/Ayes: Unanimous.

Authorize Supervisor Balmain and County Counsel to Enter into Discussion with the School District Regarding the Land upon which the Greeley Hill Community Club Resides (Supervisor Balmain)

**BOARD ACTION:** (M)Parker, (S)Balmain, authorization was given as requested/Ayes: Unanimous.

**10:52 a.m.** Recess

**11:05 a.m.** Jim Petropulos, Public Works Director;

A) Approve the Budget Action Transferring Funds Within the Road Fund to Cover the Emergency Purchase of a Slip-In Sanding Unit for the Northside Area; and Ratify the Purchase of the Sanding Unit Done on December 18, 2002 for \$5,100; and

C) Approve the Budget Action Transferring Funds Within the Fleet Fund to Cover Additional Overtime Needed Due to the Delay in Filling a Vacant Position (\$1,000); and

D) Approve the Budget Action Transferring Funds Within the Public Works Administration Budget for Purchase of a Computer System and Furniture for the New Fiscal Officer; and Approve the Purchase of Two Additional Desk Chairs to Replace Broken Ones (\$4,300)

**BOARD ACTION:** Following discussion, (M)Parker, (S)Bibby, Res. 03-13 was adopted approving the budget action transferring funds within the Road Fund and purchase for the sanding unit; Res. 03-14 was adopted approving the budget action transferring funds within the Fleet Fund; and Res. 03-15 was adopted approving the budget action transferring funds within the Administration budget as requested/Ayes: Unanimous.

B) Adopt the County-Wide Injury and Illness Prevention Plan as Policy and Direct Each Department Head or Appointed Department Safety Representative (DSR) to Monitor the Health and Safety Policy for Their Respective Departments with Assistance from the County Safety Officer  
**BOARD ACTION:** Matter was continued as a forthcoming policy item to be scheduled for action in the future.

Amend Article V-C of Resolution No. 90-231 Entitled "Rules of Procedure for Meetings of the Board of Supervisors of Mariposa County" (County Counsel)

**BOARD ACTION:** Following discussion, (M)Parker, (S)Bibby, Res. 03-16 was adopted/Ayes: Unanimous.

### **MARIPOSA COUNTY PUBLIC FINANCE CORPORATION**

Conduct the Annual Meeting and Select Officers for 2003 (Clerk of the Board)

**DIRECTORS ACTION:** (M)Stetson, (S)Bibby, the Chair and Vice-Chair for the Board of Supervisors were selected to serve as President and Vice-President respectively/Ayes: Unanimous.

Eric Toll, Planning Director;

Authorize the Chair to Sign a Legal Services Agreement with Abbott & Kindermann, LLP for Environmental Counsel During the Preparation of the Vallecito Specific Plan Environmental Impact Report

**BOARD ACTION:** Eric Toll advised of the receipt of a letter from Attorney Worley, representing the proponents of the Vallecito Specific Plan, requesting that a legal services contract not be entered into at this time. He advised that it has been their practice to use legal assistance with each project and that legal costs have been incurred for this project, and he recommended that the Board approve the agreement. Supervisor Bibby asked that a letter be sent to the applicant explaining the situation and that the letter be shared with the Catheys Valley Town Planning Area Advisory Committee. (M)Bibby, (S)Parker, Res. 03-17 was adopted approving the agreement. The motion was amended by the maker, agreeable with the second, to include direction for a letter to be sent to the applicant as requested by Supervisor Bibby/Ayes: Unanimous. Supervisor Bibby requested that County Counsel review the letter before it is sent out.

Eric Toll, Planning Director, advised that the Environmental Impact Report for the compost facility project is being given the final review, and he plans to have it available for the public later this week.

Authorize the Chairman to Sign a Letter Supporting the Grant Application of the American Indian Council of Mariposa County for Funding from the Administration for Native Americans (Chairman Pickard)

**BOARD ACTION:** (M)Bibby, (S)Stetson, Res. 03-18 was adopted approving the letter/Ayes: Unanimous.

Jeff Green, Interim Personnel Director;

CLOSED SESSION: Interviews for the County Administrative Officer Position

**BOARD ACTION:** (M)Parker, (S)Bibby, closed session to be held at 12:30 p.m. and continued to January 15, 2003, at 11:00 a.m./Ayes: Unanimous.

**11:18 a.m.** Lunch

**12:35 p.m.** The Board convened in closed session.

**3:50 p.m.** The Board recessed and continued the closed session to Wednesday, January 15, 2003, at 11:00 a.m.

**FORTHCOMING POLICY**

Direct the Public Works Director to Commence Work to Acquire Adequate Easements on Stroming Road and 8<sup>th</sup> Street for Existing Commercially-Zoned Properties; Mariposa Town Planning Area (Planning) (Scheduled for Action on January 21, 2003)

**CONSENT AGENDA**

- CA-1      Accept a Donation of a Mobile Command Post from the Fresno County Sheriff, Richard Pierce (Sheriff); Res. 03-7
- CA-2      Accept and Adopt Exhibit A – Amendment-2002, Which Constitutes the Mariposa County Conflict of Interest Code (County Clerk); Res. 03-8
- CA-3      Approve the Budget Action Transferring Funds Within the Human Services Mental Health Budget Unit to Cover Costs of Advertising for Vacant Positions Within the Department (\$2,000) (Mental Health); Res. 03-9
- CA-4      Conclude the Alcohol and Drug Advisory Board Memberships for Joseph Troy and Gary Ingram as Their Terms Have Expired (Human Services)

**3:50 p.m.** The Board recessed and continued the meeting to Wednesday, January 15, 2003, at 11:00 a.m. for continued closed session.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



**MARIPOSA COUNTY BOARD OF SUPERVISORS**

**CONFORMED AGENDA**  
**January 15, 2003**  
(Continued from January 14, 2003)



**11:11 a.m.** The Board reconvened in continued closed session (continued meeting from January 14, 2003) for interviews for the County Administrative Officer position.

**12:52 p.m.** The Board reconvened in open session. Chairman Pickard announced that direction was given to staff as a result of the closed session.

**12:53 p.m.** Adjournment in memory of Jack Bixler and William "Bill" McElrea.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA January 21, 2003



Time      Description

**9:03 a.m.** Meeting Called to Order  
Pledge of Allegiance  
Introductions

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

- James Upperman advised of efforts and a petition drive to dedicate the Coulterville Park to the late Joe Brundage.

- Eleanor Keuning thanked Public Works staff for fixing the washout on Leonard Road; and she requested that the item scheduled for later this date to change a portion of Jessie and Ninth Street to one-way be continued for a week as she can not be present later this date and she feels more review should be given.

Chairman Pickard;

A) Presentation of a Resolution and Tile Plaque to Johnnie Wackerman Upon Her Retirement as a Child Support Specialist for Mariposa County

**BOARD ACTION:** (M)Parker, (S)Bibby, Res. 03-19 was adopted and presented to Johnnie Wackerman, along with a tile plaque/Ayes: Unanimous.

B) Presentation of a Resolution and Tile Plaque to Kenny Williams Upon His Retirement as Road Maintenance and Construction Supervisor for the Mariposa County Public Works Department

**BOARD ACTION:** (M)Balmain, (S)Bibby, Res. 03-20 was adopted and presented to Kenny Williams, along with a tile plaque/Ayes: Unanimous. Jim Petropulos, Public Works Director, commended Kenny for his work with the County. Rich Begley, PWD/Deputy Director Parks and Recreation, provided input relative to Kenny's work in building Woodland Park.

C) Presentation of a Resolution and Tile Plaque to Judy Mangan Upon Her Retirement as an Engineering Technician III for the Mariposa County Public Works Department

**BOARD ACTION:** Judy Mangan was not present. (M)Parker, (S)Stetson, Res. 03-21 was adopted/Ayes: Unanimous. The resolution and tile plaque were given to the Public Works Director to present to Judy.

**9:22 a.m.** Recess

**9:36 a.m.** Board Information

- Supervisor Balmain advised that he attended a U. S. Forest Service meeting last week and equestrian and pedestrian trail issues were discussed. He also advised that he plans to report on the status of the Airport construction project each week until it is completed. He stated he has been communicating with the Public Works Director and the Department is working with the contractor to get the Airport back in full operation. However, he expressed concern that the emphasis of work is on the Northside of the runway and not on the lights.

- Supervisor Bibby thanked all of the department heads for welcoming her and Supervisor Stetson, and for inviting them to visit with their departments. Supervisor Stetson agreed, and he stated he feels the reception in the County has been splendid and he is grateful for that.

- Supervisor Pickard advised that he attended the Regional Council of Rural Counties (RCRC) annual meeting last week.

Approval of Minutes 01-07-03 Regular Meeting

**BOARD ACTION:** Approved, with the noted correction.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** (M)Parker, (S)Bibby, all items were approved. Blaine Shultz, Fire Chief, responded to a question and advised that the budget action is for two radios. Ayes: Unanimous.

Marita Green, Child Support Services Director;

(1) Approve the Increase of one (1) Allocation of a Child Support Specialist II Position from Permanent Part Time (80%) to Full Time Effective February 1, 2003; (2) Authorize the Child Support Services Director to Over-Fill for the Position Effective February 1, 2003 through February 28, 2003; and (3) Approve the Budget Action Transferring Funds Within the Child Support Services Budget to Fund These Actions (\$1,400)

**BOARD ACTION:** Discussion was held with Marita Green; and Debbie Walton/Child Support Services, was present. (M)Balmain, (S)Bibby, Res. 03-24 was adopted/Ayes: Unanimous.

Jim Petropulos, Public Works Director;

Approve the Budget Action Transferring Funds from the Jail Capital Improvement Project to the Mariposa Middle Field Ballpark Restroom Capital Improvement Fund to Cover Unanticipated Expenses (\$5,000) (4/5<sup>th</sup>'s Vote Required)

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Stetson, Res. 03-25 was adopted/Ayes: Unanimous.

Cheryle Rutherford-Kelly, Human Services Director;

A) (1) Authorize the Human Services Director to Execute the Low Income Home Energy Assistance Program (LIHEAP) Agreement; (2) Accept an Advance of \$30,174 in Anticipated Revenue from the LIHEAP Agreement; (3) Authorize the Human Services Director to Continue to Coordinate the Weatherization Portion of the Program in Conjunction with the Public Works Department; and (4) Authorize the Human Services Director to Execute Subsequent Amendments with the State Department of Community Services and Development (CSD), Upon Approval from the County Administrative Officer and County Counsel Up to the Amount Allocated to the Rural Counties

**BOARD ACTION:** Following discussion, (M)Bibby, (S)Stetson, Res. 03-26 was adopted/Ayes: Unanimous.

B) (1) Authorize the Human Services Director to Execute the 2003 Community Services Block Grant (CSBG) Agreement for the Calaveras-Mariposa Community Action Agency; Accept an Advance of \$34,147 in Anticipated Revenue from CSBG Agreement; and (3) Authorize the Human Services Director to Execute Subsequent Amendments with the State Department of Community Services and Development (CSD) Upon Approval from the County Administrative Officer and County Counsel Up to the Amount Allocated to the Rural Counties

**BOARD ACTION:** Following discussion, (M)Bibby, (S)Balmain, Res. 03-27 was adopted/Ayes: Unanimous.

**9:58 a.m.** Eric Toll, Planning Director;

B) (1) Approve Changing Jessie Street to One-Way Southbound Between Ninth and Tenth Streets; (2) Approve Changing Ninth Street to One-Way Eastbound Between Highway 140 and Jessie Street; (3) Approve Installation of Angled Parking Spaces on Jessie and Ninth Street; and (4) Authorize the Chair to Accept a 1.5 Foot Parking Easement on Ninth Street from Property Owners Gene and Kay Mickel

**BOARD ACTION:** Discussion was held relative to the request received earlier this date to continue this matter. (M)Parker, (S)Balmain, Res. 03-28 was adopted approving the request. Further discussion was held. Supervisor Pickard expressed concern with the request to make the

portion of Jessie Street one-way for southbound traffic versus northbound. Supervisor Bibby asked about input from CalTrans and the future status of the sidewalk and maintenance. She also asked that there be good signage and advertising for the change. Ayes: Stetson, Balmain, Bibby; Parker; Noes: Pickard.

A) PUBLIC HEARING: To Consider General Plan Zoning Amendment #2002-337 and Land Division #2002-338, a Proposal to Change the General Plan Land Use and Zoning Designation on APN 015-350-023 (a 102 Acre Parcel Located on Chowchilla Mountain Road at Leaning Pine Way) from Mountain General to Mountain Transition and to Then Subdivide the Parcel into Four (4) Twenty-Five (25) Acre Parcels

**BOARD ACTION:** The hearing was opened and continued for staff to set-up.

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

**10:28 a.m.** Eric Toll, Planning Director, presented the staff report; and he responded to questions from the Board relative to the easement requirements.

The public portion of the hearing was opened, and input was provided by the following.

