



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

July 14, 2009



Time Description

9:08 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Steve Dahlem, County Counsel, advised of a correction to item 14 in paragraph two of the agreement to reflect "per month."

Input from the public was provided by the following:

Dick Hutchinson asked if the County is obligated to fund the programs for items 5 and 17 if the State does not provide funding.

Supervisor Bibby asked that answers be provided to the question raised for items 5 and 17. Supervisor Allen pulled item 14 for separate action as he has a business relationship with Rick Roesch; and he pulled item 31 for discussion. Supervisor Turpin pulled item 27. County Counsel responded to the questions raised for items 5 and 17 and advised of the budget contingency clause and the termination clause in the agreements. Jim Rydingsword responded to questions from Supervisor Cann on item 21. Dana Hertfelder responded to questions from Supervisor Turpin on item 27.

(M)Turpin, (S)Bibby, the Consent Agenda items were approved, with the exception of items 14 and 31/Ayes: Unanimous.

Item 14 – Supervisor Allen was excused from the meeting at 9:20 a.m. due to a potential conflict of interest with this item. (M)Bibby, (S)Turpin, item 14 was approved/Ayes: Aborn, Turpin, Bibby, Cann; Excused: Allen. Supervisor Allen returned to the meeting at 9:22 a.m.

Item 31 was continued to later in the meeting.

Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

Su Carney stated she is the owner of the building and the Yosemite Gifts Shop next door to the Gold Coin building and she expressed concerned with the construction work being done on the Gold Coin building and advised of her attempts to get assistance with the adjoining wall. She presented copies of correspondence and asked that the County help to speed up the process of the engineering evaluation on the wall. Todd Layton also expressed concern and provided input on the issuance of permits.

Steve Dahlem, County Counsel, responded to the input provided by Ms. Carney and advised that allegations or claims that may impact public safety are taken very seriously by the County; and he read a memo from the Building Director relative to the County's position on this matter and actions being taken – including the "red tag" of both buildings. Chair Aborn asked about expediting

this matter. County Counsel advised of his discussion with Helen Kwalwasser/Gold Coin and request for immediate inspection and report on the integrity of the wall.

Su Carney advised of her attempts to get contractor information for this project; and Todd Layton provided additional input on problems and the buildings being shut down.

Jeanetta Phillips commended County Fire and CAL FIRE for their response to a recent fire on Silver Bar Road.

Eleanor Keuning, representing the Kiwanis group of Mariposa, advised of the success of the 4th of July fireworks and activities at the Fairgrounds and she thanked the community for its support. She referred to a letter in the Fresno Bee relative to problems experienced at Bass Lake.

Dana Hertfelder, Public Works Director, advised that the contractor is starting work on the Old Highway and Chowchilla Mountain Road overlay projects; and reconstruction work will be done next on Ben Hur Road.

Board Information

Supervisor Cann commended the Kiwanis for the 4th of July activities; commented on road side dumping problems; advised that he and Supervisor Turpin and the County Administrative Officer attended the Constitutional Convention workshop in Fresno; he attended the enchilada feed fundraiser for the Jerseydale/Mariposa Pines Fire Station; he attended the IRWMP (Integrated Regional Water Management Plan) presentation to the Department of Water Resources in Sacramento on June 30th; he attended the June 3rd Music on the Green event and thanked the Arts Council for sponsoring these events; he attended the Mariposa Forum and the Tourism Board of Directors meetings on July 8th; and he attended the Gateway Partners meeting in Yosemite and a separate meeting with the Superintendent for Yosemite relative to the Amgen Tour for 2010.

Supervisor Allen stated he had a great vacation on a cruise to Alaska. He advised that he received several emails relative to the phone books that were dumped at mail boxes; and he discussed this matter with the Sheriff to have the vendor come back and pick them up.

Supervisor Turpin advised that two fires occurred in the Granite Springs area on Sunday; advised of the successful Coulterville Fire Brigade 40th Annual Deep Pit BBQ and fireworks in Coulterville held on July 4th; he attended the SWIFT meeting in Moccasin on Wednesday; he attended the Agricultural Commissioner's weed meeting and the Agricultural Advisory Committee's meeting on Thursday; he attended the Tuolumne-Mariposa RAC meeting in Sonora and the Coulterville Community Club meeting on Monday; and he attended a meeting on Wednesday in Midpines relative to vegetation management and noted the need to maintain fire breaks.

Supervisor Bibby advised that she attended the School District Surplus Property meeting; she plans to attend the Mother Lode Job Training meeting in Sonora on Wednesday; she advised of letters she wrote relative to budget issues; she advised of complaints she has received about brushing along the roads and with the phone books being left at the mail boxes and relative to code enforcement. She advised that TDS is trying to coordinate with SierraTel to get a 9-1-1 loop to their system.

Supervisor Aborn referred to a story in the Merced Sun Star relative to possibly targeting UC Merced to close due to the UC budget; and he recommended that the Board take action supporting non-closure. He advised of corrections he received to the Mariposa Countywide Community Wildfire Protection Plan from a member of the public. He thanked Inky's Basement Band and the Kiwanis for the 4th of July activities. He advised that the Grand Jury report is out and responses will be forthcoming.

Supervisor Turpin reminded everyone of the amnesty program for correctly building code violations – it ends August 9th. Supervisors Aborn and Bibby also commented on the program.

10:02 a.m. The public hearings to consider a grant application for Community Development Block Grant Funds to fund housing rehabilitation programs, low-income employment and training services, senior services and the expansion of child care services; and a grant application to the California Community Economic Enterprise Fund Component for continuing the microenterprise assistance program for new business start ups/expansion were opened and continued until after the following item.

Jim Rydingsword, Human Services Director;

Review the Information of the 2008-2009 Mariposa County Mental Health Board Annual Report

BOARD ACTION: Jim Rydingsword introduced Lori Ritter, outgoing Chair of the Mental Health Board, and she reviewed the Report. Discussion was held and no action was necessary.

10:14 a.m. Jim Rydingsword, Human Services Director;

PUBLIC HEARING to Consider Adoption of a Resolution Approving a Grant Application in the Amount of \$800,000 for Community Development Block Grant Funds to Fund Housing Rehabilitation Programs, Low-Income Employment and Training Services, Senior Services and the Expansion of Child Care Services; and Authorize the Human Services Director to Sign the Grant Agreement and Any Subsequent Amendments with the State Department of Housing and Community Development if the Grant is Funded

BOARD ACTION: Jim Rydingsword presented the staff report. Jim Rydingsword and Janet Gass/HSD-Contract Administrator, responded to questions from the Board relative to the status of current loans for the housing rehabilitation program and the local share; whether the senior services portion has anything to do with the recent loan the Board approved for the Area 12 Agency on Aging; and relative to signature authority for the grant application. The public portion of the hearing was opened and there was no public input. The public portion of the hearing was closed and the Board commenced with deliberations. (M)Turpin, (S)Bibby, Res. 09-317 was adopted approving the grant application as requested/Ayes: Unanimous. The hearing was closed.

10:27 a.m. Recess

10:38 a.m. Richard J. Benson, County Administrative Officer/Personnel/Risk Manager;

PUBLIC HEARING to Consider Adoption of a Resolution Approving a Grant Application in the Amount of \$300,000 to the California Community Economic Enterprise Fund Component for FY 2009-10 for the Purpose of Continuing the Microenterprise Assistance Program for New Business Start ups/Expansion; and Authorize the County Administrative Officer to Execute the Grant Agreement and Any Amendments Thereto with the State of California for the Purposes of this Grant

BOARD ACTION: Rick Benson and Marilyn Lidyoff/Business Development Coordinator, presented the staff report; and they responded to questions from the Board relative to handling loan defaults, relative to the contractor for the program, eligibility and processing for the loans, whether there are other pending projects for CDBG applications, signature authority for the agreements, status of the existing program, and relative to the new business application process. The public portion of the hearing was opened and there was no public input. The public portion of the hearing was closed and the Board commenced with deliberations. (M)Bibby, (S)Allen, Res. 09-346 was adopted approving the grant application as requested/Ayes: Unanimous. The hearing was closed.

Jim Wilson, Fire Chief;

Approve and Sign the Mariposa Countywide Community Wildfire Protection Plan (CWPP)

BOARD ACTION: Discussion was held with Jim Wilson relative to the Plan. Supervisor Bibby asked about updating the contact information for Catheys Valley, provided input on the status of the roads that are referenced for Catheys Valley, noted the Jessie Benton Fremont School is not active at this time, suggested the contact information for Mariposa/Mt. Bullion be completed, asked for clarification of using strategic ridgelines versus existing roads, and asked whether the Plan would come back as its needs to be changed. Patrick Tierney responded to questions relative to the ridgelines and existing roads. Supervisor Cann advised that he has a number of corrections that he will provide to the Fire Chief; and he asked that the National Park Service be added as a partner. Supervisor Turpin commended Jan Hamilton, CAL FIRE and everyone involved for their work on the Plan. Discussion was held relative to making suggested changes to the Plan and how it would be kept updated. (M)Turpin, Res. 09-347 was adopted approving the Plan. Supervisor Bibby stated she would like the motion to include the suggested changes for contacts for Catheys Valley and that contacts be added for Mariposa/Mt. Bullion. Supervisor Turpin included in his motion that

individual Supervisors forward recommendations for suggested changes to the Plan to the Fire Chief. Supervisor Cann stated he feels the action is approving a living document that will continue to have changes versus a final document, and he seconded the motion and asked for assurance that the Plan will be updated as necessary. Further discussion was held. Supervisor Turpin restated the motion to accept the Plan as presented, with individual Board members being able to give suggested changes/corrections to the Fire Chief that do not have any affect on the principles of the Plan. Supervisor Bibby expressed concern with approving the Plan today and then updating it without further Board action and public review – she feels that this is a different process than what is normally followed. Further discussion was held and Patrick Tierney noted that the contact information is not a requirement of the Plan. Ayes: Aborn, Turpin, Cann, Allen; Noes: Bibby.

Dr. Mosher, Health Officer;

Present Information Regarding Preparations for the Return of H₁N₁ Influenza (Swine Flu) and Adopt a Resolution Designating the Health Officer as Mariposa County's Medical Health Operational Area Coordinator (MOHAC); and Authorize the Health Officer to Expend up to \$30,000 to Prepare for Flu Pandemic with Details to be Addressed at Budget Preparation

BOARD ACTION: Dr. Mosher presented a status report and advised that the flu is now being called Pandemic H₁N₁, and further advised that we may have the first case in Mariposa County. Discussion was held.

Input from the public was provided by the following:

Dick Hutchinson stated he likes the idea of hand sanitizer dispensers, and he encouraged that they be used throughout the County.

(M)Bibby, (S)Cann, Res. 09-348 was adopted designating the Health Officer as the MOHAC and authorizing the expenditure of up to \$30,000 as requested, with the budget to be coordinated with the County Administrative Officer/Ayes: Unanimous.

Consider Items Removed from the Consent Agenda

Item 31 – Discussion was held with Gail Neal, Chief Probation Officer, relative to the request; and discussion was held relative to the County's policy for hiring extra help at an advanced step. Motion by Aborn, who passed the gavel to Vice-Chair Bibby, to approve the request, died for lack of a second.

Authorize the Addition of One Deputy Probation Officer III Allocation in the Probation Department Effective June 10, 2009 (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Discussion was held with Rick Benson relative to this matter, and he advised that this action is in the interim of considering other possible options – including the wrap-around program implementation for Human Services and laying off a position. He further noted the Bryce Johnson has to pass all of the re-hire requirements to return to work. Gail Neal provided input relative to the implementation timeframe for the wrap-around program and existing staffing.

(M)Allen, (S)Bibby, Res. 09-349 was adopted approving the overfill of a Deputy Probation Officer III allocation from June 10, 2009 to August 31, 2009/Ayes: Unanimous.

12:52 p.m. Lunch

2:07 p.m. Dana Hertfelder, Public Works Director;

A) Discussion and Direction Regarding Establishing a Voucher Program for Garbage Disposal for Individuals in Need – to be Funded by Donations from the Community at Large

BOARD ACTION: Discussion was held with Dana Hertfelder relative to the possibility of establishing a voucher program; including consideration of having a program for people who have trash dumped illegally on their property, having a service club or organization handle the vouchers to save the accounting process that would be required if handled by the County, and consideration of setting up a recycling account to continue to generate revenue for this program.

Input from the public was provided by the following:

Witt Hawkins commented on the possibility of establishing a bank account to accept donations.

Further discussion was held, and the Board concurred with the Public Works Director further discussing this matter with the donor and with referring this matter to the Solid Waste Local Task Force for review and recommendation.

B) Authorize Mariposa County Public Works Solid Waste & Recycling Division's Request for a Moratorium on Waiving Disposal Fees for Community Events that are not Grant Funded
BOARD ACTION: Discussion was held with Dana Hertfelder. (M)Cann, (S)Turpin, Res. 09-350 was adopted eliminating the waiver of disposal fees for the non-special funded, non-grant funded events for the foreseeable future or until further notice, and this can be reconsidered when the Solid Waste Enterprise Fund is stable/Ayes: Unanimous.

C) Waive First Reading and Introduce an Ordinance Rescinding Section 10.08.063 of Chapter 10.08 of the County Code Entitled "Parking Regulations at the Mariposa Roadside Rest Area"
BOARD ACTION: Discussion was held with Dana Hertfelder.

Input from the public was provided by the following:

Ken Gosting, TIE (Transportation Involves Everyone) stated they have no position on this; and he noted that YARTS has approval for a separate facility and may be moving away from the Rest Area.

(M)Bibby, (S)Cann, the first reading was waived and the Ordinance was introduced. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

D) Discussion and Possible Direction Regarding Continued Operation of the Don Pedro, Hornitos, Coulterville, and Fish Camp Transfer Stations

BOARD ACTION: Discussion was held with Dana Hertfelder, and Carl Casey/Public Works Administrator, provided input. The Board concurred with the Solid Waste Task Force reviewing this matter.

Approval of Summary of Proceedings of June 23, 2009, Regular Meeting (Clerk of the Board)

BOARD ACTION: (M)Bibby, (S)Cann, the minutes were approved/Ayes: Turpin, Bibby, Cann, Allen; Abstained: Aborn, as he was excused from the meeting.

Approve Comment Letter to the Federal Energy Regulatory Commission Regarding the Study Plan Associated with the Relicensing of the Merced Irrigation District Exchequer Dam Facility (County Administrative Officer)

BOARD ACTION: Following discussion, (M)Bibby, (S)Turpin, Res. 09-351 was adopted approving the letter, with a copy to be sent to Attorney Robbins/MID/Ayes: Unanimous.

Approve a Four-Percent (4%) Equity Adjustment for the Accountant II-Auditor Position, Effective March 1, 2009 (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Following discussion with Rick Benson and Chris Ebie/Auditor, (M)Allen, (S)Bibby, Res. 09-352 was adopted approving the equity adjustment/Ayes: Unanimous.

3:58 p.m. Recess

4:11 p.m. Discuss and Provide Direction to Staff Regarding the Use of Secure Rural Schools and Community Self-Determination Act 2000 (HR 1424) Money for the Continued Funding of the South West Interface Project (SWIFT) Project Coordinator for Another Two Years - \$29,760 (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Following discussion, (M)Bibby, (S)Allen, Res. 09-353 was adopted approving the processing for this project/Ayes: Unanimous.

Approve the Proposed Job Description of Environmental Health Specialist Trainee, Set the Salary at \$3,276.27 - \$3,982.54/Month, and Assign the Classification to SEIU (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Following discussion, (M)Cann, (S)Turpin, Res. 09-354 was adopted approving the request/Ayes: Unanimous.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: California United Homecare Workers (CUHW) – In-Home Supportive Services (IHSS); Name of County Designated Representative: Mike Coffield (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: This closed session was not held.

Witt Hawkins thanked the Board for its work.

4:20 p.m. CLOSED SESSION: Conference with Legal Counsel: Anticipated Litigation; Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9; Number of Cases to be Discussed: 1 (County Counsel)

BOARD ACTION: (M)Turpin, (S)Allen, the closed session was held/Ayes: Unanimous.

5:32 p.m. DINNER

6:36 p.m. The Board reconvened and Chair Aborn announced that discussion was held as a result of the closed session.

Kris Schenk, Planning Director;

Continued PUBLIC HEARING (Deliberation Phase) to Consider General Plan Amendment No. 2008-63, the Catheys Valley Community Plan. The July 2009 Version of the Catheys Valley Community Plan Contains the Recommendations of the Catheys Valley Planning Advisory Committee, the Planning Commission and Staff. The Community Plan Contains the Plan Area Boundaries, a Land Use Diagram, and Goals and Policies for Land Use and Development in the Community Area. The Board of Supervisors will: (1) Consider the Additional Information Presented by Staff in Response to Issues Raised at the June 9, 2009 Hearing; and (2) Consider Adoption of a Resolution for an Environmental Determination (Negative Declaration) and for Final Action to Approve the Catheys Valley Community Plan – Approving General Plan Amendment No. 2008-63 - Amending the Mariposa County General Plan to Incorporate the Catheys Valley Community Plan into Volume II and to Amend the General Plan Land Use Diagram - Figure 5-2. Staff will Return with the Formal Resolution and Findings for these Actions at a Subsequent Meeting. The Proposed Plan Area is the Catheys Valley Vicinity, Including Areas Along Highway 140, Hornitos Road, Schoolhouse Road and Old Highway. The Proposed Plan Area Encompasses Approximately 26.3 Square Miles. The County of Mariposa is the Project Proponent. (Public Hearing Continued from June 9, 2009)

BOARD ACTION: Kris Schenk, Sarah Williams/Deputy Planning Director, Andy Hauge/Project Manager - Hauge Brueck Associates, and Attorney Bill Abbott/Abbott & Kindermann, were present for the hearing.

Kris Schenk advised that the following information is included in the staff report: a list of the major policy issues that were raised through the public portion of the hearing; a summary of the written and oral comments that were received; and a list of recommended actions for consideration in a shortened format (yellow sheets). He asked that the Board discuss the list of recommended action on the draft Plan, environmental documentation and provide direction.

Sarah Williams reviewed the following list of recommended actions for consideration, and advised that the only additional amendment for consideration (since preparation of the staff report) is the change in reference from church(s) to religious facility(s) throughout the Plan.

Items relative to churches/religious facilities: 1) adding a sentence to Section 5.1.02A(2); 2) adding a sentence to Section 5.1.02B(2), 3) adding language to Section 5.1.02D(2); 4) adding a

sentence to Section 5.1.02.C(2); 5) modifying Section 5.1.02.G; and modifying Appendix A to delete “mega church” from the definitions. Staff responded to questions from the Board as to whether junior camps would be allowed with the church use; and relative to the status of the 5,000 square foot size limit for a church. Motion by Turpin to approve the recommended changes in items 1 through 6 was withdrawn following discussion relative to the process for reviewing the recommendations. Steve Dahlem, County Counsel, suggested that the Board reach a consensus or that a poll be taken versus taking formal action on the items. The Board concurred with the recommended changes for items 1 through 6.

Items relative to nonconformities: 7) amend a portion of Section 5.1.02.E(3); and 8) amend a portion of Section 5.1.02.E(2). Staff responded to questions from the Board relative to dealing with nonconformities and whether there are existing violations with mobile home parks and whether they are intentionally being phased out; and clarification that this section refers to vacant spaces and not vacant mobile homes and the timeframes used in the General Plan versus this Plan. The Board concurred with the recommended changes for items 7 and 8.

Items relative to extent of uses for Agriculture/Working Landscape land use: 9) amend Section 5.1.02.C(2)/second paragraph; and 10) amend Section 5.1.02.C(2)/first paragraph. Staff responded to questions from the Board relative to “never” being able to convert to other land use classifications; whether the Plan will be compatible with what is developed for agritourism policies; and relative to defining “limited” agritourism and agricultural home stay uses. The majority of the Board concurred with keeping the word “never” and the Board concurred with the recommended changes for items 9 and 10.

Item 11) inclusion of APN 016-280-017 (11.56 acres owned by Fortner) in the Commercial land use OR substituting this APN for the Thao and Graham parcels in the Commercial Reserve. Staff responded to questions from the Board relative to this recommendation; whether the water supply with the existing storage tank would be allowed to be used on neighboring commercial parcels; relative to the minimum parcel size that would be allowed with outside services; and relative to the status of build-out on the existing commercial property. The majority of the Board concurred with substituting the Fortner parcel for the Thao and Graham parcels in the Commercial Reserve.

Item 12) approval of the recommended amendments throughout the Plan which are in *italicized underlined* font for new text and in ~~strikethrough~~ font for deleted text. Staff responded to a question from the Board and clarified that the recommended amendments are contained in the July 2009 version of the Plan as contained in the agenda package. The Board concurred with the recommended amendments for item 12.

Item 13) amending “church” or churches” to “religious facility” or “religious facilities” throughout the Plan. The Board concurred with the recommended change for item 13.

8:20 p.m. Recess

8:32 p.m. Kris Schenk asked the Board if it wanted to discuss any other changes in the Plan.

Supervisor Turpin initiated discussion relative to the Agriculture/Working Landscape area and suggested that the 2006 General Plan Catheys Valley Community Planning Study Area Land Use Diagram be used versus the May 7, 2009 Land Use Diagram. The majority of the Board concurred with using the 2009 Land Use Diagram as recommended by the Planning Commission.

Supervisor Turpin asked for clarification of the blue areas in the Land Use Diagram – they are for the public sites: County Park, Bureau of Land Management (BLM), School District, Cemetery and CAL FIRE. Staff responded to questions from the Board relative to the location of the BLM parcel with the County Park and relative to the conversion of public facilities and services.

Kris Schenk requested direction relative to further processing the Negative Declaration. Attorney Abbott advised that a number of comments were received in support of the proposed Plan and that letters were received that challenged the Board’s ability to proceed on the Negative Declaration. He advised of CEQA’s procedural requirements before adopting a community plan, and he noted that letters that were submitted raised legal issues, and he suggested that the County expand its environmental analysis to have a better comfort level under CEQA. He referred to the SilverTip

Resort and Seventh Day Adventist Church projects and the County's CEQA process that helped to defend the processing of these projects in Court. He suggested going through the process of developing a supplemental environmental document that is hinged and tied to the County's General Plan and its Environmental Impact Review, and with expanding the global warming/greenhouse analysis that has been submitted. He feels that this reduces the risk of litigation and that if the County is sued, it would help the County to defend its position. He advised of options for the Board to retain jurisdiction throughout this process. He advised that the supplemental environmental document and the final Plan, with changes made that were agreed to during this deliberation, will come back to the Board for final action. He estimated that it could take six months for this process. Discussion was held relative to the suggestions and the process. Attorney Abbott responded to questions from the Board relative to being able to keep projects consistent with the proposed Plan during this processing; and discussion was held relative to the option of placing a moratorium to freeze project approval while going through the planning study. (M)Allen, (S)Cann, Res. 09-355 was adopted directing staff to proceed with a supplemental environmental impact report to the General Plan EIR for the Catheys Valley Community Plan; and that the Board retain jurisdiction for purposes of the further processing/Ayes: Unanimous.

Supervisor Bibby asked about the status of the deliberation phase of this hearing and whether Board members could take input from the public at this point. Attorney Abbott stated he does not feel that it is realistic to embargo any further public comment; and he feels that this round of deliberations has been concluded.

Staff will bring back information on the steps and scope of work for further processing. Attorney Abbott provided additional information relative to further processing. The hearing was closed.

INFORMATION – No action was necessary on the following:

A) Informational Report of Liability Claims Rejected by the County Administrative Officer/Risk Manager for the Month of June 2009 (County Administrative Officer/Personnel/Risk Manager)

B) List of Agreements Entered into by the County Administrative Officer Pursuant to Ordinance 3.08 for the Months of July 2008, January, March, April, May, June, July, and September 2009 (County Administrative Officer/Personnel/Risk Manager)

CONSENT AGENDA:

CA-1 Approval of Summary of Proceedings of June 16, 2009; Regular Meeting (Clerk of the Board)

CA-2 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-318

CA-3 Resolution Continuing the Local Emergency Due to the Recent Fire, Oliver Fire (County Administrative Officer); Res. 09-319

CA-4 Resolution Continuing the Local Emergency Due to the Recent Fire, Telegraph Fire (County Administrative Officer); Res. 09-320

CA-5 Approve an Agreement with the California Department of Public Health for Immunization Assistance Program, Authorize the Board of Supervisors Chair to Sign the Agreement and Authorize the Health Officer to Sign the Contractor's Release Forms (Health Officer); Res. 09-321

- CA-6 Authorize the Health Officer to Permit Environmental Health Scientist Graduate to Accompany County Health Staff for Observation Purposes During the Summer (Health Officer); Res. 09-322
- CA-7 Accept the Resignation of Jim Secrest from the Airport Advisory Committee (Supervisor Cann)
- CA-8 Accept the Resignation of Thomas A. Miller from the Fish Camp Town Planning Advisory Council (Supervisor Allen)
- CA-9 Approve an Agreement with John C. Fremont Healthcare District to Provide Medical Services to the Mariposa County Sheriff's Adult Detention Facility and Authorize the Board of Supervisors Chair to Sign the Agreement (Sheriff); Res. 09-323
- CA-10 Approve an Agreement with Merced Mobile Communication for Radio Equipment Maintenance and Repair Services for Fiscal Year 2009/2010 and Authorize the Board of Supervisors Chair to Sign the Agreement (Sheriff); Res. 09-324
- CA-11 Authorize the Human Services Director to Submit the 2009/2010 Mental Health Services Act (MHSA) Plan Update to the Department of Mental Health (DMH) (Human Services Director); Res. 09-325
- CA-12 Approve an Agreement for a Foster Family Receiving Home in Mariposa County and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-326
- CA-13 Approve the Fourth Amendment to Agreement with Klump Properties for the Social Services Building Located at 5186 Highway 49 North, Mariposa and Authorize the Board of Supervisors Chair to Sign the Amendment (Human Services Director); Res. 09-327
- CA-14 Approve a Lease Agreement with Richard Roesch for the Facility Located at 5026 Broadway, Coulterville, Necessary for Program Operations and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-345, with correction to reflect "per month"
- CA-15 Approve an Agreement with Merced County Department of Mental Health for Residential Inpatient Services and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-328
- CA-16 Approve an Agreement with Country Villa Health Services for Residential Inpatient Services and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-329
- CA-17 Approve an Agreement with California Psychiatric Transitions in Delhi, California for Inpatient Rehabilitation Services and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-330
- CA-18 Approve an Agreement with Progress House, Inc. for Residential Alcohol and Drug Treatment Services and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-331

- CA-19 Approve an Agreement with Alameda County for Crisis Support Phone Services and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-332
- CA-20 Approve an Agreement with Doctors Medical Center in Modesto, CA for Psychiatric Inpatient Services and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-333
- CA-21 Approve an Agreement with Value Options (VO) for Administration of Mental Health Counseling and Medication Services for Foster Children Placed out of County and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-334
- CA-22 Approve an Agreement with John Muir Behavioral Health Center for Acute Psychiatric Inpatient Facility and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-335
- CA-23 Approve Second Amendment to Legal Services Agreement with David A. Smothers, Gary L. Collings, and Thomas K. Cooke for Indigent Representation and Authorize the Board of Supervisors Chair to Sign the Amendment (County Counsel); Res. 09-336
- CA-24 Authorize the Fire Chief to Apply for Allocated Funds for the 2009 Homeland Security Grant Program on Behalf of County Health, Fire, and Sheriff's Departments for Emergency Response Planning, Replacement of Emergency Generator, Purchase of Public Health Medical and Response Supplies, and a Replacement Patrol Vehicle (Fire Chief); Res. 09-337
- CA-25 Approve Budget Action for FY 2008-09 Transferring Funds within the Technical Services Department to Cover Telecom Materials at the Probation Annex (\$1,985) (Technical Services Director); Res. 09-338
- CA-26 Approve an Agreement with Karen Dusek to Educate and Inform the Public of Recycling and Waste Reduction and Authorize the Board of Supervisors Chair to Sign the Agreement (Public Works Director); Res. 09-339
- CA-27 Approve the Fifth Amendment to the Professional Services Agreement with Golder Associates, to Extend the Term to June 30, 2010 and Authorize the Board of Supervisors Chair to Sign the Amendment (Public Works Director); Res. 09-340
- CA-28 Approve the Second Amendment to Agreement with AmeriGas Listing Additional County Facilities that Require Propane Service and Authorize the Board of Supervisors Chair to Sign the Amendment (Public Works Director); Res. 09-341
- CA-29 Approve the Use of \$7,000 of Proposition 40 Funds from the Remaining Balance to be Used for an American Disability Act (ADA) Battery Operated Pool Lift (Public Works Director); Res. 09-342
- CA-30 Resolution Ratifying the Primary USDA Secretarial Disaster Declaration Request for Rangeland Forage Losses in Mariposa County Due to the Continued Drought Conditions, Prepared by the Agricultural Commissioner (Agricultural Commissioner); Res. 09-343

- CA-31 Authorize Increase of Hourly Rate for Senior Office Assistant Extra-Help Employee from \$11.643 Step I to \$14.151 Step V Rate Effective July 1, 2009 (Chief Probation Officer); Request was not approved.
- CA-32 Approve Contracts with Area 12 Agency on Aging for FY 2008-09 and FY 2009-10 for Stimulus Nutrition Funds: Congregate Meals and Home Delivered C-2; and Authorize the Board of Supervisors Chair to Sign the Agreements (Community Services Director); Res. 09-344

(M)Bibby, (S)Cann, the Board adjourned at 9:18 p.m. in memory of Kenneth Riggs/Ayes:
Unanimous.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

July 21, 2009



Time Description

9:01 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance
Introductions

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Input from the public was provided by the following:

Dick Hutchinson referred to item 13 and asked whether County funds are used for the Friday Night Live program.

Supervisor Bibby pulled item 13. Supervisor Turpin pulled item 18. (M)Bibby, (S)Allen, the balance of the items was approved/Ayes: Unanimous.

Item 13 – Jim Rydingsword, Human Services Director, advised that County funds are not used for the Friday Night Live program and that the program is mandated. (M)Bibby, (S)Allen, item 13 was approved/Ayes: Unanimous.

Item 18 – Supervisor Turpin initiated discussion relative to the status of the Veterans services and the challenges in the North County with providing services and he asked that a discussion be scheduled. Mary Williams, Community Services Director, responded to questions relative to item 18 and the services provided. (M)Allen, (S)Turpin, item 18 was approved, and direction was given for the Veterans Services Officer to come and give a presentation on the services that are provided/Ayes: Unanimous.

Chair Aborn,
Proclaim July 20-26, 2009, as “California Invasive Weed Awareness Week” (Agricultural Commissioner)

BOARD ACTION: (M)Turpin, (S)Allen, the Proclamation was approved and presented to Cathi Boze, Agricultural Commissioner/Ayes: Unanimous. Supervisor Turpin commented on the Weed Alliance meetings that are held with the various agencies to deal with the challenges of noxious weeds, and discussion was held.

Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

Jeanetta Phillips advised that the Agritourism Advisory Committee completed the Agricultural Exclusive section of the policy and asked if and when they would work on Mountain Home and Mountain General. She presented a brochure from the Rusty Nail Ranch (Rauch) and stated she feels the activities listed in the brochure are similar to what Coyote Springs Ranch wanted to do and asked that this be investigated.

Dick Hutchinson noted the “red tags” were removed from the Gold Coin and Yosemite Gifts and asked about the status of this. Chair Aborn advised that the “red tags” were cleared by the Building Department. Supervisor Cann advised of his discussion with the owner of the Gold Coin

this morning relative to the engineers' review of the issues and the Buildings were cleared. He further noted that he was advised that the work that is being done is strengthening the stability of the adjoining wall.

Peter Schimmelfennig, Executive Director of the Chamber of Commerce, advised of the Sultry Summer Shindig event scheduled in Coulterville on August 1st; and he advised that the Chamber's mixer is scheduled for San Joaquin Drug this evening.

Board Information

Supervisor Cann advised that he is meeting later today with representatives from the local teachers union – they are very concerned about the impact of the budget cuts on the schools and the community. He advised of a newsflash from CSAC (California State Association of Counties) relative to the budget agreement reached with the Governor and the big five and impacts to the County. He advised that a fundraiser is scheduled for August 9th at the Fairgrounds to help with school transportation; and he advised of an email request he received to help with advertising costs.

Supervisor Allen commented on the State budget discussion; advised that he met with the Human Services Director relative to potential sites for a new building; and he advised that he met with an applicant for the vacancy on the Fish Camp Town Planning Advisory Council on Monday.

Supervisor Turpin commented on the State budget situation; advised that he met with the Human Services Director relative to the potential sites for a new building; he attended a vegetation management meeting in Midpines on Wednesday; he attended the Station 26 Brigade meeting on Monday; he plans to attend the Solid Waste Task Force meeting on Wednesday; he plans to attend the off-highway vehicle trail meeting on Friday with the Forest Service and Bureau of Land Management to address the Date Flat area; he attended the Don Pedro Community Services District meeting on Monday and they discussed the sign that is out of compliance and he will further pursue the zoning history of this property with County Counsel.

