

DEPARTMENT: Administration

BY: Rich Inman, CAO
PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Authorize payment of \$437.36 to United States Department of Agriculture for timber removed from national forest land

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Action was taken on July 22, 2003 by the Board of Supervisors to not pay an invoice submitted to the county by the National Forest Service for timber that was removed along Smith Station Road by the county. A meeting was held at the National Forest Service office in Groveland attended by Supervisor Balmain, CAO Rich Inman, County Counsel Jeff Green and Public Works Director Jim Petropulos where a discussion was held concerning the memorandum executed between the Forest Service and the county in 1958 controlling the events that resulted in the removal of the timber by the county. Several alternative approaches to remedy this outdated memorandum were discussed and it appears an agreement can be reached. This requested action is a "good faith" effort to show the Forest Service that the county is desirous of a productive and friendly relationship with the Forest Service.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? (x) Yes () No	Current FY Cost: \$ 437.36	Annual Recurring Cost: \$
Budgeted In Current FY? (x) Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively _____
Additional Funding Needed: \$ _____		Invoice _____
Source: Public Works _____		_____
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
() General () Other _____		_____

CLERK'S USE ONLY:

Res. No.: 03-359 Ord. No. _____
Vote - Ayes: 5 Noes: _____
Absent: _____

[Signature] Approved
() Minute Order Attached () No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

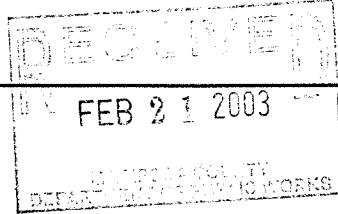
Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments: _____

CAO: *[Signature]*



File Code: 2460-1/2730-3
Date: February 19, 2003

Dana Hertfelder
Department of Public Works Assistant Director
Mariposa County
4639 Ben Hur Road
Mariposa, CA 95338

Certified Return Receipt # 7000 1670 0000 6189 8041

Dear Ms. Hertfelder:

This letter is to follow up with your conversation with Brenda Ehmann regarding a Bill for Collection for trees that were recently removed along Smith Station Road. Mariposa County has a Special Use permit with the Forest Service that allows for maintaining a right-of-way along Smith Station Road. The U.S. Government must be reimbursed for any timber removed from National Forest System Land.

Below is an outline of the species and volume removed. The minimum rate you can be charged is the "Standard" rate as specified below. Enclosed is a Bill for Collection for the timber removed. Payment is due within 30 days of receipt of this letter to the address shown at the top of the bill.

<u>Species & Volume</u>	<u>Standard Rate</u>	<u>Total Species Value</u>
Ponderosa Pine (PP) 4.842 CCF	\$80/CCF	\$387.36
Oak (CH)/Incense Cedar(IC) Fuelwood 4 Cords	\$10/Cord	\$40.00
PP Fuelwood 2 Cords	\$5/Cord	<u>\$10.00</u>
		\$437.36 TOTAL

If you have any questions regarding this matter, please contact the Permit Administrator, Brenda Ehmann, at (209) 962-7825, ext. 526.

Sincerely,

TOM QUINN
Forest Supervisor

cc: Brenda Ehmann, Sue Warren, Dan Young



Input from the public was provided by the following:

- Dick Kunstman noted that the Forest Service requires permits for collecting fire wood, and he asked what is done with the slash which constitutes a fuel hazard. He also noted that the Board made a previous decision to not pay the Forest Service; and he is not aware of any authorization given for negotiations to be held with the Forest Service on this matter.
- Yvonne Bennett presented photographs of the area before the trees were cut.'

(M)Balmain, (S)Parker, Res. 03-359 was adopted approving the recommendation to pay \$437.36 to the United States Department of Agriculture. Supervisor Balmain advised that the intent of the motion is to solve a problem and not to create a problem. Supervisor Parker clarified that the authorization to make payment is contingent upon review of the matter by County Counsel. Ayes: Unanimous.

cc: Jeff Green, County Counsel
Jim Petropulos, Public Works Director
Ken Hawkins, Auditor
File