- Rod Hilton, property owner and partner with Reamer, thanked the Planning staff for working with them on this project, and stated he was present to answer any questions.

The public portion of the hearing was closed, and the Board commenced with deliberations. Jeff Green, County Counsel, requested that it be clear in the conditions that staff is requiring a 30" road easement on Chowchilla Mountain Road on either side of the center line. Eric Toll noted that condition No. 1 would also be modified to reflect this clarification, and he responded to a question from the Board as to the timeframes for processing this application. (M)Parker, (S)Stetson, Res. No. 03-29 was adopted adopting a Mitigated Negative Declaration and approving General Plan Zoning Amendment No. 2002-337 and Land Division No. 2002-338 with the recommended findings, conditions and mitigation measures; and first reading was waived and an Ordinance introduced amending the General Plan Land Use and Zoning Designation on APN 015-350-023 from Mountain General to Mountain Home, including the change in the language for the easement requirement as suggested by County Counsel. Eric responded to additional questions from the Board relative to the other conditions and requirements based on input received from outside agencies (i.e., CDF and Fish and Game), including the requirement for the water tank to have static pressure at the outlet of 25 pounds per square inch or greater and whether the topography of the area was reviewed to meet that requirement or if the tank would need to be elevated. Eric advised that he will further review the water tank issue. Ayes: Unanimous. The hearing was closed.

**10:39 a.m.** CLOSED SESSION: To Discuss Filling the County Administrative Officer Position (Interim Personnel Director)

**BOARD ACTION:** (M)Stetson, (S)Parker, closed session was held, and it was noted that the Board would adjourn at the conclusion of the closed session/Ayes: Unanimous.

### **FORTHCOMING POLICY**

A) Adopt the CountyWide Injury and Illness Prevention Plan as Policy and Direct Each Department Head or Appointed Department Safety Representative (DSR) to Monitor the Health and Safety Policy for Their Respective Department with Assistance From the County Safety Officer (Public Works) (To Be Scheduled for Action in the Future)

B) Direct the Public Works Director to Commence Work to Acquire Adequate Easements on Stroming Road and 8<sup>th</sup> Street for Existing Commercially-Zoned Properties; Mariposa Town Planning Area (Planning) (To Be Scheduled for Action in the Future)

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



El Portal Library and Yosemite Library Branch Hour Changes (County Librarian)

**CONSENT AGENDA**

- CA-1 Approve the Budget Action Transferring Funds Within the Fire Equipment Fund to Allow for the Purchase of Radios (\$2,256) (Fire); Res. 03-22
- CA-2 Authorize the Chair to Sign the County Exhibits Entry Form for the 2003 California State Fair (Tourism); Res. 03-23

**10:54 a.m.** Adjournment in memory of Patsy Lynn “Pat” Pilcher and Bob Gray.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS



### CONFORMED AGENDA January 28, 2003

Time      Description

**9:06 a.m.** Meeting Called to Order  
Pledge of Allegiance  
Introductions

Chairman Pickard announced that direction was given to staff on January 21, 2003, as a result of the Closed Session to discuss filling the County Administrative Officer position.

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

#### Board Information

- Supervisor Balmain reported on the status of work at the Airport this morning on the improvement project – there was a full construction crew and they are making some headway.  
- Supervisor Pickard advised that he attended the County Medical Services Program (CMSP) Governing Board meeting on Thursday, and he attended the Noxious Weed Awareness Coalition meeting on Friday in Sacramento.

Approval of Minutes 01-14-03, Regular Meeting; and 01-15-03, Continued Regular Meeting  
**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** (M)Parker, (S)Balmain, all items were approved/Ayes: Unanimous.  
Supervisor Balmain noted that there is a typographical error in the agreement for item 1.

Blaine Shultz, Fire Chief;

A) Authorize the Fire Chief to Apply for FY 2003-04 Volunteer Fire Assistance Program for Safety Equipment and Clothing

**BOARD ACTION:** Following discussion, (M)Parker, (S)Stetson, Res. 03-33 was adopted/Ayes: Unanimous.

B) Authorize the Fire Chief to Apply for FY2002 Emergency Operations Plan Update Grant in the Amount of \$69,587 for Emergency Plan Update

**BOARD ACTION:** Discussion was held with Blaine Shultz, Fire Chief, and he clarified that this grant does not require a County match or implementation of GIS. (M)Balmain, (S)Bibby, Res. 03-34 was adopted/Ayes: Unanimous.

Gail Neal, Chief Probation Officer;

Resolution Approving the Office of Criminal Justice Planning (OCJP) Grant Award for Jail Removal Grant Funds for the Juvenile Detention Facility; and Approve Budget Action Increasing Revenue and Appropriations for this Grant Program by \$34,168 (4/5ths Vote Required)

**BOARD ACTION:** Following discussion, (M)Parker, (S)Bibby, Res. 03-35 was adopted/Ayes: Unanimous.

Approve an Amendment to the Recreation Program Coordinator Class Specification by Revising the Minimum Qualifications (Interim Personnel Director)

**BOARD ACTION:** Following discussion, (M)Parker, (S)Stetson, Res. 03-36 was adopted/Ayes: Unanimous.

Discussion and Direction Relative to Forming an Ad Hoc Advisory Committee Consisting of Two Members of the Board of Supervisors to make Recommendations to the Board Relative to Salary Adjustments for Appointed Department Heads and Elected Officials (Interim Personnel Director)

**BOARD ACTION:** Discussion was held and Supervisors Balmain and Parker offered to serve on the Ad Hoc Committee. The Board concurred. Further discussion was held relative to the Committee membership later this date.

Approve an Amendment to Resolution No. 01-34 to Permanently Tie All Benefit Contributions for Appointed and Elected Officials to the Mariposa County Managerial and Confidential Organization's (MCMCO) Effective February 1, 2003 (Interim Personnel Director)

**BOARD ACTION:** Following discussion (M)Balmain, (S)Parker, Res. 03-37 was adopted/Ayes: Unanimous.

Approve an Amendment to Resolution No. 01-285 to Remove the Supplemental Medical Insurance Payment (SMIP) for the Mariposa County Managerial and Confidential Organization (MCMCO), Retirees of that Unit, as well as Appointed and Elected Officials (Interim Personnel Director)

**BOARD ACTION:** Discussion was held with Jeff Green, Interim Personnel Director, and he advised that this action removes the previously approved supplemental payment as the new negotiated rate includes that portion. (M)Parker, (S)Stetson, Res. 03-38 was adopted/Ayes: Unanimous.

Adopt a Resolution Amending the Employer's Contribution for the Mariposa County Managerial and Confidential Organization (MCMCO) and Appointed and Elected Officials Under the Public Employees' Medical and Hospital Care Act (Interim Personnel Director)

**BOARD ACTION:** Following discussion, (M)Stetson, (S)Bibby, Res. 03-39 was adopted/Ayes: Unanimous.

CLOSED SESSION: To Discuss Filling the County Administrative Officer Position (Interim Personnel Director) (Continued from 1-21-03)

**BOARD ACTION:** Jeff Green, Interim Personnel Director, advised that this closed session is not necessary.

Supervisor Parker initiated discussion relative to membership on the Ad Hoc Advisory Committee to make recommendations to the Board relative to salary adjustments for appointed department heads and elected officials, and he advised that he will be out for a couple of weeks in February and suggested that another member serve. Supervisor Stetson offered to serve, and the Board concurred.

**9:48 a.m.** CLOSED SESSION: Conference with Legal Counsel Relative to Anticipated Litigation for a Case Pursuant to Subdivision (c) of Government Code Section 54956.9 (County Counsel); and CLOSED SESSION: Conference with Legal Counsel Relative to Anticipated Litigation for Three Cases Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel)

**BOARD ACTION:** (M)Parker, (S)Balmain, closed sessions were held/Ayes: Unanimous.

**10:12 a.m.** The Board reconvened in open session. Chairman Pickard announced that direction was given to staff as a result of the closed session matters.

### **FORTHCOMING POLICY**

A) Adopt the CountyWide Injury and Illness Prevention Plan as Policy and Direct Each Department Head or Appointed Department Safety Representative (DSR) to Monitor the Health and

Safety Policy for Their Respective Department with Assistance From the County Safety Officer (Public Works) (To Be Scheduled for Action in the Future)

B) Direct the Public Works Director to Commence Work to Acquire Adequate Easements on Stroming Road and 8<sup>th</sup> Street for Existing Commercially-Zoned Properties; Mariposa Town Planning Area (Planning) (To Be Scheduled for Action in the Future)

**CONSENT AGENDA**

- CA-1 Authorization for the Chair to Execute a Memorandum of Agreement Between the National Park Service and the County of Mariposa for Purposes of Project Management for the Central California Conference of the Seventh Day Adventist Church and Yosemite National Park Land Exchange and Camp Wawona Expansion and Remodel Environmental Impact Report/Environmental Assessment (Planning); Res. 03-30, with direction for typographical error to be corrected
- CA-2 Approve the Ratification of the Memorandum of Understanding (MOU) with the Mariposa County Managerial and Confidential Organization (MCMCO) Effective November 1, 2002 through October 31, 2005 (Interim Personnel Director); Res. 03-31, with correction to add paragraph that was inadvertently omitted
- CA-3 Approve the Ratification of the Supplement Agreements to the Memoranda of Understanding with the Deputy Sheriffs' Association (DSA) and Sheriffs' Management Association (SMA) to Include the Deputy Probation Officer and Deputy Chief Probation Officer Classifications (Interim Personnel Director); Res. 03-32

**10:13 a.m.** Adjournment in memory of Sophia Isabell Murdock.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### CONFORMED AGENDA February 4, 2003



Time      Description

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

Chairman Pickard called for a moment of silence in memory of the seven-crew members of the spaceship Columbia.

Supervisor Stetson;

Introduction of Michael J. Tollefson, Superintendent of Yosemite National Park

**BOARD ACTION:** Mike Tollefson was introduced and welcomed. He commented on plans to work with the County.

Chairman Pickard;

B) Presentation of a Resolution and Tile Plaque to Blanche Day upon her Retirement as a Contract Administrator for Mariposa County Human Services Department

**BOARD ACTION:** (M)Parker, (S)Bibby, Res. 03-41 was adopted and presented to Blanche Day, along with a tile plaque/Ayes: Unanimous.

A) Presentation of a Resolution and Tile Plaque to Jeff Jennrich upon his Retirement as a Eligibility Worker III for Mariposa County Human Services Department

**BOARD ACTION:** (M)Parker, (S)Stetson, Res. 03-40 was adopted and presented to Jeff Jennrich, along with a tile plaque/Ayes: Unanimous.

**9:15 a.m.** Recess

**9:25 a.m.** Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda  
- The following input was provided and discussion was held relative to the Board's previous action to designate a portion of Ninth and Jessie Streets as one-way.

Jim Dulcich stated he has discussed the Board's action to designate a portion of Jessie Street as one-way with several individuals, and there was a general agreement that they were not happy with the designation. He stated he does not feel that the study went deep enough into the whole traffic pattern of the area; i.e., starting at Mariposa Park and taking into consideration the development of the Amphitheater and continuing to Highway 49 North. He requested that the Board take another look at this issue and conduct a public hearing. He also suggested that the Mariposa Town Advisory Task Force be involved in the process. He commented on the efforts and contributions of the downtown merchants relative to building the downtown parking district.

Eleanor Keuning reminded the Board that she had requested a continuance of this matter when it came up on the agenda. She thanked Supervisor Pickard for voting against the designations. She also questioned why the proposal did not go through the Mariposa Town Advisory Task Force, and stated she supports Jim Dulcich's comments.

Ken Melton stated he supports the request for further consideration of the issue, and he agrees with the request to conduct a public hearing.

Supervisor Parker initiated discussion relative to giving consideration to rescheduling this matter and taking additional input, and requested that staff address the questions that have been raised. Supervisor Bibby agreed, and she requested that the information be provided to the

Mariposa Town Advisory Task Force for input. Supervisor Parker noted that consideration would need to be given to the affect this may have on the projects that are already in process.

Gene Mickel, property owner of proposed project, noted that the one-way designations have been voted on by the Board and passed. He asked if consideration is being given to changing that action. He also noted that the traffic on Eighth Street uses the private parking lot to better access the intersection to Jessie Street, and that traffic cuts through the parking lot at the Frost Shop – in both cases, this leaves private parties covering the maintenance costs for this traffic.

Jeff Green, County Counsel, stated he feels there is no reason for the Board to rehear this matter unless it is willing to reconsider its previous action; and he further noted that consideration needs to be given to the fact that the applicants have relied on the Board's action in pursuing their projects.

Gene Mickel stated there are some differences in the project design based on a one-way street designation; and he noted that they would loose three or four parking spaces and they would not be in compliance with the Parking Ordinance if the traffic remains two-way. They agreed to install a sidewalk at Jessie at their own expense and would not have done that without the one-way designation.