Supervisor Bibby encouraged the public to support the school transportation sports fundraiser where they can; she advised that she will forward the information received from Jeanetta Phillips on the Rauch Ranch to Code Enforcement, and she asked that all violations be forwarded to the Board or to the County; she plans to meet with the Human Services Director on Wednesday relative to the potential sites for a new building; she attended the Mother Lode Job Training meeting; and she reminded everyone that the building code violation amnesty program ends on August 9th.

Supervisor Aborn advised that the Republican Central Committee held its annual dinner on Saturday and Congressman Radanovich spoke on the movement to change the Constitution.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: California United Homecare Workers (CUHW) – In-Home Supportive Services (IHSS); Name of County Designated Representative: Mike Coffield (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: This closed session was not held.

9:55 a.m. **CLOSED SESSION:** Conference with County Labor Negotiator; Name of Employee Organization: DSA (Deputy Sheriffs' Association); Name of County Designated Representative: Richard J. Benson (County Administrative Officer/Personnel/Risk Manager); and

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: SMA (Sheriffs' Management Association); Name of County Designated Representative: Richard J. Benson (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Supervisor Bibby excused herself from the meeting for this action and these closed sessions due to a potential conflict of interest with possible compaction issues involving a family member and because her spouse is a member of the SMA. (M)Turpin, (S)Allen, the closed sessions were held/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

10:40 a.m. The Board reconvened in open session and Chair Aborn announced that direction was given to staff as a result of the closed session items.

Richard J. Benson, County Administrative Officer/Personnel/Risk Manager;
Preliminary Report, Discussion and Direction Regarding Fiscal Year 2009-2010 Budget
BOARD ACTION: Rick Benson reviewed the budget status, including revenues, and advised that there is a 1.5 million dollar gap and that is mostly due to a declining fund balance. He reviewed possible options for handling the budget deficit, including furloughs, hiring freeze, and reducing extra help. He advised that he met with the department heads on Monday and they requested flexibility in handling the shortfalls in their budgets. He addressed the State budget impacts on the County, and advised that his recommendation is to use the Reserve for Contingency to cover funds borrowed by the State. He advised that he is looking at recommending reductions in the Cultural and Community Services budget, savings in the Economic Development budget with a possible change in office location, is looking closely at Airport services, leaving positions vacant to generate a salary savings; and he is looking for direction from the Board.

Discussion was held. Supervisor Allen stated he feels the declining fund balance should be taken into consideration in the budgeting process; and he suggested the following be considered: consolidation of departments – he noted that Planning is currently under Building in the County Code; a hiring freeze and that every job that becomes vacant be reviewed; review options of privatizing services such as vehicle maintenance; reducing contribution to the Tourism Bureau as he questioned how we can encourage more people to come and cut services; whether overtime would be required if law enforcement personnel is furloughed; review how we do things and see where we can save with computerization and eliminating duplication of services; review the funds allocated to the Chamber of Commerce; defer funding the fire truck replacement budget until next year since we do not have the equipment yet; utilize internet training versus travel; review staffing level for the Airport; review cell phone costs and whether the County should pay for iPhones; review every aspect of the budget; negotiate tiering the retirement system; and he stated he does not want to see furloughs. Supervisor Bibby agreed with getting feedback from the departments and she agreed with Supervisor Allen and the need to get back to the basics; she suggested the following be considered: review fee schedules for departments; freeze extra help, fixed asset purchases, training and travel; make sure that the programs that do not get a budget reduction do not have any impact on the General Fund; review timelines for receiving revenues and make sure the County is not fronting the funding; not make any more loans; review indirect costs; look at enterprise funds; make sure that the anticipated revenue is going to be received; review Economic Development as it was created to be self-sufficient; look at parks and library services; look at every item that comes to the Board that impacts the General Fund; watch all grant funded programs to make sure that all of the expenses are covered by the grant funds; and have a report back as soon as the finalized numbers are known. Supervisor Cann suggested that there be a review of the budget status at the first meeting in August when the real numbers are known; he agreed with having department heads come back with their recommendations for making cuts in their individual budgets on a percentage basis; and he addressed the revenue sources and the percentage coming from tourism and its importance to the County. Supervisor Bibby suggested that feedback be provided by the Tourism Director on the status of room vacancies/bookings; and she asked about the status of reviewing the sales tax and audit program – she asked for a breakdown of where the sales tax revenue comes from for this and the past few years. Supervisor Aborn noted that the departments are functioning now with minimal staffing.

11:56 a.m. Recess

12:14 p.m. Input from the public was provided by the following on the budget situation:

Peter Schimmelfennig, on behalf of the Chamber, provided input on their budget and organization and the services they provide to the County with the visitors' center. Speaking as an individual and business owner of the Hotel Jeffery, he commented that their decisions with this business were based on discussions they had relative to the County's support of tourism.

Debbie Macias, SEIU Local 521 representative, suggested the following ideas for departments impacted by the General Fund: all management staff, department heads, and elected officials including the Board of Supervisors should start by setting an example with salary cuts, and

that the large pay raise should not have been given to the department heads; all unnecessary travel should be stopped; car allowances, training and education incentives should be stopped; cell phones should be reviewed; she agrees with seeking additional revenue through fees; feels the transient occupancy tax should be reviewed with consideration given for an increase; referred to the declining sales tax revenue and stated she does not feel there are things here for people to buy; need to review diversifying the economy; rethink how business is done; review services to eliminate duplication; look at County facilities and lease agreements and consolidate business practices; stated she would like to have labor management meetings with the departments that receive General Funds to go over their budgets and look at options such as temporary office closures; look at perhaps a volunteer furlough plan and with “smoothing” the furlough days out during the year; and stated she agrees with looking at a percentage for cuts.

Brian Muller, Sheriff, stated he was not aware of a “large” pay increase for department heads, just an increase; he does not want to see the cuts or furloughs, but he realizes that options need to be reviewed. He noted that a one-day furlough equals a 4.66 percent pay cut; and he noted that the current contracts with SEIU and management employees call for a 4 percent increase in November – so those employees would only take a .66 percent cut versus the other employees. He noted that the Deputy Sheriffs’ Association and Sheriffs’ Management are negotiating this year and will probably take the full 4.66 percent salary cut. He feels this needs to be fair.

Dick Hutchinson, speaking on behalf of the Mariposa Historic District Merchants Group, advised of their “shop local” program and he feels that the sales tax can be increased. He noted that he feels the County should also look at purchasing locally first.

Rick Benson noted that he met with the union representatives; and he clarified for the record that the level of management perks do not exist in Mariposa as in other counties.

Kristy Waskiewicz, AFSCME representing the Management and Confidential organization, disagreed that departments could not be “nickel and dimed” to make cuts – she feels that is what needs to happen, that everything should be looked at. She commented on the status of the budget revenues and she feels that all revenue enhancements need to be reviewed, and she feels that this can be done without going after the employees. She feels the Union should be involved and the department heads and their assistants – that we need to work together.

Further discussion was held. Supervisor Bibby stated she feels that one-time expenses need to be reviewed as well as ongoing; that new programs, such as the Master Gardeners should be reviewed – she asked for a list of the new programs to review. Chris Ebie, Auditor, provided input on the status of the Proposition 1A/property tax revenue and the State’s ability to borrow funds from the County and the resulting impacts on cash flow and investment returns. He stated he feels that all of the major revenue figures, including transient occupancy tax, should be known by August 11th. Supervisor Cann suggested that the department heads be asked what a specific percentage cut would mean to them, and that this be reviewed in August. Supervisor Bibby stated she feels positions and extra help hiring should be frozen today. Rick Benson advised that he will take into consideration the input relative to the hiring freeze and extra help and he will come back to the Board, if necessary, with something more formal; otherwise, he will give the Board an opportunity to review requests to fill positions. He thanked the department heads and labor organizations for their cooperation; and he thanked Mary Hodson/Deputy County Administrative Officer and Chris Ebie for their assistance. He noted that meetings have been scheduled with the department heads this week on their budgets; and he plans to include department heads in any recommendations for salary reductions.

CONSENT AGENDA:

- CA-1 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-356
- CA-2 Resolution Continuing the Local Emergency Due to the Recent Fire, Oliver Fire (County Administrative Officer); Res. 09-357

- CA-3 Resolution Continuing the Local Emergency Due to the Recent Fire, Telegraph Fire (County Administrative Officer); Res. 09-358
- CA-4 Accept the Resignation of Tom Phillips and Al Ranson from the Historic Sites and Records Preservation Commission, Appoint Ron Loya Representing the Mariposa Historical Society and Appoint Mike Wenrich as an Alternate Representing the Historical Society to the Historic Sites and Records Preservation Commission (Planning Director)
- CA-5 Accept the Resignation of Patricia Montplaisir and Louise Bond from the Yosemite West Planning Advisory Committee (Supervisor Aborn)
- CA-6 Approve Budget Action Transferring Funds within the Facilities Maintenance Budget for Fiscal Year 2008-2009 to Cover Unexpected Expenditures (\$15,000) (Public Works Director); Res. 09-359
- CA-7 Approve an Agreement with Mariposa County First 5 Commission to Implement Childhood Dental Health Program and Authorize the Board of Supervisors Chair to Sign the Agreement (Health Officer); Res. 09-360
- CA -8 Approve an Agreement with Freese and Gianelli Claim Service and Authorize the Board of Supervisors Chair to Sign the Agreement (County Administrative Officer/Personnel/Risk Manager); Res. 09-361
- CA-9 Approve First Amendment to Agreement with Advocacion for Lobbying Services Extending the Termination Date to September 30, 2009 and Authorize the Board of Supervisors Chair to Sign the Amendment (County Administrative Officer/Personnel/Risk Manager); Res. 09-362
- CA-10 Authorize the Board of Supervisors Chair to Sign a Letter to Congress Member Radanovich in Support of HR 2443 – Medicare Ambulance Access Preservation Act of 2009 (County Administrative Officer/Personnel/Risk Manager); Res. 09-363
- CA-11 Appoint Marvin Wells to the San Joaquin Valley Rail Committee (County Administrative Officer/Personnel/Risk Manager)
- CA-12 Approve Two 3-year Agreements with Thomson West for On-line Legal Access/Updates for the Law Library and the Jail, with a First Year Cost of \$10,028 and Authorize the Board of Supervisors Chair to Sign the Agreements (County Administrative Officer/Personnel/Risk Manager); Res. 09-364
- CA-13 Authorize the Human Services Director to Submit an Application for Continued Funding for Fiscal Year-2010 between the Mariposa County Friday Night Live Partnership and the California Friday Night Live Partnership for Compliance with the “No Child Left Behind Act”, Title IV-21st Century Schools and all Applicable Regulations and Federal Guidelines (Human Services Director); Res. 09-372
- CA-14 Approve an Agreement with Community Regional Medical Center for Psychiatric Inpatient Services and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-365
- CA-15 Approve Amendment to an Agreement with Crestwood Behavioral Health for Psychiatric Inpatient Services and Authorize the Board of Supervisors Chair to Sign the Amendment (Human Services Director); Res. 09-366

- CA-16 Approve an Agreement with Heritage Oaks Hospital for Residential Inpatient Services and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-367
- CA-17 Approve an Agreement with Sierra Vista Hospital for Residential Inpatient Services and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-368
- CA-18 Approve the California Department of Veterans Affairs Subvention and Medi-Cal Certificates of Compliance for Fiscal Year 2009-2010 and Authorize the Board of Supervisors Chair to Sign the Certificate of Compliance (Community Services Director); Res. 09-373, with direction for a presentation to be made to the Board on the Veterans services that are provided
- CA-19 Approve an Agreement with Area 12 Agency on Aging for Fiscal Year 2009-2010 for Congregate Meals, Congregate Restaurant Meals, Home Delivered Meals and IIIB Transportation to the Adult Day Health Care in Sonora and Authorize the Board of Supervisors Chair to Sign the Agreement (Community Services Director); Res. 09-369
- CA-20 Proclaim July 22-26, 2009, as “Probation, Parole & Community Supervision Officers’ Week” (Chief Probation Officer)
- CA-21 Approve Certificate of Recognition and Congratulations to Betty Lincoln on Celebrating her 80th Birthday on July 26, 2009 (Supervisor Allen)
- CA-22 Approve Certificate of Recognition and Congratulations to Kenny and Mary Williams on Celebrating their 50th Wedding Anniversary on August 1, 2009 (Supervisor Allen)
- CA-23 Approve Alternate Work Schedule to Hazardous Material Specialist, Health Department (Health Officer); Res. 09-370
- CA-24 Authorize the Continuation of Extra-help Payment to Three Employees in the Environmental Health Specialist (REHS)/State and Public Health Nurse (PHN)/State Classification, with an Hourly Rate of \$33.00 for the REHS/State and \$41.00 for the PHN/State for the Period of July 1, 2009 – September 30, 2009 only (Health Officer); Res. 09-371

(M)Turpin, (S)Bibby, the Board adjourned at 1:02 p.m. in memory of Virginia Trujillo, Clifford R. Laughter, Gretchen Taylor, and Chester A. McWilliams/Ayes: Unanimous.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

July 28, 2009



Time _____ Description

9:02 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Supervisors Turpin and Bibby initiated discussion with Dana Hertfelder, Public Works Director, relative to item 8 – status of funding for the signs for the Lake Don Pedro trails and relative to funding for the History Center project. Supervisor Bibby pulled items 1, 7 and 8. (M)Turpin, (S)Bibby, item 8 was approved/Ayes: Unanimous.

Item 1 – Supervisor Bibby asked that the Summary of Proceedings for July 14, 2009, include a sentence relative to her concern regarding processing the changes and updates for the Countywide Community Wildfire Protection Plan, and she asked that the tape of that portion of the meeting be reviewed. Discussion was held. Chair Aborn continued approval of the July 14th Summary of Proceedings to August 4, 2009. (M)Bibby, (S)Cann, the Summary of Proceedings for July 21, 2009 was approved/Ayes: Unanimous.

Item 7 – Supervisor Bibby clarified with Jim Rydingsword, Human Services Director, that no General Fund dollars are included. (M)Bibby, (S)Turpin, item 7 was approved/Ayes: Unanimous.

(M)Bibby, (S)Allen, the balance of the items (items 2 through 6) was approved/Ayes: Unanimous.

Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

MaryAnn Huff, President of the Mariposa County Chamber of Commerce, referred to a recent story in the *Mariposa Gazette* relative to the budget and comments Supervisor Allen made about the Chamber's budget and potential cuts. She advised that the Chamber is an independent contractor to the County and provided information on the services they provide and presented statistical information.

Eleanor Keuning urged the Board members to visit the Chamber of Commerce's office and the Visitors' Bureau to see how busy and helpful they are. She commented on and left information on advertising of the County and surrounding areas, and information on Emerald Energy's high-density, short-rotation tree.

Ruth Catalan asked why contracts that come to the Board are already signed by the other party; requested that a list of consultants and their costs be provided as a part of the budget process; asked where the 1.5 million dollar budget deficit went; and she noted that as a member of the Solid Waste Task Force she emailed the Board members and only received acknowledgment from three members – she feels that everyone should at least acknowledge receipt of emails. Rick

Benson clarified that it is preferred that signatures be obtained by the other parties on contracts before they come to the Board so that they don't go back and forth with subsequent changes and the Board knows the other party is committed when it considers the contract.

Board Information

Supervisor Cann advised that he met with representatives of the Master Gardener's group and Manna House on Monday relative to the concept of community gardens. He met with teacher and union representatives for the Teachers' Association last week relative to the status of the budget for the School District and its programs. He and Supervisor Turpin attended the Solid Waste Task Force meeting.

Supervisor Allen extended best wishes to Don Weston who was in a motorcycle accident on Sunday. In response to input provided by Eleanor Keuning this morning, he advised that he has visited the Chamber of Commerce Office several times; however, it is his opinion that the Visitors' Center belongs to the Tourism Bureau versus the County. He advised that he has been reviewing the budget line-by-line this last week to see what is happening, and he feels that headway has been made and that a budget can be passed without any furloughs.

Supervisor Turpin noted that he passed logging trucks this morning. He attended a SWIFT meeting and the TRU CARE meeting on Wednesday. He met with the Forest Service and Bureau of Land Management on Friday relative to off-highway vehicle trails in Dates Flat. There was a fire off Highway 49 North on Sunday. He advised that he and his wife and others put together a banner for the one year anniversary of the Telegraph Fire reminding everyone of the need for the 100-foot of defensible space.

Supervisor Bibby advised that she attended a meeting with Human Services relative to the WET Fund grant program; and a telephone meeting with the consultant for the new facility – she wants to make sure that General Funds are not needed and that programs will not be reduced if the facility project is approved. She noted that the National Park Service cancelled its scoping meeting that was scheduled for July 22nd on the Merced River Plan. She attended the School Board meeting on Thursday and action was taken to declare the Yaqui Gulch Road property as surplus, and she will bring an item to the Board to continue with the process for the fire station. She extended warm wishes and a speedy recovery to Don Weston. She expressed caution to the department heads and service groups and organizations that the County may need to make budget cuts. She advised that she received a letter from the Governor and Director of Finance relative to letters she wrote concerning the State budget and she encouraged others to write with their suggestions. She referred to the Board's previous action that allows departments to make budget transfers within categories and cautioned department heads that these budget actions would be reviewed. She asked that everyone help with saving for the fund balance. She extended a special thanks to the community for being careful this fire season. She noted that in addition to the Master Gardeners, that information is available at the Agricultural Commissioner and Farm Advisor's offices; and that a wide variety of resource materials are available through the UC Regents.

Supervisor Aborn advised of a celebration held in Midpines for everyone involved in Telegraph Fire. He referred to recent United States news and urged citizens to contact their representatives on issues such as health care and the Constitution.

Rick Benson provided an update on the progress on putting together the proposed budget for FY 2009-10; and he advised that he received a revised estimate from the Auditor of \$300,000 more in revenue; the State budget adoption includes \$120,000 for Williamson Act subvention funding; and he has been meeting with the department heads and working to solve the budget shortfall. Supervisor Bibby commented on the importance of the Williamson Act to the counties and its inclusion in General Plans.

Mary Williams, Community Services Director;
Report on Veterans Services Activities

BOARD ACTION: Mary Williams provided input; and Bob Johns/Veterans Service Officer, reviewed the requirements for a Veterans Service Officer, function, and activities; and he presented information, including statistics for the County. Supervisor Turpin advised of

jurisdictional problems in the North County because of the zip code, and discussion was held and Bob Johns advised of his work on this issue and of his contact with Congressman Radanovich. Board members expressed appreciation for the report and Supervisor Cann asked that an annual report be given. Bob Johns advised of the State's efforts to implement a Statewide automated software tracking system.

10:34 a.m. Susan Skalski, Stanislaus National Forest Supervisor;
Present Information Relative to the Stanislaus Forest Fire Coverage within Mariposa County
BOARD ACTION: Supervisor Turpin introduced Susan Skalski and Maggie Dowd, Groveland District Ranger. Susan Skalski provided an update on their fire preparedness for this summer and on ARRA/economic stimulus projects. Discussion was held relative to staffing for enforcement. Supervisor Turpin expressed appreciation for the fuel reduction project in China Flat and for including the Bower Cave area.

10:49 a.m. Recess

11:06 a.m. Brian Muller, Sheriff;
Approve an Agreement with Emergency Communications Network West, LLC (CodeRED) an Emergency Notification System and Authorize the Board of Supervisors Chair to Sign the Agreement
BOARD ACTION: Discussion was held with Brian Muller and Captain Byron Robles relative to the request.

Input from the public was provided by the following:

Ruth Catalan stated she thinks this is a wonderful idea; she asked about the track record for this company, their references, location, implementation timeframes and the process for the change over from the Reverse 9-1-1 system.

(M)Bibby, (S)Allen, Res. 09-381 was adopted approving the agreement/Ayes: Unanimous.

11:43 a.m. MARIPOSA COUNTY WATER AGENCY
(Chair – Director Cann; Vice-Chair – Director Turpin)

A. Public Presentation – none.

B. Approve a \$50,000 No-interest Loan from the Water Agency to the Mariposa County Resource Conservation District (RCD) as a “Bridge” Loan to Develop a Planning Grant Proposal for an Integrated Regional Water Management Plan (IRWMP) (Director Cann)

AGENCY ACTION: Director Cann initiated discussion. Len McKenzie/RCD, Mandy Vance/Sierra Nevada Conservancy, and Brenda Ostrom/consultant, provided input relative to the request and the status of the IRWMP process. Director Bibby advised of input she received from members of the Water Agency Advisory Board and concerns with the “no-interest” loan versus the County being able to recoup its costs for the loan; and she asked for clarification of whether this request will go back to the Advisory Board for action. Director Cann advised that there were two requests before the Advisory Board and that the Advisory Board was positive with the RCD request and was not positive with the Upper Merced River Watershed Protection group's request. Director Bibby stated she would like for this request to go back to the Advisory Board for action, would like the Water Agency Fund balance confirmed, and wants verification that the State is guaranteeing payment of these funds. Discussion was held. (M)Allen, (S)Turpin, Water Agency Res. 09-4 was adopted approving the no-interest bridge loan as requested in the amount of \$50,000. Director Bibby clarified that she feels there is a misunderstanding between the Advisory Board members and sending the matter back would have provided an opportunity to provide clarification. Director Allen noted that there was an opportunity to provide input today on this item. Ayes: Aborn, Turpin, Cann, Allen; Noes: Bibby.

Jim Rydingsword, Human Services Director;

Approve the Two-year Agreement with Mountain Crisis Services for Project Respect and Authorize the Board of Supervisors Chair to Sign the Agreement 2) Approve the Department to begin Implementation of the Mental Health Services Act (MHSA) Prevention and Early Intervention Component, and 3) Allocate One full-time Mental Health Assistant III Position to the MHSA Budget and Allocate One Full-time Mental Health Assistant I Position to the MHSA Effective August 1, 2009.

BOARD ACTION: Discussion was held with Jim Rydingsword relative to the request.

Input from the public was provided by the following:

Ruth Catalan advised of discussion held at the Mental Health Board meeting on this matter and she feels the Board should move forward with the program.

(M)Bibby, (S)Cann, Res. 09-382 was adopted approving the requested actions/Ayes: Unanimous.

Waive Second Reading and Adopt Ordinance Rescinding Section 10.08.063 of Chapter 10.08 of the County Code Entitled "Parking Regulations at the Mariposa Roadside Rest Area" (Public Works Director)

BOARD ACTION: Discussion was held with Dana Hertfelder.

Input from the public was provided by the following:

Ruth Catalan stated this does not solve the problem with the vendors and she does not feel that they should be allowed to be in the Rest Area.

(M)Cann, (S)Allen, the second reading was waived and Ordinance No. 1057 was adopted. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

Waive First Reading and Introduce Ordinance Amending Section 2.90.020 of Chapter 2.90 of the Mariposa County Code Entitled "Historic Sites and Records Preservation Commission" (County Counsel)

BOARD ACTION: Following discussion with Steve Dahlem, County Counsel, (M)Bibby, (S)Allen, the first reading was waived and the Ordinance was introduced. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

Approve a Memorandum of Understanding (MOU) to Establish a Public/Private Partnership Between the Economic Development Corporation (EDC) and County of Mariposa to Enter into a Grant Subscription Service and Approve an Agreement with eCivis for a Grant Subscription Service to Assist County Staff with Research and Development of Grant Applications and Authorize the Board of Supervisors Chair to Sign the MOU and the Agreement (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Discussion was held with Rick Benson and Marilyn Lidyoff/Business Development Coordinator, relative to the request. Supervisor Bibby asked for clarification of the term of the Agreement, and it was clarified that it should commence on August 14, 2009 versus July 28, 2009. County Counsel clarified the issue of being able to offer information to non-profit and community-based entities.

Input from the public was provided by the following:

Ruth Catalan asked for clarification of the services that are provided by eCivis; and she suggested using it at the Library and perhaps by the schools. She feels it is a good idea.

Dick Hutchinson asked that research be done to see if something is available for the Parking District.

(M)Turpin, (S)Cann, Res. 09-383 was adopted approving the requested actions, with direction to correct the date on the agreement/Ayes: Unanimous.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: California United Homecare Workers (CUHW) – In-Home Supportive Services (IHSS); Name of County Designated Representative: Mike Coffield (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: This closed session was not held.

CONSENT AGENDA:

- CA-1 Approve Summary of Proceedings of July 14, 2009, Approve Summary of Proceedings of July 21, 2009, Regular Meetings (Clerk of the Board); Summary of Proceedings for July 21, 2009 was approved; and direction was given for clarification to be made in the Summary of Proceedings for July 14, 2009 and approval was continued to August 4th
- CA-2 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-376
- CA-3 Resolution Continuing the Local Emergency Due to the Recent Fire, Oliver Fire (County Administrative Officer); Res. 09-377
- CA-4 Resolution Continuing the Local Emergency Due to the Recent Fire, Telegraph Fire (County Administrative Officer); Res. 09-378
- CA-5 Approve an Agreement with John C. Fremont Healthcare District for Fiscal Year 2009/2010 for Routine Medical Screening for Juveniles Detained and Authorize the Board of Supervisors Chair to Sign the Agreement (Chief Probation Officer); Res. 09-379
- CA-6 Approve Budget Action for Fiscal Year 2008-2009 Increasing Revenue and Appropriations in the Veterans' Services Budget to Accommodate an Increase in Costs Associated with Attending a Veterans' Services Officer Training Conference (\$760) (4/5ths Vote Required) (Community Services Director); Res. 09-380
- CA-7 Approve an Agreement with Edna Terrell for Continued Consulting Services for Human Services Programs and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-375
- CA-8 Approve the Use of \$22,000 of Proposition 40 Funds from the Remaining Balance Originally Allotted for the Amphitheater Lighting to bring the Mariposa History Center's Entrance and Sanitary Facilities into American Disabilities Act (ADA) Compliance (Public Works Director); Res. 09-374

(M)Turpin, (S)Bibby, the Board adjourned at 1:04 p.m. in memory of Dorothy L. Dix/Ayes: Unanimous.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

August 4, 2009



Time Description

9:06 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions – Dennis “Mike” Troxil/Mariposa Area CHP Commander and Sam Samra/Sonora Area CHP Commander were introduced.

Chair Aborn wished President Obama a happy birthday today.

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair’s discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Supervisor Bibby referred to item 7 and asked that the daily impatient Medical rate be confirmed – whether it is \$743.02/day or \$743.00/day before the contract is signed. (M)Bibby, (S)Allen, all items were approved, with direction to clarify the rate in item 7/Ayes: Unanimous.

Public Presentation: For Items within the Jurisdiction of the Board and not on Today’s Agenda.

Ron Loya, Board President of the Mariposa Museum and History Center, advised that they will host a press event to launch a tourism project developed by the Sierra Geotourism Council on August 19th; and he invited the Board members to attend.

Eleanor Keuning thanked CHP for being visible on Highway 140. She noted that her odometer read 123,456 this morning. She referred to a recent letter in the *Mariposa Gazette* relative to problems and vandalism in the Art Park and she suggested that consideration be given to bicycle patrol, horse patrol, or video surveillance.

Board Information

Supervisor Cann commented on Don Weston’s condition and he stated that the family set up a website with status reports; and he noted that there have been several accidents recently. He advised that he has been looking at the budget and noted that the transient occupancy tax was only down about six percent and that the reduction was much higher for other areas. He reminded everyone of the school sports travel fundraiser this Sunday. He plans to attend the mid-town merchants meeting and they are working on launching their “shop local” program. He plans to attend the RCRC (Regional Council of Rural Counties) meeting on August 19th so he will miss the Geotourism project kickoff event.

Supervisor Allen advised of the Sheriff’s Department previous review of installing video surveillance to help deter the vandalism, and he encouraged Eleanor Keuning to discuss her suggestions with the current Sheriff. He advised that he is also reviewing the budget. He plans to be in Fish Camp on Wednesday to interview candidates for membership on the Fish Camp Town

Planning Advisory Council. He plans to attend the Area 12 Agency on Aging meeting on Thursday in Calaveras County. He plans to attend the peace officer graduation ceremony in Modesto on Friday for Wes Smith and Will Atkinson, and he noted that Will is planning to be married on Saturday. He plans to attend the Grizzly Family "Hoedown" on Sunday.

Supervisor Turpin advised that he passed logging trucks this morning, and it is good to see that our natural resources are being used. He advised of the success of the Sultry Summer Shindig and car show on Saturday. He plans to attend the Fire Safe Council Board meeting on Thursday, and the Resource Conservation District meeting in the evening. He plans to attend the Mariposa-Tuolumne RAC meeting in Sonora on Monday.

Supervisor Bibby thanked CHP for being present this morning and for routinely attending community meetings and for their patrol and emergency assistance. She encouraged everyone to attend and/or support the Grizzly Family "Hoedown." She referred to the email she received about the broken glass in the Coulterville pool and recent vandalism in town, and she advised that anonymous tips would be welcomed to help catch the vandals. She attended the girl's softball clean-up at Mariposa Park and McCay Hall and commented on the number of cigarette butts they picked up.

Supervisor Aborn advised that he attended the Yosemite West Planning Advisory Committee meeting on Friday; and he noted that it is beautiful driving through Yosemite National Park and commented on their road repair projects. He commented on funding issues for the sports bus and late bus for schools.

Rick Benson, County Administrative Officer, commented on the status of the budget preparation and advised that he plans to formally present the FY 2009-10 recommended budget to the Board next week (with the final budget hearings to commence on September 21, 2009).

Cathi Boze, Agricultural Commissioner;

Presentation of the 2008 Mariposa County Agricultural Crop & Livestock Report

BOARD ACTION: Cathi Boze reviewed the Report and discussion was held.

Dana Hertfelder, Public Works Director;

Discussion of Out-of-County Fees for the Don Pedro Transfer Station

BOARD ACTION: Discussion was held with Dana Hertfelder, and he advised that there was no per bag charge approved by the Board for out-of-county residents. Supervisor Turpin stated he feels that the records needs to be reviewed to get a clear history of trash services for the Lake Don Pedro subdivision for Mariposa and Tuolumne County residents; and he feels that a per-bag rate needs to be established. Discussion was held relative to the services provided by Mariposa County, including ambulance, law enforcement and solid waste, that benefit the Tuolumne County residents in the area and discussing these issues with representatives of Tuolumne County; and relative to including consideration of a per-bag fee with the upcoming solid waste disposal fee hearing. Rick Benson advised that he would be willing to discuss at the staff level with Supervisor Turpin and Tuolumne County the issues that have been raised; and he noted that an option that could be considered would be to change the boundary so that the 1-M area is entirely in one County. Discussion was held relative to the out-of-county rate that is being charged and options.

Input from the public was provided by the following:

Ruth Catalan asked how many homes are in Don Pedro, and she suggested that the tax rolls be used to verify residency. Dana Hertfelder responded to the questions.

Jeanetta Phillips provided input on her experiences in other areas with having to prove residency, one County placed a sticker inside the vehicle door once proof residency was provided.

Further discussion was held. Rick Benson noted that another option would be to consider an agreement with Tuolumne County for subsidizing the services. Supervisor Turpin expressed concern with the citizens understanding the rate structure in the interim of being able to establish a per-bag fee. Steve Dahlem, County Counsel, noted that this matter is on the agenda for discussion and that a recommendation could be brought back for adopting a fee schedule and further review could occur of the records as requested, and that input could be solicited from the Solid Waste Task Force. Supervisor Bibby suggested that staff put together a letter/informational sheet to give to

Tuolumne County residents explaining the process for changing fees. Dana Hertfelder advised that the long-term solution could be discussed with the Advisory Board at their meeting in September. The Board concurred with staff moving forward as discussed.

10:44 a.m. Recess

10:56 a.m. LOCAL TRANSPORTATION COMMISSION

(Chair – Commissioner Lyle Turpin, Vice-Chair – Commissioner Brad Aborn)

A) Public Presentation - none

B) PUBLIC HEARING to Adopt the Mariposa County 2008 Regional Transportation Plan (Dana Hertfelder, Public Works Director)

COMMISSION ACTION: Dana Hertfelder presented the staff report; and he advised of his request to CalTrans to change the Supervisors to reflect the current Board and that typographical errors will be corrected. He responded to questions from the Commissioners relative to clarifying that the current Board is approving the 2008 Plan; being able to adjust the priorities for the projects; relative to not including roads such as White Rock; and clarification of the traffic counts. Barbara Carrier/PWD-Administrative Analyst, responded to a question from the Commission as to whether there were any major changes in the Plan from when the draft was approved in January 2009. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed and the Commission commenced with deliberations. (M)Bibby, (S)Aborn, LTC Res. 09-13 was adopted approving the Plan with the understanding that the priorities of the projects can be changed. Dana Hertfelder advised that specific projects will be brought to the Commission for approval. Ayes: Unanimous. The hearing was closed.

Chair Turpin asked about the status of the ARRA/stimulus funding for road projects, and Dana Hertfelder responded that they are waiting to receive the funds.