Jim Dulcich stated he feels that if the matter is further reviewed, it could be found that the study was not properly done and we went down the wrong path, and we should be able to correct that. Speaking as a volunteer firefighter, he stated he feels the Fire Department should be involved in the comment period of these types of proposals.

Supervisor Bibby stated she would be okay with conducting a public hearing and noted there could be different findings; however, she does not know if it would change her mind. She expressed concern with the impact the diagonal parking on Ninth Street would have with parking and servicing the ambulances for Mercy Ambulance Service. She asked Gene Mickel whether he has pulled his permit.

Gene Mickel advised that they have an architect working on the final plans.

Kay Mickel commented on the engineering that is needed for their project and the planning efforts. She also noted that the County approached them relative to the parking ideas and traffic circulation, and stated they have been waiting a long time to do this project and reconsideration would extend it.

Jim Petropulos, Public Works Director, responded to questions from the Board relative to their input into the proposal and the traffic counts.

Further discussion was held as to whether to reconsider the Board's decision, and relative to the possibility of reversing the direction of traffic in the future.

Jim Dulcich stated he feels that the Board did what it thought was correct with the information that was provided at the time; but he does not believe that staff provided all of the information that could have been included in the study and impacts.

Eleanor Keuning stated she agrees with Jim Dulcich.

Supervisor Pickard stated he feels that the Board's decision should stand, even though he voted against the request. He stated he feels the matter could be revisited in the future if issues arise. Supervisor Parker clarified that leaving the previous decision stand has no impact on the applicants. No direction was given to reconsider the matter.

Ken Melton requested that the Board give consideration to holding public hearings in the future on items that involve major decisions.

#### Board Information

- Supervisor Stetson stated he has met Superintendent Tollefson at various meetings in different settings over a short period of time, and he feels that the County-Park relationship has never looked better for fruitful dialogs between the Park and the County.

- Supervisor Bibby advised that the Catheys Valley Town Planning Area Advisory Committee is scheduled to meet at 7:00 p.m. this evening at McCay Hall, and the agricultural and residential designations will be discussed. She encouraged the public to attend and participate in these processes.

- Supervisor Balmain provided his weekly status report on the Airport improvement project. He advised of his inquiries to the Flight Service Station to determine if the Airport is open and of the status of the operation of the runway approach lights. He noted there was a small crew working on Monday; however, they worked a full day. He noted that the reserved tie-down cables are still up and those aircraft are using visitor parking. He stated he feels that the contractor can only do one thing at a time and not very fast. Supervisor Balmain advised that he is on the Interagency Team reviewing the Sierra Framework and there is a summary report out. He also stated he plans to attend the Sierra Cascade Logging Conference on Thursday.

- Supervisor Stetson asked about the status of the contract for the Airport improvement project and its terms. Jim Petropulos, Public Works Director, responded and advised that at this time the contractor is not out of compliance with the contract. There are still about ten working days remaining, and allowances have been made for weather. However, there are penalties if the work is not completed within the contract timeframes and that would affect the contractor's bond rating. He noted the Airport is open and the runway is operational; however, the lights are out and they are working on that.

Approval of Minutes 01-21-03, Regular Meeting

**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** Jeff Green, County Counsel, pulled item 2 to bring back at a later date. (M)Parker, (S)Bibby, the balance of the items were approved/Ayes: Unanimous.

Donna Brownell, Mariposa County Arts Council Executive Director;

A) Resolution Authorizing Execution of a Grant Contract of the State/Local Partnership with the California Arts Council; and

B) Resolution Authorizing Execution of a Local Art Education Partnership Program Grant Contract with the California Arts Council

**BOARD ACTION:** (M)Parker, (S)Stetson, Res. 03-43 was adopted approving the Grant Contract of the State/Local Partnership; and Res. 03-44 was adopted approving the Local Art Education Partnership Program Grant Contract/Ayes: Unanimous.

Gail Neal, Chief Probation Officer;

Approve Budget Action Transferring Funds (\$9,296) from Probation Budget to the Vehicle Replacement Fund for the Purchase of a Replacement Vehicle; and Authorize Public Works to Purchase the Replacement Vehicle in the Amount of \$27,952.51 (4/5ths Vote Required)

**BOARD ACTION:** Discussion was held with Gail Neal. Motion by Parker to approve the request was held for further discussion. Discussion was held relative to the status of vehicles for the department and their uses and grant requirements. Joe Halencak, PWD/Fleet Superintendent, responded to questions relative to the correction of defects that existed in the Crown Victoria vehicles. (M)Parker, (S)Balmain, Res. 03-45 was adopted approving the request for budget transfer and purchase/Ayes: Unanimous.

Jim Petropulos, Public Works Director;

Authorize Amendment to the Current Personal Services Agreement for the County Composting Facility Project with Fred Solomon to Provide Reimbursement for Approved Expenses in Addition to the Previously Authorized Flat Monthly Rate of \$1,200

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Stetson, Res. 03-46 was adopted approving the amendment. Jeff Green, County Counsel, advised of language that was inadvertently omitted from the contract amendment. The motion was amended, agreeable with the maker and second, to include the language/Ayes: Unanimous.

**10:32 a.m.** Keith Williams, Assistant, appeared on behalf of Marjorie Wass, Treasurer/Tax Collector/County Clerk;

A) Approve Budget Action Transferring Funds from Elections Clerk II Salary Savings to Extra Help in the County Clerk Budget (\$1,230)

**BOARD ACTION:** Following discussion, (M)Bibby, (S)Balmain, Res. 03-47 was adopted/Ayes: Unanimous.

B) Approve Budget Action Transferring Funds within the Treasurer/Tax Collector Budget to Fund an Extra Help Employment Agreement (\$4,800); and Approve Extra Help Employment Agreement with Marian Spacke Effective 2-1-03

**BOARD ACTION:** (M)Parker, (S)Balmain, Res. 03-48 was adopted/Ayes: Unanimous.

**10:34 a.m.** Recess

**10:50 a.m.** Blaine Shultz, Fire Chief;

A) Approve Budget Action Increasing Revenue and Appropriations for the Fire Budget by Accepting Unanticipated Revenue from the McNally Fire Strike Team (\$16,867) for Catheys Valley Fire Station Roof Replacement, Rental of Hangar Space to Store Engines, Volunteer Firefighter Compensation, and for Equipment Maintenance (4/5ths Vote Required)

**BOARD ACTION:** Discussion was held with Blaine Shultz relative to the request for use of the hangar space and it was noted that this is an on-going expense from a one-time revenue source. Blaine explained that the request to rent the hangar is for month-to-month. Supervisor Balmain stated he feels the facilities at the Airport should be limited to aircraft, and he asked staff to explore the possibility of using this hangar for a high-wing and low-wing aircraft. He stated he wants to make sure that an opportunity is not missed to rent this space to a pilot. (M)Balmain, (S)Parker, Res. 03-49 was adopted approving the requests. Supervisor Parker stated he would prefer to see these types of requests considered with the mid-year budget process. Supervisor Pickard asked about the possibility of using covers to protect the engines. Further discussion was held. Supervisor Balmain requested that Public Works look at all options for future rental of the hangar for aircraft. Ayes: Unanimous.

B) Authorize the Fire Chief to Sign the Volunteer Fire Assistance Program “Agreement for Distribution of Funds” in the Amount of \$6,000; and Approve Budget Action Increasing Revenue and Appropriations for the Fire Budget, as the Grant Award is Higher than the Budgeted Amount (\$1,000) (4/5ths Vote Required)

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Parker, Res. 03-50 was adopted/Ayes: Unanimous.

C) Authorize the Fire Chief to Apply for Bureau of Land Management (BLM) Volunteer Fire Assistance Grant; Sign the Agreement Subject to Approval by County Counsel; and Approve Budget Action Increasing Revenue and Appropriations for the Fire Budget by Accepting Unanticipated Revenue from the Grant for Small Tools and Equipment upon Notice of Approval of the Grant (\$39,110) (4/5ths Vote Required)

**BOARD ACTION:** Discussion was held with Blaine Shultz. Jeff Green, County Counsel, advised that the Administrative Analyst wanted it to be clear that the budget action to accept unanticipated revenue would not occur until the grant is approved. (M)Balmain, (S)Parker, Res. 03-51 was adopted, with direction for the typographical errors to be corrected, and with the understanding that the receipt of the unanticipated revenue is subject to approval of the grant/Ayes: Unanimous.

Selection of Chairman and Vice-Chairman for the Mariposa County Water Agency and the Local Transportation Commission (Clerk of the Board)

**BOARD ACTION:** Following discussion, (M)Parker, (S)Balmain, Supervisor Parker was selected to continue to serve as Chairman of the Water Agency, and Supervisor Bibby was selected as Vice-Chair; and Supervisor Balmain was selected to be Chairman of the Local Transportation Commission and Supervisor Stetson was selected as Vice-Chairman/Ayes: Unanimous.



Appointment of a Board Member to the Mariposa County Children and Families First Commission (Clerk of the Board)

**BOARD ACTION:** (M)Balmain, (S)Parker, Supervisor Bibby was selected to serve on the Commission/Ayes: Unanimous.

Selection of Board Member Representation on Agencies (Clerk of the Board)

**BOARD ACTION:** Discussion was held. (M)Parker, (S)Balmain, the following selections were made:

**Area Agency on Aging/PSA 12:** Representative - Supervisor Pickard; Alternate - Supervisor Stetson

**California State Association of Counties (CSAC):** Director - Supervisor Stetson; Alternates - Supervisors Balmain, Bibby, Parker and Pickard

**CSAC Advisory Committee on Court Facilities:** Staff Support – County Administrative Officer and Public Works Director

**CSAC Excess Insurance Authority/(EIA) Liability Insurance:** Representative – County Administrative Officer; Alternate – County Counsel

(Note: County Counsel will serve as the representative until the function is transitioned to the County Administrative Officer)

**Calaveras-Mariposa Community Action Agency:** Representatives- Supervisors Stetson and Bibby

**County Medical Services Program (CMSP):** Representative - Supervisor Pickard; Alternate - Supervisor Stetson

**Foreign Trade Zone Advisory:** Member - Supervisor Bibby

**Job Connection Mariposa Governing Board (Mother Lode Job Training):** Representative – Supervisor Bibby; Alternate - Supervisor Stetson

**Mountain Counties Air Basin:** Representative - Supervisor Pickard; Alternate - Supervisor Parker

**Mountain Counties Water Resources Association:** Representative - Supervisor Parker; Alternate - Supervisor Bibby

**Mountain Valley Emergency Medical Services Agency and Regional Advisory Board:** Representative - Supervisor Parker; Elected Alternate - Supervisor Pickard; Alternate/Chairman of EMCC – Dr. Mosher, Health Officer

**National Association of Counties (NACO):** Representative – Supervisor Stetson

**Regional Council of Rural Counties (RCRC):** Representative - Supervisor Pickard; Alternates - Supervisors Balmain, Bibby, Stetson and Parker

**RCRC JPA's for Solid Waste:** Representatives - Supervisors Parker and Pickard; Alternates - Public Works Director, Jim Petropulos and Solid Waste Manager

**San Joaquin Valley-wide Air Pollution Basin Study Agency:** Representative - Supervisor Bibby; Alternate - Supervisor Pickard

**San Joaquin Valley Regional Association of California Counties/Executive Committee/Biodiversity:** Representative – Supervisor Balmain

(Supervisor Balmain is also the representative for the Biodiversity Council)

**Yosemite Area Regional Transportation Strategy (YARTS) JPA:** Representative - Supervisor Stetson

**Yosemite/Sequoia Resource Conservation and Development Area:** Representative – Supervisor Pickard; Alternate – Supervisor Balmain  
Ayes: Unanimous.

Discuss and Provide Direction Relative to Appointment of Board Member Ad Hoc Committees (Chairman Pickard)

**BOARD ACTION:** Discussion was held. Supervisor Balmain requested that Board members be involved with the Courthouse Strategic Planning meetings due to the historic value of our Courthouse. Jeff Green, County Counsel, suggested creating a separate ad hoc committee relative to

the Strategic Planning process, and advised that those Board member(s) could attend the meetings. Discussion was held relative to assigning Board members from the policy liaison areas to the ad hoc committees. Discussion was held relative to handling space needs issues and suggestion that this be given to the County Administrative Officer.

**11:44 a.m.** Recess

**11:51 a.m.** Further discussion was held. (M)Parker, (S)Balmain,

1) the following selections were made to the ad hoc committees (committees consisting of only two Board members):

**Recreation/Sports Complex (Field of Dreams):** Supervisors Bibby and Parker

**Arts Park:** Supervisors Stetson and Parker

**Amphitheater Project:** Supervisors Stetson and Parker

**Solid Waste/Compost Project:** Supervisors Balmain and Parker

**Visitors' Bureau/Tourism and Economic Development Department** (in the interim of filling the department head vacancy: Supervisors Pickard and Parker

**Strategic Planning for the Courthouse:** Supervisors Balmain and Pickard;

2) the following Board members were selected to be the contact members for the following areas:

**Yosemite National Park Service issues:** Supervisors Stetson and Pickard

**California State Mining and Mineral Exhibit issues:** Supervisors Pickard and Parker;

3) direction was given for the County Administrative Officer to handle space needs issues as suggested. It was noted that Board members should be kept informed of these issues, particularly the affected district; and

4) as specific projects are brought forward in the future, a formal appointment of an ad hoc committee will be made/Ayes: Unanimous.

Review and Provide Direction Relative to Board Member Liaison Policy Areas and Selection of Board Member Representation (Clerk of the Board)

**BOARD ACTION:** Discussion was held relative to the liaison policy areas and options. The Board concurred with the following selections, with direction given for this matter to be brought back for further consideration and with input from the County Administrative Officer in the near future:

**General Government:** Supervisors Bibby and Parker

**Fiscal and Educational Services:** Supervisors Stetson and Pickard

**Developmental Services:** Supervisors Balmain and Parker

**Justice System Services:** Supervisors Balmain and Pickard

**Health and Human Services:** Supervisors Stetson and Bibby.

**INFORMATION** – No action was necessary on the following:  
Informational Hearing Schedule (Clerk of the Board)

**FORTHCOMING POLICY:**

Direct the Public Works Director to Commence Work to Acquire Adequate Easements on Stroming Road and 8<sup>th</sup> Street for Existing Commercially Zoned Properties; Mariposa Town Planning Area (Planning) (To Be Scheduled for Action in the Future)

**CONSENT AGENDA**

- CA-1 Appoint Don Pucilowski to the Mariposa County Commission on Aging, Representing Supervisorial District II (Supervisor Balmain)
- CA-2 Authorize the Chair to Sign Order of the Board to Reject Claim No. C03-1 for an Amount of \$630.49 (County Counsel); Matter was pulled to be rescheduled.
- CA-3 Approve the Appointment of Richard H. Inman to the County Administrative Officer Position Effective March 3, 2003 (Personnel); Res. 03-42

**12:09 p.m.** Adjournment in memory of the seven-crew members of the spaceship Columbia: Commander Rick Husband, Michael Anderson, David Brown, Kalpana Chawla, Laurel Clark, William McCool, and Ilan Ramon.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS



### CONFORMED AGENDA February 11, 2003

Time      Description

**9:08 a.m.** Meeting Called to Order with Supervisor Parker excused.  
Pledge of Allegiance  
Introductions

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

#### Board Information

- Supervisor Balmain reported on the status of the improvement project at the Airport, and he advised of an incident involving an aircraft that was not tied-down. Supervisor Pickard asked about liability issues. Jeff Green, County Counsel, advised that he has requested a report from Public Works relative to the incident. Supervisor Balmain advised that he attended the Sierra Cascade Logging Conference on Thursday and Friday.

- Supervisor Bibby asked about the status of work on Silver Bar Road. Jim Petropulos, Public Works Director, advised that it will take more work than there is funding available; however, they are working to improve its condition.

- Chairman Pickard advised that Sheriff Pelk Richards has tendered his resignation effective May 1, 2003. He suggested that direction be given to staff to prepare information relative to handling the vacancy for the Board's consideration in March. The Board concurred with County Counsel/Interim Personnel Director bringing the information back as suggested.

Approval of Minutes 01-28-03, Regular Meeting

**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** (M)Bibby, (S)Balmain, Consent Agenda was approved/Ayes: Stetson, Balmain, Bibby, Pickard; Excused: Parker.

Ken Hawkins, Auditor;

Authorize County Counsel to Draft a Proposed Resolution to Grant a Paid Leave of Absence (Including Benefits) for Active, Full-time Employees who are Ordered to Full-time Active Military Duty

**BOARD ACTION:** Discussion was held with Ken Hawkins. (M)Balmain, (S)Bibby, direction was given for County Counsel to draft a resolution as requested. Further discussion was held relative to the status of PERS benefits. Supervisor Pickard requested that more detailed information relative to the status of benefits be brought back with the resolution. Ayes: Stetson, Balmain, Bibby, Pickard; Excused: Parker.

Jim Petropulos, Public Works Director;

Ratify or Amend the Public Works Department Capital Improvement Priority Process

**BOARD ACTION:** Discussion was held with Jim Petropulos relative to the recommended process for prioritizing capital improvement projects. Discussion was held relative to options for completing some of the smaller and older projects; and relative to prioritizing projects that are good for the community but do not meet the criteria for prioritizing at a higher level. Motion by Stetson

to ratify the process died for lack of a second. The Board concurred with bringing this matter back when the full Board is present.

**9:47 a.m.** Recess

**10:04 a.m.** Cheryle Rutherford-Kelly, Human Services Director;  
PUBLIC HEARING Regarding the Submission of a \$500,000 2003 Community Development Block Grant (CDBG) Application to Fund Mother Lode Job Training and the Mariposa Amador Calaveras Tuolumne (MACT) Health Board for Low-income Employment & Training Resource Services and Low-income Dental Services, Respectively; and Approve the Submission of Said Grant Application to the State Department of Housing and Community Development

**BOARD ACTION:** Cheryle Rutherford-Kelly provided the staff report, and she responded to questions from the Board relative to the process and consideration of other applications for the next year.

The public portion of the hearing was opened and input was provided by the following:

Candace Katosic, Job Connection (Mother Lode Job Training) Director, thanked the Board for the opportunity to apply for this funding. She noted that they have projects utilizing this source of funding in Tuolumne and Calaveras Counties. She referred to their efforts to coordinate work force efforts in the counties, and she advised that the federal funding has declined and they are looking for other funding sources to continue with their work. She responded to a question from the Board and advised that the funding from this grant will remain local.

Bill Tucker, California Rural Indian Health Board, stated the State is cutting their funding for the low-income dental services and they are trying to get letters sent to the Governor advising of the affects the cuts will have in the rural areas.

Dr. Ray Walpole, Dental Director, provided input on their efforts to keep the dental program, and he advised that he supports this grant application.

The public portion of the hearing was closed and the Board commenced with deliberations. (M)Bibby, (S)Balmain, Res. 03-52 was adopted approving the submission of the applications as recommended. Supervisor Pickard requested that staff review whether there is any funding available to assist/enhance services for the seniors. Ayes: Stetson, Balmain, Bibby, Pickard; Excused: Parker. The hearing was closed.

**10:18 a.m.** CLOSED SESSION: Conference with Legal Counsel Relative to Anticipated Litigation for a Case Pursuant to Subdivision (c) of Government Code Section 54956.9 (County Counsel)

**BOARD ACTION:** (M)Balmain, (S)Bibby, the closed session was held with Public Works staff to be present for a portion of the session/Ayes: Stetson, Balmain, Bibby, Pickard; Excused: Parker. Chairman Pickard advised that Supervisor Parker would be joining the closed session via conference call.

**11:25 p.m.** The Board reconvened in open session. Chairman Pickard announced that direction was given to staff as a result of the closed session.

**FORTHCOMING POLICY:**

Direct the Public Works Director to Commence Work to Acquire Adequate Easements on Stroming Road and 8<sup>th</sup> Street for Existing Commercially Zoned Properties; Mariposa Town Planning Area (Planning) (To Be Scheduled for Action in the Future)

**CONSENT AGENDA:**

CA-1 Appoint Elaine Seymour to the Mariposa Town Advisory Task Force Representing the Museum Board (Supervisors Bibby and Parker)

**11:26 a.m.** Adjournment in memory of Floyd Keenom, Opel Burns-Benedetti, Joe R. Mullis, Gladys Brauer, Arthur Cox, and Morris H. Breedlove.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS



### CONFORMED AGENDA February 18, 2003

Time      Description

**9:08 a.m.** Meeting Called to Order with Supervisor Parker excused.

Pledge of Allegiance

Introductions

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

- Eleanor Keuning asked where the County Road crews were currently working; and she asked about the status of the amphitheater project and the arts park. Chairman Pickard suggested that she check with Public Works. She advised that she attended the Mariposa Town Advisory Task Force meeting and there was discussion of holding another meeting prior to February 25th when the Board is scheduled to reconsider its action on the one-way designation for a portion of Jessie Street. Supervisor Bibby stated she would get her information on the meetings.

Board Information

- Supervisor Stetson advised that he plans to attend the CSAC training for new Supervisors this week.

- Supervisor Balmain advised he attended the Bio-diversity Council meeting on Thursday and there was discussion relative to environmental justice. He attended the meeting with the USFS Interagency Team on the Sierra Nevada Framework on Friday. He reported on the status of the Airport improvement project, and he advised that there was minimal activity occurring on the project this morning.

- Supervisor Pickard stated he plans to attend the RCRC meeting on Wednesday and the Environmental Services Joint Powers Authority meeting on Thursday.

Approval of Minutes 02-04-03, Regular Meeting

**BOARD ACTION:** Approved, with corrections.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** Supervisor Balmain pulled item 2 for discussion with the Planning Director later this date. (M)Bibby, (S)Stetson, the balance of the items were approved/Ayes: Stetson, Balmain, Bibby, Pickard; Excused: Parker.

Jim Petropulos, Public Works Director;

A) Authorize Public Works to Collect and Use Donations for the Purchase of Play Ground Equipment at Woodland Park as a Part of the Woodland Park Improvements Project No. 03-03; and Approve Budget Action Accepting and Increasing Appropriations Accordingly (\$2,500) (4/5ths Vote Required)

**BOARD ACTION:** Discussion was held. (M)Bibby, (S)Balmain, Res. 03-54 was adopted/Ayes: Stetson, Balmain, Bibby, Pickard; Excused: Parker. Jim Petropulos advised that he will come back with the purchase request.

B) Discussion and Request for Direction Relative to Transportation Equity Act of 21st Century (TEA 21) Reauthorization Funding

**BOARD ACTION:** Discussion was held with Jim Petropulos, and he advised of the opportunity to submit projects for funding under the Transportation Equity Act. He also advised that the STIP funding for road projects is going to decline. Discussion was held relative to the suggested projects and consideration of increasing the requests. Supervisor Balmain requested that the following projects be added: Piney Creek, Whitlock, Dogtown Road (between Holtzel and Bean Creek), and Priest Coulterville (between Greeley Hill Road and the County line). Supervisor Bibby requested that Ben Hur Road and Old Highway be added. Supervisor Stetson stated he agrees with adding Whitlock Road and Colorado, and he requested that consideration be given to adding Yosemite Oaks and Foresta Roads. Discussion was held relative to options for submitting the requests. Eric Toll, Planning Director, suggested that consideration could be given to combining the projects and coordinating prioritization with the General Plan. Discussion was held relative to Ben Hur Road and separating the project to improve the grade from the maintenance project in the prioritization listing. (M)Balmain, (S)Stetson, direction was given for Public Works to submit an application for the TEA funding for the various projects on a countywide basis, as suggested and requested; with the first request to be in an approximate amount of ten million dollars, and with the second and third requests to be slightly less/Ayes: Stetson, Balmain, Bibby, Pickard; Excused: Parker.

Consent Agenda item 2 – Supervisor Balmain initiated discussion relative to the status of the requirement for 25 pounds of pressure from the water tank. Eric Toll, Planning Director, suggested that the sentence relative to this specific requirement be deleted. (M)Balmain, (S)Bibby, direction was given to staff to make the suggested change and to bring the ordinance back for adoption in two weeks/Ayes: Stetson, Balmain, Bibby, Pickard; Excused: Parker.

Eric Toll, Planning Director, updated the Board on the following:

- he advised that the memorandum he distributed relative to the General Plan components includes the costs for preparation of the Catheys Valley, Wawona and Yosemite West Area Plans;
- he advised that the Vallecito project has been put on hold at the request of the applicant; so they will also hold on the contract for the EIR; and
- he responded to Supervisor Bibby's question and advised that the Mariposa Town Advisory Task Force will begin meeting two times a month – the second and fourth Wednesdays, from 9:00 a.m. to 11:00 a.m. and they will try to meet at the Library.

Eleanor Keuning noted that the fourth Wednesday is after February 25th when the Board reconsiders the Jessie Street one-way designation. She also advised that she does not want Leonard Road paved, just maintained. She stated she feels that the portion of Old Highway to Catheys Valley should be improved and noted it is a good route for all-weather travel, and she agrees with Ben Hur being included in the application for TEA funding.