11:13 a.m. Dana Hertfelder, Public Works Director;

A) PUBLIC HEARING Regarding the Report of Delinquent Fees and Board Approval to Add the Delinquent Fees to the Appropriate Property Tax Roll for Collection

BOARD ACTION: Dana Hertfelder presented the staff report. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed and the Board commenced with deliberations. Rick Benson, Dana Hertfelder, and Carl Casey/Public Works Administrator, responded to questions from the Board clarifying that formal action is needed; status of collecting the fees if the property owner is deceased; and relative to the collection of penalties and interest for delinquent fees. (M)Bibby, (S)Cann, Res. 09-394 was adopted approving adding the delinquent fees to the appropriate property tax roll for collection/Ayes: Unanimous. The hearing was closed.

B) PUBLIC HEARING to Consider the Adoption of a Resolution Reaffirming the Current Fee Structure for County Service Area No. 1 (Road Maintenance Zones of Benefit), County Service Area No. 1-M (Lake Don Pedro Off-season Fire Protection) and County Service Area No. 3 (Structural Fire Protection) and Authorize those Fees to be Placed on the Property Tax Roll for Fiscal Year 2009-2010

BOARD ACTION: Dana Hertfelder presented the staff report. Dana Hertfelder and Carl Casey responded to questions from the Board as to whether there has been an increase in the contract with Tuolumne County and as to whether Tuolumne County renewed the contract with CalFire for off-season fire protection in Don Pedro; and relative to the assessment fee structure and allowance for increases in the contract costs. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed and the Board commenced with deliberations. (M)Bibby, (S)Turpin, Res. 09-395 was adopted approving the recommended actions/Ayes: Unanimous. The hearing was closed.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: California United Homecare Workers (CUHW) – In-Home Supportive Services (IHSS); Name of County Designated Representative: Mike Coffield (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: This closed session was not held.

CONSENT AGENDA:

- CA-1 Approve Summary of Proceedings of July 14, 2009 (Continued from July 28, 2009), Approve Summary of Proceedings of July 28, 2009, Regular Meetings (Clerk of the Board)
- CA-2 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-384
- CA-3 Resolution Continuing the Local Emergency Due to the Recent Fire, Oliver Fire (County Administrative Officer); Res. 09-385
- CA-4 Resolution Continuing the Local Emergency Due to the Recent Fire, Telegraph Fire (County Administrative Officer); Res. 09-386
- CA-5 Approve a State of California Office of Traffic Safety (OTS) Grant Agreement to Purchase Heavy Rescue Extrication Equipment for Two Rescue Vehicles and Light Rescue Equipment for Five Patrol Vehicles and Authorize the Board of Supervisors Chair and the Fire Chief to Sign the Agreement (Fire Chief); Res. 09-387
- CA-6 Accept the Resignation of John Schroeder from the Midpines Planning Advisory Committee (Supervisor Aborn)
- CA-7 Approve an Agreement with Sutter Health Sacramento for Residential Psychiatric Inpatient Services and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-388, with the inpatient Medi-cal rate to be clarified
- CA-8 Approve Budget Action Transferring Funds within the Solid Waste Budget to Cover Salaries and Benefits for Fiscal Year 2008/2009 (\$5,676) (Public Works Director); Res. 09-389
- CA-9 Approve Budget Action Transferring Funds within the Airport Budget to Cover Salaries and Benefits for Fiscal Year 2008/2009 (\$822) (Public Works Director); Res. 09-390
- CA-10 Approve Budget Action Transferring Funds within the Roads Budget to Cover Salaries and Benefits for Fiscal Year 2008/2009 (\$16,676) (Public Works Director); Res. 09-391
- CA-11 Approve Budget Action for Fiscal Year 2008-2009 Transferring Funds within the Facilities Maintenance Budget to Cover the Cost of Repairs to Two Damaged Vehicles (\$5,700) (Public Works Director); Res. 09-392
- CA-12 Adopt a Resolution Approving the Proposed Road Name “Toyon Drive” for the Subject Easement; Applicant: Monty L. Red (Planning Director); Res. 09-393

(M)Turpin, (S)Bibby, the Board adjourned at 11:28 a.m. in memory of Travis Bartley and Danielle Lee Chinnock/Ayes: Unanimous.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

August 11, 2009



DRAFT – PENDING BOARD APPROVAL

Time Description

9:04 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Chair Aborn advised of the recent passing of three members of our community and extended the Board's sympathy to the families of: Greg Crane/PWD-Facilities Maintenance Manager; Don Weston, and Gloria Palmer.

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Supervisor Turpin pulled item 10. Supervisor Bibby pulled items 6 and 12. Action was taken on these items later in the meeting. (M)Turpin, (S)Allen, the balance of the items was approved/Ayes: Unanimous.

Chair Aborn;

Proclaim the Month of August, 2009 as "Child Support Awareness Month" and PowerPoint Presentation by Debbie Walton, Child Support Services Director, on Child Support Awareness and Outreach

BOARD ACTION: (M)Bibby, (S)Turpin, the Proclamation was approved and presented to Debbie Walton/Ayes: Unanimous. Debbie Walton gave a presentation on the statewide promotion of "buy back your license"/get back on the road again to encourage citizens to make their child support payments; and she provided information on the benefits of child support.

Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

Tim Wennberg stated he is an aircraft owner and member of the Pilots' Association at the Airport – he advised that they want to be involved in the decisions relative to the Airport and possible solutions. He provided input on the Association's work with the youth and their activities and on the importance of the Airport, and he advised they will fight to keep the terminal open.

Ron Kiser provided input on the importance of the Airport to the County and to tourism; and he feels it is important to have an attendant at the Airport.

Doug Balmain expressed concern with proposed reductions at the Airport. He commented on the major improvements that have been made, and he feels it is important to tourism. He feels there should be a better transportation system for getting people to the community, and that we should enhance and support the Airport and not curtail staffing at the terminal.

DRAFT – PENDING BOARD APPROVAL

Chair Aborn noted that the FY 2009-10 recommended budget will be addressed later on the agenda.

Peter Schimmelfennig, Chamber of Commerce, advised that their next Board meeting is scheduled for Thursday at 5:30 p.m. at the Miners Inn and the next Mixer is scheduled for August 18th at Yosemite Glass.

Cathi Boze, Agricultural Commissioner, brought “wave the flag for ag” bumper stickers and “buy California grown” buttons; and advised that the Farm Bureau dinner is scheduled for October 10th.

Andy Fristensky, Acting Branch Chief of Public Involvement and Outreach for Yosemite National Park, introduced himself.

Board Information

Supervisor Cann advised that he attended the Chamber’s mixer at the Hospital last Tuesday, and it was well attended. He clarified that the funding the County gives the Chamber of Commerce is for a contract to run the visitors’ centers. He met on Thursday with a purveyor of digitized management software for agenda materials and streaming Board meetings on line. He met with the mid-town merchants on Wednesday and Scott Menzies from Humboldt gave a presentation on “local options.” He has a weekly brief with the Human Services Director and this week it was on the wrap-around services. He met with the Airport Owners and Pilots Group relative to Airport issues. He plans to attend the Mariposa-Yosemite Forum at the Library and the Tourism Board meeting on Wednesday.

Supervisor Allen advised that he interviewed the final candidate for the Fish Camp Town Planning Advisory Committee on Wednesday. He attended the Area 12 Agency on Aging meeting in Calaveras on Thursday; and he also met with another Board member from Calaveras County, their Sheriff and Public Works Director relative to their budget situation. He attended the law enforcement graduation ceremony in Modesto on Friday for Will Atkinson and Wes Smith who have joined our Sheriff’s Department. He attended Jim Vineyard’s retirement dinner from CAL FIRE in Merced on Saturday. He attended the Grizzly Family Hoedown on Sunday and commended Dan Tucker of the *Mariposa Gazette* and Jason and Dieter Dubberke of Pioneer Market for putting together this fundraiser for transportation for the school sports.

Supervisor Turpin advised of the logging trucks he passed this morning, and he also saw a road runner on his way to town. He referred to recent stories in the *Modesto Bee* relative to the closure of the Standard Saw Mill and its history. He attended the Fire Safe Council Board of Directors meeting and the Resource Conservation District potluck on Thursday. He attended the Mariposa-Tuolumne RAC (Regional Advisory Committee) meeting on Monday and commented on the projects that were approved for funding. He plans to participate in a teleconference call on Friday with the CSAC Ag and Natural Resources Committee and discussion will be held on Williamson Act program issues.

Supervisor Bibby urged citizens to write letters in support of getting back the Williamson Act Subvention funds. She commented “hats off” to everyone who was involved and contributed to the Grizzly Family Hoedown fundraiser. She noted that our hearts go out to the families who lost loved ones this past week, including Don Weston, Gloria Palmer, and Rose Willis. She encouraged citizens to support the local Fair held on Labor Day weekend. She congratulated the Child Support Services Department staff for the job they do.

Supervisor Aborn thanked Dan Tucker and Jill Ballinger of the *Mariposa Gazette* for the Grizzly Family Hoedown event. He noted there is still a funding problem for the late bus to Yosemite and they will continue to work on that.

Maxwell V. Norton, Interim Farm Advisor and County Director;
PowerPoint Presentation by James Sigala, Master Gardener Coordinator, on the Mariposa County Master Gardener Program

BOARD ACTION: Maxwell Norton introduced James Sigala, who gave the PowerPoint presentation on the Master Gardener program and activities. Discussion was held.

10:06 a.m. Recess

10:14 a.m. Kris Schenk, Planning Director;

A) Discussion and Possible Direction to Staff to Prepare an Urgency Ordinance Pursuant to California Government Code Section 65858 to Prohibit the Approval of Certain Permits in Catheys Valley Planning Area Pending Completion of the Processing of the Catheys Valley Community Plan and to Schedule the Urgency Ordinance for the First Available Board of Supervisors Meeting

BOARD ACTION: Kris Schenk advised of requirements for implementing an urgency ordinance. Discussion was held with Kris Schenk and Sarah Williams/Deputy Planning Director, relative to the status of a pending application; criteria for considering an urgency ordinance; timeframes for completing the Catheys Valley Community Plan and addressing the greenhouse and global warming issues; and application of the ordinance. Steve Dahlem, County Counsel, provided input and advised that an urgency ordinance would not prohibit continued processing of applications.

Input from the public was provided by the following:

Tim Miller, planning consultant – Twain Harte, advised that he is working on the Stewart property project and he provided information on the pending application for development.

Rita Kidd, Catheys Valley, referenced recent planning efforts and the Attorney General's opinion on rural sprawl issues. She stated she feels there is an effort to undermine the basis of the General Plan. She finds it difficult to understand why findings could be made to implement the ordinance for the agritourism uses and not for this; and she provided input on what she feels are health and safety issues: global warming impacts, air quality issues, water issues, traffic congestion, and the potential for development that is contrary to the proposed Catheys Valley Community Plan. She supports proceeding with this urgency ordinance.

Don Starchman, Starchman Bryant Law Offices, stated he still has not heard what the immediate threat finding is to be able to proceed with this urgency ordinance. He questioned why a moratorium was not raised for the General Plan for the whole County if this is so important. He commented on environmental impacts from outside of the County.

Judie Huffman, Catheys Valley, advised that her property borders on Owens Creek and they have had problems with the bridge flooding and she is concerned with impacts from the Stewart development. She referred to the global warming issues that were raised for the Catheys Valley Community Plan and feels that if they have to wait for this to be addressed before the Plan can be adopted, that the development should have to wait. She agrees with implementing a moratorium on development that is not in compliance with the proposed Plan.

Heather Bernikoff stated she supports implementing the urgency ordinance. She commented on their Community Plan and impacts of developments and environmental issues.

Anita Starchman Bryant, Starchman Bryant Law Offices, provided input on the State law requirements for adopting an urgency ordinance; and she stated she has not heard anything that would meet the current immediate threat to public health and safety findings that need to be made to adopt an urgency ordinance. She referred to the letter she submitted.

Mike McCreary commented on the planning and decision making process for the Community Plan; and he encouraged the Board to think in a more integrated policy fashion versus on a particular problem. He commented on the work being done on the Integrated Regional Water Management Plan and the agritourism policies; and he stated that he feels a moratorium that would give more time is not a bad idea.

Discussion was held, and staff responded to questions from the Board relative to implementing an urgency ordinance. Motion was made by Bibby to provide direction to staff to prepare an urgency ordinance, with findings to be brought back based on the record and testimony; and with clarification that the ordinance would only apply to projects that are not consistent with the proposed Catheys Valley Community Plan. The motion was seconded by Aborn, who passed the gavel to Supervisor Cann, with no objection from the Board. Ayes: Aborn, Bibby; Noes: Turpin, Cann, Allen. The motion failed.

11:33 a.m. Recess

11:42 a.m. B) PUBLIC HEARING to Consider Zoning Amendment No. 2009-070. Action Includes Adopting a Resolution Approving the Project, Adopting a Notice of Exemption, and Waive the First Reading and Introduce an Ordinance Amending Zoning Ordinance Text. The Project Proposes to Amend the Mariposa County Zoning Ordinance, Section 17.108.180, to Implement the Mariposa County General Plan’s Definition for Bed and Breakfast Inns

BOARD ACTION: Kris Schenk and Karen Peneschi presented the staff report; and advised of a correction to the written staff report to reflect Section 17.108.180 throughout the report. Staff, including Sarah Williams/Deputy Planning Director, responded to questions from the Board relative to the amendment; addressing limited parking issues in Yosemite West; being able to file a Notice of Exemption and dealing with environmental issues including global warming; road surface and paving issues; clarification that each project is reviewed; clarification that the 2006 General Plan Update included this definition for Bed and Breakfast Inns; relative to the staff recommendation; and relative to dealing with duplexes.

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

Harry Hagen, Yosemite West, stated he is an a lawyer and he wants Yosemite West added to the list of the three areas that are exempt in the amendment because he feels that their lots are too small to allow for the increase in use from three to five bedrooms – he sees this as a real problem for Yosemite West because of the physical reality of the area. He asked for clarification that bed and breakfast applications would be reviewed on a case-be-case basis.

Staff responded to a question from the Board relative to handling enforcement.

Ron Skelton stated he operates a bed and breakfast in El Portal, and they were told three years ago that they could have five bedrooms and they designed their business accordingly, and they have a small lot. He referred to the paving issue and advised that he belongs to the Bed and Breakfast Association and they are on paved roads and most of the driveways are paved. He also noted that a number of the businesses only have the ability to operate with three bedrooms versus five. He referred to the increased revenue as a result of the increase in the number of rooms.

The public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board as to whether the National Park Service has provided any input on the matter in regard to Yosemite West and Foresta; and whether implementation can be held off for Yosemite West. Rick Benson noted that if the Board wants to exempt Yosemite West, the proposed Ordinance could be changed. Steve Dahlem suggested that if the Board wants to exempt Yosemite West, that direction be given to staff and that the revised Ordinance come back so that there is notice of the change. Further discussion was held relative to reviewing the applications and noticing for this hearing. (M)Turpin, (S)Allen, the first reading was waived and the Ordinance was introduced as presented; and Res. 09-404 was adopted approving the project and adopting a Notice of Exemption on the environmental determination. The Clerk of the Board read the title of the Ordinance into the record. Further discussion was held; and staff responded to additional questions from the Board relative to consideration of this issue by the Yosemite West Planning Advisory Committee; clarifying that only a small number of businesses is involved that could apply; whether public input would be taken into account when an application is submitted; whether staff is comfortable with a CEQA exemption; and relative to fire inspections. Ayes: Unanimous. The hearing was closed.

Consider Items Removed from the Consent Agenda

Item 10 – Supervisor Turpin expressed concern with the costs and initiated discussion was held with Kris Schenk. (M)Allen, (S)Bibby, item 10 was approved with a change to delete reference to the San Joaquin Valley Air Pollution Control District/Ayes: Aborn, Bibby, Cann, Allen; Noes: Turpin.

The balance of the items that were pulled were continued to later in the meeting.

Jim Rydingsword, Human Services Director;
Authorize the Human Services Department to Begin Using Team Decision Making, and Family Search & Engagement, and Negotiate Agreement to Support these Activities

DRAFT – PENDING BOARD APPROVAL

BOARD ACTION: Discussion was held with Jim Rydingsword, and he advised of the history of getting to this point. (M)Bibby, (S)Cann, authorization was given as requested; with the agreement to come back to the Board for final approval/Ayes: Unanimous.

Receive Fiscal Year 2009-2010 Recommended Budget Documents for the County of Mariposa and Special Districts under the Control of the Board of Supervisors; Receive Report by County Administrative Officer and Schedule Budget Hearings to Begin on September 21, 2009 (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Rick Benson advised that he is planning to have the recommended budget documents available for distribution to the Board later today or on Wednesday, and they will be made available to the public. He reviewed the highlights of the of the recommendations; advised of an adjustment to the transient occupancy tax to correctly account for revenue received this last fiscal year; advised that furloughs are not recommended; advised of the recommended layoffs: Public Works Administrator, Airport Manager and closure of the terminal, and a position in the Building Department; reductions in items in the Community/Cultural Services budget; and the addition of a new expense for the fire engine replacement fund. He requested that the Board schedule the budget hearings; and he thanked all of the department heads for their cooperation. Discussion was held relative to scheduling the hearings, and looking at other budget saving measures such as a hiring freeze.

Input from the public was provided by the following:

Carl Casey/Public Works Administrator, spoke in opposition to eliminating his position; and he provided input on his work with various projects – he feels the Department needs a lead finance position and that alternative solutions should be found.

Ruth Catalan stated she feels that people are the most important asset; and if possible, she would like to see the budget cuts not affect employees.

1:55 p.m. Recess

2:04 p.m. Following further discussion, (M)Cann, (S)Turpin, budget hearings were scheduled to start on Tuesday, September 15, 2009, and continue each day at 9:00 a.m. until concluded. Rick Benson noted that no regular business will be scheduled for the 15th unless there is an urgency. Ayes: Unanimous.

Waive Second Reading and Adopt Ordinance Amending Section 2.90.020 of Chapter 2.90 of the Mariposa County Code Entitled “Historic Sites and Records Preservation Commission” (County Counsel)

BOARD ACTION: Following discussion, (M)Bibby, (S)Allen, the second reading was waived and Ordinance No. 1058 was adopted as recommended. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

Consider Rest of the Items Removed from the Consent Agenda

Item 6 – Following discussion with Dana Hertfelder, (M)Bibby, (S)Cann, item 6 was approved/Ayes: Unanimous.

Item 12 – Supervisor Bibby initiated discussion with Dana Hertfelder as to whether this item involves land surrounding the Airport in any way. She advised that she has a remainder interest in property adjoining the Airport and excused herself from the meeting at 2:16 p.m. for this item due to a potential conflict of interest. (M)Cann, (S)Allen, item 12 was approved/Ayes: Turpin, Cann, Allen; Excused: Bibby.

Supervisor Bibby returned to the meeting at 2:17 p.m.

Authorize the Discharge of Accountability of the Tax Collector for the Accounts which are Thirty Years Plus Old and are Deemed Un-collectable and Designate the County Auditor to Exercise the Authority of the Board (Treasurer/Tax Collector/County Clerk)

DRAFT – PENDING BOARD APPROVAL

BOARD ACTION: Discussion was held with Keith Williams, Treasurer/Tax Collector/County Clerk, relative to the request. Steve Dahlem clarified the 30-year issue in the Code. (M)Cann, (S)Turpin, Res. 09-408 was adopted approving the recommended actions/Ayes: Unanimous.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: California United Homecare Workers (CUHW) – In-Home Supportive Services (IHSS); Name of County Designated Representative: Mike Coffield (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: This closed session was not held.

CLOSED SESSION: Conference with Real Property Negotiator; Description of Real Property: 4166 Lakeview Dr., Mariposa APN 017-540-010; Name of Party who will Negotiate with County (Not Party's Agent): Superintendent Randy Panietz or Designee; Closed Session will Concern Price and Terms of Purchase (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Input from the public was provided by the following:

Ruth Catalan questioned why the County is looking at this purchase given its financial situation. Rick Benson advised that this property is being looked at for the new fire station and commented on proposed financing. Supervisor Bibby noted that this is just the negotiation stage.

(M)Bibby, (S)Cann, the closed session was held at 2:29 p.m./Ayes: Unanimous.

2:46 p.m. Chair Aborn announced that authorization was given to negotiate as a result of the closed session.

CONSENT AGENDA:

- CA-1 Approve Summary of Proceedings of August 4, 2009, Regular Meeting (Clerk of the Board)
- CA-2 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-396
- CA-3 Resolution Continuing the Local Emergency Due to the Recent Fire, Oliver Fire (County Administrative Officer); Res. 09-397
- CA-4 Resolution Continuing the Local Emergency Due to the Recent Fire, Telegraph Fire (County Administrative Officer); Res. 09-398
- CA-5 Approve an Agreement with Liebert Cassidy Whitmore to Provide Consultation, Representational, and Legal Services for an Amount not to Exceed \$50,000 Effective August 1, 2009 (County Administrative Officer/Personnel/Risk Manager); Res. 09-399
- CA-6 Approve Budget Action for Fiscal Year 2008/2009 Transferring Funds within the Yosemite West Maintenance District Budget to Fund Depreciation (\$12,200) (Public Works Director); Res. 09-406
- CA-7 Authorize the Public Works Director to Sign a Letter Allowing the Rural Counties Environmental Services Joint Powers Authority (ESJPA) to Apply for a California Integrated Waste Management Board Regional Grant for the Used Oil Recycling Block Grant, Fiscal Year 2009/2010, on Behalf of Mariposa County (Public Works Director); Res. 09-400

DRAFT – PENDING BOARD APPROVAL

- CA-8 Approve Agreement 09-0266 with California Department of Food and Agriculture (CDFA) for the Leading Edge Yellow Starthistle Control and Eradication Project and an Agreement with Dan Wice for Implementation of the Work Plan and Authorize the Board of Supervisors Chair to Sign the Agreements (Agricultural Commissioner); Res. 09-401
- CA-9 Approve a Resolution to Accept Funding in the Amount of \$22,988 from Corrections Standards Authority, with a County Cash Match of \$2,298 for the Juvenile Accountability Block Grants Program California Gang Reduction and Intervention Program (CalGRIP), for Aggression Replacement Training (Chief Probation Officer); Res. 09-402
- CA-10 Approve Amendment Three to Task Order Two with Hauge Brueck Associates, LLC, in the Amount of \$55,000, for Completion of the Catheys Valley Community Plan (CVCP) Supplemental Environmental Impact Report (EIR), and Authorize the Board of Supervisors Chair to Sign the Amendment (Planning Director); Res. 09-405, with deletion of reference to the San Joaquin Valley Air Pollution Control District
- CA-11 Appoint Richard J. Benson, County Administrative Officer as the County’s Negotiator Concerning Acquisition of Mariposa County Unified School District (MCUD) Real Property Located on 4166 Lakeview Drive, Mariposa, APN #017-540-010 (County Administrative Officer/Personnel/Risk Manager); Res. 09-403
- CA-12 Authorize the Director of Public Works and County Counsel to Sign a Grant Agreement with the Federal Aviation Administration in the Amount of \$52,250.00 for the Preparation of the Environmental Review and Plans and Specifications for the Rehabilitation of the Parallel Taxiway Project (Public Works Director); Res. 09-407

2:47 p.m. Adjournment in memory of Rosalie Elizabeth (Hull) Willis, Prisilla Rose Colvin, Sheila Bell Tarvin, Donald “Don” G. Weston, Gregory “Greg” Joel Crane, and Gloria “Aunt G.G.” Palmer.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN,
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

August 11, 2009



Time Description

9:04 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Chair Aborn advised of the recent passing of three members of our community and extended the Board's sympathy to the families of: Greg Crane/PWD-Facilities Maintenance Manager; Don Weston, and Gloria Palmer.

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Supervisor Turpin pulled item 10. Supervisor Bibby pulled items 6 and 12. Action was taken on these items later in the meeting. (M)Turpin, (S)Allen, the balance of the items was approved/Ayes: Unanimous.

Chair Aborn;

Proclaim the Month of August, 2009 as "Child Support Awareness Month" and PowerPoint Presentation by Debbie Walton, Child Support Services Director, on Child Support Awareness and Outreach

BOARD ACTION: (M)Bibby, (S)Turpin, the Proclamation was approved and presented to Debbie Walton/Ayes: Unanimous. Debbie Walton gave a presentation on the statewide promotion of "buy back your license"/get back on the road again to encourage citizens to make their child support payments; and she provided information on the benefits of child support.

Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

Tim Wennberg stated he is an aircraft owner and member of the Pilots' Association at the Airport – he advised that they want to be involved in the decisions relative to the Airport and possible solutions. He provided input on the Association's work with the youth and their activities and on the importance of the Airport, and he advised they will fight to keep the terminal open.

Ron Kiser provided input on the importance of the Airport to the County and to tourism; and he feels it is important to have an attendant at the Airport.

Doug Balmain expressed concern with proposed reductions at the Airport. He commented on the major improvements that have been made, and he feels it is important to tourism. He feels there should be a better transportation system for getting people to the community, and that we should enhance and support the Airport and not curtail staffing at the terminal.

Chair Aborn noted that the FY 2009-10 recommended budget will be addressed later on the agenda.

Peter Schimmelfennig, Chamber of Commerce, advised that their next Board meeting is scheduled for Thursday at 5:30 p.m. at the Miners Inn and the next Mixer is scheduled for August 18th at Yosemite Glass.

Cathi Boze, Agricultural Commissioner, brought “wave the flag for ag” bumper stickers and “buy California grown” buttons; and advised that the Farm Bureau dinner is scheduled for October 10th.

Andy Fristensky, Acting Branch Chief of Public Involvement and Outreach for Yosemite National Park, introduced himself.

Board Information

Supervisor Cann advised that he attended the Chamber’s mixer at the Hospital last Tuesday, and it was well attended. He clarified that the funding the County gives the Chamber of Commerce is for a contract to run the visitors’ centers. He met on Thursday with a purveyor of digitized management software for agenda materials and streaming Board meetings on line. He met with the mid-town merchants on Wednesday and Scott Menzies from Humboldt gave a presentation on “local options.” He has a weekly briefly with the Human Services Director and this week it was on the wrap-around services. He met with the Airport Owners and Pilots Group relative to Airport issues. He plans to attend the Mariposa-Yosemite Forum at the Library and the Tourism Board meeting on Wednesday.

Supervisor Allen advised that he interviewed the final candidate for the Fish Camp Town Planning Advisory Committee on Wednesday. He attended the Area 12 Agency on Aging meeting in Calaveras on Thursday; and he also met with another Board member from Calaveras County, their Sheriff and Public Works Director relative to their budget situation. He attended the law enforcement graduation ceremony in Modesto on Friday for Will Atkinson and Wes Smith who have joined our Sheriff’s Department. He attended Jim Vineyard’s retirement dinner from CAL FIRE in Merced on Saturday. He attended the Grizzly Family Hoedown on Sunday and commended Dan Tucker of the *Mariposa Gazette* and Jason and Dieter Dubberke of Pioneer Market for putting together this fundraiser for transportation for the school sports.

Supervisor Turpin advised of the logging trucks he passed this morning, and he also saw a road runner on his way to town. He referred to recent stories in the *Modesto Bee* relative to the closure of the Standard Saw Mill and its history. He attended the Fire Safe Council Board of Directors meeting and the Resource Conservation District potluck on Thursday. He attended the Mariposa-Tuolumne RAC (Regional Advisory Committee) meeting on Monday and commented on the projects that were approved for funding. He plans to participate in a teleconference call on Friday with the CSAC Ag and Natural Resources Committee and discussion will be held on Williamson Act program issues.

Supervisor Bibby urged citizens to write letters in support of getting back the Williamson Act Subvention funds. She commented “hats off” to everyone who was involved and contributed to the Grizzly Family Hoedown fundraiser. She noted that our hearts go out to the families who lost loved ones this past week, including Don Weston, Gloria Palmer, and Rose Willis. She encouraged citizens to support the local Fair held on Labor Day weekend. She congratulated the Child Support Services Department staff for the job they do.

Supervisor Aborn thanked Dan Tucker and Jill Ballinger of the *Mariposa Gazette* for the Grizzly Family Hoedown event. He noted there is still a funding problem for the late bus to Yosemite and they will continue to work on that.

Maxwell V. Norton, Interim Farm Advisor and County Director;
PowerPoint Presentation by James Sigala, Master Gardener Coordinator, on the Mariposa County Master Gardener Program

BOARD ACTION: Maxwell Norton introduced James Sigala, who gave the PowerPoint presentation on the Master Gardener program and activities. Discussion was held.

10:06 a.m. Recess

10:14 a.m. Kris Schenk, Planning Director;

A) Discussion and Possible Direction to Staff to Prepare an Urgency Ordinance Pursuant to California Government Code Section 65858 to Prohibit the Approval of Certain Permits in Catheys Valley Planning Area Pending Completion of the Processing of the Catheys Valley Community Plan and to Schedule the Urgency Ordinance for the First Available Board of Supervisors Meeting

BOARD ACTION: Kris Schenk advised of requirements for implementing an urgency ordinance. Discussion was held with Kris Schenk and Sarah Williams/Deputy Planning Director, relative to the status of a pending application; criteria for considering an urgency ordinance; timeframes for completing the Catheys Valley Community Plan and addressing the greenhouse and global warming issues; and application of the ordinance. Steve Dahlem, County Counsel, provided input and advised that an urgency ordinance would not prohibit continued processing of applications.

Input from the public was provided by the following:

Tim Miller, planning consultant – Twain Harte, advised that he is working on the Stewart property project and he provided information on the pending application for development.

Rita Kidd, Catheys Valley, referenced recent planning efforts and the Attorney General's opinion on rural sprawl issues. She stated she feels there is an effort to undermine the basis of the General Plan. She finds it difficult to understand why findings could be made to implement the ordinance for the agritourism uses and not for this; and she provided input on what she feels are health and safety issues: global warming impacts, air quality issues, water issues, traffic congestion, and the potential for development that is contrary to the proposed Catheys Valley Community Plan. She supports proceeding with this urgency ordinance.

Don Starchman, Starchman Bryant Law Offices, stated he still has not heard what the immediate threat finding is to be able to proceed with this urgency ordinance. He questioned why a moratorium was not raised for the General Plan for the whole County if this is so important. He commented on environmental impacts from outside of the County.

Judie Huffman, Catheys Valley, advised that her property borders on Owens Creek and they have had problems with the bridge flooding and she is concerned with impacts from the Stewart development. She referred to the global warming issues that were raised for the Catheys Valley Community Plan and feels that if they have to wait for this to be addressed before the Plan can be adopted, that the development should have to wait. She agrees with implementing a moratorium on development that is not in compliance with the proposed Plan.

Heather Bernikoff stated she supports implementing the urgency ordinance. She commented on their Community Plan and impacts of developments and environmental issues.

Anita Starchman Bryant, Starchman Bryant Law Offices, provided input on the State law requirements for adopting an urgency ordinance; and she stated she has not heard anything that would meet the current immediate threat to public health and safety findings that need to be made to adopt an urgency ordinance. She referred to the letter she submitted.

Mike McCreary commented on the planning and decision making process for the Community Plan; and he encouraged the Board to think in a more integrated policy fashion versus on a particular problem. He commented on the work being done on the Integrated Regional Water Management Plan and the agritourism policies; and he stated that he feels a moratorium that would give more time is not a bad idea.

Discussion was held, and staff responded to questions from the Board relative to implementing an urgency ordinance. Motion was made by Bibby to provide direction to staff to prepare an urgency ordinance, with findings to be brought back based on the record and testimony; and with clarification that the ordinance would only apply to projects that are not consistent with the proposed Catheys Valley Community Plan. The motion was seconded by Aborn, who passed the gavel to Supervisor Cann, with no objection from the Board. Ayes: Aborn, Bibby; Noes: Turpin, Cann, Allen. The motion failed.

11:33 a.m. Recess

11:42 a.m. B) PUBLIC HEARING to Consider Zoning Amendment No. 2009-070. Action Includes Adopting a Resolution Approving the Project, Adopting a Notice of Exemption, and Waive the First Reading and Introduce an Ordinance Amending Zoning Ordinance Text. The Project Proposes to Amend the Mariposa County Zoning Ordinance, Section 17.108.180, to Implement the Mariposa County General Plan's Definition for Bed and Breakfast Inns

BOARD ACTION: Kris Schenk and Karen Peneschi presented the staff report; and advised of a correction to the written staff report to reflect Section 17.108.180 throughout the report. Staff, including Sarah Williams/Deputy Planning Director, responded to questions from the Board relative to the amendment; addressing limited parking issues in Yosemite West; being able to file a Notice of Exemption and dealing with environmental issues including global warming; road surface and paving issues; clarification that each project is reviewed; clarification that the 2006 General Plan Update included this definition for Bed and Breakfast Inns; relative to the staff recommendation; and relative to dealing with duplexes.