**FORTHCOMING POLICY:**

A) Direct the Public Works Director to Commence Work to Acquire Adequate Easements on Stroming Road and 8<sup>th</sup> Street for Existing Commercially Zoned Properties; Mariposa Town Planning Area (Planning) (To Be Scheduled for Action in the Future)

B) Discussion and Consideration of Reversing the Board's Previous Action to Designate Jessie Street as One-way Between Ninth and Tenth Streets (Supervisor Parker) (Scheduled for Action on February 25, 2003)

**CONSENT AGENDA:**

CA-1 Resolution Authorizing Utilization of Marta Lagares-Camacho as a Volunteer Interim Paralegal (District Attorney); Res. 03-53



- CA-2 Waive Second Reading and Adopt an Ordinance Approving General Plan Zoning Amendment No. 2002-337, a Proposal to Change the General Plan Land Use and Zoning Designation on APN 015-350-023 (a 102 Acre Parcel Located on Chowchilla Mountain Road at Leaning Pine Way) from Mountain General to Mountain Transition; Reamer, Applicant (Planning); Direction was given to staff to make a change and bring the matter back in two weeks.
- CA-3 Appoint Susan Baker and Roger Soulanille to the Wawona Town Planning Advisory Committee (Supervisor Pickard)

**10:21 a.m.** Adjournment

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS



### CONFORMED AGENDA

February 25, 2003

<u>Time</u>	<u>Description</u>
<u>9:05 a.m.</u>	Meeting Called to Order Pledge of Allegiance Introductions

Kathy Delaney, Adult Advisor;  
Mariposa Youth Council Update

**BOARD ACTION:** Kathy Delaney advised that the Mariposa Youth Council consists of fifteen members, and she introduced the following members: Ali Palisca and Steve DeLouiz. Ali and Steve gave a presentation on the Youth Council activities and advised of the success of the recent Mariposa Youth Summit. They also advised of the second annual Mariposa Youth Awards ceremony scheduled for March 23rd.

Chairman Pickard;

A) Presentation of a Resolution and Tile Plaque Recognizing Art Leuchner upon his Retirement from the Sheriff's Department (Sheriff);

B) Presentation of a Resolution Recognizing Bill Tucker for his Service as North County Sheriff's Community Organized Policing Effort (SCOPE) Leader (Sheriff); and

C) Presentation of a Resolution Recognizing Bob Rudzik for his Service as Sheriff's Community Organized Policing Effort (SCOPE) Leader (Sheriff)

**BOARD ACTION:** (M)Balmain, (S)Bibby, Res. 03-55 was adopted and presented to Art Leuchner, along with a tile plaque; Res. 03-56 was adopted and given to Assistant Sheriff Howard Davies to present to Bill Tucker, as Mr. Tucker was unable to be present; and Res. 03-57 was adopted and presented to Bob Rudzik/Ayes: Unanimous. Art Leuchner was also presented with a letter of appreciation from Merced Irrigation District (MID) and a pass to their facilities. Mike Birmingham, MID, presented Art Leuchner with a plaque in appreciation of his services.

9:25 a.m. Recess

9:33 a.m. Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Knute Kirkeberg presented information supporting the plasma gasification process for solid waste. He expressed concern with the cost of the proposed composting project, and he urged the Board to reconsider the process.

- Patti McGregor, President of the Mariposa Museum and History Center, welcomed Supervisors Bibby and Stetson to the Board; and she thanked the Board for its support of the Museum and History Center. She advised that the first shelving is up in the vault and she urged the Board to visit. She also noted that they have the Huell Howser videos available and they are seeing an increase in tourism as a result of this advertising.

Board Information

- Supervisor Balmain gave his weekly report on the status of the Airport improvement project. He stated there has been no work done in nearly a week, and he did not see any activity this morning. There are still no tie-downs available in the reserved area.

- Supervisor Bibby advised that the Catheys Valley Community Planning meeting is scheduled for 7:00 p.m. this evening at the McCay Hall and she encouraged the public to attend. She advised that she attended the San Joaquin Valley-wide Air Pollution Basin Study Agency meeting last week.

Approval of Minutes 02-11-03, Regular Meeting

**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)

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

**9:50 a.m.** Supervisor Parker;

Discussion and Consideration of Reversing the Board's Previous Action to Designate Jessie Street as One-way Between Ninth and Tenth Streets (Continued from Forthcoming Policy of February 18, 2003)

**BOARD ACTION:** Supervisor Parker initiated discussion relative to the Board's previous action and subsequent input he has received from the public, and he requested that the Board reverse its previous action.

Input from the public was provided by the following:

- Jim Dulcich referred to the traffic study and statistics. He suggested that Ninth Street be one-way with diagonal parking and that Jessie Street be two-way with parallel parking with the same setbacks.

- Paul Simmons advised that the change to one-way traffic will require his business staff and clientele to exit on Highway 140 and the site distance is obstructed with parked vehicles on the Highway. He stated he feels the other businesses in the area will have the same impacts, and that he supports keeping Jessie Street open to two-way traffic. He stated he does not feel that it is in the public interest to make the portion of Jessie Street one-way; however, he is okay with the decision for the portion of Ninth Street to be one-way.

- Frank Long referred to the recent appointment of members to the Mariposa Advisory Task Force and advised that the Board took action about the same time, and the Task Force was not aware of the requests. He stated he is a member of the Task Force; however, he is speaking as an individual citizen today. He stated he feels the two worst intersections in town are Sixth and Eighth Streets and the Highway. He feels that the action to make streets one-way basically closes the streets, and the recent action will place more pressure on the Sixth and Eighth Streets intersections. He noted that town will grow in this area and he does not feel that streets should be made one-way or closed. He stated he is also opposed to the one-way designation on the portion of Ninth Street, and stated he uses that Street because it is the easiest access to the route to the Post Office. He further stated that he could not find any reference in the Town Plan for making Jessie Street one-way. He stated he agrees with connecting the Creek Parkway to the History Center and asked if the location of the trail is being coordinated with these projects.

- Eleanor Keuning asked about the status of an expanded evaluation of the whole area that was discussed at the previous meeting. She noted that the amphitheater project will increase traffic in the area, and she stated she still feels an expanded traffic study of the area should be conducted.

Discussion was held by the Board. Motion by Parker to reverse the Board's previous action and direct that Jessie Street remain open to two-way traffic, was held in abeyance for further discussion. Supervisor Parker noted that the applicants for the projects did not request the change in the traffic pattern.

Eric Toll, Planning Director, responded to questions from the Board, and he stated he has not seen the revised plans for the proposed projects and he does not know the final details as to whether a sidewalk is planned for the Radanovich's project on Jessie Street. Supervisor Pickard clarified that no plans have been submitted.

The motion was seconded by Supervisor Balmain. Further discussion was held. Supervisor Bibby requested that the County review improvements to Jessie Street independent of these projects, suggesting that sidewalks, possible widening of the street, and parallel parking issues be reviewed. She noted that additional information has been presented since the Board first considered this

matter, including impacts on the four-way stop at the Highway 49/140 intersection, use of Jessie Street to access Highway 49 North, traffic impacts on Stroming Road, the addition of the amphitheater and development of commercial uses in the area, and impacts on the other intersections in the area. She requested that the Board reverse its decision and refer the matter to the Task Force. She also requested that consideration be given to placing the buildings so that traffic visibility is not impacted. Supervisor Stetson stated he feels the applicants should be supported in this matter as the Board has made its decision. Supervisor Parker expressed concern with referring the matter to the Task Force and delaying the projects to wait for a report from the Task Force. He noted that the Task Force was just being formed at the time this matter was being considered, and he does not feel that the Board should make a project wait that is already being processed.

- Gene Mickel advised that even though they have not submitted their plans, they have been working on this project, and it is disappointing to him that the Board is reconsidering this issue. He advised that the County is using about four-feet of his property now on Ninth Street. He also noted that he has not been noticed about meetings on this issue. He stated Planning contacted Mr. Radanovich and he spoke with him when this issue was first raised. He provided further information relative to the easement for Ninth Street. He responded to a question from the Board relative to the affect of the one-way designation on Ninth Street, and he stated it does not make any difference to him at this point.

Eric Toll responded to additional questions from the Board relative to staff's recommendations on this matter. He advised that the recommendation is for Ninth Street to be one-way, and he noted that on the original site plan for the Frost Shop project, the parking spaces were too small to meet County standards. The one-way designation allows for the number of on-site parking spaces to be reduced given the extra street parking.

Supervisor Bibby stated she would prefer that Planning provide Board members with an informational memorandum on suggested proposals, such as these one-way traffic designations, prior to contacting property owners in the future. Supervisor Pickard stated he will not support reversing the Board's decision, even though he did not support the one-way designations in the beginning. He stated he feels there are consequences for the Board to be changing its decision. Supervisor Parker stated he feels the Board made a mistake and this is an effort to correct it. Supervisor Parker clarified his motion and advised that he is only asking that the one-way designation on the portion of Jessie Street be reversed. Ayes: Parker; Noes: Balmain, Bibby, Pickard; Abstained: Stetson. The motion failed.

Motion by Bibby to rescind the Board's previous action of February 18, 2003, which designated a portion of Ninth and Jessie Streets as one-way; to direct that the matter be referred to the Mariposa Advisory Task Force; with direction that this action is not to interfere with the progress of the proposed projects; and with further direction for staff to review improvements to Jessie Street, was withdrawn following discussion.

(M)Parker, (S)Bibby, Res. 03-60 was adopted removing the designation of Jessie Street as one-way between Ninth and Tenth Streets. Supervisor Parker strongly suggested that staff review the Ninth Street one-way designation with the applicants as to whether that designation needs to continue; and if not, to come back with a recommendation for the Board to reverse its decision. Ayes: Stetson, Bibby, Parker; Noes: Balmain, Pickard. The motion passed.

**10:56 a.m.** Recess

**11:12 a.m.** Supervisor Bob Waterston, Fresno County – District 5;  
Presentation on Operation Clean Air Program

**BOARD ACTION:** Supervisor Waterston gave the presentation on the Operation Clean Air Program, the San Joaquin Valley Air Initiative, and advised that their mission is to create a five-year action plan that will clean our air and increase economic prosperity in the San Joaquin Valley. He advised that he is the Chair of the Steering Committee for this program and they want to include Mariposa County. The presentation included air problems currently being faced, and he advised of a summit of working groups planned for April 23, 2003, in Fresno, and he encouraged the Board

members to participate. He advised of plans to go to Washington, D.C., two times in March to seek funding to assist with operational implementation of the program.

**11:43 a.m.** Recess

**11:51 a.m.** Mike Coffield, Midyear Analyst; and Mary Hodson, Administrative Analyst; Review the Midyear Analysis and 1) Approve Recommended Budget Actions Reducing General Fund Net County Cost by \$68,363 and Allocating an Additional Office Assistant II Position to the Health Department Effective March 1, 2003; and Authorize the District Attorney to Sign the Statutory Rape Vertical Prosecution (SRVP) Grant Agreement Amending the Grant Award from \$50,000 to \$47,500; 2) Direct all Department Heads to Minimize Expenditures for the Remainder of the Fiscal Year Consistent with the Provision of Effective Services, and 3) Direct the County Administrative Officer and Department Heads to Update the Midyear Report with Expenditure and Revenue Data Through March 31, 2003 (4/5ths Vote Required)

**BOARD ACTION:** Mike Coffield reviewed the midyear analysis, future budget forecasts, and recommendations. Mike and Mary Hodson responded to questions from the Board.

Input was provided by the following:

- Bob Brown, District Attorney, presented information on his request for a vehicle for the investigator position, and he stated he is okay with a lease or purchase. Discussion was held as to whether any funding would be available within the District Attorney's budget. Bob advised that he is also looking for funding for other priorities that he has for the department.

- Marty Allan, PWD-Fleet Fiscal Manager, provided cost information for leasing a vehicle and suggested that the vehicle could be purchased at the end of the lease.

Further discussion was held. Supervisor Pickard requested that consideration be given to funding a historical documentation project for the County and the public by starting a wall reflecting the history of the Board of Supervisors. Further discussion was held with Bob Brown relative to budgeting for the purchase, maintenance and equipment for the vehicle.

(M)Parker, (S)Stetson, Res. 03-61 was adopted approving the recommended actions; approving budget action increasing the Administration budget by \$5,000 for the historical documentation project reflecting the history of the Board of Supervisors; approving budget action of \$28,800 for the purchase of a vehicle for the investigator for the District Attorney, and \$3,500 for equipment and usage costs for said vehicle; and directing that the remaining fund balance be transferred to General Fund Contingency/Ayes: Unanimous.

Jacque Meriam, Librarian;

Establishment of the Mariposa County Library Policy for Patron Conduct

**BOARD ACTION:** Discussion was held with Jacque Meriam relative to the proposed policy and allowances for the consumption of food or beverages. (M)Parker, (S)Stetson, Res. 03-62 was adopted establishing the policy as recommended, with a change to direct that food or beverages are not allowed unless previously approved by the Librarian/Ayes: Unanimous.

**12:37 p.m.** Lunch

**2:08 p.m.** Cheryle Rutherford-Kelly, Human Services Director;

A) The In-Home Supportive Services (IHSS) Advisory Committee's Recommendations for Employer-of-Record; and

B) Recommendation that, to Comply with AB 1682, the Board: 1) Accept the Primary Recommendation of the IHSS Advisory Committee to Establish a Public Authority that will Act as the Employer of Record for IHSS Providers; 2) The Board of Supervisors Serve as the Board of Directors of the Public Authority; 3) Direct County Counsel to Draft an Ordinance Regarding this Matter; 4) Authorize the County to Continue to Act as Employer of Record until the Public Authority is Fully Operational; 5) Reconvene the IHSS Advisory Board to Assist with the Activation of the Public Authority; 6) Modify the Advisory Committee By Laws to Reflect a Membership of Up to Seven People; 7) Consider Allowing the Department to Provide Stipends to

the Advisory Committee Members Due to the Frequency of their Meetings; and 8) Most Importantly, Adopt a Resolution by March 31, 2003, Declaring the Board's Intent to Form a Public Authority and to Act as Employer of Record Until that Public Authority is Operational  
**BOARD ACTION:** Cheryle Rutherford-Kelly introduced Barry Smith, Chair of the Advisory Committee. Barry thanked the Committee members and Human Services staff for their efforts in this matter, and he reviewed the Committee's report.

Cheryle Rutherford-Kelly reviewed the staff report and options for this program. Jeff Green, Counsel, noted that a proposed ordinance will need to be brought back, and he advised that it will contain options of how to administer the Public Authority, and it will include input from the County Administrative Officer and a fiscal analysis. Discussion was held relative to training requirements and liability issues, recommendations for the number of members on the Advisory Committee, whether there would be any changes to the payroll processing, and whether there would be financial impacts.

(M)Stetson, (S)Balmain, Res. 03-63 was adopted approving the Human Services Director's recommendations. Further discussion was held and clarification given. Les Wenger, Advisory Committee member, provided input relative to the request for a stipend for the members. The motion was amended, agreeable with the maker and second, to set the stipend for members to attend meetings at \$35.00 per member per meeting; directing that the role of Human Services for staffing the Authority be clarified in the ordinance and that options be included; and clarifying that the Advisory Committee reflect a membership of up to seven people/Ayes: Stetson, Balmain, Bibby, Pickard; Abstained: Parker.

**2:58 p.m.** Recess

**3:10 p.m.** Rick Peresan, Technical Services Director;

In Support of the Geographic Information System (GIS) Project Funding, Approve:

- The Budget Action Transferring \$51,466 from the Building Department Fund to the Data Processing Budget for the Geographic Information System for the County
- Approve the Budget Actions Transferring Funds (\$13,032) Within the Following Departments for this Project: Assessor; Fire; and Planning;
- Authorize the Health Department to Allocate \$2,166 for Software and Training from Unanticipated Revenue;
- Approve the Use of \$29,380 in Internal Re-directed Funds; and
- Authorize the Chair to Sign a Personal Services Agreement, Subject to County Counsel Review and Acceptance, with Titan Systems Corporation in an Amount Not to Exceed \$49,838 for GIS Consulting Services (4/5<sup>th</sup>'s Vote Required) (Continued from January 14, 2003)

**BOARD ACTION:** Supervisor Parker clarified that the Board's previous action on the mid-year budget did not address this request. (M)Stetson, (S)Balmain, Res. 03-64 was adopted, including the approval of a budget action transferring \$2,166 from the General Fund Contingency to the Health Department budget for software and training versus the allocation of unanticipated revenue. Discussion was held relative to the request and ongoing costs. Supervisor Bibby expressed concern with the costs given the current situation with the State's budget and the uncertainty with the future of the County's budget. Ayes: Stetson, Balmain, Parker, Pickard; Noes: Bibby.

Direction to Staff Relative to a Request by the Treasurer/Tax Collector and the Sheriff/Coroner to Transfer the Public Administrator Duties from the Treasurer/Tax Collector to the Sheriff/Coroner (County Counsel)

**BOARD ACTION:** Following discussion, (M)Bibby, (S)Parker, direction was given to staff to bring back a proposed ordinance to transfer the duties/Ayes: Unanimous.

**FORTHCOMING POLICY:**

Direct the Public Works Director to Commence Work to Acquire Adequate Easements on Stroming Road and 8<sup>th</sup> Street for Existing Commercially Zoned Properties; Mariposa Town Planning Area (Planning) (To Be Scheduled for Action in the Future)

**CONSENT AGENDA:**

- CA-1 Approve Budget Action Transferring Funds in the Indigent Defense Budget to Pay for Additional Costs of Juvenile Court Cases (\$2,000) (Auditor); Res. 03-58
- CA-2 Resolution Declaring Vehicles to be Surplus; Authorize the Public Works Director to Dispose of Same Through the Off-Site Auction Process as Per Contract with Roger Ernst Auctions; and Authorize the Public Works Director to Release Vehicle Titles (Public Works); Res. 03-59
- CA-3 Approve Certificate of Recognition and Congratulations to be Presented to George Oliver on Celebrating his 100th Birthday (Community Services)

**3:18 p.m.** Adjournment in memory of Cleo Adelsbach, Thomas R. Harris, Ruby M. Overturf, Donald L. Marston, Ervin C. Hellners, and Branden Green.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS



### CONFORMED AGENDA March 4, 2003

Time      Description

**9:04 a.m.** Meeting Called to Order  
Pledge of Allegiance  
Introductions

Bob Pickard, Board of Supervisors, Chairman;  
Welcome Reception for New County Administrative Officer – Richard H. “Rich” Inman  
**BOARD ACTION:** Chairman Pickard introduced and welcomed Rich Inman.

**9:08 a.m.** Recess for welcome reception for Rich Inman.

**9:32 a.m.** Peggy Ronning, State of California Department of Parks and Recreation Museum Curator and Acting Director;

Update on California State Mining and Mineral Museum Activities

**BOARD ACTION:** Peggy Ronning provided an update on their activities. They are trying to coordinate tours from the schools throughout the year; they are working with the GATE programs at Woodland and Mariposa Elementary Schools to create a junior tour guide and curator program; they are working on outreach at the Library with displays; the Annual Gem and Mineral Show is scheduled for the first week in April; and they are working with the Gem and Mineral Club to bring the California Federation of Mineral Geological Societies annual gem and mineral show to the County; and she provided an update on the The Fund’s fundraising efforts, and she presented a draft floor plan for the new facilities. She advised that attendance was down a little this winter; however, it is picking back up, and the Huell Howser promotion of the County has been bringing visitors. She advised that the State Parks Department is reorganizing in response to the State’s budget crisis, and they are planning to reduce the number of districts from 22 to 10 or 11; however, they are not planning to close any parks.

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

#### Board Information

- Supervisor Balmain provided his weekly status report on the Airport improvement project. He advised that there was no activity this morning and there was minimal rain. He noted that the runway lights are still not operational. He stated he hopes that Public Works is carefully tracking the bad weather days and the terms of the contract.

Approval of Minutes 02-18-03, Regular Meeting

**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** Supervisor Balmain clarified that item 1 is for the Friends of the Library/Red Cloud versus Coulterville. (M)Balmain, (S)Stetson, all items were approved/Ayes: Unanimous.

Discussion and Action Relative to Filling the Vacancy of the Sheriff/Coroner Position, Effective May 1, 2003 (County Counsel)



**BOARD ACTION:** Jeff Green, County Counsel, presented the staff report and reviewed the options available for filling the vacancy.

Input from the public was provided by the following:

- Rick Jarratt stated he has been a candidate for Sheriff-Coroner in the last two elections. He suggested that the Board give the new County Administrative Officer an opportunity to speak with the County departments relative to this matter prior to taking action; and he requested that the Board consider his appointment along with others. He stated he feels he has garnished the most outside support of the other candidates, and he feels he has the training and background experience for the position.

Discussion was held. Supervisor Bibby advised that she has an immediate family member employed by the Sheriff's Department; however, County Counsel has advised her that she does not have a conflict. (M)Parker, (S)Balmain, Assistant Sheriff James "Jim" Allen was appointed as Sheriff-Coroner effective May 1, 2003/Ayes: Unanimous.

**9:58 a.m.** Recess

**10:10 a.m.** Jim Petropulos, Public Works Director;

The Only Bid Received is Over the Budgeted Amount for the Amphitheater Project; Therefore, Public Works is Requesting Direction Regarding Possible Options for the Amphitheater Project (4/5th Vote Depending on the Option Selected)

**BOARD ACTION:** Discussion was held with Jim Petropulos and Fred Solomon. Jim advised that only one bid was received for this project. Chairman Pickard clarified that the action taken for the mid-year budget adjustments added a little over \$4,000 to this project, and Jim advised that their request for additional funding could be reduced by that amount. Fred reviewed the history of the project and the options for completing it and for getting the amphitheater to a point where it can be used and relative to budgetary constraints. It was also noted that another option could be to enclose the amphitheater. Discussion was held relative to options for the seating and use of the grant funds that were awarded to assist with the seating. It was noted that a larger seating capacity would result in an assembly classification and would require more conditions. Supervisor Stetson suggested that consideration be given to initially installing the permanent seating in the center versus all of the way across the front of the stage, and with having the grass seating on the sides and back of the permanent seating. He also suggested that consideration be given to having wings at the same level as the stage. He noted that the goal is to make the facility usable for all types of uses and in all weather conditions. Jeff Green, County Counsel, responded to questions relative to reducing the scope of work for the project as there is insufficient funding to complete the whole project at this time. Further discussion was held relative to options for the project given the amount of funding that is available. It was also suggested that there could be fundraising efforts to continue with the installation of the permanent seating in the future. Fred reminded everyone that the proposed project does not include any sound system or lighting in the building. Arrangements will need to be made for these types of amenities for each event.

(M)Stetson, (S)Parker, Res. 03-66 was adopted approving option 1 for the project, with direction given to staff to stay within the existing budget for the project, and to reconfigure the seating so that the permanent seating runs up the center and the grass seating is on the sides and back. Supervisor Stetson requested that staff look at the option of completing the building as soon as possible, including being able to use the inside of the building, and look at meeting the assembly requirements for the facility. Jeff Green asked for clarification relative to moving forward with this project. The motion was amended, agreeable with the maker and second, to include direction for staff to move forward with this project and contract with Tech Four Construction, Inc., and to keep the Board members informed of the status; and if any concerns arise, the matter is to be brought back/Ayes: Unanimous.

Resolution Authorizing Chairman to Sign Agreement with Yosemite Area Regional Transportation System (YARTS) Joint Powers Authority (JPA) to Continue Providing Round Trip Transit Services

from Mariposa County to Merced Junior College as Well as Providing Transportation for CalWORKs Participants (County Counsel)

**BOARD ACTION:** Discussion was held with Jeff Green, County Counsel. Motion by Stetson to approve the Agreement, died for lack of a second. Discussion was held relative to the program, the status of funding, and the on-going commitment of the County to this program. It was requested that a meeting be scheduled with YARTS staff to discuss the status of funding for the program. Jim Petropulos, Public Works Director, provided input and agreed with the suggestion to have YARTS staff meet with the Board to make a presentation and answer questions relative to the program. Supervisor Bibby stated she would like to have assurance that the other sources of funding are secure. Jeff Green advised that the YARTS JPA adopted its budget on Monday, and they were only waiting to hear from Mariposa County on this issue. Supervisor Stetson stated he wasn't sure about the status of Merced County's action on their contribution.

(M)Pickard (who passed the gavel), (S)Stetson, Res. 03-67 was adopted approving the agreement. Following further discussion, the motion was amended, agreeable with the maker and second, to include direction for staff to schedule a presentation from the YARTS staff on a future agenda/Ayes: Stetson, Balmain, Parker, Pickard; Noes: Bibby.

**11:48 a.m.** Lunch

**2:10 p.m.** Blaine Shultz, Fire Chief;

A) Approve Budget Action Accepting Unanticipated Revenue From the State Office of Emergency Services for the Emergency Plan Update (\$10,689 for FY 2002-03, and \$58,898 to be Included in the FY 2003-04 Budget Process) (4/5ths Vote Required)

**BOARD ACTION:** Following discussion, (M)Parker, (S)Balmain, Res. 03-68 was adopted/Ayes: Unanimous.

B) Workshop on Emergency Planning and the Standardized Emergency Management System

**BOARD ACTION:** Blaine Shultz gave a presentation on emergency planning and the roles of the Board and staff during emergencies and disasters. Discussion was held. Supervisor Stetson asked about the assembly of a finance team to track expenses during an emergency/disaster. Rich Inman, County Administrative Officer, asked whether table top exercises are planned, and whether consideration has been given to issuing identification and designating employees as disaster workers. Supervisor Parker asked that notification be made to all Board members for awareness purposes of the status of all disasters/emergencies. He noted that this could be handled through the Chair or the County Administrative Officer. He also asked about coordination of the planning with the Emergency Medical Care Committee and the Mountain Valley Emergency Medical Services Agency, and he was advised that they are involved. Rich Inman provided information on his background and previous experiences in handling disasters. Supervisor Parker asked if a do's and don'ts list could be compiled for future reference as a guideline for Board members. Blaine advised that he is also working on creating a pocket guide for emergency planning for the County.