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

Harry Hagen, Yosemite West, stated he is an a lawyer and he wants Yosemite West added to the list of the three areas that are exempt in the amendment because he feels that their lots are too small to allow for the increase in use from three to five bedrooms – he sees this as a real problem for Yosemite West because of the physical reality of the area. He asked for clarification that bed and breakfast applications would be reviewed on a case-be-case basis.

Staff responded to a question from the Board relative to handling enforcement.

Ron Skelton stated he operates a bed and breakfast in El Portal, and they were told three years ago that they could have five bedrooms and they designed their business accordingly, and they have a small lot. He referred to the paving issue and advised that he belongs to the Bed and Breakfast Association and they are on paved roads and most of the driveways are paved. He also noted that a number of the businesses only have the ability to operate with three bedrooms versus five. He referred to the increased revenue as a result of the increase in the number of rooms.

The public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board as to whether the National Park Service has provided any input on the matter in regard to Yosemite West and Foresta; and whether implementation can be held off for Yosemite West. Rick Benson noted that if the Board wants to exempt Yosemite West, the proposed Ordinance could be changed. Steve Dahlem suggested that if the Board wants to exempt Yosemite West, that direction be given to staff and that the revised Ordinance come back so that there is notice of the change. Further discussion was held relative to reviewing the applications and noticing for this hearing. (M)Turpin, (S)Allen, the first reading was waived and the Ordinance was introduced as presented; and Res. 09-404 was adopted approving the project and adopting a Notice of Exemption on the environmental determination. The Clerk of the Board read the title of the Ordinance into the record. Further discussion was held; and staff responded to additional questions from the Board relative to consideration of this issue by the Yosemite West Planning Advisory Committee; clarifying that only a small number of businesses is involved that could apply; whether public input would be taken into account when an application is submitted; whether staff is comfortable with a CEQA exemption; and relative to fire inspections. Ayes: Unanimous. The hearing was closed.

Consider Items Removed from the Consent Agenda

Item 10 – Supervisor Turpin expressed concern with the costs and initiated discussion was held with Kris Schenk. (M)Allen, (S)Bibby, item 10 was approved with a change to delete reference to the San Joaquin Valley Air Pollution Control District/Ayes: Aborn, Bibby, Cann, Allen; Noes: Turpin.

The balance of the items that were pulled were continued to later in the meeting.

Jim Rydingsword, Human Services Director;
Authorize the Human Services Department to Begin Using Team Decision Making, and Family Search & Engagement, and Negotiate Agreement to Support these Activities

BOARD ACTION: Discussion was held with Jim Rydingsword, and he advised of the history of getting to this point. (M)Bibby, (S)Cann, authorization was given as requested; with the agreement to come back to the Board for final approval/Ayes: Unanimous.

Receive Fiscal Year 2009-2010 Recommended Budget Documents for the County of Mariposa and Special Districts under the Control of the Board of Supervisors; Receive Report by County Administrative Officer and Schedule Budget Hearings to Begin on September 21, 2009 (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Rick Benson advised that he is planning to have the recommended budget documents available for distribution to the Board later today or on Wednesday, and they will be made available to the public. He reviewed the highlights of the of the recommendations; advised of an adjustment to the transient occupancy tax to correctly account for revenue received this last fiscal year; advised that furloughs are not recommended; advised of the recommended layoffs: Public Works Administrator, Airport Manager and closure of the terminal, and a position in the Building Department; reductions in items in the Community/Cultural Services budget; and the addition of a new expense for the fire engine replacement fund. He requested that the Board schedule the budget hearings; and he thanked all of the department heads for their cooperation. Discussion was held relative to scheduling the hearings, and looking at other budget saving measures such as a hiring freeze.

Input from the public was provided by the following:

Carl Casey/Public Works Administrator, spoke in opposition to eliminating his position; and he provided input on his work with various projects – he feels the Department needs a lead finance position and that alternative solutions should be found.

Ruth Catalan stated she feels that people are the most important asset; and if possible, she would like to see the budget cuts not affect employees.

1:55 p.m. Recess

2:04 p.m. Following further discussion, (M)Cann, (S)Turpin, budget hearings were scheduled to start on Tuesday, September 15, 2009, and continue each day at 9:00 a.m. until concluded. Rick Benson noted that no regular business will be scheduled for the 15th unless there is an urgency. Ayes: Unanimous.

Waive Second Reading and Adopt Ordinance Amending Section 2.90.020 of Chapter 2.90 of the Mariposa County Code Entitled “Historic Sites and Records Preservation Commission” (County Counsel)

BOARD ACTION: Following discussion, (M)Bibby, (S)Allen, the second reading was waived and Ordinance No. 1058 was adopted as recommended. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

Consider Rest of the Items Removed from the Consent Agenda

Item 6 – Following discussion with Dana Hertfelder, (M)Bibby, (S)Cann, item 6 was approved/Ayes: Unanimous.

Item 12 – Supervisor Bibby initiated discussion with Dana Hertfelder as to whether this item involves land surrounding the Airport in any way. She advised that she has a remainder interest in property adjoining the Airport and excused herself from the meeting at 2:16 p.m. for this item due to a potential conflict of interest. (M)Cann, (S)Allen, item 12 was approved/Ayes: Turpin, Cann, Allen; Excused: Bibby.

Supervisor Bibby returned to the meeting at 2:17 p.m.

Authorize the Discharge of Accountability of the Tax Collector for the Accounts which are Thirty Years Plus Old and are Deemed Un-collectable and Designate the County Auditor to Exercise the Authority of the Board (Treasurer/Tax Collector/County Clerk)

BOARD ACTION: Discussion was held with Keith Williams, Treasurer/Tax Collector/County Clerk, relative to the request. Steve Dahlem clarified the 30-year issue in the Code. (M)Cann, (S)Turpin, Res. 09-408 was adopted approving the recommended actions/Ayes: Unanimous.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: California United Homecare Workers (CUHW) – In-Home Supportive Services (IHSS); Name of County Designated Representative: Mike Coffield (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: This closed session was not held.

CLOSED SESSION: Conference with Real Property Negotiator; Description of Real Property: 4166 Lakeview Dr., Mariposa APN 017-540-010; Name of Party who will Negotiate with County (Not Party's Agent): Superintendent Randy Panietz or Designee; Closed Session will Concern Price and Terms of Purchase (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Input from the public was provided by the following:

Ruth Catalan questioned why the County is looking at this purchase given its financial situation. Rick Benson advised that this property is being looked at for the new fire station and commented on proposed financing. Supervisor Bibby noted that this is just the negotiation stage.

(M)Bibby, (S)Cann, the closed session was held at 2:29 p.m./Ayes: Unanimous.

2:46 p.m. Chair Aborn announced that authorization was given to negotiate as a result of the closed session.

CONSENT AGENDA:

- CA-1 Approve Summary of Proceedings of August 4, 2009, Regular Meeting (Clerk of the Board)
- CA-2 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-396
- CA-3 Resolution Continuing the Local Emergency Due to the Recent Fire, Oliver Fire (County Administrative Officer); Res. 09-397
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- CA-5 Approve an Agreement with Liebert Cassidy Whitmore to Provide Consultation, Representational, and Legal Services for an Amount not to Exceed \$50,000 Effective August 1, 2009 (County Administrative Officer/Personnel/Risk Manager); Res. 09-399
- CA-6 Approve Budget Action for Fiscal Year 2008/2009 Transferring Funds within the Yosemite West Maintenance District Budget to Fund Depreciation (\$12,200) (Public Works Director); Res. 09-406
- CA-7 Authorize the Public Works Director to Sign a Letter Allowing the Rural Counties Environmental Services Joint Powers Authority (ESJPA) to Apply for a California Integrated Waste Management Board Regional Grant for the Used Oil Recycling Block Grant, Fiscal Year 2009/2010, on Behalf of Mariposa County (Public Works Director); Res. 09-400

- CA-8 Approve Agreement 09-0266 with California Department of Food and Agriculture (CDFA) for the Leading Edge Yellow Starthistle Control and Eradication Project and an Agreement with Dan Wice for Implementation of the Work Plan and Authorize the Board of Supervisors Chair to Sign the Agreements (Agricultural Commissioner); Res. 09-401
- CA-9 Approve a Resolution to Accept Funding in the Amount of \$22,988 from Corrections Standards Authority, with a County Cash Match of \$2,298 for the Juvenile Accountability Block Grants Program California Gang Reduction and Intervention Program (CalGRIP), for Aggression Replacement Training (Chief Probation Officer); Res. 09-402
- CA-10 Approve Amendment Three to Task Order Two with Hauge Brueck Associates, LLC, in the Amount of \$55,000, for Completion of the Catheys Valley Community Plan (CVCP) Supplemental Environmental Impact Report (EIR), and Authorize the Board of Supervisors Chair to Sign the Amendment (Planning Director); Res. 09-405, with deletion of reference to the San Joaquin Valley Air Pollution Control District
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- CA-12 Authorize the Director of Public Works and County Counsel to Sign a Grant Agreement with the Federal Aviation Administration in the Amount of \$52,250.00 for the Preparation of the Environmental Review and Plans and Specifications for the Rehabilitation of the Parallel Taxiway Project (Public Works Director); Res. 09-407

2:47 p.m. Adjournment in memory of Rosalie Elizabeth (Hull) Willis, Prissilla Rose Colvin, Sheila Bell Tarvin, Donald "Don" G. Weston, Gregory "Greg" Joel Crane, and Gloria "Aunt G.G." Palmer.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN,
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

August 18, 2009



Time Description

9:01 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Chair Aborn advised that item 1 was withdrawn and the Summary of Proceedings will be scheduled for approval on the next agenda. Supervisor Bibby pulled item 8, and Rick Benson responded that there is no change in the Creek Parkway trail. (M)Turpin, (S)Cann, items 2 through 14 were approved/Ayes: Unanimous.

Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

Jeff Hentz, Yosemite/Mariposa County Tourism Bureau Executive Director, advised that they are looking forward to addressing the Board in the budget hearings; and he provided input on the transient occupancy tax revenue status and trends in the tourism industry.

Board Information

Supervisor Cann advised that he and Supervisor Turpin plan to attend the Regional Council of Rural Counties (RCRC) meeting in Sacramento on Wednesday and will miss the launching of the geotourism project. He attended the memorial service for Don Weston on Saturday. He advised that the 10th anniversary ceremony of the initiation of the YARTS service is scheduled for Friday. He advised that he has attended meetings relative to concerns regarding the release of the recommended FY 2009-10 budget.

Supervisor Allen advised that he attended a community meeting in Ponderosa Basin last week, and discussion was held relative to trash, loose animals, and pothole issues, with the Fire Chief and the Sheriff present. He will meet with the Public Works Director on the pothole issues. He plans to attend the Mountain Valley Emergency Medical Services Agency meeting in Alpine in Wednesday. He plans to attend the Student Loan Association meeting at the High School and be at UC Merced on Friday.

Supervisor Turpin advised that he attended Don Weston's services, and the service in LeGrand for Greg Crane/PWD-Facilities Maintenance Manager. He attended the Tourism Board meeting on Friday. He participated in a teleconference call for the CSAC Ag and Natural Resources Committee on Friday relative to Williamson Act issues. On Monday, he and the County Administrative Officer met with the Tuolumne County Administrative Officer and Supervisor Gray to discuss issues of mutual concern between the two counties. He plans to attend the RCRC Board of Directors meeting and the Mountain Counties Air Basin meeting on

Wednesday. He plans to attend the Calaveras-Mariposa Community Action Agency meeting with Supervisor Bibby on Thursday in Calaveras. He attended the Station 26 Brigade meeting on Monday.

Supervisor Bibby commented on the wonderful community we have and the great showing at the services for Don Weston. She noted the loss of Tillie Stroming this last week and plans to attend her services on Wednesday and the launch of the Geotourism project. She plans to attend the Calaveras-Mariposa Community Action Agency meeting in Calaveras and the Workforce Investment Board meeting in Sonora on Thursday. She cautioned everyone to watch for students with school starting on Wednesday; and she noted the requirements for immunizations for the students entering seventh grade. She asked that the Tourism Director provide growth projections with the availability of rooms. She extended thanks and appreciation to the National Park Service for the free entrance days at the Park, and noted that with the Business Improvement District, this is helping with tourism. She thanked Public Works for responding to the pothole and brushing complaints.

Supervisor Aborn advised of the tenth anniversary ceremony for the YARTS service in Yosemite. He commented on the proposal to close the Airport terminal in the budget. He attended the funeral service for Don Weston and commented on his involvement in the community. He presented a copy of the House version (HR3200) of the health care reform package and advised that it will be available at the Library and the front counter in the Government Center. He urged everyone to write the Governor on the importance of the Williamson Act to the County and to the State.

Supervisor Cann;

Presentation by Bradley Cleveland, Sierra Geotourism Project Manager, and Jim Dion of the National Geographic Society Relative to Geotourism in the County; and Adoption of a Resolution Supporting the Sierra Nevada Geotourism Project

BOARD ACTION: Supervisor Cann introduced Kim Carr, Mt. Whitney Area Manager for the Sierra Nevada Conservancy; and she discussed the geotourism project that is being launched in partnership with the Sierra Nevada Conservancy, the Sierra Business Council, and the National Geographic Society. She advised of the launching of this project in front of the Mariposa County History Center and Museum on Wednesday. She recognized Charles and Jeanetta Phillips for heading up the Mariposa group; Bradley Cleveland/Sierra Geotourism Project Manager; Nicole DeJonghe/Sierra Business Council Program Director; and Jim Dion/Associate Director for the Center for Sustainable Destinations for the National Geographic Society. Jim Dion provided input on the project and encouraged citizens to provide input.

Jeff Hentz advised that the Tourism Bureau fully supports the efforts by this group.

(M)Cann, (S)Allen, Res. 09-421 was adopted supporting the project/Ayes: Unanimous.

Jim Rydingsword, Human Services Director;

A) Authorize the Human Services Department to Begin Implementation of the Wraparound Service Plan Effective August 1, 2009; Allocate One Full-time Social Worker IV, One Permanent Part-time Office Assistant II, One Full-time Mental Health Assistant II, and One Full-time Deputy Probation Officer III, all Positions to be Effective August 1, 2009

BOARD ACTION: Discussion was held with Jim Rydingsword and Gail Neal/Chief Probation Officer, relative to the wraparound service plan and implementation. Jim Rydingsword stated they hope to be fully staffed for the program in September. Supervisor Bibby asked that progress reports on the program be provided to the Board. (M)Cann, (S)Turpin, Res. 09-422 was adopted approving the requested actions, with direction for reports to be given to the Board every six months/Ayes: Unanimous.

B) Authorize the Human Services Department to Proceed with the Development of a Subsidized Employment Program "Mariposa Works" For Temporary Assistance for Needy Families (TANF) Recipients

BOARD ACTION: Discussion was held with Jim Rydingsword relative to the program.

Input from the public was provided by the following:

Eleanor Keuning provided input on the program and stated she hopes it will not just be the young people. Clarification was given that it is not just for the young people.

Dick Hutchinson asked about funding for the purchase of the Workers Compensation insurance policy. Funding is from the program.

Following further discussion, (M)Bibby, (S)Turpin, Res. 09-423 was adopted approving the requested actions/Ayes: Unanimous.

10:17 a.m. Recess

10:34 a.m. Dana Hertfelder, Public Works Director;

PUBLIC HEARING to Establish a Fee Schedule for Organic Waste Streams (Manure, Biosolids, Wood Chips, and Commercial Food Waste), E-waste, Dead Animals, Metals, and

Concrete/Asphalt. The Hearing will also Establish a Fee Schedule for Transfer Stations

BOARD ACTION: Dana Hertfelder and Michelle Miller/Solid Waste and Recycling Manager, presented the staff report; and responded to a question from the Board relative to the proposed fees for out-of-county waste.

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

George "Wes" Snyder provided input on the history of the land donated by Boise Cascade and its intended use when the Lake Don Pedro subdivision was developed. The 1M Committee felt that the transfer station was to be used by the whole subdivision; and he feels the rates should be the same for everyone in the subdivision. He responded to a question from the Board relative to the status of the 4-acre parcel on Merced Falls Road and the 162-acres that Boise donated.

Millie Beranek stated she has been here since 1994 and now lives in Tuolumne County and serves as a Planning Commissioner. She was a part of the 1M Committee and provided input on the history of the donated land and deed restrictions for use. She commented on the coordination of fire services between the two counties for the subdivision; and she feels the solid waste fees should be the same for all of the residents in the subdivision.

Sally Miller, resident of the Lake Don Pedro subdivision on the Tuolumne County side, expressed concern with the higher rates for the out-of-county residents. She advised that she was using the Don Pedro transfer station when the fee was \$3.50 a bag, then it was raised to a minimum of \$31.00 without notice. She feels the increase will encourage citizens to stack their trash up and that will cause odor problems violating their subdivision restrictions. She suggested that the fee be \$6.00 or \$6.50 versus \$8.80 for the 55-gallon container; and she questioned the increased rate for out-of-county residents for brush – she feels we need to encourage citizens to clear their property of brush.

Victor Afanasiev, member of the Lake Don Pedro Property Owners Association, concurred with the input provided by Millie Beranek. He noted that if addresses are used to determine residency that many use the Post Office in LaGrange which is in Stanislaus County. He noted that the library services are separate for the two counties; however, the book mobile service that he is involved with serves residents in both counties. He provided input on the Boise agreement and urged the Board to given equitable rates to residents of both counties.

Frank Beranek stated he feels the out-of-county rate for e-waste will encourage people to include those items in bags with their regular waste. He advised that his Pastor recently took a bag of trash from their Church in Tuolumne County to the transfer station, but he lives in Mariposa County – he asked how it will be determined what rate to charge in cases like this.

Gretchen Olson, Solid Waste Manager for Tuolumne County, advised that there is a cooperative relationship between the two counties with staff; and she hopes that a rate can be reached that works for everyone. She responded to questions from the Board and advised that there are no plans for Tuolumne County to create a transfer station in that area; and she did not bring information on how many Tuolumne residents use the transfer station in Don Pedro.

Victor Afanasiev noted they are also paying for ambulance service at the rate of \$60.00 per year and service is provided regardless of which County you live in.

Ken Kennedy, member of the Board of Directors of the Lake Don Pedro Property Owners Association, advised that a package was sent to the County Clerk and to the Board Clerk containing maps and deeds relative to the Don Pedro subdivision and solid waste issues – he feels this information shows that the transfer station is for the use by Don Pedro residents of both counties. He noted that he lives in Mariposa County; however, they receive various services from Stanislaus, Merced, Tuolumne and Mariposa. He suggested that a rate of \$4.00 be used for both counties and that they be treated equally.

A lady from the audience advised she has been in Tuolumne County since 2000, and she feels they are one community and the fees should be the same.

The public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to the number of Tuolumne County residents using the transfer station; the amount of brush being hauled to the transfer station; costs to operate the facility and revenue shortfall; history of the actions prohibiting the out-of-county disposal and subsequent changes; and relative to being able to check for residency. (M)Allen, (S)Turpin, Res. 09-424 was adopted approving the fee schedule as recommended. The motion was amended, agreeable with the maker and second, to include changing the brush fee to \$12.50 per cubic yard for out-of-county – so it is the same as for in-county. Supervisor Bibby expressed concern with the additional handling costs and liability if brush is accepted. Rick Benson clarified that the motion includes \$12.50 per cubic yard for in-county and out-of-county brush. Ayes: Aborn, Turpin, Cann, Allen; Noes: Bibby. The hearing was closed.

Mr. Beranek asked for clarification of the minimum load fee being eliminated for the transfer station and as to the effective date for the fee changes – staff responded that it goes to a per cubic yard fee after the gallon container fees and that the fee changes are effective this date. Supervisor Bibby asked how soon the fees would be revisited.

CLOSED SESSION; Liability Claims; Claimant Name: Paulo Eugene Guinn; Claim No.: C09-9; Name of Agency Sued: County of Mariposa (County Administrative Officer/Personnel/Risk Manager);

CLOSED SESSION Liability Claims; Claimant Name: Robert Tod Coane and Robbin M. Coane; Claim Number: C09-10; Name of Agency Sued: County of Mariposa (County Administrative Officer/Personnel/Risk Manager); and

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: California United Homecare Workers (CUHW) – In-Home Supportive Services (IHSS); Name of County Designated Representative: Mike Coffield (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: These closed sessions were not held.

11:56 a.m. CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: DSA (Deputy Sheriffs' Association); Name of County Designated Representative: Richard J. Benson (County Administrative Officer/Personnel/Risk Manager); and

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: SMA (Sheriffs' Management Association); Name of County Designated Representative: Richard J. Benson (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Supervisor Bibby excused herself from the meeting for this action and these closed sessions due to a potential conflict of interest with possible compaction issues involving a family member and because her spouse is a member of the SMA. (M)Turpin, (S)Allen, the closed sessions were held/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

12:52 p.m. Chair Aborn announced that direction was given as a result of the closed session matters.

CONSENT AGENDA:

- CA-1 Approve Summary of Proceedings of August 11, 2009, Regular Meeting (Clerk of the Board); withdrawn and continued to August 25th
- CA-2 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-409
- CA-3 Resolution Continuing the Local Emergency Due to the Recent Fire, Oliver Fire (County Administrative Officer); Res. 09-410
- CA-4 Resolution Continuing the Local Emergency Due to the Recent Fire, Telegraph Fire (County Administrative Officer); Res. 09-411
- CA-5 Reject Claim No. C09-9 Filed by Paulo Guinn for \$1,140,373.81 and Authorize the Board of Supervisors Chair to Sign the Letter of Rejection (County Administrative Officer/Personnel/Risk Manager); Res. 09-412
- CA-6 Reject Claim No. C09-10 Filed by Robert Tod Coane and Robbin M. Coane on Behalf of a Minor and Individually for an Undetermined Amount and Authorize the Board of Supervisors Chair to Sign the Notice of Rejection (County Administrative Officer/Personnel/Risk Manager); Res. 09-413
- CA-7 Authorize the Public Works Director to Close Broadway Street in Coulterville from Cemetery Road to Park Lane on October 17, 2009 from 10:00 a.m. to 5:00 p.m. to hold a Soap Box Derby (Public Works Director); Res. 09-414
- CA-8 Approve a Grant Application to Pacific Gas & Electric (PG&E) in the Amount of \$7,000 to Cover the Cost of Appraisal Services on Certain Parcels and to Develop a Legal Description on Each of the Parcels to be Acquired for an Extension of an Americans with Disabilities Act (ADA) Compliant, Non-motorized Trail along the Mariposa Creek Parkway (County Administrative Officer/Personnel/Risk Manager); Res. 09-415
- CA-9 Approve an Agreement with the California Department of Social Services for the Interim Assistance Reimbursement (IAR) Program to Allow the Department of Human Services to Pay General Assistance Monies to Persons who are Disabled and are Awaiting Approval on their Application for State Supplemental Income Payments and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-416
- CA-10 Authorize the Fire Department to Retain FD7 (2002 Ford Expedition) as a Reserve Vehicle in Place of FD10. FD10 (2002 Chevrolet Geo) will be Returned to Fleet Management for Reassignment or Disposal (Fire Chief); Res. 09-417
- CA-11 Appoint Marvin Wells to the Midpines Planning Advisory Committee for a Term Expiring February 28, 2010 (Supervisor Aborn)
- CA-12 Approve Inspection Agreement No. 09-0316 for Fiscal Year 2009/2010 with California Department of Food and Agriculture for Nursery Inspection and Licensing State Subvention Funds (CDFA) (Agricultural Commissioner); Res. 09-418

- CA-13 Authorize Payment of Air BP Invoice # 5741440 Dated July 2, 2009 in the Amount of \$23,597.03 for Aviation Fuel and Authorize Public Works to Continue Purchasing and Paying for Aviation Fuel from Air BP as Needed While in the Process of Going out to Bid for a New Aviation Fuel Agreement (Public Works Director); Res. 09-419
- CA-14 Approve Amendments with Area 12 Agency on Aging for Fiscal Year 2008/2009 for Congregate C-1 Meals, Restaurant C-1 Meals and Home Delivered C-2 Meals and Authorize the Board of Supervisors Chair to Sign the Amendments; Approve Budget Action Increasing Revenue in the Community Services Department Budget due to Increased Grant Funding (\$3,939) (4/5ths Vote Required) (Community Services Director); Res. 09-420

12:53 p.m. Adjournment in memory of Mathilda “Tillie” Stroming.”

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

August 25, 2009



Time Description

9:03 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

Jim Suggs referred to a recent fire on Silver Bar Road and problems with the fire equipment accessing the road – he asked about the status of maintenance/improvements to the road.

Supervisor Bibby responded and advised that she will forward this concern to Public Works and let him know the status of funding for this project.

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Supervisor Turpin referred to item 2 and asked about the status of rocks in the slide area. Rick Benson advised that he is obtaining more information on the status of rocks that have fallen in the slide area (a report was given later in the meeting). (M)Turpin, (S)Bibby, all items were approved/Ayes: Unanimous.

Continued Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

Eleanor Keuning advised that the Kiwanis Preschool Academy is starting its third year on September 1st; and she advised of their open house scheduled for August 28th.

Ruth Catalan referred to a recent SPCA Board of Director's meeting held at the Library and wanting to have Wi-Fi to access their website. She feels the County should have Wi-Fi available at the Library.

Peter Schimmelfennig, Chamber of Commerce, announced the ribbon cutting ceremony is scheduled for the new restrooms at the Visitors Center on September 15th.

Board Information

Supervisor Cann advised of the RCRC (Regional Council of Rural Counties) meeting he and Supervisor Turpin attended last week and the following issues were discussed: Proposition 1A funding; wild fire survey; upcoming census; and AB32 global warming legislation status. He advised that he is meeting on the Integrated Regional Water Management Plan (IRWMP) with the State Department of Water Resources in Merced this afternoon.

Supervisor Allen advised that he attended the Mountain Valley Emergency Medical Services Agency meeting in Alpine County – Bear Valley last week, and Stanislaus County may be pulling out of this Agency. He has contacted Dr. Mosher to look at alternatives for Mariposa County for membership. He attended the High School Student Loan Association meeting and encouraged

High School graduates to apply for the interest-free loans. He met with Ron Loya, Mariposa Museum and History Center, relative to the status of the Sweetwater Mine equipment on Monday, and he has contacted Dave Martin, US Forest Service, on this. He visited the History Center and looked at the construction work that is being done to repair the dry rot damage. He plans to attend the Jerseydale Fire Station meeting on Wednesday.

Supervisor Turpin advised that he attended the RCRC Board of Directors meeting and the Mountain Counties Air Basin Control Council meeting and the following issues were discussed: water quality of the Delta and neighboring rivers; and the Williamson Act.

Supervisor Bibby advised that complaints have been received relative to the phone recording message being left by Code Red – this is a valid recording for the new reverse 9-1-1 system being conducted by the Sheriff’s Office. She commented on the status of AB 32 relative to global warming and the issues being raised with planning matters, and she noted that the language has not been drafted. She urged citizens to write their representatives on this matter and on the Williamson Act issues. She attended the launching event for the geotourism project at the History Center. She attended the Calaveras-Mariposa Community Action Agency meeting and advised that they received an audit exception; and she reminded everyone of the need to be in compliance with grant requirements. She commented on water issues – concern with water issues in Catheys Valley, the IRWMP Plan, and the Water Coalition’s work on tracking impacts. She provided a reminder of “no smoking” next to County buildings and noted that includes County staff. She commented on the work being done at the History Center to remove the dry rot, and the McCay Hall and Stagg Hall projects and the funding provided by Proposition 40 for these projects.

Supervisor Aborn advised that he attended the kick-off for the geotourism project at the History Center and he attended the 10th anniversary ceremony for YARTS in Yosemite. He commented on the status of the planning process for the Midpines Community Plan.

Rick Benson advised that an update was received from Sheriff Muller relative to rocks that fell in the Ferguson Rockslide area – all of the rocks have been cleared from the roadway; and he noted the need to continue to spread the word that the Highway is open.

Supervisor Cann noted that if this meeting goes long, he needs to be excused at 2:00 p.m. to attend the 3:00 p.m. meeting in Merced on the IRWMP.

9:46 a.m. HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA

(Chair – Turpin; Vice-Chair – Vacant)

A. Public Presentation - none

B. 1) Select a Chair and Vice Chair for the Housing Authority Board of Commissioners for FY 2009-2010

COMMISSION ACTION: (M)Cann, (S)Bibby, Commissioner Turpin was selected to continue serving as Chair/Ayes: Unanimous. (M)Allen, (S)Aborn, Commissioner Cann was selected to serve as Vice-Chair/Ayes: Unanimous.

2) Approve the Section 8 Management Assessment Program (SEMAP) Report and Authorize the Board of Supervisors Chair to Sign the Self Certification Form (Human Services Director)

COMMISSION ACTION: Discussion was held with Jim Rydingsword and Janet Gass/HSD-Contract Administrator. It was clarified that Chair of the Housing Commission is being requested to sign the Self-Certification.

Input from the public was provided by the following:

Dick Hutchinson questioned whether the Commission could take action since the agenda shows authorization for the Chair of the Board of Supervisors to sign the Self-Certification. Steve Dahlem, County Counsel, responded that this matter is on the agenda for the Housing Authority and the Self-Certification document provides for the Housing Authority Chair to sign, so it is okay for the Commission to take action.

(M)Cann, (S)Allen, Housing Authority Res. 09-1 was adopted authority the Housing Authority Chair to sign the Self-Certification Form/Ayes: Unanimous.

The Land Conservation Act-Williamson Act matter was continued until after the following hearing.

10:02 a.m. Kris Schenk, Planning Director;

PUBLIC HEARING to Consider Zoning Amendment No. 2008-197. Action Includes Adopting a Resolution Approving the Project, Finding that the Project is Exempt from Environmental Review, Waiving the First Reading and Introducing an Ordinance Amending the Zoning Map. The Zoning Amendment Proposes to Amend the Zoning Map by Rezoning 165.9 Acres of Land Currently in the Mountain Transition Zone (20 Acre Minimum) to the Agriculture Exclusive Zone (160 Acre Minimum) on APN 012-010-031. The Property was Recently Entered into a Land Conservation Act Contract and the Agriculture Exclusive Zoning is the Required Zoning for Lands under Land Conservation Act Contract. Carla Kelly: Project Applicant

BOARD ACTION: Alvaro Arias, Associate Planner, presented the staff report; and he advised that the map on circle pages 25 and 30 will be replaced with a clearer map for publication purposes. Kris Schenk and Alvaro Arias responded to questions from the Board as to review of this application by the Agricultural Advisory Committee, whether any global warming issues have been raised, and relative to a recent decision issued by the State Department of Conservation concerning the horse issues. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed and the Board commenced with deliberations. (M)Allen, (S)Turpin, Res. 09-428 was adopted finding that the project is exempt from environmental review and approving Zoning Amendment No. 2008-197 with findings as recommended by the Planning Commission/Ayes: Unanimous. (M)Bibby, (S)Turpin, the first reading was waived and the Ordinance introduced amending the zoning map of Mariposa County pursuant to Zoning Amendment No. 2008-197. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous. The hearing was closed.

10:18 a.m. Recess

10:26 a.m. Supervisor Turpin;

Discussion and Possible Direction Regarding the Land Conservation Act - Williamson Act

BOARD ACTION: Supervisor Turpin initiated discussion relative to the teleconference meeting he attended with the CSAC Ag and Natural Resources Committee – it was requested that each County take a position on the Williamson Act, with the loss of the subvention funding. He recommended that we respond that we have a viable program and our Planning Department is working on an item to bring to the Board to make the program stronger.

Input from the public was provided by the following:

Glenn Franklin, President of the Mariposa County Resource Conservation District (RCD), stated they appreciate the Board's stance on supporting the Williamson Act; and he provided input on its importance to the County. He noted that having land in the Williamson Act contract allows the farmers to make a profit. The RCD will discuss this matter at their next meeting and send a letter to the Governor and legislators. He noted that this is a very small portion of the State's budget, and he compared it to the funding allocated for the hydrogen highway. He feels this program is important to help sustain our quality of life.

Jeanetta Phillips advised that she recently obtained a list of Williamson Act property and there are a lot of parcels under 160-acres, and she wondered if this should be addressed. She supports the Williamson Act and feels there should be a 160-acre minimum.

Bart Brown, Mariposans for the Environment and Responsible Government (MERG), read their letter into the record strongly supporting the real environmentalists that have been preserving Mariposa County for 150 years – that is the agricultural community. They support the efforts of the organizations which are working to preserve the Williamson Act and they urge the Board to continue its support and allow the County to retain its rural character and to keep agriculture a viable part of our County.

Dawn Afman, USDA NRCS, commented on their conservation efforts and encouraged the Board to support the Williamson Act and agriculture.

Tony Toso, President of the Mariposa County Farm Bureau, stated he is inspired by the support he is hearing this morning – he feels this is critical. He referred to his background in agriculture and agri-business and the consequences he sees with the Williamson Act program and its importance in keeping our rural character, and on his efforts in getting the program in Merced County. He noted that it is a 100-acre minimum parcel size to participate in the program.

Dana Richards, landowner and Vice-President of the Merced-Mariposa Cattlemen Association, advised they support the Williamson Act.

Cathie Pierce, immediate past President of the Mariposa County Farm Bureau and sixty-year rancher in Catheys Valley, stated she appreciate the remarks she heard from the Board members in support of the Williamson Act. She referred to a letter she submitted that Congressman Radanovich wrote to Governor Schwarzenegger requesting that the Williamson Act subvention funds be restored in the 2011 budget. She advised that she serves on the Farm Bureau's Federated Land Use and Taxation Committee and this will be an important topic at their upcoming meeting, and she asked the Board members to provide her with any input they have for this meeting.

Linda Meyer advised that she and her husband, George Meyer, run a cow/calf operation and they are happy with the Board's support of the Williamson Act – everything is so costly in farming operations and they need this tax break. She feels that the food products raised in other countries do not have to meet the health standards we have and that can compromise the quality of the food. She noted that the citizens are asking for antibiotic-free meat and it takes large acreage to raise animals for food production without the use of drugs. She noted the importance of agriculture to the economy and to the protection of our rural lifestyle. We have good grass land areas, and the farmers are conservationists.

Cathi Boze, Agricultural Commissioner, stated she feels it is time to stand up and support agriculture as agriculture has always supported the County. She stated she feels we should enforce the Williamson Act regulations and have a code enforcement position. She feels we need to continue to preserve agriculture and the rural lifestyle and retain the Williamson Act.

Supervisor Aborn suggested that there be more of a presence in the County of this being an agricultural community - he suggested displaying a flag for agriculture.

Ruth Catalan stated she supports the Williamson Act and enforcement.

Jim Suggs advised that they are in the cattle business and have 500-acres; however, they are not in the Williamson Act and they pay a lot more in taxes and ranching costs continue to increase. He feels a lot of ranchers will go out of business if the Williamson Act is discontinued.

Discussion was held. Cathi Boze responded to questions from the Board and advised that 100-acres is the minimum acreage for the Williamson Act and relative to the need she sees for having a compliance officer. Supervisor Aborn suggested that everyone in the Williamson Act write a letter to the Governor expressing their opinion and history on how important this is. Kris Schenk responded to questions from the Board relative to the status of compliance issues and Williamson Act policy review. Supervisor Turpin requested that the letter to the Governor be copied to CSAC, RCRC, our State legislators, Congressman Radanovich, and the California State Farm Bureau. Rick Benson noted that he has been told by other counties that this is being seen as a farm issue and people are not convinced that it is also an environmental issue; and he suggested that the Board's action could be to reaffirm the action it took on September 2, 2008 supporting the Williamson Act. (M)Turpin, (S)Allen, Res. 09-429 was adopted reaffirming the Board's support of the Williamson Act and continuing to adhere to the terms of the Act, with direction for the County Administrative Officer to draft a letter as discussed. Supervisor Bibby clarified that the Minute Order with this portion of the minutes would be attached to the Board Action Form as the resolution. Ayes: Unanimous.

Supervisor Bibby;

Discussion Concerning the History and Formation of the District 1-M County Service Area (CSA) and Possible Direction to Staff

BOARD ACTION: Supervisor Bibby commented on the recent confusion with the transfer station issues and initiated discussion relative to the history of the 1-M CSA and its purpose – she asked staff to create a timeline with supporting documentation relative to the formation of the CSA; with information on how it is being operated and funded, including information for the Tuolumne County side of the Don Pedro subdivision; verify the sections referred in the documents that established the CSA; include information on the equestrian/pedestrian trails; confirm that the legal description for the CSA matches its actual boundary; and bring any known defective documents to the attention of the Board with explanation and/or correction. Discussion was held. Supervisor Allen advised of his communications with the Auditor, Planning Director, and with Tuolumne County Supervisor Gray relative to the CSA and formation document language; and he noted that the roads were accepted into the County’s maintained system. Rick Benson noted that the CSA is only operating in the Mariposa County side of the subdivision and is providing sewer service at this time. Supervisor Turpin provided input and asked that the zoning issue for the Community Services District be reviewed. Rick Benson clarified that the direction being requested is to come up with a summary of activities and how the CSA interacts with the Lake Don Pedro area and the Community Services District. (M)Bibby, (S)Cann, direction was given to staff as discussed. Supervisor Cann clarified that the workload that could be involved in this matter needs to be considered. Supervisor Bibby asked that the County Administrative Officer report back to the Board if this direction is too involved. Ayes: Unanimous.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee
Organization: DSA (Deputy Sheriffs’ Association); Name of County Designated Representative:
Richard Bolanos (County Administrative Officer/Personnel/Risk Manager); and

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee
Organization: SMA (Sheriffs’ Management Association); Name of County Designated
Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: These closed sessions were not held.

12:10 p.m. Recess

12:20 p.m. Waive the Second Reading and Adopt an Ordinance Amending Section 17.108.180 Zoning Ordinance Text Pursuant to Zoning Amendment No. 2009-070. The Project Proposes to Amend the Mariposa Zoning Ordinance to Implement the Mariposa County General Plan’s Definition for Bed and Breakfast Inns, Mariposa County, Project Proponent (Planning Director)

BOARD ACTION: Discussion was held with Kris Schenk relative to the potential increase in average daily traffic with an increase in the number of bedrooms from three to five, and whether any concerns were received relative to global warming with the CEQA exemption. (M)Cann, (S)Turpin, the second reading was waived and Ordinance No. 1059 was adopted as recommended. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

Approve the Comments of the Board of Supervisors to the Findings and Recommendations Contained in the 2008-2009 Mariposa County Grand Jury Final Report that were Directed to the Board of Supervisors and Authorize the Board of Supervisors Chair to Sign the Cover Letter for the Comments (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Rick Benson advised that this response only contains comments for the Board of Supervisors which are due within sixty days of the Report. Responses from departments need to be submitted within ninety days; and elected officials responses are totally independent of the County response. He advised that Human Services is finalizing the preparation of their response to the suicide item. Supervisor Cann asked for clarification of the statement in the draft response relative to the Board not having any authority over the elected officials or County Counsel. Steve Dahlem provided input. Board members thanked the Grand Jury for their work. Rick Benson thanked Mary Hodson for her work on preparing the response. (M)Bibby, (S)Allen, Res. 09-430 was adopted approving the response, with the change to delete reference to the Board not having authority over County Counsel/Ayes: Unanimous.

CONSENT AGENDA:

- CA-1 Approve Summary of Proceedings of August 11, 2009 (Approval Continued from August 18, 2009); Approve Summary of Proceedings of August 18, 2009, Regular Meetings (Clerk of the Board)
- CA-2 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-425
- CA-3 Resolution Continuing the Local Emergency Due to the Recent Fire, Oliver Fire (County Administrative Officer); Res. 09-426
- CA-4 Resolution Continuing the Local Emergency Due to the Recent Fire, Telegraph Fire (County Administrative Officer); Res. 09-427

(M)Bibby, (S)Cann, the Board adjourned at 12:44 p.m. in memory of Elizabeth Specht, Betty Jean Saulsbury, Deborah “Debbie” Lynn Miller Mecchi, Brian Nunley, Charles “Charlie” Countz, L. C. Scott, Thomas C. Mills, and Mary Hester Stidham/Ayes: Unanimous.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

September 1, 2009



Time _____ Description

9:02 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: (M)Turpin, (S)Allen, all items were approved, including a change to the minutes in item 1 to reflect the "SPCA Board of Director's" meeting/Ayes: Unanimous.

Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

MaryAnn Huff, President of the Mariposa County Chamber of Commerce, advised that the Lake Don Pedro golf course closed on Monday – she commented on the impacts, expressed concern with the large water bills; and asked for County representation at a meeting scheduled for September 21st and for assistance in make this only a temporary closure. She advised that the mixer is scheduled for this evening at Dave Lawson Construction in Bootjack, and a home will be raffled. She advised of the "potty party" planned for the opening of the new restrooms at the Visitors Center on September 15th. Rick Benson noted that the budget hearings are scheduled to start on the 15th.

Cathi Boze, Agricultural Commissioner, advised of a meeting she attended in Fresno relative to the Williamson Act issues; and she advised that they are trying to set up a meeting with the Governor next week and would like a Board member, the Agricultural Commissioner and representative from an agricultural organization from each County to attend. She presented information from the meeting, and noted that Madera County and CSAC have templates of letters on their websites for the citizens to use and suggested that a template be added to the County's website.

Jim Wilson, Fire Chief, advised that the new water tenders are arriving and he has scheduled an item on the next agenda to present them; and he advised of the status of the engines.

MaryAnn Huff introduced Coralaine Porter and Peggy Walz and advised that they were present to provide input relative to the golf course.

Coralaine Porter provided input on her father's efforts with the Don Pedro golf course and country club and advised that today is the effective date of its closure. She noted that there is a minimum of twenty families affected, and commented on problems they have encountered in dealing with an uncooperative water company and receiving unexpected bills.

Peggy Walz, resident and golf course member, stated she has been in the North County for 25 years and is a former member of the Water District, and she commented that the water company

is having severe internal problems. She is concerned with the loss of jobs with the closure of the golf course.

Big Meadow Fire – Supervisor Cann advised that he and Supervisor Aborn and the County Administrative Officer attended a public meeting in El Portal on Monday evening, and they asked the National Park Service to provide a briefing to the Board. Steve Shackelton, Chief Ranger Yosemite National Park, extended the Park Service’s deepest regrets for the problems caused by the fire which started from a prescribed burn. He thanked all of the agencies and everyone involved in this incident, including Sheriff’s Department, CHP, County Fire, Forest Service, and County Health. He gave a briefing on the status of the fire; and he advised that all of the planning for the prescribed burn will be reviewed to determine what should be done differently in the future. Discussion was held relative to the incident and status of the prescribed burn. Supervisor Allen thanked the Red Cross and volunteers for assistance with evacuations.

Board Information

Supervisor Cann advised that he attended the IRWMP (Integrated Regional Water Management Plan) meeting with the State Department of Water Resources on Tuesday. He gave a talk to Rotary on Thursday relative to the transient occupancy tax and its role in the County. He met with the Sierra Nevada Conservancy on Wednesday and discussion was held relative to the potential of establishing a co-gen plant in the region. He advised that there was a rock climbing fatality in Yosemite on Sunday that involved a Park employee and a rock fall that closed the Ahwahnee Hotel that the Park had to deal with in addition to the Big Meadow Fire.

Supervisor Allen advised that he is still reviewing the proposed budget for FY 2009-10. He met with the Human Services Director relative to the status of their caseloads. He attended a meeting in Mariposa Pines relative to their fire department. He attended the Area 12 Agency on Aging Board meeting in Sonora on Thursday. He noted that the Fair starts on Friday and the parade is on Saturday. He plans to attend the Fish Camp Fire Station annual BBQ and fundraising event on Sunday. He commented on the newspaper story about the closure of the Don Pedro golf course.

Supervisor Turpin advised that he met with the pilots’ organization on Saturday at the Airport. He attended a Big Meadow Fire briefing at Drew Meadow on Sunday and Monday. He met with the Human Services Director relative to their programs. He commented on the closure of the Don Pedro golf course. He noted the Fair is this weekend.

Supervisor Bibby encouraged citizens to attend and support the County Fair. She noted that the County budget is online and thanked the County Administrative Officer for making this information available on the web. She met with the Human Services Director and DesCor via phone call relative to the new building proposal. She plans to attend the Mental Health Board meeting on Thursday. She will contact Mother Lode Job Training for their rapid response and assistance for the employees who lost their jobs at the Don Pedro golf course. She thanked all of the emergency personnel, schools, and citizens for their assistance during this fire emergency. She commented on the new Code Red reverse 9-1-1 system and thanked the Sheriff’s Department for their quick response. She advised that our hearts go out to all of the counties and cities impacted by the fires and to the families who have lost members in the fire fighting efforts.

Supervisor Aborn noted that this weekend is the Fair and his children are showing, and he noted the 4-H and FFA members have been working hard on their projects for the Fair. He commented on the recommended budget for the Airport, and stated he would like to see connector flights at the Airport to YARTS.

Off agenda item - The following actions are recommended as a result of the Big Meadow Fire in the County:

A) Take action to determine whether the Big Meadow Fire constitutes an emergency pursuant to Government Code section 54956.5, to allow discussion to occur since this matter was not posted on the agenda

BOARD ACTION: Rick Benson advised of the off-agenda request. (M)Turpin, (S)Cann, the Board found that the Big Meadow Fire constitutes an emergency based on the presentation given this morning/Ayes: Unanimous.

B) Take action to determine that there is a need for immediate action which came to the attention of the Board of Supervisors after the agenda has already been posted, and finding that this action cannot reasonably wait until the next regularly scheduled meeting (4/5ths vote required)

BOARD ACTION: Following discussion, (M)Cann, (S)Allen, the Board determined there is a need for immediate action/Ayes: Unanimous.

C) Adopt Resolution Proclaiming the Existence of a Local Emergency, Requesting Declaration Proclaiming Existence of a Local Emergency, and Requesting: 1) The Governor to Proclaim a State of Emergency; and 2) Requesting a Presidential Declaration of a State of Emergency

BOARD ACTION: Rick Benson initiated discussion.

Input from the public was provided by the following:

Ken Gosting questioned whether the reference in the resolution to “structure” should be “structures” and whether they have sustained any damage and whether the fire is in the Merced River Canyon as referred to in the resolution.

Jim Wilson, Fire Chief, responded that it is premature to say that there is no damage to structures, and he advised that a survey is being conducted in the Foresta community now to determine the extent of damages. He further noted that there is infrastructure damage to the transmission lines. Steve Dahlem, County Counsel, provided input on suggested language changes to the resolution relative to the damages. Discussion was held. (M)Cann, (S)Bibby, Res. 09-436 was adopted declaring the existence of a local emergency as recommended, and with changes in the resolution to reflect “structures”; “Merced River Canyon and its watershed”; and to add “and other infrastructure”/Ayes: Unanimous.

D) Approval of Designation of Applicant’s Agent Resolution Appointing Individuals to Act on Behalf of Mariposa County

BOARD ACTION: Following discussion, (M)Turpin, (S)Bibby, Res. 09-437 was adopted approving the designation of applicant’s agents as recommended/Ayes: Unanimous. Further discussion was held.

Jim Rydingsword, Human Services Director;

Waive First Reading and Introduce Ordinance Amending Sections 2.104.030 “Membership” and 2.104.080 “Vacancies and Removal” of Chapter 2.104 of the Mariposa County Code Entitled “First 5 of Mariposa County”

BOARD ACTION: Discussion was held with Jim Rydingsword relative to the requested changes.

Input from the public was provided by the following:

Ruth Catalan questioned the wording “by a unanimous minus 2 votes” and she asked for further clarification of what this means.

Discussion was held relative to the language change. Supervisor Bibby suggested that this be sent back to the Commission for clarification and the Board concurred. No action was taken at this time.

11:00 a.m. CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: DSA (Deputy Sheriffs’ Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager); and
CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: SMA (Sheriffs’ Management Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Supervisor Bibby excused herself from the meeting for this action and these closed sessions due to a potential conflict of interest with possible compaction issues involving a family member and because her spouse is a member of the SMA. (M)Turpin, (S)Allen, the closed sessions were held/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

11:42 a.m. Chair Aborn announced that direction was given to staff as a result of the closed sessions.

CONSENT AGENDA:

- CA-1 Approve Summary of Proceedings of August 25, 2009, Regular Meeting (Clerk of the Board)
- CA-2 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-431
- CA-3 Resolution Continuing the Local Emergency Due to the Recent Fire, Oliver Fire (County Administrative Officer); Res. 09-432
- CA-4 Resolution Continuing the Local Emergency Due to the Recent Fire, Telegraph Fire (County Administrative Officer); Res. 09-433
- CA-5 Authorize Public Works to Solicit Bids for Supplying Aviation Fuel to the Mariposa/Yosemite Airport and Award an Agreement Based on a Combination of Fuel Price and Services Offered, and Authorize the Public Works Director to Sign the Agreement (Public Works Director); Res. 09-434
- CA-6 Approve Agreement with Moore Twining Laboratories, Inc. to Provide Chemical Analysis for Various Water and Waste Water Facilities throughout the County in an Amount not to Exceed \$50,000 and Authorize the Board of Supervisors Chair to Sign the Agreement (Public Works Director); Res. 09-435
- CA-7 Appoint Greg Baxter to the Fish Camp Town Planning Advisory Council for a Term Expiring February 28, 2010 (Supervisor Allen)

11:43 a.m. Adjournment in memory of Richard L. Reppert, Sr., Keith Michael Robinson, and Riverside County Supervisor Roy Wilson.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

September 8, 2009



Time Description

9:00 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance
Introductions

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Supervisor Bibby referred to item 6 and clarified that the total amount for the agreement is not to exceed \$176,000. (M)Cann, (S)Allen, all items were approved/Ayes: Unanimous.

Chair Aborn;

Proclaim September 17-23, 2009 as "Constitution Week"

BOARD ACTION: (M)Bibby, (S)Allen, the Proclamation was approved and presented to Connie Waldron, accepting it on behalf of the Merced River Chapter of the Daughters of the American Revolution/Ayes: Unanimous. Connie Waldron provided input and encouraged everyone to read the Constitution.

Jim Wilson, Fire Chief;

Presentation of the New Water Tenders. The Four Water Tenders are the First Arrivals of the New Fleet

BOARD ACTION: Jim Wilson provided an update on the Big Meadow Fire and advised that it is fully contained. He advised that two water tenders have been received and the other two will arrive later this week.

9:15 a.m. Recess for everyone to have an opportunity to look at the new water tenders.

9:34 a.m. Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

Peter Schimmelfennig, Executive Director of the Chamber of Commerce, provided information on the increase in visitors over the last week at the Mariposa and Coulterville Visitors' Centers, and he advised that the hotel rooms were filled. He reminded everyone of the "potty party" scheduled for the 15th to celebrate the new restrooms at the Visitors' Center.

Eleanor Keuning provided input relative to her discussions with downtown businesses and asked that the installation of surveillance cameras be pursued for the Art Park area.

Board Information

Supervisor Cann advised that he attended the Chamber mixer on Tuesday and was the winner of the "house" that was being raffled. He met with the Public Works Director and the Solid Waste

and Recycling Manager relative to the solid waste and green waste issues and the possibility of moving forward with single stream recycling. He advised he attended the Fair, helped Rotary with parking cars and purchased a pig for the Board and staff at the Junior Livestock Auction. He advised the Mariposa-Yosemite Forum meeting is scheduled for Wednesday at the Library.

Supervisor Allen advised that he attended the annual Fish Camp Fire Station BBQ and auction on Sunday. He plans to attend the WAPOA (Wawona Area Property Owners Association) meeting on Saturday. He met with the Public Works Director at the History Center on Friday to look at other dry rot that is occurring on the building to see if it can be taken care of before further damage occurs. He noted that this Friday is the eighth anniversary of 9-1-1 and that we need to remember this day and those who died and those who continue to serve our country and their courage.

Supervisor Turpin attended the Fair and complimented the Fair Board and Manager and staff for the addition of the sidewalks, the new restrooms, and the parking improvements in the back lot. He advised that he plans to attend the Airport Advisory Committee meeting on Wednesday; and he noted the Solid Waste Task Force is also meeting on Wednesday. He has been asked to speak at the VFW Post event in Coulterville for 9-1-1 and expressed appreciation for our freedoms and the citizens who fight for our country.

Supervisor Bibby extended a special thanks to Donna Wice, 4-H Coordinator, for the 4-H booth commemorating the history of 4-H in the County at the Fair; and to the youth exhibitors and for showing their livestock. She noted that the Fairgrounds were exceptionally clean, including the bathrooms – an outstanding job by the Fair Board, staff and Manager. She thanked the Livestock Auction Committee and buyers for a successful event; and she thanked all of the volunteers that help with the Fair and CHP for their assistance. She noted that the Board members are attending many meetings, phone calls and reading correspondence and letters to the editor relative to suggestions and options for the final budget.

Supervisor Aborn stated it was a great Fair and he commented on the new restrooms and improved back parking area. He commended the livestock exhibitors. He noted the Airport Advisory Committee is scheduled to meet on Wednesday. The El Portal Town Planning Advisory Committee is scheduled to meet this evening; and he commented on efforts to correct the sign for reduced speed coming from Yosemite.

Rick Benson advised he spoke with the Supervisor from Fresno County and they are still working on trying to set up a meeting with the Governor on the Williamson Act issues.

10:00 a.m. Jim Rydingsword, Human Services Director;

PUBLIC HEARING Regarding the Mental Health Services Act (MHSA) Workforce Education and Training (WET) Plan; Approve Submission of the MHSA – WET Plan in the Amount of \$450,000; Authorize the Human Services Director to Sign the Agreement with the State Department of Mental Health (DMH) with Regards to the WET Plan; Authorize the Human Services Director to Implement the Activities within the MHSA – WET Plan Upon DMH Approval; Approve a Memorandum of Understanding (MOU) with the Mariposa Unified School District for Administration of a Mental Health R. O. P. Program and Authorize the Human Services Director to Sign the MOU; and Advance the Schools \$19,000 to Hire Staff for the Program

BOARD ACTION: Jim Rydingsword presented the staff report and noted that the Chair should be authorized to sign the MOU. Board members commented on the benefits of the ROP programs and expressed appreciation for Human Services work on this program.

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

Eleanor Keuning provided input on the value of ROP programs and noted that they are open to adult students as well. Jim Rydingsword responded that they have a pathways program for adult members of the community and they are working with Mother Lode Job Training.

Troy Foster expressed concern with continued funding for the program given the past history of the State funding programs and then taking the funding away. Jim Rydingsword responded relative to the funding issues.

Peter Schimmelfennig provided input on his experience and the benefits of the ROP programs.

Ruth Catalan, speaking as a citizen and noted she is Chair of the Mental Health Board, stated she supports the Human Services Director in all of his endeavors and thanked him for following up on requests from the Mental Health Board.

The public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to a question from the Board and advised that there is not impact on the County's General Fund for this program. (M)Bibby, (S)Cann, Res. 09-444 was adopted approving the recommended actions, with a change to authorize the Chair of the Board of Supervisors to sign the agreement and the MOU/Ayes: Unanimous. The hearing was closed.

Supervisor Turpin;

Presentation by Timothy Wennberg, Aircraft Owners and Pilots Association Support Network Volunteer, Relative to Benefits of the Airport, Expected Effects of Terminal Closure, and the Budget

BOARD ACTION: Supervisor Turpin introduced Tim Wennberg; and he gave a presentation – reviewing the benefits of the Airport to the community; possible effects of terminal closure and budget issues – revenues and expenses, and possible solutions. He advised that the annual Fly-in event is scheduled for the 26th. He advised that they want to retain the open terminal and services that are provided. Supervisor Turpin asked that he provide a written copy of his presentation.

Input from the public was provided by the following:

Ruth Sellers advised that she was looking at the Airport costs to the General Fund as her interest is in getting her roads fixed. She feels we need better management at the Airport and that the Airport is necessary. She suggested that operations at other airports be reviewed. She questioned whether the County receives any revenue from someone conducting business at the Airport, such as flight instruction. She feels the Airport is a business and should be run like one.

William Brandle stated he is new to flying and he is concerned with the impacts of closing the terminal, including safety issues – he feels the Manager is an ambassador to the County. He asked that they have a year to work on solutions. He feels that closing the terminal says we are closed for business.

Troy Foster stated he moved to Mariposa because of the Airport. He referred to the taxes he pays for his airplane and expressed concern with the recommended closure of the terminal for security and safety and management reasons. He asked for clarification of the status of the current Airport Manager position.

Ron Kiser noted that a small jet came in last week with 15 passengers and they wanted two rental cars; however, the terminal was closed and they left resulting in a loss of revenue to the County; and there was a potential problem as they left the runway with a helicopter. He feels that closure of the terminal translates to Airport closure.

Peter Schimmelfennig stated he feels there should be some compromises reached and he suggested that consideration could be given to hiring a company to manage the Airport at no cost to the County. He feels that more time should be given before a decision is made so that all options are reviewed. He commented on the importance of the Airport to the tourism industry and the County.

Chair Aborn noted that the Airport budget will be considered during the final budget hearing next week.

11:54 a.m. Recess

12:06 p.m. Dana Hertfelder, Public Works Director;

Appoint Two Members to the Airport Advisory Committee; and Change Joe Coho's Representation from the General Public to a Member Residing in the Influence Area of the Airport

BOARD ACTION: Dana Hertfelder advised that four applications were received; recommended that Joe Coho's representation be changed; and he suggested that direction be given to staff to bring back an agenda item to add two alternate positions, with voting rights if the Committee does not have quorum. Discussion was held.

Input from the public was provided by the following:

Paul Reed stated he is a resident of the County and owns an airplane and he noted there is an issue with the quorum requirement for five members to be present. He feels that the Committee needs to be charged to do something.

Steve Dahlem, County Counsel, responded to questions relative to the quorum issues and advised that if the Board wants to make a change to the make-up of the Committee and to the quorum requirements, an item would need to come back to the Board. Dana Hertfelder agreed with changing the quorum requirements to a simple majority.

Input by the applicants was provided by the following:

William Brandle stated he feels that we need to leverage the Airport as a resource and promote the County.

Tim Wennberg stated he has attended Airport Advisory Committee meetings in the past, and he feels he can help at the local level. He likes airplanes and high-technology. He feels the surrounding property has potential for development of clean, high-tech, high wage businesses.

Marvin Wells commented on his involvement with airport activities in Merced. He feels he can help the Committee with guidance and direction of where the Board wants the Airport to go.

Jason Randal was not present.

(M)Bibby, (S)Allen, Joe Coho's representation on the Committee was changed from the general public to a member residing in the influence area of the Airport/Ayes: Unanimous.
(M)Turpin, (S)Allen, William Brandle was appointed to the Committee/Ayes: Unanimous.
(M)Allen, (S)Cann, Marvin Wells was appointed to the Committee/Ayes: Unanimous. Direction was given to staff to bring back an item to add two alternate positions to the Committee and to modify the quorum requirements. Supervisor Turpin asked that the other two applicants be notified of the Airport Advisory Committee meeting scheduled for Wednesday. County Counsel responded to a question from the Board and advised that this Committee is required by Public Utility Code Section 21670.

Waive the Second Reading and Adopt an Ordinance Amending the Zoning Map Pursuant to Zoning Amendment No. 2008-197. Zoning Amendment No. 2008-197 Amends the Zoning Map by Rezoning 165.9 Acres of Land Currently in the Mountain Transition Zone (20 Acre Minimum) to the Agriculture Exclusive Zone (160 Acre Minimum) on APN 012-010-031. The Property was Recently Entered into a Land Conservation Act Contract and the Agriculture Exclusive Zoning is the Required Zoning for Lands under Land Conservation Act Contract. Carla Kelly: Project Applicant (Planning Director)

BOARD ACTION: Discussion was held with Kris Schenk, Planning Director. Supervisor Cann advised of information received from the Assessor relative to the reduction in the tax rolls with this action of about \$5,600, and the total of all of the current Williamson Act contracts at today's valuation results in a reduction of about \$761,000. (M)Cann, (S)Allen, the second reading was waived and Ordinance No. 1060 was adopted. Further discussion was held, and Board members reiterated their commitment to the Williamson Act program. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous.

Review of the Board's Meeting Schedule for the Rest of the Calendar Year and Possible Action to Cancel Meetings During the Thanksgiving and Christmas Holidays (Clerk of the Board)

BOARD ACTION: Following discussion, (M)Allen, (S)Bibby, the Board approved the meeting schedule – Res. 09-445 was adopted canceling the regularly scheduled meetings for November 24, 2009 and December 22, 2009/Ayes: Unanimous.

Resolution Continuing the Local Emergency Due to the Big Meadow Fire (County Administrative Officer)

BOARD ACTION: Rick Benson advised of correspondence received questioning the wording on the resolution the Board adopted on September 1st proclaiming the existence of a local emergency; and he advised that he will check with the State to see if there is any problem with the wording. He noted that as the Fire Chief reported this morning, the fire is controlled and all roads will be open by 5:00 p.m. today. Discussion was held. Supervisor Allen asked whether the loss of transient

occupancy tax could be reimbursed, and Rick Benson advised that they will look into it. (M)Allen, (S)Turpin, Res. 09-446 was adopted continuing the local emergency. Supervisor Turpin asked that the wording in the resolution relative to the Merced River Canyon be reviewed; and further discussion was held. Ayes: Unanimous.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: DSA (Deputy Sheriffs' Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager); and

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: SMA (Sheriffs' Management Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: These closed sessions were withdrawn.

CONSENT AGENDA:

- CA-1 Approve Summary of Proceedings of September 1, 2009, Regular Meeting (Clerk of the Board)
- CA-2 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-438
- CA-3 Resolution Continuing the Local Emergency Due to the Oliver Fire (County Administrative Officer); Res. 09-439
- CA-4 Resolution Continuing the Local Emergency Due to the Telegraph Fire (County Administrative Officer); Res. 09-440
- CA-5 Approve an Agreement for Soil Cover at the Mariposa County Landfill, Authorize the Public Works Director to Award the Agreement to the Lowest Responsible Bidder and Authorize the Board of Supervisors Chair to Sign the Agreement (Public Works Director); Res. 09-441
- CA-6 Approve an Agreement with Kings View Corporation for Continued Use of their Management Information System and Authorize the Board of Supervisors Chair to Sign the Agreement (Human Services Director); Res. 09-442
- CA-7 Approve the 2009/2010 American Recovery and Reinvestment Act (ARRA) Community Services Block Grant (CSBG) Agreement 09F-5107 on Behalf of the Calaveras-Mariposa Community Action Agency in the Amount of \$114,180 and Authorize the Human Services Director to Sign the Agreement (Human Services Director); Res. 09-443

(M)Bibby, (S)Turpin, the Board adjourned at 1:18 p.m. in memory of Frank Leslie Buck and Jeff Maurer/Ayes: Unanimous.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

September 15, 2009



DRAFT SUMMARY PENDING APPROVAL

Time Description

9:04 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

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

Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

Bill Verley stated he was representing the Mariposa County Contractors Association, builders, and residents; and he asked those who were in the audience to stand. He expressed concern with the Building Department and the direction the Director is taking and is concerned with the budget.

Peter Schimmelfennig, Executive Director of the Chamber of Commerce, reminded everyone of the "potty party" for thanking the Mariposa County Contractors Association and Dick Hutchinson for the new restrooms at the Mariposa County Visitors Center.

Dale Silverman stated she was speaking on behalf of the Northern Mariposa County History Center and the Coulterville Community Club – she expressed concern with the Chamber's operation of the North County Visitor Center and stated they feel that the History Center can provide the visitor services, and she presented copies of petitions.

Rudy Mensinger, John C. Fremont Hospital, advised that the Blazin' Hog and Zydeco Music Festival fundraising event is scheduled for Saturday.

Dick Hutchinson advised of problems with the recent rain at the Mariposa History Center and Museum with the roof construction project.

Mark Harris, Yosemite Falls Well Drilling, expressed concern with a letter he received from the Building Director relative to licensing and permit requirements for installing pumps. He presented the Board with a copy of the letter and stated he feels that he should receive an apology from the Building Director.

Board Information

Supervisor Cann expressed appreciation for the initiative of the Contractors Association and Dick Hutchinson for spearheading the construction of the restrooms at the Visitors Center.

Supervisor Allen thanked the Contractors Association for providing input today and for the previous information given to Board members. He advised that the information provided by Mrs. Silverman will be considered during the final budget hearing. He attended the Wawona Area

Property Owners Association meeting on Saturday. He advised that he will be looking at all of the dollars during the final budget hearing.

Supervisor Turpin thanked everyone for providing public comment. He advised that he attended the annual 9-1-1 annual Memorial Patriots Day Ceremony on Friday in Coulterville.

Supervisor Bibby thanked everyone for the input that has been provided; and she thanked the Contractors Association for the restroom and everyone for the “potty party” event. She commented that it was a nice Pledge of Allegiance this morning with the large audience participating. She attended the First 5 meeting on Monday and commented on their funding status for the visiting nurse in the Health budget and advised that they revisited the draft ordinance which will come back to the Board.

Supervisor Aborn thanked the contractors for their input.

Supervisor Cann commented on the challenge for the County Administrative Officer to balance the budget and noted that citizens have provided input as a result.

Supervisor Aborn noted that he saw new water tenders and engines being delivered to the County.

9:32 a.m. Recess

10:40 a.m. Richard J. Benson, County Administrative Officer/Personnel/Risk Manager; PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2009-2010, and Continue the Hearing and Meeting to September 16th, 17th and 18th as Necessary to Conclude the Hearing and for the Adoption of the Final Budget (A Tentative Budget Hearing Schedule is Available at the Administration Office and is Subject to Change.)