**INFORMATION** – No action was necessary on the following:  
Information Hearing Schedule (Clerk of the Board)

**CONSENT AGENDA:**

CA-1 Resolution Authorizing the Board of Supervisors to Include the Friends of the Library – Coulterville Upcoming Fund Raising Event to be Covered Under the Mariposa County Liability Insurance Policy (Librarian); Supervisor Balmain clarified that this is for the Red Cloud Library Branch – Res. No. 03-65

CA-2 Accept the Resignation of Sandy Chapman from the Historical Sites and Records Preservation Commission Representing the Mariposa Museum and History Center (Supervisor Bibby)

CA-3 Appoint Tom Pimentel to the Mariposa County Commission on Aging, Representing District I (Supervisor Stetson)

**3:19 p.m.** Adjournment in memory of Edward FitzPatrick, Evelyn McCoy, and Annie E. Carney.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS



### CONFORMED AGENDA

March 11, 2003

Time      Description

**9:05 a.m.** Meeting Called to Order  
Pledge of Allegiance  
Introductions

Bob Pickard, Board of Supervisors, Chairman;

A) Presentation of a Resolution and Tile Plaque Recognizing Marita Green upon her Retirement as Director of Child Support Services;

B) Presentation of a Resolution and Tile Plaque Recognizing Mary Wyly upon her Retirement as Elections Clerk (Treasurer/Tax Collector); and

C) Presentation of a Resolution and Tile Plaque Recognizing Marian Spacke upon her Retirement as Deputy Treasurer (Treasurer/Tax Collector)

**BOARD ACTION:** (M)Balmain, (S)Stetson, Res. 03-69 was adopted and presented to Marita Green along with a tile plaque; Res. 03-70 was adopted and presented to Mary Wyly along with a tile plaque; and Res. 03-71 was adopted and presented to Marian Spacke along with a tile plaque/Ayes: Unanimous. Chairman Pickard read the entry that Congressman Radanovich entered in the Congressional Record for Marita Green.

**9:25 a.m.** Recess

**9:38 a.m.** Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Frank Long, Chair of the 125th Celebration for the Courthouse and the Gazette twenty-four years ago, advised that the sesquicentennial occurs in 2004. He stated he feels that we need to start planning now. He noted that the Supreme Court held court in the Courthouse for the centennial celebration. He advised that he will begin doing some preliminary work, and he suggested that a committee be formed and that the organizations in the County be involved. Chairman Pickard suggested that the Board's ad hoc committee for Visitors' Bureau issues (Supervisors Parker and Pickard) work with Frank and bring back information for the Board. The Board concurred.

Board Information

- Supervisor Balmain presented his weekly report on the status of the Airport improvement project. He advised that he made a call to the flight service station and he was advised that the Airport is closed until 2:00 p.m. and that there are still no lights. He referred to a report received from Public Works relative to the status of the project, and he noted that there are still ten uncompleted items and he has only observed one or two of the items being worked on. He noted that the tie-downs and chip seal has not been taken care of. He advised that the contractor is requesting an extension to the contract due to the weather and there are some change orders. He requested that the Board authorize him to work with County Counsel and the County Administrative Officer to bring an item on the next agenda relative to the contract. The Board concurred.

- Supervisor Pickard advised that he plans to attend the RCRC meeting on Wednesday and the Yosemite/Sequoia Resource Conservation and Development meeting on Thursday.

Ken Hawkins, Auditor; Resolution Allowing Employees Called to Active Duty in the Military to be Paid the Difference between the Military Base Pay and What they Earned as a Full-time County Employee

**BOARD ACTION:** Discussion was held, and Ken Hawkins advised of corrections to the resolution. He further noted that he is only aware of one County employee that is on military duty. (M)Balmain, (S)Parker, Res. 03-72 was adopted/Ayes: Unanimous.

Marjorie Wass, Treasurer/Tax Collector;  
Investment Report by Fiduciary Trust, Investment Consultants

**BOARD ACTION:** Alan Seidner and Eric Reynolds, Fiduciary Trust, presented the report and reviewed the services they provide. Discussion was held.

**10:17 a.m.** Jacque Meriam, Librarian;

A) Approve Budget Action Increasing Revenue and Appropriations to Reflect the Donation of \$1,500 from the Local Child Care Council for the Purchase of Library Material for the Parent Corner at the Red Cloud Library (4/5ths Vote Required)

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Bibby, Res. 03-73 was adopted/Ayes: Unanimous.

B) Approve the Display of a California State Mining and Mineral Museum Exhibit Valued at \$112 at the Red Cloud Library for a Two-month Period

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Stetson, Res. 03-74 was adopted/Ayes: Unanimous.

**10:20 a.m.** Michael Berest, Superior Court Executive Officer;  
Presentation of Court Facilities Steering Committee and Ron Taylor of Omni Group, Inc.,  
Concerning Development of the Court Facilities Master Plan

**BOARD ACTION:** Mike Berest advised that Ron Taylor and Beverly Bickel were present from Omni Group, Inc., to respond to questions, and he advised that the Steering Committee has been meeting and working on the Master Plan. He advised that it may be necessary to construct an annex in the future to deal with security issues, and to continue using the existing Courthouse for cases that require minimal security. Supervisor Pickard stated he feels a historical design that matches the community needs to be incorporated in the planning of a new facility. Supervisor Parker asked about funding for construction and land acquisition, and whether the facility would belong to the State or the County. Supervisor Stetson asked about the timeframes for obtaining the necessary funding for construction of an annex if a site is located.

**10:30 a.m.** Recess

**10:46 a.m. LOCAL TRANSPORTATION COMMISSION**

Presentation of the California Transportation Plan by CalTrans Staff

**COMMISSION ACTION:** Jim Petropulos, Public Works Director, introduced Tom Dumas/CalTrans District 10. Mr. Dumas gave a presentation on the California Transportation Plan, and he encouraged the Commissioners and the public to respond to the survey for the Plan. He advised that there is an extension to March 21st to respond. He stated the Plan is a policy document. Discussion was held.

Jane Perez, CalTrans Senior Transportation Planner, advised that the stop signs are installed at the Highway 140/49 North intersection, and the signal light project has been cancelled. She also advised that the stop signs will be monitored. She advised that there are some issues with storm water drainage for the Darrah Road/Highway 49 South intersection project, and their design engineers are working on addressing the issues. She advised that Dinah Bortner is working closely with Public Works on the sidewalk maintenance issues, and there is a possibility that a cooperative agreement can be worked out with conditions. She further advised that a maintenance project is scheduled for early summer/late fall to install recessed markers on Highway 140. She noted that applications will be accepted until May 30th for funding under the Safe Routes to School Program.

Discussion was held relative to responding to the California Transportation Plan, and it was determined that there was insufficient time available for the Commission to respond. Thus, individuals were encouraged to respond.

**11:09 a.m.** Rick Peresan, Technical Services Director;

The Board of Supervisors Ad Hoc Committee Consisting of Supervisors Garry Parker and Bob Pickard, Recommends the Following Relative to the Enhanced Visitors' Bureau Web Site:

- Approve Option 2 in the Proposal for Development of a Visitors' Bureau Web Site (\$30,000);
- Approve Budget Action Transferring Funds within the Tourism and Economic Development Budget Unit to Purchase Software for the Development of the Web Site (\$15,000); and
- Direct the Committee to Negotiate with the Chamber of Commerce to Amend the Current Agreement with the Chamber of Commerce to Include Development and Management of the Visitors' Bureau Web Site

**BOARD ACTION:** Discussion was held with Rick Peresan relative to timeframes, options, and benefits of the recommendation to enhance the Visitors' Bureau web site.

Input from the public was provided by the following:

- Roger Biery, President of the Economic Development Corporation (EDC), provided input relative to purchasing a turn-key package. He stated he feels the goal is to benefit all of the businesses in the County. He advised that the EDC has submitted an application to the Forest Service for a \$15,000 grant that they feel could be used to expand the scope of the site to add a room reservation system and other amenities. He noted that there will be a requirement with the funding to go through a bid process. Discussion was held relative to being able to judge the successes and failures of the program, and relative to long-term operation of the site.

Discussion was held. Rich Inman, County Administrative Officer, suggested that the next step would be for the Committee to negotiate an agreement with the Chamber of Commerce and then proceed with the purchase of software. Supervisor Pickard advised of a request received from Nilda Libbey, webmaster, requesting a continuance of this request to allow her to be able to respond and to submit a proposal. He advised that Autrey Nassar was present relative to this request.

- Dianne Fritz, Chamber of Commerce, stated she feels that all aspects and web sites in the community should be included. She stated she doesn't feel that businesses would need to be a member of the Chamber to have their website posted.

- Carol Johnson stated she works with Roger Biery. She stated she does not feel that there is competition to the web sites; and she feels this will be very helpful.

- Candy O'Donel-Browne stated she feels the point to this program is to reach all businesses. She cited her recent experience in trying to find information for a place to stay in the Livermore/Pleasanton area, and she could not find the information through the internet. She noted that she feels we are trying to be helpful in providing information to tourists, including the foreign travelers.

Further discussion was held.

- Roger Biery stated he feels the recommended program will benefit Autrey Nassar as well as others. He urged the Board to take action today due to the timing of the Forest Service grant.

- Autrey Nassar stated they started "yosemitelinks.com" and that he has a business with Yosemite weddings, they operate a bed and breakfast and they are a member of the Bed and Breakfast Association. He stated there were problems with "yosemite.com" and they were charging \$300 a year for the link. He stated he only charges \$45, and he has been successful in putting together a regional web site for the County. He noted that they have a calendar of events and a full page on the History Center. He stated he works with professional webmasters. He said he is not opposed to the County having a good web site, but he is not convinced that the recommended software is the way to go. He does not feel that it looks like Mariposa County, and he feels the site could be done for less cost.

Rick Peresan provided input relative to his research and cost information, and adjustments that could be made in the program for the County. Discussion was held. (M)Parker, (S)Stetson, direction was given to staff to come back with a request for proposal for approval to solicit proposals for the development of a Visitors' Bureau web site; and direction was given for the

Committee to begin negotiations with the Chamber of Commerce to bring back a scope of work for the Board's consideration/Ayes: Unanimous.

**11:59 a.m.** Adjournment in memory of James "Jimmie" Deutsch, Edward Block, Jr., Terrell F. Estes, and Bernice Davis.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board



## MARIPOSA COUNTY BOARD OF SUPERVISORS



### CONFORMED AGENDA

March 25, 2003

Time      Description

**9:10 a.m.** Meeting Called to Order  
Pledge of Allegiance  
Introductions

Chairman Pickard announced that direction was given to staff as a result of the two-closed session matters from March 18, 2003.

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

#### Board Information

- Supervisor Balmain gave his weekly status report on the Airport improvement project – he advised that three people were working this morning, and there was no activity on most of the remaining items of the project.

- Supervisor Pickard advised that he attended the County Medical Services Program meeting and the California Evasive Weed Coalition meeting on Friday.

Approval of Minutes of March 4, 2003, Regular Meeting

**BOARD ACTION:** Approved, with correction.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** (M)Parker, (S)Bibby, all items were approved. Supervisor Stetson requested that item 2 be pulled for action later this date. The motion was amended, agreeable with the maker and second, to pull item 2 and approve the balance of the items/Ayes: Unanimous.

Jacque Meriam, Librarian;

A) Proclaim the Week of April 6th through 12th, 2003, as National Library Week

**BOARD ACTION:** (M)Stetson, (S)Parker, the Proclamation was approved and presented to Jacque Meriam/Ayes: Unanimous.

B) Approve Trial Period for the New Library Schedule, which Changes the Days that the Mariposa Main Library is Open by Closing on Saturdays and Opening on Mondays, Beginning April 7th

**BOARD ACTION:** Discussion was held, and Jacque pulled the item and advised that she may come back with another recommendation in the future.

Rich Inman, County Administrative Officer;

Approve the Use of Title III Funding from the Secure Rural Schools and Community Self-Determination Act of 2000 (HR2389) for a Two-year County-wide Chipping Program Managed by the Mariposa County Fire Safe Council (\$80,000) and to Fund a Coordinator on the South West Interface Project (SWIFT) for a Two-year Period (\$29,270); and Authorize the Chairman to Sign a Grant Agreement with the Mariposa County Fire Safe Council and to Sign a Personal Services Agreement with Tom James

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Stetson, Res. 03-81 was adopted/Ayes: Unanimous. Jan Hamilton, Chair of the Mariposa Fire Safe Council, thanked the Board for this



action, and she advised that there will be community meetings held in the future and she encouraged the Board members to participate.