BOARD ACTION: Chris Ebie/Auditor and Mary Hodson/Deputy County Administrative Officer, were present to respond to questions and to track the budget changes. Rick Benson presented the staff report including an overview of the recommended budget and hearing schedule. He advised that information on the budget is posted on the internet and thanked Rick Peresan/Technical Services Director for his assistance; and he thanked Mary Hodson for her assistance in preparing the budget. He advised that additional materials have been distributed: the yellow sheets reflect General Fund changes, the goldenrod sheets reflect non-General Fund changes, and the brown sheets reflect capital improvement project changes; and he presented pie charts showing the source of the General Funds and breakdown of expenditures. He also addressed the issues relative to the status of the County’s debt – the unfunded pension liability with CalPERS, and the OPEB (Other Post Employment Benefits) obligation.

Public Comment: none.

Supervisor Cann commented on the revenue from transient occupancy tax. Supervisor Allen asked for clarification of the actual revenue from the previous year, and Rick Benson responded. Rick Benson thanked the departments for their work and cooperation with the budget process.

Rick Benson provided a budget overview for each of the budget units and the Board reviewed the following budget units:

General Purpose Revenue – Discussion was held relative to the SB90 cost claiming revenue status. The Board concurred with this budget unit as revised.

Administration – The Board concurred with this budget unit as revised and by reducing professional services by \$10,000 and office expense by \$1,000, with further consideration to be given to the professional services line item later in the hearing when more information is known about the costs of the professional services contracts.

Assessment Appeals – The Board concurred with this budget unit.

Personnel – The Board concurred with this budget unit.

Economic Development – Supervisor Bibby initiated discussion relative to a suggestion that was received from the public to move this function to the Airport terminal to eliminate the office rent expense. Discussion was held relative to this budget, including the walking tour brochures. The Board concurred with this budget unit as revised and by reducing \$4,500 from rents and leases building.

Indigent Defense, Economic Development Strategy – The Board concurred with these budget units.

Public Comment:

Dale Silverman suggested that the Tourism Bureau be contacted to help with the tourist brochures, i.e., the brochure for Coulterville; and she noted that this is a benefit for the tourists.

Ruth Catalan stated she feels that the brochures should be done by Tourism versus Economic Development. She does not feel that the Economic Development Coordinator position should be helping at the Airport. She asked about the status of approving the “take home of County vehicles” as a part of the budget process. Mary Hodson replied that she is planning to prepare that item for the September 22nd agenda and noted that the final budget resolution will also be scheduled for adoption on that agenda.

Lester Bridges commented on the connection between tourism and the businesses and the Chamber’s role. He noted that the Chamber has been running the Visitor Center since about 1989 and he has seen great things happen and feel that these arrangements should be kept. He thanked the Board members for supporting the Chamber and what it does.

It was agreed that further discussion would be held relative to location of the Economic Development function.

Board of Supervisors – The Board concurred with this budget unit as revised by reducing publications by \$1,000 and copier expense by \$1,300.

Supervisor Bibby asked about the status of the change that allows departments to make budget transfers within object category.

Fish and Game – The Board concurred with this budget unit.

Forest Reserve HR2389 – Following discussion, the Board concurred with this budget unit.

Tobacco Settlement – Rick Benson advised of the recommendation to allocate \$100,000 to augment County Service Area No. 3/fire protection for the purchase of the fire equipment and capital improvements to the fire stations.

Audits – The Board concurred with this budget unit.

Auditor – The Board concurred with this budget unit.

Mariposa Parking Bond Redemption, Government Center, Yosemite West Bond 2004, Yosemite West WWTP Reserve, Lake Don Pedro WWTP Bond, Lake Don Pedro WWTP Reserve, and Debt Assessment CSA#3 – Supervisor Bibby asked for information on the status of reimbursement to the General Fund for the Yosemite West and Lake Don Pedro projects. The Board concurred with these budget units.

11:19 a.m. Recess

11:29 a.m. Health/Air Pollution, Emergency Medical Services, Tobacco Cessation, Realignment Health, Perinatal Program, Public Health Emergency Program, Local Enforcement Agency, First

Five Visiting Public Health Nurse, HRSA Bio-Terrorism, Pacific Bell Settlement, and Above Ground Petroleum Storage Act (APSA) – Discussion was held with Dr. Mosher/Health Officer relative to the budget and status of the furlough days for the Environmental Health staff – the State is furloughing them three days a month and the County is paying for two days a month. Discussion was held relative to the revenue for the Visiting Public Health Nurse and First 5’s contribution. The Board concurred with these budget units as revised.

Treasurer – Tax Collector, County Clerk, and Elections – Discussion was held with Keith Williams/Treasurer, Tax Collector, County Clerk relative to the status of reimbursement of expenses for the May 19th special election. The Board concurred with these budget units.

Yosemite West Bond Administration, Cash Difference – Tax Collector, Lake Don Pedro Bond Administration, Tax Collectors Cost, and Vital/Health Clerk – The Board concurred with these budget units, and with the revision to the Yosemite West Bond Administration and the Tax Collectors Cost budgets to reflect the actual year-end fund balance.

Assessor/Recorder, Recorders Modernization, Recorders Cash Difference, Micro Conversion, Vital Health Recorder, and Social Security Truncation – Following discussion, the Board concurred with these budget units, and with the revision to the Recorders Modernization and Recorders Cash Difference budgets to reflect the actual year-end fund balance.

County Counsel – Following discussion with Steve Dahlem, County Counsel, the Board concurred with this budget unit.

Technical Services – Following discussion, the Board concurred with this budget unit.

Building – Discussion was held relative to the cost allocation formula. Discussion was held with Fred Lustenberger, Building Director, relative to the status of staffing and recommendation to layoff a building inspector position; and relative to code enforcement.

Supervisor Aborn was excused at 12:19 p.m. for the remainder of the morning session of the meeting.

Further discussion was held with Fred Lustenberger relative to code enforcement and future plans for the Department. The Board concurred with this budget unit as revised with funding the building inspector position with \$45,458 and taking \$15,000 from extra help for further consideration.

12:40 p.m. Lunch

3:01 p.m. The Board reconvened with all members present.

Library – The Board concurred with this budget unit.

Farm Advisor/Cooperative Extension Services – Discussion was held and Cathi Boze, Agricultural Commissioner, provided input on the shared copier - expense and revenue.

Input from the public was provided by the following:

MaryAnn Huff, recent graduate of the Master Gardener Program, spoke in support of the program.

Discussion was held with Maxwell Norton, Acting Farm Advisor, relative to the budget and the Master Gardener program funding and coordinator position. Valarie Goodwin/Secretary, provided input on the budget. The Board concurred with this budget unit as revised by reducing fuel by \$1,000 and master gardener/UC support by \$3,464.

Planning, SDA Camp EIR, South Shore Ranches LLC EIR, Yosemite Cascades EIR, Silvertip Resort EIR, Vallecito Specific Plan EIR, Microform, and Mariposa Aggregate – Discussion was

held with Kris Schenk, Planning Director, relative to the budget and status of reviewing the fee schedule. The Board concurred with these budgets.

Local Agency Formation Commission – The Board concurred with this budget unit as revised.

Human Services Department – Behavioral Health, Alcohol and Drug, Social Services, Social Service Programs, Human Services Administration, Employment and Community Services, Family Preservation, Housing Development, Housing Authority Voucher, Energy Grant, Community Programs – CAA, TANF Incentives, Proposition 36 – Substance Abuse, Designated Buddy, Individual Education Plan, Youth Council, Incentives Social Services, Assistance Advance, Children’s Trust, Drug & Alcohol Prevention, Welfare Trust, Alcohol Program, Medical County Bounty, Realignment – Mental Health, Realignment – Social Services, Mental Health Services Act, In-Home Supportive Services Public Authority, and Wraparound: – Jim Rydingsword/Human Services Director, provided an overview of the budget and State budget impacts. Discussion was held and it was noted that no General Fund dollars are involved in these budgets. The Board concurred with these budget units as revised.

Community Services Department – Veterans’ Services, Senior Services, Senior Nutrition, and Transit – The Board concurred with these budget units as revised.

District Attorney – Vertical Prosecution Grants, District Attorney - Prosecution, Drug Enforcement Grant, Victim Witness, District Attorney Asset Forfeiture, Department of Justice, and Sund-Pelosso Advance – Discussion was held with Bob Brown, District Attorney, relative to office space issues and staffing. Chris Ebie provided input on reimbursement of the defense file storage expenses for the Sund-Pelosso case. The Board concurred with these budget units, and with the Vertical Prosecution Grants and Victim-Witness budgets as revised.

Presiding Superior Court Judge – Grand Jury, and Law Library – Discussion was held relative to looking at relocating the Grand Jury to the Courthouse or another other space with the Court facility to save rent expense – staff will further review. Steve Dahlem advised that the Law Library is being moved to the County Library. The Board concurred with this budget unit with a revision to reduce jury and witness expense by \$2,000.

Child Support Services and Child Support Advance – The Board concurred with these budget units.

Agricultural Commissioner – Discussion was held with Cathi Boze, Agricultural Commissioner. The Board concurred with this budget unit.

Fire, Special Grants – Fire and Fire – SAFER Grant – Rick Benson presented the proposed replacement fund schedule for engines and recommended that this be reviewed at least every five years. Supervisor Bibby asked for information on a schedule that would be based on the last two years of interest. Discussion was held with Jim Wilson, Fire Chief; and Jim Middleton, Deputy Fire Chief, provided input relative to the status of reimbursement for the disasters. The Board concurred with these budget units as revised. Rick Benson advised of the status of the grant funding request for the three new fire stations.

The final budget hearing was continued to Wednesday, September 16, 2009, at 9:00 a.m.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: DSA (Deputy Sheriffs’ Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager); and

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: SMA (Sheriffs' Management Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager)
BOARD ACTION: These items were continued to Wednesday, September 16, 2009.

CONSENT AGENDA:

- CA-1 Approve Summary of Proceedings of September 8, 2009, Regular Meeting (Clerk of the Board)
- CA-2 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-447
- CA-3 Resolution Continuing the Local Emergency Due to the Oliver Fire (County Administrative Officer); Res. 09-448
- CA-4 Resolution Continuing the Local Emergency Due to the Telegraph Fire (County Administrative Officer); Res. 09-449
- CA-5 Resolution Continuing the Local Emergency Due to the Big Meadow Fire (County Administrative Officer); Res. 09-450

4:12 p.m. (M)Cann, (S)Allen, the Board recessed in memory of Violet Suderman and continued the meeting and the Public Hearing on the Final Budget for FY 2009-10 to Wednesday, September 16, 2009, at 9:00 a.m.; and the Closed Session items were continued to September 16, 2009/Ayes: Unanimous.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

September 15, 2009



Time Description

9:04 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

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

Public Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda.

Bill Verley stated he was representing the Mariposa County Contractors Association, builders, and residents; and he asked those who were in the audience to stand. He expressed concern with the Building Department and the direction the Director is taking and is concerned with the budget.

Peter Schimmelfennig, Executive Director of the Chamber of Commerce, reminded everyone of the "potty party" for thanking the Mariposa County Contractors Association and Dick Hutchinson for the new restrooms at the Mariposa County Visitors Center.

Dale Silverman stated she was speaking on behalf of the Northern Mariposa County History Center and the Coulterville Community Club – she expressed concern with the Chamber's operation of the North County Visitor Center and stated they feel that the History Center can provide the visitor services, and she presented copies of petitions.

Rudy Mensinger, John C. Fremont Hospital, advised that the Blazin' Hog and Zydeco Music Festival fundraising event is scheduled for Saturday.

Dick Hutchinson advised of problems with the recent rain at the Mariposa History Center and Museum with the roof construction project.

Mark Harris, Yosemite Falls Well Drilling, expressed concern with a letter he received from the Building Director relative to licensing and permit requirements for installing pumps. He presented the Board with a copy of the letter and stated he feels that he should receive an apology from the Building Director.

Board Information

Supervisor Cann expressed appreciation for the initiative of the Contractors Association and Dick Hutchinson for spearheading the construction of the restrooms at the Visitors Center.

Supervisor Allen thanked the Contractors Association for providing input today and for the previous information given to Board members. He advised that the information provided by Mrs. Silverman will be considered during the final budget hearing. He attended the Wawona Area Property Owners Association meeting on Saturday. He advised that he will be looking at all of the dollars during the final budget hearing.

Supervisor Turpin thanked everyone for providing public comment. He advised that he attended the annual 9-1-1 annual Memorial Patriots Day Ceremony on Friday in Coulterville.

Supervisor Bibby thanked everyone for the input that has been provided; and she thanked the Contractors Association for the restroom and everyone for the “potty party” event. She commented that it was a nice Pledge of Allegiance this morning with the large audience participating. She attended the First 5 meeting on Monday and commented on their funding status for the visiting nurse in the Health budget and advised that they revisited the draft ordinance which will come back to the Board.

Supervisor Aborn thanked the contractors for their input.

Supervisor Cann commented on the challenge for the County Administrative Officer to balance the budget and noted that citizens have provided input as a result.

Supervisor Aborn noted that he saw new water tenders and engines being delivered to the County.

9:32 a.m. Recess

10:40 a.m. Richard J. Benson, County Administrative Officer/Personnel/Risk Manager; PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2009-2010, and Continue the Hearing and Meeting to September 16th, 17th and 18th as Necessary to Conclude the Hearing and for the Adoption of the Final Budget (A Tentative Budget Hearing Schedule is Available at the Administration Office and is Subject to Change.)

BOARD ACTION: Chris Ebie/Auditor and Mary Hodson/Deputy County Administrative Officer, were present to respond to questions and to track the budget changes. Rick Benson presented the staff report including an overview of the recommended budget and hearing schedule. He advised that information on the budget is posted on the internet and thanked Rick Peresan/Technical Services Director for his assistance; and he thanked Mary Hodson for her assistance in preparing the budget. He advised that additional materials have been distributed: the yellow sheets reflect General Fund changes, the goldenrod sheets reflect non-General Fund changes, and the brown sheets reflect capital improvement project changes; and he presented pie charts showing the source of the General Funds and breakdown of expenditures. He also addressed the issues relative to the status of the County’s debt – the unfunded pension liability with CalPERS, and the OPEB (Other Post Employment Benefits) obligation.

Public Comment: none.

Supervisor Cann commented on the revenue from transient occupancy tax. Supervisor Allen asked for clarification of the actual revenue from the previous year, and Rick Benson responded. Rick Benson thanked the departments for their work and cooperation with the budget process.

Rick Benson provided a budget overview for each of the budget units and the Board reviewed the following budget units:

General Purpose Revenue – Discussion was held relative to the SB90 cost claiming revenue status. The Board concurred with this budget unit as revised.

Administration – The Board concurred with this budget unit as revised and by reducing professional services by \$10,000 and office expense by \$1,000, with further consideration to be given to the professional services line item later in the hearing when more information is known about the costs of the professional services contracts.

Assessment Appeals – The Board concurred with this budget unit.

Personnel – The Board concurred with this budget unit.

Economic Development – Supervisor Bibby initiated discussion relative to a suggestion that was received from the public to move this function to the Airport terminal to eliminate the office rent expense. Discussion was held relative to this budget, including the walking tour brochures. The Board concurred with this budget unit as revised and by reducing \$4,500 from rents and leases building.

Indigent Defense, Economic Development Strategy – The Board concurred with these budget units.

Public Comment:

Dale Silverman suggested that the Tourism Bureau be contacted to help with the tourist brochures, i.e., the brochure for Coulterville; and she noted that this is a benefit for the tourists.

Ruth Catalan stated she feels that the brochures should be done by Tourism versus Economic Development. She does not feel that the Economic Development Coordinator position should be helping at the Airport. She asked about the status of approving the “take home of County vehicles” as a part of the budget process. Mary Hodson replied that she is planning to prepare that item for the September 22nd agenda and noted that the final budget resolution will also be scheduled for adoption on that agenda.

Lester Bridges commented on the connection between tourism and the businesses and the Chamber’s role. He noted that the Chamber has been running the Visitor Center since about 1989 and he has seen great things happen and feel that these arrangements should be kept. He thanked the Board members for supporting the Chamber and what it does.

It was agreed that further discussion would be held relative to location of the Economic Development function.

Board of Supervisors – The Board concurred with this budget unit as revised by reducing publications by \$1,000 and copier expense by \$1,300.

Supervisor Bibby asked about the status of the change that allows departments to make budget transfers within object category.

Fish and Game – The Board concurred with this budget unit.

Forest Reserve HR2389 – Following discussion, the Board concurred with this budget unit.

Tobacco Settlement – Rick Benson advised of the recommendation to allocate \$100,000 to augment County Service Area No. 3/fire protection for the purchase of the fire equipment and capital improvements to the fire stations.

Audits – The Board concurred with this budget unit.

Auditor – The Board concurred with this budget unit.

Mariposa Parking Bond Redemption, Government Center, Yosemite West Bond 2004, Yosemite West WWTP Reserve, Lake Don Pedro WWTP Bond, Lake Don Pedro WWTP Reserve, and Debt Assessment CSA#3 – Supervisor Bibby asked for information on the status of reimbursement to the General Fund for the Yosemite West and Lake Don Pedro projects. The Board concurred with these budget units.

11:19 a.m. Recess

11:29 a.m. Health/Air Pollution, Emergency Medical Services, Tobacco Cessation, Realignment Health, Perinatal Program, Public Health Emergency Program, Local Enforcement Agency, First Five Visiting Public Health Nurse, HRSA Bio-Terrorism, Pacific Bell Settlement, and Above Ground Petroleum Storage Act (APSA) – Discussion was held with Dr. Mosher/Health Officer

relative to the budget and status of the furlough days for the Environmental Health staff – the State is furloughing them three days a month and the County is paying for two days a month. Discussion was held relative to the revenue for the Visiting Public Health Nurse and First 5's contribution. The Board concurred with these budget units as revised.

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County Counsel – Following discussion with Steve Dahlem, County Counsel, the Board concurred with this budget unit.

Technical Services – Following discussion, the Board concurred with this budget unit.

Building – Discussion was held relative to the cost allocation formula. Discussion was held with Fred Lustenberger, Building Director, relative to the status of staffing and recommendation to layoff a building inspector position; and relative to code enforcement.

Supervisor Aborn was excused at 12:19 p.m. for the remainder of the morning session of the meeting.

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12:40 p.m. Lunch

3:01 p.m. The Board reconvened with all members present.

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Child Support Services and Child Support Advance – The Board concurred with these budget units.

Agricultural Commissioner – Discussion was held with Cathi Boze, Agricultural Commissioner. The Board concurred with this budget unit.

Fire, Special Grants – Fire and Fire – SAFER Grant – Rick Benson presented the proposed replacement fund schedule for engines and recommended that this be reviewed at least every five years. Supervisor Bibby asked for information on a schedule that would be based on the last two years of interest. Discussion was held with Jim Wilson, Fire Chief; and Jim Middleton, Deputy Fire Chief, provided input relative to the status of reimbursement for the disasters. The Board concurred with these budget units as revised. Rick Benson advised of the status of the grant funding request for the three new fire stations.

The final budget hearing was continued to Wednesday, September 16, 2009, at 9:00 a.m.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: DSA (Deputy Sheriffs’ Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager); and

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4:12 p.m. (M)Cann, (S)Allen, the Board recessed in memory of Violet Suderman and continued the meeting and the Public Hearing on the Final Budget for FY 2009-10 to Wednesday, September 16, 2009, at 9:00 a.m.; and the Closed Session items were continued to September 16, 2009/Ayes: Unanimous.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS



SUMMARY OF PROCEEDINGS September 16, 2009 (Meeting continued from September 15, 2009)

Time Description

9:04 a.m. The continued meeting from September 15, 2009 was called to order at the Mariposa County Government Center.

Richard J. Benson, County Administrative Officer/Personnel/Risk Manager; Continued PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2009-2010, and Continue the Hearing and Meeting to September 17th and 18th as Necessary to Conclude the Hearing and for the Adoption of the Final Budget (A Tentative Budget Hearing Schedule is Available at the Administration Office and is Subject to Change.)

BOARD ACTION: Chris Ebie/Auditor and Mary Hodson/Deputy County Administrative Officer, were present to respond to questions and to track the budget changes. Rick Benson reviewed the budget hearing schedule. Supervisor Turpin asked, and the Board concurred, with scheduling the Airport budget for after 3:00 p.m. this date. Supervisor Cann advised that the overview provided by the Human Services Director was helpful and he asked that the other departments provide a brief overview when their budgets are considered.

Rick Benson provided a budget overview for each of the budget units and the Board reviewed the following budget units:

Sheriff-Coroner-Public Administrator, Boating Safety, Jail, Asset Forfeiture, Sheriff Asset Forfeiture, SLESE, Rural County Crime Prevention, DNA Identification, County Inmate Welfare, Fingerprint ID, Animal Control, Public Administrator, Criminalistics Lab, Standards & Training Corrections Program, Automated Warrant System, and Civil Matters – Brian Muller/Sheriff provided a brief overview of the budgets and status of staffing. Discussion was held relative to the request to add a Jail Sergeant position and delete a Jail Officer position in the Jail budget unit. Supervisor Turpin asked about the status of the prisoner release situation in the state; and Rick Benson advised that an item could be brought back for discussion with the affected departments concerning the impacts to the County. Supervisor Bibby commented on costs for the Boating Safety program and noted the General Fund contributes to this program and she feels that Merced Irrigation District should be made aware of costs to the County. The Board concurred with reducing utilities in the Jail budget by \$20,000. Following further discussion, (M)Allen, (S)Cann, the Board approved eliminating the allocation of a jail officer position and replacing it with a sergeant position/Ayes: Unanimous. Mary Hodson clarified that this action will be cost neutral to the budget, and she advised that she will work with the Sheriff on adjustments to the budget for this position. Supervisor Allen commented on vehicle maintenance/fleet cost issues, and with the Sheriff’s concurrence, advised that he will further discuss potential savings by transferring the existing equipment to new vehicles during the Fleet Maintenance budget. Supervisor Turpin suggested that a memo be sent to MID relative to the costs for law enforcement on Lake McClure; and Rick Benson advised of discussions he and Mike Coffield have had with MID on the costs. The Board concurred with these budget units as revised.

10:10 a.m. Recess

10:25 a.m. Public Works Budget Units – Dana Hertfelder, Public Works Director, gave a brief overview.

Facilities Maintenance – Discussion was held with Dana Hertfelder. Carl Casey, Public Works Administrator, provided input on the testing requirements for the water systems. Supervisor Bibby asked whether the insurance coverage for the Coulterville Community Club building is separate from the County’s policy; and she asked for financial information from the Club including utility costs – Public Works will check on these issues. The Board concurred with this budget as revised and with reducing \$1,000 from clothing and \$1,500 from food and adding \$2,500 to the utilities line item.

Public Works Administration – Rick Benson advised of the recommendation to lay off the Public Works Administrator position; and discussion was held relative to staffing. Carl Casey responded to questions relative to the CPR/first aid expenses. Supervisor Bibby asked that the Safety Plan be reviewed to make sure it is up to date; and she asked that Personnel work with employees whose positions are eliminated.

Input from the public was provided by the following:

Ruth Catalan stated she is very upset with the elimination of personnel, especially since there was reassurance that we were in good shape and raises were given to department heads and other bargaining units – she feels the increase for department heads should be rescinded and there should be a wage freeze so that everyone shares the pain. She commented on the recommendation to close the Airport terminal and stated she feels that Tourism should be promoting the Airport.

Carl Casey stated he was speaking as a member of the public, and he advised that he has received no written explanation of why his position is being recommended for elimination. He questioned why the elimination of the Public Works Administrator position versus the vacant Assistant Public Works Director position. Dana Hertfelder responded relative to his review of the budget and discussions with the County Administrative Officer relative to staffing needs of the Department. Rick Benson also provided input relative to his discussion with Dana Hertfelder and the different skill-set that is sought in the Assistant position.

Discussion was held. The Board concurred with this budget unit as revised and with reducing \$1,000 from communications and \$1,700 from fuel.

Regional Transit Services – The Board concurred with this budget unit.

Parks & Recreation – Discussion was held with Dana Hertfelder relative to the athletic supply line item and he advised that funding had already been given from this line item to the Bears Football and requested that \$1,000 be taken from extra help, \$1,000 from county vehicle expense, and \$500 from private vehicle expense to the athletic supply line item to cover the costs. The Board concurred with this budget unit including the request to move the funds; and concurred with adding \$5,000 to restore the athletic supply line item for further consideration in the hearing process.

Local Transportation, State Transit Assistance, Transportation Planning, and Pedestrian Bikeway – Discussion was held with Dana Hertfelder, and Barbara Carrier/Administrative Analyst-Transportation Planner. The Board concurred with these budget units as revised.

Roads – Discussion was held relative to the budget, status of staffing and employee costs, the change in the Surveyor position to permanent part-time, the status of weed spraying program, and the materials line item. Supervisor Turpin initiated discussion relative to including a statement in the budget program description relative to the annual maintenance of the roads.

Input from the public was provided by the following:

Ruth Catalan asked whether there is a change in benefits with the change in the Surveyor position; and she noted that Job Connection has positions available this year and she feels this should be pursued.

Further discussion was held, and the Board concurred with this budget unit as revised, and with reducing communication by \$2,000 and food by \$2,000 and adding those funds to the materials line item; and with including a statement on the goal to maintain the roads annually.

12:19 p.m. Lunch

3:02 p.m. Roads – Special Projects – The Board concurred with this budget unit.

County Service Area #3 - The Board concurred with this budget unit.

Lake Don Pedro Fire District - The Board concurred with this budget unit.

Water Agency – Following discussion, the Board concurred with this budget unit.

Coulterville Lighting – Following discussion, the Board concurred with this budget unit.

Coulterville Service Area – The Board concurred with this budget unit.

Don Pedro Service Area 1M – The Board concurred with this budget unit.

Don Pedro Sewer – The Board concurred with this budget unit.

Hornitos Lighting – The Board concurred with this budget unit.

Mariposa Lighting – The Board concurred with this budget unit.

Mariposa Parking – Following discussion, the Board concurred with this budget unit.

Mariposa Pines Sewer – The Board concurred with this budget unit.

Wawona Service Area – The Board concurred with this budget unit.

Yosemite West Maintenance – The Board concurred with this budget unit.

Fish Camp Fire Auxiliary - The Board concurred with this budget unit.

Hazardous Material Clean Up – The Board concurred with this budget unit.

Capital Improvement Projects – Supervisor Bibby asked about the loan repayment of outstanding loans to the Water Agency and the General Fund. Dana Hertfelder advised that by moving these funds this will complete the final payments. Chris Ebie clarified that this will not affect the General Fund balance. Supervisor Bibby requested clarification regarding the journal entry for the Bridgeport Fire Station. Dana Hertfelder responded that the journal entry was for engineering. Discussion was held relative to the Amphitheater Lighting. The Board concurred with this budget unit as revised.

Solid Waste & Recycling and Solid Waste Closure – Rick Benson advised that there are several revisions in the golden rod packet distributed after the recommended budget was prepared. Supervisor Bibby asked about the funds going into the Solid Waste closure line item. Dana Hertfelder responded that the money is being transferred into the Solid Waste Closure Fund. Discussion was held relative to the landfill closure costs. Chris Ebie stated the estimated cost to clean up the landfill is approximately \$3.5 million. Chris Ebie advised that there is a required minimum balance that must be satisfied. Dana advised this is a bare bones budget and he anticipates seeing a decline in revenues. The Board concurred with this budget unit as revised.

Airport Operations, Airport Project DTFA08, and Special Aviation – Discussion was held relative to the cost of operating the Airport Terminal for the current hours of seven days a week and calculating the cost to operate only four days a week. Dana Hertfelder recommended moving \$17,713 from the Contingency line item to the Professional Services line item to staff the terminal until March and proposed keeping the same schedule through March of 2010. Discussion was held relative to alternatives to keep the terminal open. Supervisor Turpin expressed concern that it is not the responsibility of Public Works to create a business plan.

Input from the public was provided by the following:

Horst Raisch provided comments encouraging the Airport Terminal remain open and requested the Board review a proposal he has prepared that will help the Airport break even.

Jim Johnson, member of the Airport Advisory Committee, advised of a proposal that the Airport Advisory Committee is working on to keep the Airport Terminal open.

Ron Binder expressed concern relative to the terminal being listed as unattended and requested it remain open.

Ken Melton expressed concern of safety issues if the Airport Terminal is not open seven days a week.

Dave Lombard offered to fly each of the Supervisors to other airports so they can compare them to Mariposa's Airport.

Paul Girard expressed concern regarding security, vandalism and theft if the Airport Terminal is closed. He suggested a comprehensive study be done on the funds generated at the Airport.

Tim Wennberg commented that the idea of postponing the Airport Terminal closure is a wonderful idea and applauds Dana Hertfelder for his proposal.

Discussion was held relative to coming back to the Board in a couple of weeks with an alternative plan to keep the Airport Terminal open. Clarification was made regarding moving funds to keep the Airport Terminal open through March, 2010. Rick Benson clarified that from a budgetary standpoint the Board is directing Public Works staff to come back with a proposal to keep the Airport Terminal open after March 2010. Supervisor Aborn advised of the creation of two new alternate positions for the Airport Advisory Committee and that the vacancies will be posted in the near future. Supervisor Cann recommended that the alternative options be brought back to the Board by the end of November 2009. Following discussion, the Board concurred with these budget units as revised.

4:25 p.m. Recess

4:32 p.m. Fleet Maintenance – Supervisor Allen asked what was spent on maintenance equipment. Barbara Carrier responded that approximately \$330,000 was spent. Discussion was held relative to moving equipment from one vehicle to another and how many cars will be purchased this year. Joe Halencak/Fleet Superintendent responded there are four vehicles allocated for purchase. Staff responded to questions of the Board relative to what would have to be done to see money go back into the General Fund. Dana Hertfelder responded to questions relative to the fund balance. Discussion was held relative to the cost of maintenance of the old fire trucks and the cost to dispose of them once the new fire trucks have been received. Discussion was held relative to lowering the Fleet Maintenance rates with in various departments. Rick advised that if the Board chooses to lower the rates in Fleet Maintenance the changes can be reflected at mid year budget review. Mary Hodson responded to questions regarding object line control, advising that line item control is no longer being enforced following Board action in the previous fiscal year regarding this issue. Clarification was made for Supervisor Bibby regarding funding of the pump test and the bit test for the new fire engines.

Input from the public was provided by the following:

Ruth Catalan asked for clarification of how much money is in the line item if it can be reduced by 10%. Supervisor Allen responded that the fund balance he is referring to for reduction of

the profit margin by 10% is \$260,000 and that he would like to see \$130,000 go back into the General Fund.

Dana Hertfelder recommended a 5% reduction of the Fleet maintenance rates. Mary Hodson asked Public Works to come back with the numbers for a 5% reduction in Fleet maintenance costs. The Board concurred with this budget unit as revised.

Fire Vehicle Replacement – Discussion was held relative to the fire vehicle replacement fund and the depreciation fund regarding the possibly of postponing by three months until the fire engines are received and set up for use. The Board concurred with this budget unit as revised.

Vehicle/Heavy Equipment Replacement – Following discussion, the Board concurred with this budget unit.

Rick Benson commended Dana Hertfelder and his staff for their assistance with the Public Works budgets.

The final budget hearing was continued to Thursday, September 17, 2009, at 9:00 a.m.

5:30 p.m. CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: DSA (Deputy Sheriffs' Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager); and
CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: SMA (Sheriffs' Management Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Supervisor Bibby excused herself from the meeting for this action and these closed sessions due to a potential conflict of interest with possible compaction issues involving a family member and because her spouse is a member of the SMA. (M)Turpin, (S)Allen, the closed sessions were held/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

The Board Chair reported on the Closed Session during the continued meeting on September 17, 2009.

5:50 p.m. The Board recessed and continued the meeting and the Public Hearing on the Final Budget for FY 2009-10 to Thursday, September 17, 2009.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

and

TRACY GAUTHIER
Deputy Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS



SUMMARY OF PROCEEDINGS
September 16, 2009
(Meeting continued from September 15, 2009)

DRAFT PENDING APPROVAL

Time Description

9:04 a.m. The continued meeting from September 15, 2009 was called to order at the Mariposa County Government Center.

Richard J. Benson, County Administrative Officer/Personnel/Risk Manager; Continued PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2009-2010, and Continue the Hearing and Meeting to September 17th and 18th as Necessary to Conclude the Hearing and for the Adoption of the Final Budget (A Tentative Budget Hearing Schedule is Available at the Administration Office and is Subject to Change.)

BOARD ACTION: Chris Ebie/Auditor and Mary Hodson/Deputy County Administrative Officer, were present to respond to questions and to track the budget changes. Rick Benson reviewed the budget hearing schedule. Supervisor Turpin asked, and the Board concurred, with scheduling the Airport budget for after 3:00 p.m. this date. Supervisor Cann advised that the overview provided by the Human Services Director was helpful and he asked that the other departments provide a brief overview when their budgets are considered.

Rick Benson provided a budget overview for each of the budget units and the Board reviewed the following budget units:

Sheriff-Coroner-Public Administrator, Boating Safety, Jail, Asset Forfeiture, Sheriff Asset Forfeiture, SLESF, Rural County Crime Prevention, DNA Identification, County Inmate Welfare, Fingerprint ID, Animal Control, Public Administrator, Criminalistics Lab, Standards & Training Corrections Program, Automated Warrant System, and Civil Matters - Brian Muller/Sheriff provided a brief overview of the budgets and status of staffing. Discussion was held relative to the request to add a Jail Sergeant position and delete a Jail Officer position in the Jail budget unit. Supervisor Turpin asked about the status of the prisoner release situation in the state; and Rick Benson advised that an item could be brought back for discussion with the affected departments concerning the impacts to the County. Supervisor Bibby commented on costs for the Boating Safety program and noted the General Fund contributes to this program and she feels that Merced Irrigation District should be made aware of costs to the County. The Board concurred with reducing utilities in the Jail budget by \$20,000. Following further discussion, (M)Allen, (S)Cann, the Board approved eliminating the allocation of a jail officer position and replacing it with a sergeant position/Ayes: Unanimous. Mary Hodson clarified that this action will be cost neutral to the budget, and she advised that she will work with the Sheriff on adjustments to the budget for this position. Supervisor Allen commented on vehicle maintenance/fleet cost issues, and with the Sheriff's concurrence, advised that he will further discuss potential savings by transferring the existing equipment to new vehicles during the Fleet Maintenance budget. Supervisor Turpin suggested that a memo be sent to MID relative to the costs for law enforcement on Lake McClure; and Rick Benson advised of discussions he and Mike Coffield have had with MID on the costs. The Board concurred with these budget units as revised.

10:10 a.m. Recess

10:25 a.m. Public Works Budget Units – Dana Hertfelder, Public Works Director, gave a brief overview.

Facilities Maintenance – Discussion was held with Dana Hertfelder. Carl Casey, Public Works Administrator, provided input on the testing requirements for the water systems. Supervisor Bibby asked whether the insurance coverage for the Coulterville Community Club building is separate from the County’s policy; and she asked for financial information from the Club including utility costs – Public Works will check on these issues. The Board concurred with this budget as revised and with reducing \$1,000 from clothing and \$1,500 from food and adding \$2,500 to the utilities line item.

Public Works Administration – Rick Benson advised of the recommendation to lay off the Public Works Administrator position; and discussion was held relative to staffing. Carl Casey responded to questions relative to the CPR/first aid expenses. Supervisor Bibby asked that the Safety Plan be reviewed to make sure it is up to date; and she asked that Personnel work with employees whose positions are eliminated.

Input from the public was provided by the following:

Ruth Catalan stated she is very upset with the elimination of personnel, especially since there was reassurance that we were in good shape and raises were given to department heads and other bargaining units – she feels the increase for department heads should be rescinded and there should be a wage freeze so that everyone shares the pain. She commented on the recommendation to close the Airport terminal and stated she feels that Tourism should be promoting the Airport.

Carl Casey stated he was speaking as a member of the public, and he advised that he has received no written explanation of why his position is being recommended for elimination. He questioned why the elimination of the Public Works Administrator position versus the vacant Assistant Public Works Director position. Dana Hertfelder responded relative to his review of the budget and discussions with the County Administrative Officer relative to staffing needs of the Department. Rick Benson also provided input relative to his discussion with Dana Hertfelder and the different skill-set that is sought in the Assistant position.

Discussion was held. The Board concurred with this budget unit as revised and with reducing \$1,000 from communications and \$1,700 from fuel.

Regional Transit Services – The Board concurred with this budget unit.

Parks & Recreation – Discussion was held with Dana Hertfelder relative to the athletic supply line item and he advised that funding had already been given from this line item to the Bears Football and requested that \$1,000 be taken from extra help, \$1,000 from county vehicle expense, and \$500 from private vehicle expense to the athletic supply line item to cover the costs. The Board concurred with this budget unit including the request to move the funds; and concurred with adding \$5,000 to restore the athletic supply line item for further consideration in the hearing process.

Local Transportation, State Transit Assistance, Transportation Planning, and Pedestrian Bikeway – Discussion was held with Dana Hertfelder, and Barbara Carrier/Administrative Analyst-Transportation Planner. The Board concurred with these budget units as revised.

Roads – Discussion was held relative to the budget, status of staffing and employee costs, the change in the Surveyor position to permanent part-time, the status of weed spraying program, and the materials line item. Supervisor Turpin initiated discussion relative to including a statement in the budget program description relative to the annual maintenance of the roads.

Input from the public was provided by the following:

Ruth Catalan asked whether there is a change in benefits with the change in the Surveyor position; and she noted that Job Connection has positions available this year and she feels this should be pursued.

Further discussion was held, and the Board concurred with this budget unit as revised, and with reducing communication by \$2,000 and food by \$2,000 and adding those funds to the materials line item; and with including a statement on the goal to maintain the roads annually.

12:19 p.m. Lunch

3:02 p.m. Roads – Special Projects – The Board concurred with this budget unit.

County Service Area #3 - The Board concurred with this budget unit.

Lake Don Pedro Fire District - The Board concurred with this budget unit.

Water Agency – Following discussion, the Board concurred with this budget unit.

Coulterville Lighting – Following discussion, the Board concurred with this budget unit.

Coulterville Service Area – The Board concurred with this budget unit.

Don Pedro Service Area 1M – The Board concurred with this budget unit.

Don Pedro Sewer – The Board concurred with this budget unit.

Hornitos Lighting – The Board concurred with this budget unit.

Mariposa Lighting – The Board concurred with this budget unit.

Mariposa Parking – Following discussion, the Board concurred with this budget unit.

Mariposa Pines Sewer – The Board concurred with this budget unit.

Wawona Service Area – The Board concurred with this budget unit.

Yosemite West Maintenance – The Board concurred with this budget unit.

Fish Camp Fire Auxiliary - The Board concurred with this budget unit.

Hazardous Material Clean Up – The Board concurred with this budget unit.

Capital Improvement Projects – Supervisor Bibby asked about the loan repayment of outstanding loans to the Water Agency and the General Fund. Dana Hertfelder advised that by moving these funds this will complete the final payments. Chris Ebie clarified that this will not affect the General Fund balance. Supervisor Bibby requested clarification regarding the journal entry for the Bridgeport Fire Station. Dana Hertfelder responded that the journal entry was for engineering. Discussion was held relative to the Amphitheater Lighting. The Board concurred with this budget unit as revised.

Solid Waste & Recycling and Solid Waste Closure – Rick Benson advised that there are several revisions in the golden rod packet distributed after the recommended budget was prepared. Supervisor Bibby asked about the funds going into the Solid Waste closure line item. Dana Hertfelder responded that the money is being transferred into the Solid Waste Closure Fund. Discussion was held relative to the landfill closure costs. Chris Ebie stated the estimated cost to clean up the landfill is approximately \$3.5 million. Chris Ebie advised that there is a required minimum balance that must be satisfied. Dana advised this is a bare bones budget and he anticipates seeing a decline in revenues. The Board concurred with this budget unit as revised.

Airport Operations, Airport Project DTFA08, and Special Aviation – Discussion was held relative to the cost of operating the Airport Terminal for the current hours of seven days a week and calculating the cost to operate only four days a week. Dana Hertfelder recommended moving \$17,713 from the Contingency line item to the Professional Services line item to staff the terminal until March and proposed keeping the same schedule through March of 2010. Discussion was held relative to alternatives to keep the terminal open. Supervisor Turpin expressed concern that it is not the responsibility of Public Works to create a business plan.

Input from the public was provided by the following:

Forrest Reicht provided comments encouraging the Airport Terminal remain open and requested the Board review a proposal he has prepared that will help the Airport break even.

Jim Johnson, member of the Airport Advisory Committee, advised of a proposal that the Airport Advisory Committee is working on to keep the Airport Terminal open.

Ron Binder expressed concern relative to the terminal being listed as unattended and requested it remain open.

Ken Melton expressed concern of safety issues if the Airport Terminal is not open seven days a week.

Dave Lombard offered to fly each of the Supervisors to other airports so they can compare them to Mariposa's Airport.

Paul Girard expressed concern regarding security, vandalism and theft if the Airport Terminal is closed. He suggested a comprehensive study be done on the funds generated at the Airport.

Tim Wennberg commented that the idea of postponing the Airport Terminal closure is a wonderful idea and applauds Dana Hertfelder for his proposal.

Discussion was held relative to coming back to the Board in a couple of weeks with an alternative plan to keep the Airport Terminal open. Clarification was made regarding moving funds to keep the Airport Terminal open through March, 2010. Rick Benson clarified that from a budgetary standpoint the Board is directing Public Works staff to come back with a proposal to keep the Airport Terminal open after March 2010. Supervisor Aborn advised of the creation of two new alternate positions for the Airport Advisory Committee and that the vacancies will be posted in the near future. Supervisor Cann recommended that the alternative options be brought back to the Board by the end of November 2009. Following discussion, the Board concurred with these budget units as revised.

4:25 p.m. Recess

4:32 p.m. Fleet Maintenance – Supervisor Allen asked what was spent on maintenance equipment. Barbara Carrier responded that approximately \$330,000 was spent. Discussion was held relative to moving equipment from one vehicle to another and how many cars will be purchased this year. Joe Halencak/Fleet Superintendent responded there are four vehicles allocated for purchase. Staff responded to questions of the Board relative to what would have to be done to see money go back into the General Fund. Dana Hertfelder responded to questions relative to the fund balance. Discussion was held relative to the cost of maintenance of the old fire trucks and the cost to dispose of them once the new fire trucks have been received. Discussion was held relative to lowering the Fleet Maintenance rates with in various departments. Rick advised that if the Board chooses to lower the rates in Fleet Maintenance the changes can be reflected at mid year budget review. Mary Hodson responded to questions regarding object line control, advising that line item control is no longer being enforced following Board action in the previous fiscal year regarding this issue. Clarification was made for Supervisor Bibby regarding funding of the pump test and the bit test for the new fire engines.

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the profit margin by 10% is \$260,000 and that he would like to see \$130,000 go back into the General Fund.

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Fire Vehicle Replacement – Discussion was held relative to the fire vehicle replacement fund and the depreciation fund regarding the possibly of postponing by three months until the fire engines are received and set up for use. The Board concurred with this budget unit as revised.

Vehicle/Heavy Equipment Replacement – Following discussion, the Board concurred with this budget unit.

Rick Benson commended Dana Hertfelder and his staff for their assistance with the Public Works budgets.

The final budget hearing was continued to Thursday, September 17, 2009, at 9:00 a.m.

5:30 p.m. CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: DSA (Deputy Sheriffs' Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager); and
CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: SMA (Sheriffs' Management Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Supervisor Bibby excused herself from the meeting for this action and these closed sessions due to a potential conflict of interest with possible compaction issues involving a family member and because her spouse is a member of the SMA. (M)Turpin, (S)Allen, the closed sessions were held/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

The Board Chair reported on the Closed Session during the continued meeting on September 17, 2009.

5:50 p.m. The Board recessed and continued the meeting and the Public Hearing on the Final Budget for FY 2009-10 to Thursday, September 17, 2009.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

and

TRACY GAUTHIER
Deputy Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS



SUMMARY OF PROCEEDINGS September 17, 2009 (Meeting Continued from 9-16-09)

Time _____ Description

9:04 a.m. The continued meeting was called to order at the Mariposa County Government Center.

Chair Aborn advised that a tentative agreement has been approved with the Deputy Sheriff's Association (DSA) and information was received as a result of the Sheriff's Management Association (SMA) as a result of the closed session held on September 16, 2009.

Richard J. Benson, County Administrative Officer/Personnel/Risk Manager;
Continued PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2009-2010, and Continue the Hearing and Meeting to September 18th, as Necessary to Conclude the Hearing and for the Adoption of the Final Budget (A Tentative Budget Hearing Schedule is Available at the Administration Office and is Subject to Change.)

BOARD ACTION: Chris Ebie/Auditor, and Mary Hodson/Deputy County Administrative Officer were present to respond to questions and to track the budget changes:

Rick Benson provided a budget overview for each of the budget units and the Board reviewed the following budget units:

Probation, Juvenile Justice Crime Prevention Act – Gail Neal, Chief Probation Officer, provided a brief overview of the Probation Department. As a result of the Juvenile Justice programs JJCPA/Truancy program, and the ADAPT program over the past few years the numbers in the Juvenile division have declined. She advised that the numbers for the adults are increasing. Gail Neal informed the Board that the State will be providing funding for the adults, in part, due to the release of the inmates as assistance to Probation Departments Statewide, for the influx of parolees that will be released. The Probation Department offices have expanded to include the building next door to their current office. The Board concurred with these budget units as revised.

Rick Benson advised the Board that there is a request for one additional Deputy Probation Officer I and II and one part-time Deputy Probation Officer I and II; these additional positions are not being recommended at this time due to budget constraints. Rick Benson advised that there are several revisions to the recommended budget which includes additional funding from the Wrap-Around Program and the subsequent additional position that is involved with that program. Gail Neal stated that she will keep the Board posted on how the position is working and the effect the released inmates has on the department.

Juvenile Detention – Rick Benson advised that two positions are allocated in this budget unit and there are no revisions. The Board concurred with this budget unit.

ADAPT Program - The Board concurred with this budget unit.

Domestic Violence – The Board concurred with this budget unit.

Probation – Drug Program – The Board concurred with this budget unit.

Revenue and Recovery – Rick Benson responded to questions relative to why the Revenue and Recovery budget unit is not an enterprise fund. Discussion was held relative to the cost allocations of this budget unit. Gail Neal advised the Board that she had planned on preparing an outline prior to budget hearings to provide a clear understanding of the financial status of the program and what the recovery portion of the program is producing. She advised the Board that they are seeing a positive return. Supervisor Bibby stated she looks forward to receiving a report. The Board concurred with this budget unit.

Youthful Offender – The Board concurred with this budget unit.

Supervisor Allen requested a report be provided when the State starts releasing inmates and for housing of juveniles; update on Wrap-Around services and the effect it might have on the Probation Department. Gail Neal responded with a brief overview of what the effect on Probation's workload will be once the inmates are released. Further discussion was held relative to how the Wrap-Around program will assist with the need to house juveniles. Gail Neal responded to questions regarding using the long term juvenile care facility in Trinity.

Rick Benson thanked Mary Hodson for getting the numbers together for savings in the vehicle maintenance budget unit. Mary Hodson clarified this is just an estimate. Discussion was held relative to the fire equipment replacement fund and possible savings.

9:50 a.m Recess

10:00 a.m. Community/Cultural Services

Supervisor Turpin addressed the request for continued funding of the Northern History Center and recommended continuing funding the \$5,150 for utility assistance.

Rick Benson presented the Community/Cultural Services budget unit, and advised that there are reductions in this budget unit, briefly describing each reduction. Rick Benson recommended approval of the agreement with the Chamber of Commerce without the Courthouse Tours portion of the agreement stating this portion could be addressed during mid year. Rick Benson recommended full funding for the Mining and Mineral Museum because of the recently approved agreement with the State. He advised of the possibility of the State closing the museum.

Mariposa Arts Council – Discussion was held relative to the economic benefit of tourism to Mariposa County. Supervisor Allen commended Donna Brownell, Executive Director of Mariposa Arts Council, for her hard work. Discussion was held relative to the events brought to Mariposa County by the Arts Council.

The following persons provided input on the benefits on the Arts Council and its programs, and the importance of its continued funding, requesting the Board reconsider funding the Mariposa Arts Council: Bob Borchard, Chuck Bill, William Carter, Ken Pulvino, Candy O'Donel-Browne, Gary Colliver, Barbara Milazzo, Jeffrey Hentz, Carol Johnson, MaryAnn Huff, Jo Stockwell read two letters to the Board, Amy Yanagi, Dale Silverman, Lee Stetson, Jim Collier, and Gary Walker.

11:35 a.m. Recess

11:45 a.m. Continued Public Comment: The following persons provided input on the benefits of the Arts Council and its programs, and the importance of its continued funding.

Ruth Catalan, Steve Lock, Les Marsden, Su Carney, Donna Brownell.
Supervisor Bibby recommended funding or at minimum add this item to the whiteboard for further discussion and look into the possibly of shifting this funding to the Tobacco Settlement

fund. (M)Cann, (S)Allen, the Board approved funding the Mariposa Arts Council. Ayes/Unanimous.

Yosemite Renaissance Supervisor Cann clarified that the Board has been funding this for 25 years. Supervisor Aborn requested the Board fund this budget unit.

Public Comment:

Kay Pitts, President for life of Yosemite Renaissance, advised that they are a money generator just like the Mariposa Arts Council. She advised that they keep statistics of the visitors who attend the Yosemite Renaissance events. She spoke of the exhibits placed in our lobby and other locations in the communities and requested the Board reconsider funding this program.

Dan Jensen, Chief Executive Officer of Delaware North Corporation (DNC), concurs with Kay Pitts and requested funding the program.

12:16 p.m. Chair Aborn excused himself from the meeting and passed the gavel to Vice-Chair Bibby. Kay Pitts responded to questions of the Board relative to the amount of entries for the Yosemite Renaissance events and their sales. The Board concurred with revisiting this program.

Northside History Center – Discussion was held relative to the importance of this funding to keep the center open.

Public Comment:

Gail Tyler, Secretary to the Board of Directors for the History Center, requested the Board reconsider funding this item.

Dale Silverman, member of the Board of Directors of the History Center, advised the Board that not funding this item will put them into a crisis mode.

David Silverman requested the Board reconsider funding this item.

MaryAnn Huff, President of the Chamber of Commerce, stated it is in the interest of economical survival to continue this funding.

Ron Loya, President of the Mariposa History Center, spoke in favor of funding this item, stating that there are plans to expand by adding a mining station for tourists. The Board concurred revisiting this funding request.

Mining and Mineral Museum – Discussion was held relative to contracting with the State and regarding the history of bringing this museum to Mariposa County from San Francisco.

Public comment:

Carol Johnson spoke in favor of continuing the funding.

Ron Loya of the Mariposa Museum advised of the importance of the Museum to the children that come to visit. The Board concurred with this funding request.

Rural Media Arts – Rick Benson recommended holding this discussion until Tony Radanovich arrives.

Chamber of Commerce - Rick Benson advised the Board that the recommended agreement with the Chamber of Commerce is for the operation of the visitors centers in Coulterville and Mariposa and does not provide funding for the Courthouse Tours. Discussion was held relative to the Visitors Center being operated by the Visitors Bureau. Supervisor Bibby asked the community to provide input relative to what they envision in their area long term.

Public Comment:

Odella Knell expressed concern relative to accounting for funds provided to the Chamber of Commerce by the County. Rick Benson responded that a financial review prepared by a Certified Public Accountant is available showing the accounting details and is a public document.

Jim Knell requested clarification relative to the report. Rick Benson responded, stating the Board receives a financial review of the operations of the Visitors Center only.

Debbie Wass, employee of the Visitors Center, advised the Board that they are not influenced in advising tourists where to visit.

Karen Morse recommended moving the Coulterville Visitors Center to the Northside History Center.

Dale Silverman, member of the History Center and the Coulterville Community Club, says she feels the Visitors Center could be run for less than \$28,000. She read a letter to the Board.

MaryAnn Huff advised the money provided by the County is very well spent. She provided information relative to moving the Visitors Center to the History Center in Coulterville.

Peter Schimmelfennig of the Visitors Center and proprietor of Hotel Jeffrey advised the Board that he promotes all of the businesses in the area.

Supervisor Cann recommended funding of \$150,000. The Board concurred with this funding request.

Rural Media Arts Center – Discussion was held relative to funding this program with tobacco cessation funding.

Public comment:

Laura Phillips, Executive Director of the Rural Media Arts Center, responded to questions by the Board relative to grants, and informed the Board of the upcoming and past events of the Rural Media Arts Center.

Tony Radanovich responded to the Board relative to clarification of the program grant applied for annually, how the funds can be spent, compensation from the schools, funding partnering of grants, other possible impacts based on grant funds, and provided an update on the building project.

Mark Wilcox, spoke in favor of funding the Rural Media Arts Center and feels this will help tourism, especially during the winter season.

Donna Brownell stated that continuing to build quality art is a value to the community, the children and adults. The Board concurred with revisiting with this funding request.

1:45 p.m. Recess

1:50 p.m. Yosemite/Mariposa Tourism Rick Benson cautioned the Board relative to restoring funding; the funds will have to come from somewhere. He supports the idea but has to impress caution and recommended reducing funding by \$200,000 this year.

Public Comment:

Mike Comerford, President of the Bed and Breakfast Association and owner of a Bed and Breakfast in Jerseydale expressed concern that cutting the funding will impact the residents that work for businesses in the County.

Jeffrey Hentz, Director of Yosemite/Mariposa Tourism Bureau, requested the Board reconsider the reduction of funding. He stated this is not the time to reduce the funds and explained how tourism benefits the County General Funds and the community. He stated it is critical to have these reserves to continue marketing, especially during off season. He advised the Board of the possible upcoming effects on tourism activity. He brought to their attention that this industry is changing. He advised the Board that the County has to maintain our position in the tourism industry.

Lyn Maccarone, owner of the Mariposa Hotel Inn, spoke in objection of reducing funding. She read some statistics of tourism throughout the U.S. and commended the volunteers. She recommended a committee be assembled to assist in promoting tourism.

Marci Perez, owner of Mariposa Market place, informed the Board of the events that have improved tourism.

Dick Hutchinson, Chair of the Business Association, stated it is critical to maintain the marketing and requested not reducing funds.

Peter Shimmelfennig provided information relative to tracking visitors. He gave examples of how the marketing has helped the County recently and spoke of the different News Channels that came to visit.

Jerry Fischer spoke in opposition of reducing funding stating he feels that we need to recommit those dollars and should be increasing the funds based on the importance of Transient Occupancy Tax revenues. He urged the Board to reconsider.

Dan Jenson, Chief Executive Officer of Delaware North Corporation, spoke of the value of tourism to Yosemite and Mariposa, the positive impact of Yosemite to Mariposa, and how they are handling the decline of reservations for Yosemite stays and not reducing marketing funding.

Doug Shaw of the Bug Hostel spoke on how the marketing has helped keep his business going and requested the Board reconsider not reducing the funding.

Roger Biery, Advisor to the Tourism Bureau, feels tourism is important to the economy and that this budget is already under funded. This reduction will have an effect on the Transient Occupancy Tax revenues.

Bob Kirchner stated he is promoting a program that will bring thousands to the community the weekend of November 7th and without the help of Jeff Hentz of Tourism, he couldn't have pulled it off. He opposed decreasing the funding.

Jim Knell concurred with Roger Biery and added if the Transient Occupancy Tax is not sufficient this year, think about what we will have to cut next year.

(M)Cann, (S)Allen, to approve full funding of \$500,000 to the Mariposa/Yosemite Tourism budget unit. The vote was held until later in the meeting.

3:02 p.m. Recess

Discussion was held relative to an error in Transient Occupancy Tax revenue being recorded in the wrong year.

4:06 p.m. Interfund Transfers - Discussion was held relative to the payment to Superior Court. The Board concurred with this budget unit.

Risk Management - The Board concurred with these budget units.

General Contingency – Discussion was held relative to our General Contingency being in the same range as previous years. Clarification was made that General Contingency was not reduced last year and in mid-year there were some one time only increases. Rick Benson advised that the fund balance this year is 3.1 million for fiscal year 2009/2010.

Discussion was held relative to the Building Department fund. Direction was given to staff to bring back an item on October 13, 2009, regarding a possible reorganization. Discussion was held relative to the department's budget last fiscal year and efforts made to collect on expired permits.

Following discussion adjustments were made on the following budget units:

Administration - \$8,000 total reduction

Board of Supervisors - \$2,300 total reduction

Cooperation Extension - \$4,464 total reduction

Grand Jury - \$2,000 total reduction

Jail Utilities - \$5,000 additional reduction for a total reduction of \$25,000

Public Works Administration - \$2,700 total reduction

Parks and Recreations - \$5,000 increase

General Fund County Vehicle, for Fire, Probation, Facilities and the Sheriff's departments - \$23,000 reduction

Fleet – reduction of \$23,000 in revenue and appropriations
Fire Vehicle Replacement - \$42,000 in revenue and appropriations
Fire Operations, CSA equipment replacement - \$42,000 reduction – Supervisor Bibby opposes this adjustment.

Funding approved for the following:

Mariposa Arts Council - \$51,000

Yosemite Renaissance - \$5,000

Northern Mariposa County History Center - \$5,150

Rural Media - \$5,000

Mariposa/Yosemite Tourism - \$100,000 additional funding

General Contingency – reduced by \$61,686 to balance the General Fund

Discussion was held relative to moving the Economic Development office to save additional funds. Direction was given to staff to move the Economic Development office to a location where there is space available in a County facility.

Rick Benson and Mary Hodson clarified for Supervisor Turpin that adding wording relative to the Road Department’s goal to maintain county roads annually will be for informational purposes only and will be placed in the program description for that department in the Final Budget document.

5:30 p.m. Recess

5:50 p.m. Discussion was held relative to the Yosemite/Mariposa Tourism budget unit. Original motion to fund \$500,000 was amended to \$400,000 agreeable by the maker and second. (M)Cann, (S)Allen, the Board approved funding \$400,000 to the Yosemite/Mariposa Tourism budget unit and revisit this budget unit at mid-year.

6:28 p.m. Recess

6:35 p.m. Further discussion was held relative to the Yosemite/Mariposa Tourism budget unit. Ayes/Aborn, Turpin, Cann, Allen. Noes/Bibby.

Direction was given to staff to reduce contingency and bring back a resolution on September 22nd with the changes as agreed to adopt the final budget for Fiscal Year 2009/2010.

Meeting adjourned: 6:45 p.m.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

By: TRACY GAUTHIER
Deputy Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS



SUMMARY OF PROCEEDINGS September 17, 2009 (Meeting Continued from 9-16-09)

DRAFT PENDING APPROVAL

Time _____ Description

9:04 a.m. The continued meeting was called to order at the Mariposa County Government Center.

Chair Aborn advised that a tentative agreement has been approved with the Deputy Sheriff's Association (DSA) and information was received as a result of the Sheriff's Management Association (SMA) as a result of the closed session held on September 16, 2009.

Richard J. Benson, County Administrative Officer/Personnel/Risk Manager;
Continued PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2009-2010, and Continue the Hearing and Meeting to September 18th, as Necessary to Conclude the Hearing and for the Adoption of the Final Budget (A Tentative Budget Hearing Schedule is Available at the Administration Office and is Subject to Change.)

BOARD ACTION: Chris Ebie/Auditor, and Mary Hodson/Deputy County Administrative Officer were present to respond to questions and to track the budget changes:

Rick Benson provided a budget overview for each of the budget units and the Board reviewed the following budget units:

Probation, Juvenile Justice Crime Prevention Act – Gail Neal, Chief Probation Officer, provided a brief overview of the Probation Department. As a result of the Juvenile Justice programs JJCPA/Truancy program, and the ADAPT program over the past few years the numbers in the Juvenile division have declined. She advised that the numbers for the adults are increasing. Gail Neal informed the Board that the State will be providing funding for the adults, in part, due to the release of the inmates as assistance to Probation Departments Statewide, for the influx of parolees that will be released. The Probation Department offices have expanded to include the building next door to their current office. The Board concurred with these budget units as revised.

Rick Benson advised the Board that there is a request for one additional Deputy Probation Officer I and II and one part-time Deputy Probation Officer I and II; these additional positions are not being recommended at this time due to budget constraints. Rick Benson advised that there are several revisions to the recommended budget which includes additional funding from the Wrap-Around Program and the subsequent additional position that is involved with that program. Gail Neal stated that she will keep the Board posted on how the position is working and the effect the released inmates has on the department.

Juvenile Detention – Rick Benson advised that two positions are allocated in this budget unit and there are no revisions. The Board concurred with this budget unit.

ADAPT Program - The Board concurred with this budget unit.

Domestic Violence – The Board concurred with this budget unit.

Probation – Drug Program – The Board concurred with this budget unit.

Revenue and Recovery – Rick Benson responded to questions relative to why the Revenue and Recovery budget unit is not an enterprise fund. Discussion was held relative to the cost allocations of this budget unit. Gail Neal advised the Board that she had planned on preparing an outline prior to budget hearings to provide a clear understanding of the financial status of the program and what the recovery portion of the program is producing. She advised the Board that they are seeing a positive return. Supervisor Bibby stated she looks forward to receiving a report. The Board concurred with this budget unit.

Youthful Offender – The Board concurred with this budget unit.

Supervisor Allen requested a report be provided when the State starts releasing inmates and for housing of juveniles; update on Wrap-Around services and the effect it might have on the Probation Department. Gail Neal responded with a brief overview of what the effect on Probation's workload will be once the inmates are released. Further discussion was held relative to how the Wrap-Around program will assist with the need to house juveniles. Gail Neal responded to questions regarding using the long term juvenile care facility in Trinity.

Rick Benson thanked Mary Hodson for getting the numbers together for savings in the vehicle maintenance budget unit. Mary Hodson clarified this is just an estimate. Discussion was held relative to the fire equipment replacement fund and possible savings.

9:50 a.m Recess

10:00 a.m. Community/Cultural Services

Supervisor Turpin addressed the request for continued funding of the Northern History Center and recommended continuing funding the \$5,150 for utility assistance.

Rick Benson presented the Community/Cultural Services budget unit, and advised that there are reductions in this budget unit, briefly describing each reduction. Rick Benson recommended approval of the agreement with the Chamber of Commerce without the Courthouse Tours portion of the agreement stating this portion could be addressed during mid year. Rick Benson recommended full funding for the Mining and Mineral Museum because of the recently approved agreement with the State. He advised of the possibility of the State closing the museum.

Mariposa Arts Council – Discussion was held relative to the economic benefit of tourism to Mariposa County. Supervisor Allen commended Donna Brownell, Executive Director of Mariposa Arts Council, for her hard work. Discussion was held relative to the events brought to Mariposa County by the Arts Council.

The following persons provided input on the benefits on the Arts Council and its programs, and the importance of its continued funding, requesting the Board reconsider funding the Mariposa Arts Council: Bob Borchard, Chuck Bill, William Carter, Ken Pulvino, Candy O'Donel-Browne, Gary Colliver, Barbara Milazzo, Jeffrey Hentz, Carol Johnson, MaryAnn Huff, Jo Stockwell read two letters to the Board, Amy Yanagi, Dale Silverman, Lee Stetson, Jim Collier, and Gary Walker.

11:35 a.m. Recess

11:45 a.m. Continued Public Comment: The following persons provided input on the benefits of the Arts Council and its programs, and the importance of its continued funding.

Ruth Catalan, Steve Lock, Les Marsden, Su Carney, Donna Brownell.
Supervisor Bibby recommended funding or at minimum add this item to the whiteboard for further discussion and look into the possibly of shifting this funding to the Tobacco Settlement

fund. (M)Cann, (S)Allen, the Board approved funding the Mariposa Arts Council. Ayes/Unanimous.

Yosemite Renaissance Supervisor Cann clarified that the Board has been funding this for 25 years. Supervisor Aborn requested the Board fund this budget unit.

Public Comment:

Kay Pitts, President for life of Yosemite Renaissance, advised that they are a money generator just like the Mariposa Arts Council. She advised that they keep statistics of the visitors who attend the Yosemite Renaissance events. She spoke of the exhibits placed in our lobby and other locations in the communities and requested the Board reconsider funding this program.

Dan Jensen, Chief Executive Officer of Delaware North Corporation (DNC), concurs with Kay Pitts and requested funding the program.

12:16 p.m. Chair Aborn excused himself from the meeting and passed the gavel to Vice-Chair Bibby. Kay Pitts responded to questions of the Board relative to the amount of entries for the Yosemite Renaissance events and their sales. The Board concurred with revisiting this program.

Northside History Center – Discussion was held relative to the importance of this funding to keep the center open.

Public Comment:

Gail Tyler, Secretary to the Board of Directors for the History Center, requested the Board reconsider funding this item.

Dale Silverman, member of the Board of Directors of the History Center, advised the Board that not funding this item will put them into a crisis mode.

David Silverman requested the Board reconsider funding this item.

MaryAnn Huff, President of the Chamber of Commerce, stated it is in the interest of economical survival to continue this funding.

Ron Loya, President of the Mariposa History Center, spoke in favor of funding this item, stating that there are plans to expand by adding a mining station for tourists. The Board concurred revisiting this funding request.

Mining and Mineral Museum – Discussion was held relative to contracting with the State and regarding the history of bringing this museum to Mariposa County from San Francisco.

Public comment:

Carol Johnson spoke in favor of continuing the funding.

Ron Loya of the Mariposa Museum advised of the importance of the Museum to the children that come to visit. The Board concurred with this funding request.

Rural Media Arts – Rick Benson recommended holding this discussion until Tony Radanovich arrives.

Chamber of Commerce - Rick Benson advised the Board that the recommended agreement with the Chamber of Commerce is for the operation of the visitors centers in Coulterville and Mariposa and does not provide funding for the Courthouse Tours. Discussion was held relative to the Visitors Center being operated by the Visitors Bureau. Supervisor Bibby asked the community to provide input relative to what they envision in their area long term.

Public Comment:

Odella Knell expressed concern relative to accounting for funds provided to the Chamber of Commerce by the County. Rick Benson responded that a financial review prepared by a Certified Public Accountant is available showing the accounting details and is a public document.