Discussion and Action Regarding Renewing the Lease Agreement between the County and 35-A District Agricultural Association for the Housing of the California State Mining and Mineral Museum (Chairman Pickard)

**BOARD ACTION:** (M)Parker, (S)Bibby, direction was given to staff to begin the negotiations for renewing the lease agreement. Supervisor Balmain requested that item 23 in the agreement be clarified and he advised of a typographical error. Jeff Green, County Counsel, advised that this would be reviewed. Ayes: Unanimous.

Resolution Approving and Authorizing the Chairman to Execute a Solid Waste Franchise Agreement with Fiske Sanitary Disposal (County Counsel)

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Parker, Res. 03-82 was adopted/Ayes: Unanimous.

Adopt a Resolution Opposing the Governor's 2003-04 State Budget Proposal to Permanently Eliminate the Open Space Subvention Program (Williamson Act) (County Administrative Officer)

**BOARD ACTION:** Discussion was held with Rich Inman, County Administrative Officer. Supervisor Bibby stated she has family that participates in this program, as well as a vested remainder interest, and she was advised that this is not a conflict with this matter. Rich advised that he could draft a cover letter with stronger language to transmit the resolution. (M)Parker, (S)Bibby, Res. 03-83 was adopted/Ayes: Unanimous.

Resolution Authorizing the Chairman to Sign a Letter Opposing the Critical Habitat Designation for Mariposa County Proposed by the U. S. Fish and Wildlife Service (Chairman Pickard)

**BOARD ACTION:** Following discussion, (M)Balmain, (S)Bibby, Res. 03-84 was adopted/Ayes: Balmain, Bibby, Parker, Pickard; Noes: Stetson.

**9:44 a.m.** Recess

**10:06 a.m.** Consent Agenda item 2 – (M)Stetson, (S)Parker, item 2 was approved/Ayes: Unanimous.

Eric Toll, Planning Director, announced that the Planning Commission recommended approval of the SilverTip Resort project by a four to one vote at its meeting on Friday, including the 45-foot height. He also advised that Bill King was hired as a senior planner for the department.

Eric Toll, Planning Director;

PUBLIC HEARING to Consider Zoning Amendment No. 2003-007, a Proposal to Change the Zoning Ordinance to Allow "Self-Storage Facilities" as a Conditional Use in the Neighborhood Commercial Zone-2 (CN-2) with the Recommended Development Standards for Landscaping, Lighting and Lot Coverage and Amended Definitions; Mariposa County, Applicant

**BOARD ACTION:** Eric Toll presented the staff report, and he responded to questions from the Board relative to the definition of "the life of the project" and relative to enforcement. He also responded to questions from the Board as to how the process would work for communities that do not have CN-2 zoning, and for Catheys Valley in relation to their Town Plan process; and whether these changes would be a part of the General Plan Update. It was agreed to delete the reference to "commercial" when discussing properties, and to delete all references to "battery back-up" for irrigation systems.

The public portion of the hearing was opened and in input was provided by the following:

- Lowell Young, a storage facility owner, stated he feels exterior lighting, except for at the office door, is an intrusion on the neighbors.

Eric Toll responded to a question from the Board relative to the light standards, and he clarified that the lighting is not required; however, if it is installed, the standards will apply.

The public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to additional questions from the Board relative to the conditional use process and whether hours of operation were discussed. It was agreed to delete references to “shielded or unshielded” motion sensitive lighting. (M)Parker, (S)Balmain, Res. 03-86 was adopted adopting a Negative Declaration and approving the Zoning Amendment with the recommended findings and standards, with the changes that were agreed to; and the first reading was waived and an Ordinance was introduced amending the Neighborhood Commercial Zone-2 as recommended, and with the changes that were agreed to/Ayes: Unanimous. The hearing was closed.

Eric Toll, Planning Director;

PUBLIC HEARING to Consider Appeal of the Planning Director’s Determination that the Approved Tentative Tract Map for Major Subdivision No. 12-07-87, the South Shore Club Project at Lake Don Pedro, Expired; James A. McKelvey, Esq. for South Shore Ranches LLC & JMZ Development Co., Appellant

**BOARD ACTION:** The hearing was continued to April 8, 2003 at 3:00 p.m.

Dr. Mosher, Health Officer;

Resolution Authorizing the Chair to Sign an Agreement with 35-A District Agricultural Association for the Rental of Building “A” for the Wellness for Women’s Health Fair on April 3, 2003, in the Amount of \$315, and Authorizing the Activity as a County-Sponsored Event

**BOARD ACTION:** (M)Parker, (S)Stetson, Res. 03-87 was adopted/Ayes: Unanimous.

**10:31 a.m.** CLOSED SESSION: Conference with Legal Counsel Relative to Anticipated Litigation for a Case Pursuant to Subdivision (c) of Government Code Section 54956.9 (County Counsel) (Continued from February 11, 2003 and March 18, 2003)

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

**10:53 a.m.** Recess

**11:04 a.m.** The Board reconvened and Chairman Pickard announced that direction was given to staff as a result of the closed session.

Supervisors Stetson and Balmain;

Discussion and Direction to Staff Regarding the Proposed Cost of Living Allowance (COLA) and Salary Adjustments for Elected and Appointed County Officials, the Board of Supervisors, and for the Assistant Auditor

**BOARD ACTION:** Chairman Pickard requested that the matter be considered in three steps: 1) elected and appointed County officials; 2) Assistant Auditor; and 3) the Board of Supervisors. The Board concurred. Jeff Green, County Counsel, excused himself from the room for the discussion relative to the elected and appointed County officials.

Supervisors Stetson and Balmain reviewed the recommendations for the elected and appointed County officials. Rich Inman, County Administrative Officer, advised that he will be bringing back a recommendation for the Agricultural Commissioner position and salary. Discussion was held. Supervisor Bibby noted that she had requested that the matter be pulled due to economic conditions and the financial situation with the School District.

Input from the public was provided by the following:

- Gary Penrod, Greeley Hill, stated he has spent 46-years in management, and he encouraged the Board to look at each individual as recommended.

- Rick Roesch stated he is in business and he knows that you have to negotiate to keep the finest staff. If staff leaves, it takes time to replace the employee and train; and he commented on the turnover in the County Administrative Officer position. He stated he supports looking at each position, and he noted that Mariposa pays less than other counties.

- Bart Brown provided input relative to the ramifications he feels the increases will have, including long-term retirement costs and budget impacts on the County. He stated he feels these matters should be addressed by the County Administrative Officer with a consistent and predictable system. He further stated that he feels the timing is bad with the current economy.

- Eleanor Keuning thanked Supervisor Bibby for her comments. She stated she has been involved in the private section in personnel and she had regular evaluations and adjustments. She asked when the last adjustment was done and what was used for comparisons. Chairman Pickard advised that the last adjustment was effective January 1, 2002.

Discussion was held by the Board. (M)Parker, (S)Balmain, Res. 03-88 was adopted approving the recommended increases for elected and appointed County officials/Ayes: Stetson, Balmain, Parker, Pickard; Noes: Bibby. (Note: Further direction was given later relative to the effective date of January 1, 2003.)

Discussion was held relative to the recommendation for the Assistant Auditor position. (M)Parker, (S)Balmain, direction was given to staff to notify the Mariposa County Management Confidential Organization bargaining unit of the proposed salary adjustment for the Assistant Auditor position, as recommended/Ayes: Stetson, Balmain, Parker; Noes: Bibby, Pickard.

Supervisors Balmain and Stetson reviewed the recommendation for the salary adjustment for the Board of Supervisors. Discussion was held.

Input from the public was provided by the following:

- Rachel Oliver stated she was a former candidate for the Board and ran against six others for District 3. She applauded Supervisor Bibby for her remarks. She stated she is retired and on a fixed-income, and she is watching her income dwindle and her tax dollars go up. She stated she does not feel that being a Board member is a full-time job; and if it is, she feels the Board members are working too hard at it. She stated she feels that this is not a rich County in money, but the quality of living is superb. She further stated that she feels the competitive market is out of touch with reality, and she feels we will see a great fall and require a tremendous adjustment in our life.

- Rick Roesch stated he supports the recommended increase for the Board members. He feels they are currently underpaid for the work and responsibility they have. He noted that their phone numbers are listed in the book and they are available to constituents 24-7. He stated he also feels that a higher salary will attract more interest in the position.

- Don Starchman, Starchman Law Offices, stated he fully appreciates Supervisor Bibby's comments, but he feels that she has found that this is a full-time job. He stated he feels that the salary should be such that a primary wage earner could be comfortable running for the position. He stated he feels that we need the very best people running for these positions, and he agrees with Supervisor Stetson.

- Gail Brundage, Coulterville, directed her comments to all of the citizens of the County. She noted that there is an old adage that says "you get what you pay for." In the case of the Board, she feels we got better, and she feels it is time to show them how the citizens feel and give the raise that is deserved. She noted the other agencies that the Board sits as; and she noted that with no city government, the Board members are responsible for the whole County. She presented examples of what the equivalent hourly salary would be for the position depending on the number of hours that were worked. She stated she feels that the job cannot be done within the 40-hour workweek. She further noted that the Board has the responsibility over fourteen department heads, and the Board members are the lowest paid.

- Gary Penrod stated he heard words of "fairness" and "equitable" and he feels this should apply to the Board members. He stated he feels we need good, qualified people in these positions, and we are lucky to have the current Board members.

- Ruth Sellers stated she feels we should look at what has not been addressed – this is a taxpayer expense, and there is a very qualified County Administrative Officer that will take some of the responsibility that the Board has been accepting prior to his presence. She stated she feels the County Administrative Officer should manage the department heads and conduct evaluations. She also stated she feels that we are not addressing one supervisor, but five individuals to represent this

County. Looking at what she gains as an individual, she stated she does not feel that the raise is justified. She stated the formula exists for the salaries and if people do not agree with it, they should not run for the position. She stated she does not feel that the Board should set its salary, and she suggested that perhaps it could be a ballot measure for the citizens to decide. She commented on the increase in the sales tax to support the Hospital, and she commented on the number of projects that are on hold due to financial constraints.

- Susan Bramson, Greeley Hill, stated she supports the recommended increase. She stated this must be extremely difficult for the Board members to make decisions to raise their salaries. She stated her experience is that Board members put in over 40-hours a week. She noted that her father was a Supervisor and there were constant interruptions.

- Yvonne Bennett stated she has been present at Board meetings. She read a letter from Michael Krage into the record, which referred to previous considerations of salary increases and the economic conditions, and concluded that he felt the salaries are too high. Yvonne expressed concern with the budgetary impact these decisions will have on the future, and stated she does not feel that this is the time to vote for a raise.

Chairman Pickard and Supervisor Parker noted that there was inaccurate and erroneous information in the letter that was read from Michael Krage.

- Susan Nash, Greeley Hill, noted that the working citizens were not in attendance. She stated that she feels that in light of the current School budget issues, this raise is extreme. She stated she feels that the School District crisis needs to be considered; and she realizes that the County funding is separate, but feels it is related. She stated she is a school bus driver and they are looking at a twenty- percent pay cut or loss of job. She stated she feels the Board should set an example, and she feels its does a good job. She stated she feels the letter that was read was uncalled for.

Further discussion was held.

#### **12:32 p.m.** Recess

**12:44 p.m.** Further discussion was held by the Board. (M)Balmain, (S)Stetson, direction was given to staff to amend the ordinance pertaining to the Board of Supervisors' salary and to bring the amendment back to the Board. It was clarified that to adopt the change, the ordinance would need to come back for first reading and introduction, again for second reading and adoption, and that it would not take affect until sixty days after adoption. Ayes: Balmain, Stetson, Parker; Noes: Bibby, Pickard.

Discussion was held relative to establishing an effective date for the action taken earlier to approve salary changes for elected and appointed officials. (M)Parker, (S)Balmain, direction was given for the effective date to be retroactive to January 1, 2003/Ayes: Stetson, Balmain, Parker, Pickard; Noes: Bibby.

#### **FORTHCOMING POLICY:**

Waive First Reading and Introduce an Ordinance Amending Chapter 2.16 Entitled Public Administrator and Public Conservator/Public Guardian" of the County Code (County Counsel) (Scheduled for Action on April 1, 2003)

#### **CONSENT AGENDA:**

- CA-1 Authorize the Acceptance of Donated Canned Food as Payment for Current Overdue Fines as a Part of National Library Week, April 6 to 12, 2003 (Librarian); Res. 03-79
- CA-2 Approve Budget Action Transferring Funds in the Planning Department Budget to Cover the Cost of Repairs to the Department's Internet Site (\$1,094) (Planning); Res. 03-85

- CA-3 Approve Resolution Certifying the Disability Retirement of Claude “Pelk” Richards, Effective May 1, 2003 (Personnel); Res. 03-80
- CA-4 Accept the Resignation of Skip Strathearn from the Parks and Recreation Commission (Supervisor Bibby)

**12:55 p.m.** Adjournment in memory of Joe Kidd, Wayne B. Leedy, Mary Winifred Paisley, and Herley Dobson.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board