Jim Knell requested clarification relative to the report. Rick Benson responded, stating the Board receives a financial review of the operations of the Visitors Center only.

Debbie Wass, employee of the Visitors Center, advised the Board that they are not influenced in advising tourists where to visit.

Karen Morse recommended moving the Coulterville Visitors Center to the Northside History Center.

Dale Silverman, member of the History Center and the Coulterville Community Club, says she feels the Visitors Center could be run for less than \$28,000. She read a letter to the Board.

MaryAnn Huff advised the money provided by the County is very well spent. She provided information relative to moving the Visitors Center to the History Center in Coulterville.

Peter Schimmelfennig of the Visitors Center and proprietor of Hotel Jeffrey advised the Board that he promotes all of the businesses in the area.

Supervisor Cann recommended funding of \$150,000. The Board concurred with this funding request.

Rural Media Arts Center – Discussion was held relative to funding this program with tobacco cessation funding.

Public comment:

Laura Phillips, Executive Director of the Rural Media Arts Center, responded to questions by the Board relative to grants, and informed the Board of the upcoming and past events of the Rural Media Arts Center.

Tony Radanovich responded to the Board relative to clarification of the program grant applied for annually, how the funds can be spent, compensation from the schools, funding partnering of grants, other possible impacts based on grant funds, and provided an update on the building project.

Mark Wilcox, spoke in favor of funding the Rural Media Arts Center and feels this will help tourism, especially during the winter season.

Donna Brownell stated that continuing to build quality art is a value to the community, the children and adults. The Board concurred with revisiting with this funding request.

1:45 p.m. Recess

1:50 p.m. Yosemite/Mariposa Tourism Rick Benson cautioned the Board relative to restoring funding; the funds will have to come from somewhere. He supports the idea but has to impress caution and recommended reducing funding by \$200,000 this year.

Public Comment:

Mike Comerford, President of the Bed and Breakfast Association and owner of a Bed and Breakfast in Jerseydale expressed concern that cutting the funding will impact the residents that work for businesses in the County.

Jeffrey Hentz, Director of Yosemite/Mariposa Tourism Bureau, requested the Board reconsider the reduction of funding. He stated this is not the time to reduce the funds and explained how tourism benefits the County General Funds and the community. He stated it is critical to have these reserves to continue marketing, especially during off season. He advised the Board of the possible upcoming effects on tourism activity. He brought to their attention that this industry is changing. He advised the Board that the County has to maintain our position in the tourism industry.

Lyn Maccarone, owner of the Mariposa Hotel Inn, spoke in objection of reducing funding. She read some statistics of tourism throughout the U.S. and commended the volunteers. She recommended a committee be assembled to assist in promoting tourism.

Marci Perez, owner of Mariposa Market place, informed the Board of the events that have improved tourism.

Dick Hutchinson, Chair of the Business Association, stated it is critical to maintain the marketing and requested not reducing funds.

Peter Shimmelfennig provided information relative to tracking visitors. He gave examples of how the marketing has helped the County recently and spoke of the different News Channels that came to visit.

Jerry Fischer spoke in opposition of reducing funding stating he feels that we need to recommit those dollars and should be increasing the funds based on the importance of Transient Occupancy Tax revenues. He urged the Board to reconsider.

Dan Jenson, Chief Executive Officer of Delaware North Corporation, spoke of the value of tourism to Yosemite and Mariposa, the positive impact of Yosemite to Mariposa, and how they are handling the decline of reservations for Yosemite stays and not reducing marketing funding.

Doug Shaw of the Bug Hostel spoke on how the marketing has helped keep his business going and requested the Board reconsider not reducing the funding.

Roger Biery, Advisor to the Tourism Bureau, feels tourism is important to the economy and that this budget is already under funded. This reduction will have an effect on the Transient Occupancy Tax revenues.

Bob Kirchner stated he is promoting a program that will bring thousands to the community the weekend of November 7th and without the help of Jeff Hentz of Tourism, he couldn't have pulled it off. He opposed decreasing the funding.

Jim Knell concurred with Roger Biery and added if the Transient Occupancy Tax is not sufficient this year, think about what we will have to cut next year.

(M)Cann, (S)Allen, to approve full funding of \$500,000 to the Mariposa/Yosemite Tourism budget unit. The vote was held until later in the meeting.

3:02 p.m. Recess

Discussion was held relative to an error in Transient Occupancy Tax revenue being recorded in the wrong year.

4:06 p.m. Interfund Transfers - Discussion was held relative to the payment to Superior Court. The Board concurred with this budget unit.

Risk Management - The Board concurred with these budget units.

General Contingency – Discussion was held relative to our General Contingency being in the same range as previous years. Clarification was made that General Contingency was not reduced last year and in mid-year there were some one time only increases. Rick Benson advised that the fund balance this year is 3.1 million for fiscal year 2009/2010.

Discussion was held relative to the Building Department fund. Direction was given to staff to bring back an item on October 13, 2009, regarding a possible reorganization. Discussion was held relative to the department's budget last fiscal year and efforts made to collect on expired permits.

Following discussion adjustments were made on the following budget units:

Administration - \$8,000 total reduction

Board of Supervisors - \$2,300 total reduction

Cooperation Extension - \$4,464 total reduction

Grand Jury - \$2,000 total reduction

Jail Utilities - \$5,000 additional reduction for a total reduction of \$25,000

Public Works Administration - \$2,700 total reduction

Parks and Recreations - \$5,000 increase

General Fund County Vehicle, for Fire, Probation, Facilities and the Sheriff's departments - \$23,000 reduction

Fleet – reduction of \$23,000 in revenue and appropriations
Fire Vehicle Replacement - \$42,000 in revenue and appropriations
Fire Operations, CSA equipment replacement - \$42,000 reduction – Supervisor Bibby opposes this adjustment.

Funding approved for the following:

Mariposa Arts Council - \$51,000

Yosemite Renaissance - \$5,000

Northern Mariposa County History Center - \$5,150

Rural Media - \$5,000

Mariposa/Yosemite Tourism - \$100,000 additional funding

General Contingency – reduced by \$61,686 to balance the General Fund

Discussion was held relative to moving the Economic Development office to save additional funds. Direction was given to staff to move the Economic Development office to a location where there is space available in a County facility.

Rick Benson and Mary Hodson clarified for Supervisor Turpin that adding wording relative to the Road Department’s goal to maintain county roads annually will be for informational purposes only and will be placed in the program description for that department in the Final Budget document.

5:30 p.m. Recess

5:50 p.m. Discussion was held relative to the Yosemite/Mariposa Tourism budget unit. Original motion to fund \$500,000 was amended to \$400,000 agreeable by the maker and second. (M)Cann, (S)Allen, the Board approved funding \$400,000 to the Yosemite/Mariposa Tourism budget unit and revisit this budget unit at mid-year.

6:28 p.m. Recess

6:35 p.m. Further discussion was held relative to the Yosemite/Mariposa Tourism budget unit. Ayes/Aborn, Turpin, Cann, Allen. Noes/Bibby.

Direction was given to staff to reduce contingency and bring back a resolution on September 22nd with the changes as agreed to adopt the final budget for Fiscal Year 2009/2010.

Meeting adjourned: 6:45 p.m.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

By: TRACY GAUTHIER
Deputy Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

September 22, 2009



DRAFT – PENDING BOARD APPROVAL

Time Description

9:03 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Introductions

Peter Schimmelfennig, Chamber of Commerce, thanked the Board for its support with the “potty party” for the new restrooms at the Visitors’ Center; and he advised that the next mixer is scheduled for September 29th at the Bootjack Stompers Hall.

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair’s discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Rick Benson, County Administrative Officer, pulled item 5 for discussion with the Fire Chief later in the meeting. Supervisor Cann referred to item 14 and asked that there be consideration during the mid-year budget process of adding \$5,000 of what was cut from the budget back to Yosemite Renaissance. Supervisor Turpin pulled items 4, 9 and 14. (M)Allen, (S)Turpin, the balance of the items was approved/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

Item 4 – Supervisor Turpin asked about the status of checking with the State on the wording that was questioned in the formal resolution that declared the Big Meadow Fire emergency. Rick Benson responded that the Fire Chief met with the State and that no changes are necessary. (M)Turpin, (S)Allen, item 4 was approved/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

Item 9 – Supervisor Turpin initiated discussion with Chris Ebie, Auditor, concerning this matter. (M)Turpin, (S)Allen, item 9 was approved/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

Item 14 – Supervisor Turpin asked for clarification of the authorization given to the Auditor in the formal resolution. (M)Turpin, (S)Cann, item 14 was approved/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

Public Presentation: For Items within the Jurisdiction of the Board and not on Today’s Agenda.

Eleanor Keuning thanked the Board for the budget decisions; and adjusted a quote to say that a great County like Mariposa deserves great art. She referred to conflict resolution and suggested that this be used for County issues.

Ruth Catalan expressed her appreciation for the department heads, staff and the Board for the work and time spent on the budget. She does not agree with everything, but agrees with the process.

Board Information

Supervisor Cann advised that he will miss the Board meeting on October 6th as he will be out of town. He advised that the Blazin' Hog event was a lot of fun. He and Supervisor Allen met with the State Director handling the Williamson Act on Monday, along with representatives from Farm Bureau and agriculture, to work on clearing up contract issues.

Supervisor Allen advised the he attended the meeting relative to Williamson Act contract issues. He thanked Peter Schimmelfennig/Chamber of Commerce and Dick Hutchinson for the potty party and the restroom project. He commented on the final budget hearing process and thanked the County Administrative Officer and Auditor and staff and the Deputy County Administrative Officer for their work. He attended the History Center presentation on Sunday relative to the Raymond Museum.

Supervisor Turpin thanked staff and commented on the final budget hearing process. He commented on the violinist performance in Coulterville on Sunday and thanked the Arts Council for providing the programs. He attended the Don Pedro Community Services District meeting on Monday. He plans to attend the Economic Development Corporation meeting on Wednesday. He noted the Fly-in at the Airport and the Weekend in the Country events are scheduled for this weekend.

Supervisor Aborn thanked staff for their work on the final budget. He commented on the Fly-in event scheduled at the Airport this weekend and advised that they are trying to ascertain whether there is a special meeting of the Airport Advisory Committee scheduled for this Wednesday. He referred to the FY 2007-08 Grand Jury report relative the status of recruiting a qualified Assistant Public Works Director, and he suggested that consideration be given to moving the Airport operation from Public Works to perhaps the Board of Supervisors.

Rick Benson referred to the final budget process and noted that there is still a lot of hard work left for the Auditor and Deputy County Administrative Officer to prepare the final document; and he thanked the Board and the community for the budget process. Supervisor Aborn further commented on the budget hearing process. Supervisor Cann asked about the timeframes for scheduling the hearing, and discussion was held.

Supervisor Cann;

Bob Kirchner, Mariposa Bears Event Coordinator to Present Information regarding the TVYFL – Youth Football Super Bowl and Mariposa Open House Weekend Event on November 7, 2009

BOARD ACTION: Bob Kirchner provided input on the Youth Football Super Bowl event and the open house weekend event, and he advised that 21 teams are involved. Supervisor Cann noted that a proclamation can be prepared for the Board's agenda. Supervisor Allen advised of his discussion with the County Administrative Officer relative to the request to use the transit bus for the events – formal action by the Board is not necessary.

Input from the public was provided by the following:

Laurel Siebecker asked if the school buses could be used.

Eleanor Keuning spoke in support of Bob Kirchner's efforts and ideas for the event.

Jim Rydingsword, Human Services Director;

A) Authorize the Human Services Department to send out Request For Proposals for the Purpose of Recruiting Qualified Community Mental Health Providers to Contract with the County to Provide Mental Health Services to Mental Health Clients

BOARD ACTION: Jim Rydingsword commented on Consent Agenda item 13 and thanked County Counsel for providing legal services for the child welfare services. Discussion was held with Jim Rydingsword relative to recruiting mental health providers.

Input from the public was provided by the following:

Ruth Catalan stated this is a very important service and she endorses the proposal to cut down the wait time for these services.

(M)Allen, (S)Turpin, Res. 09-464 was adopted approving the request/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

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B) Approve an Amendment to an Agreement with Descor, Inc. to Identify, Assess the Development Potential of, Plan Improvement for and Begin Design Work for One or More Building Sites Suitable for the Construction of Certain Office to be leased by the County, Increasing the Payment of Cost Reimbursements and Fees not to Exceed \$250,000

BOARD ACTION: Following discussion, (M)Cann, (S)Turpin, Res. 09-465 was adopted approving the amendment/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

10:26 a.m. Recess

10:36 a.m. Kris Schenk, Planning Director;

PUBLIC HEARING to Consider General Plan/Zoning Amendment No. 2006-26 and Conditional Use Permit No. 2006-43. Action Includes Adopting a Resolution Approving the General Plan Amendment and Conditional Use Permit, Adopting a Mitigated Negative Declaration, Waiving the First Reading and Introducing an Ordinance to Rezone 7.75 Acres of Land (APN 009-170-024) From the Resort Commercial Zone to the Mountain Home Zone Pursuant to General Plan/Zoning Amendment No. 2006-26. The General Plan Amendment Proposes to Amend the Land Use Classification on the Property from Rural Economic to Residential. Conditional Use Permit No. 2006-43 Proposes Construction of an 8,440 Square Foot Footprint Church with Two Parking Lots for Seventy-five Vehicles and a 1,980 Square Foot Footprint Parsonage, Driveways and Septic System. Project Applicant: Midpines Bible Church

BOARD ACTION: Kris Schenk introduced the item. Skip Strathearn, Senior Planner, presented the staff report; and he advised of two changes: 1) adding a statement to Condition No. 22 that the Picayune Rancheria of Chukchansi Indians shall be notified of any cultural resource finds on the project site; and 2) changing the language in Finding No. 2 to read that “The site plan shows...” Staff responded to questions from the Board relative to correspondence that was received from Midpines residents; relative to review of the scenic design overlay standards; requirements for improvement of Cartens Road; and relative to the parking area improvements. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed and the Board commenced with deliberations. (M)Cann, (S)Allen, the Board adopted a Mitigated Negative Declaration for this project/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

(M)Cann, (S)Allen, Res. 09-466 was adopted approving the amendment to the land use classification and zoning on APN 009-170-024 pursuant to General Plan/Zoning Amendment 2006-26 with findings and approving Conditional Use Permit No. 2006-43 with the recommended findings, conditions of approval, and mitigation measures, and mitigation monitoring; including the recommended changes to Condition No. 22 and Finding No. 2/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby. (M)Cann, (S)Allen, the first reading was waived and the Ordinance introduced amending the Mariposa County Zoning Map pursuant to General Plan/Zoning Amendment No. 2006-26. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby. The hearing was closed.

Chris Ebie, Auditor;

Presentation of 2007-2008 Audited Financial Statements

BOARD ACTION: Discussion was held with Chris Ebie. No action was necessary.

Consider Items Removed from the Consent Agenda

Item 5 – Discussion was held with Rick Benson and Jim Wilson, Fire Chief, relative to the request. Rick Benson suggested that a list of specific examples be provided. Supervisor Allen expressed concern that this use does not get outside of the parameters of events and rides to school. Jim Wilson advised that any request will need to be cleared by him or the Deputy Fire Chief. Supervisor Turpin expressed concern with taking rides in the engines and relative to being able to include home-school children. Supervisor Aborn stated he would like to see a list; however, he is okay in the interim with the Fire Chief or Deputy Chief approving requests. Rick Benson stated he would like to be notified of all proposed uses in the interim and suggested that the matter come

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back for the Board to adopt a policy before February 2010. (M)Allen, (S)Cann, Res. 09-467 was adopted approving the request as discussed/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby. Jim Wilson advised that they are putting into service the first new engine.

(M)Allen, (S)Turpin, Supervisor Cann was appointed Chair pro-tem/Ayes: Aborn, Turpin, Allen; Abstained: Cann; Excused: Bibby. Chair Aborn was excused for the rest of the meeting at 12:16 p.m.

Adopt a Resolution Electing to Receive the Full County Payment under the Reauthorization of the Secure Rural Schools and Community Self-Determination Act (SR2008) and of the Full County Payment to Allocate Eight-percent and Seven-percent to Title III Projects (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Following discussion, (M)Turpin, (S)Allen, Res. 09-468 was adopted approving the request/Ayes: Turpin, Cann, Allen; Excused: Aborn, Bibby.

Approve the Use of Title III Funding from the Secure Rural Schools and Community Self-Determination Act of 2000 (HR 1424) for the Continued Funding of the South West Interface Project (SWIFT) Project Coordinator for Two years (\$29,760) and Authorize the Board of Supervisors Chair to Sign the Agreement for the Project Coordinator (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Following discussion, (M)Turpin, (S)Allen, Res. 09-469 was adopted approving the request/Ayes: Turpin, Cann, Allen; Excused: Aborn, Bibby.

Approve the Assignment of County Vehicles and Take-home Vehicles (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Following discussion, (M)Allen, (S)Turpin, Res. 09-470 was adopted approving the assignment/Ayes: Turpin, Cann, Allen; Excused: Aborn, Bibby.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: SMA (Sheriffs' Management Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: This closed session was not held.

INFORMATION – No action was necessary on the following:
Informational Report of Liability Claims Rejected by the County Administrative Officer/Risk Manager for the Month of August 2009 (County Administrative Officer/Personnel/Risk Manager)

CONSENT AGENDA:

- CA-1 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-451
- CA-2 Resolution Continuing the Local Emergency Due to the Oliver Fire (County Administrative Officer); Res. 09-452
- CA-3 Resolution Continuing the Local Emergency Due to the Telegraph Fire (County Administrative Officer); Res. 09-453
- CA-4 Resolution Continuing the Local Emergency Due to the Big Meadow Fire (County Administrative Officer); Res. 09-461

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- CA-5 Approve Permitting Non Fire Department Members to Ride in New Fire Apparatus under Non-emergency Conditions while on Display at Community Events (Fire Chief); Res. 09-467, with direction for a policy to be brought back
- CA-6 Authorize the Public Works Director to Apply for the Highway Safety Improvement Program (HSIP) Funds for Phase II of the Greeley Hill Walkway Project (Public Works Director); Res. 09-454
- CA-7 Approve Plans and Specification for Bidding Purposes for the Coakley Circle Overlay, Project No. 06-21, Authorize the Public Works Director to Award the Agreement to the Lowest Responsible Bidder and Authorize the Public Works Director to Sign the Agreement (Public Works Director); Res. 09-455
- CA-8 Adopt a Resolution Designating the Method by Which the Appropriation Limits will be Calculated for Fiscal Year 2009/2010 (Auditor); Res. 09-456
- CA-9 Adopt a Resolution Establishing and Adopting Appropriation Limits for the 2009/2010 Fiscal Year (Auditor); Res. 09-462
- CA-10 Adopt a Resolution Adopting the Tax Rate for the Secured Property Tax Roll of 2009/2010 Fiscal Year (Auditor); Res. 09-457
- CA-11 Adopt a Resolution Establishing the Tax Rate on the Bass Lake Joint Elementary School District Bond for the Secured Property Tax Roll of 2009/2010 (Auditor); Res. 09-458
- CA-12 Adopt a Resolution Establishing the Tax Rate on the Yosemite High School Bond for the Secured Property Tax Roll of 2009/2010 (Auditor); Res. 09-459
- CA-13 Approve a Memorandum of Understanding (MOU) with County Counsel for Legal Services for Child Welfare Services (Human Services Director); Res. 09-460
- CA-14 Approve a Resolution Adopting the Fiscal Year 2009-2010 Final Budget as Reviewed and Amended, and Authorizing Certain Actions to Implement the Budget (County Administrative Officer/Personnel/Risk Manager); Res. 09-463

(M)Turpin, (S)Allen, the Board adjourned at 12:27 p.m. in memory of Sietze “Sy” Keuning and William Elmer Keller/Ayes: Turpin, Cann, Allen; Excused: Aborn, Bibby.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS



SUMMARY OF PROCEEDINGS

September 22, 2009

Time _____ Description

9:03 a.m. Meeting Called to Order at the Mariposa County Government Center with Supervisor Bibby excused due to illness.

Pledge of Allegiance

Introductions

Peter Schimmelfennig, Chamber of Commerce, thanked the Board for its support with the “potty party” for the new restrooms at the Visitors’ Center; and he advised that the next mixer is scheduled for September 29th at the Bootjack Stompers Hall.

Approval of Consent Agenda (See End of Summary of Proceedings)

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair’s discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

BOARD ACTION: Rick Benson, County Administrative Officer, pulled item 5 for discussion with the Fire Chief later in the meeting. Supervisor Cann referred to item 14 and asked that there be consideration during the mid-year budget process of adding \$5,000 of what was cut from the budget back to Yosemite Renaissance. Supervisor Turpin pulled items 4, 9 and 14. (M)Allen, (S)Turpin, the balance of the items was approved/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

Item 4 – Supervisor Turpin asked about the status of checking with the State on the wording that was questioned in the formal resolution that declared the Big Meadow Fire emergency. Rick Benson responded that the Fire Chief met with the State and that no changes are necessary. (M)Turpin, (S)Allen, item 4 was approved/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

Item 9 – Supervisor Turpin initiated discussion with Chris Ebie, Auditor, concerning this matter. (M)Turpin, (S)Allen, item 9 was approved/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

Item 14 – Supervisor Turpin asked for clarification of the authorization given to the Auditor in the formal resolution. (M)Turpin, (S)Cann, item 14 was approved/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

Public Presentation: For Items within the Jurisdiction of the Board and not on Today’s Agenda.

Eleanor Keuning thanked the Board for the budget decisions; and adjusted a quote to say that a great County like Mariposa deserves great art. She referred to conflict resolution and suggested that this be used for County issues.

Ruth Catalan expressed her appreciation for the department heads, staff and the Board for the work and time spent on the budget. She does not agree with everything, but agrees with the process.

Board Information

Supervisor Cann advised that he will miss the Board meeting on October 6th as he will be out of town. He advised that the Blazin' Hog event was a lot of fun. He and Supervisor Allen met with the State Director handling the Williamson Act on Monday, along with representatives from Farm Bureau and agriculture, to work on clearing up contract issues.

Supervisor Allen advised the he attended the meeting relative to Williamson Act contract issues. He thanked Peter Schimmelfennig/Chamber of Commerce and Dick Hutchinson for the potty party and the restroom project. He commented on the final budget hearing process and thanked the County Administrative Officer and Auditor and staff and the Deputy County Administrative Officer for their work. He attended the History Center presentation on Sunday relative to the Raymond Museum.

Supervisor Turpin thanked staff and commented on the final budget hearing process. He commented on the violinist performance in Coulterville on Sunday and thanked the Arts Council for providing the programs. He attended the Don Pedro Community Services District meeting on Monday. He plans to attend the Economic Development Corporation meeting on Wednesday. He noted the Fly-in at the Airport and the Weekend in the Country events are scheduled for this weekend.

Supervisor Aborn thanked staff for their work on the final budget. He commented on the Fly-in event scheduled at the Airport this weekend and advised that they are trying to ascertain whether there is a special meeting of the Airport Advisory Committee scheduled for this Wednesday. He referred to the FY 2007-08 Grand Jury report relative the status of recruiting a qualified Assistant Public Works Director, and he suggested that consideration be given to moving the Airport operation from Public Works to perhaps the Board of Supervisors.

Rick Benson referred to the final budget process and noted that there is still a lot of hard work left for the Auditor and Deputy County Administrative Officer to prepare the final document; and he thanked the Board and the community for the budget process. Supervisor Aborn further commented on the budget hearing process. Supervisor Cann asked about the timeframes for scheduling the hearing, and discussion was held.

Supervisor Cann;

Bob Kirchner, Mariposa Bears Event Coordinator to Present Information regarding the TVYFL – Youth Football Super Bowl and Mariposa Open House Weekend Event on November 7, 2009

BOARD ACTION: Bob Kirchner provided input on the Youth Football Super Bowl event and the open house weekend event, and he advised that 21 teams are involved. Supervisor Cann noted that a proclamation can be prepared for the Board's agenda. Supervisor Allen advised of his discussion with the County Administrative Officer relative to the request to use the transit bus for the events – formal action by the Board is not necessary.

Input from the public was provided by the following:

Laurel Siebecker asked if the school buses could be used.

Eleanor Keuning spoke in support of Bob Kirchner's efforts and ideas for the event.

Jim Rydingsword, Human Services Director;

A) Authorize the Human Services Department to send out Request For Proposals for the Purpose of Recruiting Qualified Community Mental Health Providers to Contract with the County to Provide Mental Health Services to Mental Health Clients

BOARD ACTION: Jim Rydingsword commented on Consent Agenda item 13 and thanked County Counsel for providing legal services for the child welfare services. Discussion was held with Jim Rydingsword relative to recruiting mental health providers.

Input from the public was provided by the following:

Ruth Catalan stated this is a very important service and she endorses the proposal to cut down the wait time for these services.

(M)Allen, (S)Turpin, Res. 09-464 was adopted approving the request/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

B) Approve an Amendment to an Agreement with Descor, Inc. to Identify, Assess the Development Potential of, Plan Improvement for and Begin Design Work for One or More Building Sites Suitable for the Construction of Certain Office to be leased by the County, Increasing the Payment of Cost Reimbursements and Fees not to Exceed \$250,000

BOARD ACTION: Following discussion, (M)Cann, (S)Turpin, Res. 09-465 was adopted approving the amendment/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

10:26 a.m. Recess

10:36 a.m. Kris Schenk, Planning Director;

PUBLIC HEARING to Consider General Plan/Zoning Amendment No. 2006-26 and Conditional Use Permit No. 2006-43. Action Includes Adopting a Resolution Approving the General Plan Amendment and Conditional Use Permit, Adopting a Mitigated Negative Declaration, Waiving the First Reading and Introducing an Ordinance to Rezone 7.75 Acres of Land (APN 009-170-024) From the Resort Commercial Zone to the Mountain Home Zone Pursuant to General Plan/Zoning Amendment No. 2006-26. The General Plan Amendment Proposes to Amend the Land Use Classification on the Property from Rural Economic to Residential. Conditional Use Permit No. 2006-43 Proposes Construction of an 8,440 Square Foot Footprint Church with Two Parking Lots for Seventy-five Vehicles and a 1,980 Square Foot Footprint Parsonage, Driveways and Septic System. Project Applicant: Midpines Bible Church

BOARD ACTION: Kris Schenk introduced the item. Skip Strathearn, Senior Planner, presented the staff report; and he advised of two changes: 1) adding a statement to Condition No. 22 that the Picayune Rancheria of Chukchansi Indians shall be notified of any cultural resource finds on the project site; and 2) changing the language in Finding No. 2 to read that "The site plan shows..." Staff responded to questions from the Board relative to correspondence that was received from Midpines residents; relative to review of the scenic design overlay standards; requirements for improvement of Cartens Road; and relative to the parking area improvements. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed and the Board commenced with deliberations. (M)Cann, (S)Allen, the Board adopted a Mitigated Negative Declaration for this project/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby.

(M)Cann, (S)Allen, Res. 09-466 was adopted approving the amendment to the land use classification and zoning on APN 009-170-024 pursuant to General Plan/Zoning Amendment 2006-26 with findings and approving Conditional Use Permit No. 2006-43 with the recommended findings, conditions of approval, and mitigation measures, and mitigation monitoring; including the recommended changes to Condition No. 22 and Finding No. 2/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby. (M)Cann, (S)Allen, the first reading was waived and the Ordinance introduced amending the Mariposa County Zoning Map pursuant to General Plan/Zoning Amendment No. 2006-26. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby. The hearing was closed.

Chris Ebie, Auditor;

Presentation of 2007-2008 Audited Financial Statements

BOARD ACTION: Discussion was held with Chris Ebie. No action was necessary.

Consider Items Removed from the Consent Agenda

Item 5 – Discussion was held with Rick Benson and Jim Wilson, Fire Chief, relative to the request. Rick Benson suggested that a list of specific examples be provided. Supervisor Allen expressed concern that this use does not get outside of the parameters of events and rides to school. Jim Wilson advised that any request will need to be cleared by him or the Deputy Fire Chief. Supervisor Turpin expressed concern with taking rides in the engines and relative to being able to include home-school children. Supervisor Aborn stated he would like to see a list; however, he is okay in the interim with the Fire Chief or Deputy Chief approving requests. Rick Benson stated he would like to be notified of all proposed uses in the interim and suggested that the matter come

back for the Board to adopt a policy before February 2010. (M)Allen, (S)Cann, Res. 09-467 was adopted approving the request as discussed/Ayes: Aborn, Turpin, Cann, Allen; Excused: Bibby. Jim Wilson advised that they are putting into service the first new engine.

(M)Allen, (S)Turpin, Supervisor Cann was appointed Chair pro-tem/Ayes: Aborn, Turpin, Allen; Abstained: Cann; Excused: Bibby. Chair Aborn was excused for the rest of the meeting at 12:16 p.m.

Adopt a Resolution Electing to Receive the Full County Payment under the Reauthorization of the Secure Rural Schools and Community Self-Determination Act (SR2008) and of the Full County Payment to Allocate Eight-percent and Seven-percent to Title III Projects (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Following discussion, (M)Turpin, (S)Allen, Res. 09-468 was adopted approving the request/Ayes: Turpin, Cann, Allen; Excused: Aborn, Bibby.

Approve the Use of Title III Funding from the Secure Rural Schools and Community Self-Determination Act of 2000 (HR 1424) for the Continued Funding of the South West Interface Project (SWIFT) Project Coordinator for Two years (\$29,760) and Authorize the Board of Supervisors Chair to Sign the Agreement for the Project Coordinator (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Following discussion, (M)Turpin, (S)Allen, Res. 09-469 was adopted approving the request/Ayes: Turpin, Cann, Allen; Excused: Aborn, Bibby.

Approve the Assignment of County Vehicles and Take-home Vehicles (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Following discussion, (M)Allen, (S)Turpin, Res. 09-470 was adopted approving the assignment/Ayes: Turpin, Cann, Allen; Excused: Aborn, Bibby.

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: SMA (Sheriffs' Management Association); Name of County Designated Representative: Richard Bolanos (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: This closed session was not held.

INFORMATION – No action was necessary on the following:
Informational Report of Liability Claims Rejected by the County Administrative Officer/Risk Manager for the Month of August 2009 (County Administrative Officer/Personnel/Risk Manager)

CONSENT AGENDA:

- CA-1 Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park (County Administrative Officer); Res. 09-451
- CA-2 Resolution Continuing the Local Emergency Due to the Oliver Fire (County Administrative Officer); Res. 09-452
- CA-3 Resolution Continuing the Local Emergency Due to the Telegraph Fire (County Administrative Officer); Res. 09-453
- CA-4 Resolution Continuing the Local Emergency Due to the Big Meadow Fire (County Administrative Officer); Res. 09-461

- CA-5 Approve Permitting Non Fire Department Members to Ride in New Fire Apparatus under Non-emergency Conditions while on Display at Community Events (Fire Chief); Res. 09-467, with direction for a policy to be brought back
- CA-6 Authorize the Public Works Director to Apply for the Highway Safety Improvement Program (HSIP) Funds for Phase II of the Greeley Hill Walkway Project (Public Works Director); Res. 09-454
- CA-7 Approve Plans and Specification for Bidding Purposes for the Coakley Circle Overlay, Project No. 06-21, Authorize the Public Works Director to Award the Agreement to the Lowest Responsible Bidder and Authorize the Public Works Director to Sign the Agreement (Public Works Director); Res. 09-455
- CA-8 Adopt a Resolution Designating the Method by Which the Appropriation Limits will be Calculated for Fiscal Year 2009/2010 (Auditor); Res. 09-456
- CA-9 Adopt a Resolution Establishing and Adopting Appropriation Limits for the 2009/2010 Fiscal Year (Auditor); Res. 09-462
- CA-10 Adopt a Resolution Adopting the Tax Rate for the Secured Property Tax Roll of 2009/2010 Fiscal Year (Auditor); Res. 09-457
- CA-11 Adopt a Resolution Establishing the Tax Rate on the Bass Lake Joint Elementary School District Bond for the Secured Property Tax Roll of 2009/2010 (Auditor); Res. 09-458
- CA-12 Adopt a Resolution Establishing the Tax Rate on the Yosemite High School Bond for the Secured Property Tax Roll of 2009/2010 (Auditor); Res. 09-459
- CA-13 Approve a Memorandum of Understanding (MOU) with County Counsel for Legal Services for Child Welfare Services (Human Services Director); Res. 09-460
- CA-14 Approve a Resolution Adopting the Fiscal Year 2009-2010 Final Budget as Reviewed and Amended, and Authorizing Certain Actions to Implement the Budget (County Administrative Officer/Personnel/Risk Manager); Res. 09-463

(M)Turpin, (S)Allen, the Board adjourned at 12:27 p.m. in memory of Sietze “Sy” Keuning and William Elmer Keller/Ayes: Turpin, Cann, Allen; Excused: Aborn, Bibby.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

BRAD ABORN
Chair, Board of Supervisors