



A) Resolution Waiving Hiring Freeze and Authorizing the Sheriff to Fill Two Vacant Positions (One in the Jail and One Patrol Deputy)  
BOARD ACTION: Discussion was held concerning the request. Pelk Richards advised of unanticipated revenues in the Jail budget and discussion was held relative to inmate population. Matter was held for further consideration after the mid-year report later this date.

B) Resolution Authorizing the Sheriff to Expend \$19,000 from the Sheriff's Asset Forfeiture Account to Purchase a Van for Use in the "DARE Program"  
BOARD ACTION: Following discussion concerning request and relative to the "DARE Program", (M)Parker, (S)Stewart, Res. 96-118 adopted/Ayes: Balmain, Stewart, Parker, Taber; Excused: Reilly.

9:27 a.m. Dennis Patrick, Data Processing;  
Resolution Transferring Funds within Data Processing Budget for the Purchase of a Computer System for Data Processing and Training Materials for the County (\$2,800 Computer; \$1,850 Training; \$4,650 Total)  
BOARD ACTION: Following discussion, (M)Stewart, (S)Parker, Res. 96-119 adopted/Ayes: Balmain, Stewart, Parker, Taber; Excused: Reilly.

Resolution Transferring Funds within the Board of Supervisors Budget for Extra Help to Cover Behind an Office Assistant II Position During an Unscheduled Medical Leave (\$2,144) (County Administrative Officer)  
BOARD ACTION: (M)Parker, (S)Taber, Res. 96-120 adopted/Ayes: Balmain, Stewart, Parker, Taber; Excused: Reilly.

9:40 a.m. Mike Edwards, Public Works Director;

A) Resolution Waiving Hiring Freeze and Authorizing Recruitment for Full-Time Custodian, and Transferring Funds to Extra-Help Line Item to Pay for Interim Extra-Help Custodian (\$4,300)  
BOARD ACTION: Mike Edwards advised of pending retirement for the incumbent employee and efforts to accommodate disability until retirement, and requested flexibility for funding and filling the position. Following discussion, (M)Parker, (S)Stewart, Res. 96-121 adopted/Ayes: Balmain, Stewart, Parker, Taber; Excused: Reilly.

B) Resolution Approving Change Order 3 for Lake Don Pedro Sewer Rehabilitation, Public Works Project Number 91-05A, and Authorize the Public Works Director to Execute said Contract Change Order with Allison Sierra, Inc.; and also Authorizing the Public Works Director to Execute Additional Change Orders with

Allison Sierra, Inc., not to Exceed \$25,000, for Corrections Defined as a Result of the Change Order 3 Investigations

BOARD ACTION: Discussion was held with Mike Edwards. Dave Tucker/PWD-Senior Civil Engineer, provided input relative to the change order rates - they do not include administration costs; however, those costs are included in the total cost of the change order. Following discussion, (M)Parker, (S)Stewart, Res. 96-122 adopted/Ayes: Balmain, Stewart, Parker, Taber; Excused: Reilly.

10:10 a.m. Recess

10:25 a.m. Presentation of Midyear Financial Report for 1995-96 and Recommended Actions (County Administrative Officer)

BOARD ACTION: Mike Coffield, County Administrative Officer, presented report and recommendations. Discussion was held concerning recommendation to appropriate funds for the following projected deficits: Probation budget relative to pending sanctions for OCJP grant; Sheriff's budget for error in budgeted salaries; Superior Court budget due to trial expenses; and recommendation to not appropriate funds at this time for the remaining projected deficits in other departments pending further budget information. Mike Edwards/Public Works Director, provided input relative to the Public Works Administration budget, and concerning charges billed to the Water Agency. Discussion was held concerning the report, the unanticipated revenue in the Jail budget, and the requested budget actions. Requested budget action for Housing and Community Development/Head Start program was continued for discussion with the Housing and Community Development Agency Director. Pelk Richards/Undersheriff, concurred with using the projected unanticipated revenue in the Jail budget in the amount of \$31,000 to offset the salary shortfall in the Sheriff's budget. Following further discussion, (M)Parker, (S)Stewart, Res. 96-123 adopted: 1) giving direction to department heads and County Administrative Officer to provide the Board with a third quarter report as soon as possible; 2) encumbering \$20,000 of the Contingency Reserve pending receipt of the third quarter status report; 3) directing County Administrative Officer to work with the Sheriff to use the unanticipated revenues in the Jail to offset their deficit; and 4) approving, as recommended, the budget actions with the exception of the HCD/Head Start transfer/Ayes: Balmain, Stewart, Parker, Taber; Excused: Reilly.

Further discussion was held with Pelk Richards, Undersheriff, concerning request to waive the hiring freeze and authorize the Sheriff to fill two vacant positions - one in the Jail and one patrol deputy. (M)Parker, (S)Stewart, Res. 96-124 adopted/Ayes: Balmain, Stewart, Parker, Taber; Excused: Reilly.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Management/Confidential Employees (MCMCO) (County Labor Negotiator) (County Administrative Officer)

BOARD ACTION: Mike Coffield, County Administrative Officer, advised that closed session is not necessary this date.





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the general employees received a three

percent increase since 1993, and they have also had increases in duties with the decline in the number of general employees; and stated she feels the same increase should be offered to everyone. Supervisor Parker motioned to increase the annual salaries as follows: District Attorney/\$64,000, Sheriff/\$63,500, Assessor-Recorder/\$49,186, Auditor/\$49,377, and Treasurer/Tax Collector/\$47,500; and to adopt the same policy for future increases for the elected officials as is currently used for the Board of Supervisors; effective January 1996 - motion died for lack of a second. Further discussion was continued to after the following.

10:00 a.m. PUBLIC HEARING, to Authorize the Submission of Two Community Development Block Grant Applications  
BOARD ACTION: Hearing was opened and continued to after the following discussion.

10:01 a.m. Recess

10:12 a.m. Chairman Balmain advised that the Public Hearing would be held following further consideration of salaries for elected officials, and that the Public Works items would be continued to after the Hearing, if there were no objections.

Further discussion was held concerning salary adjustments for elected officials. (M)Parker, to reintroduce his previous motion, was withdrawn. (M)Parker, (S)Stewart, Res. 96-143 adopted increasing the annual salaries for elected officials as follows: District Attorney/\$64,000, Sheriff/\$63,500, Assessor-Recorder/\$49,186, Auditor/\$49,377, and Treasurer/Tax Collector/\$47,500, effective January 1996/Ayes: Balmain, Stewart, Parker; Noes: Reilly, Taber. Motion passed. Motion by Parker to use the same mechanism as used for the Board of Supervisors for future cost-of-living adjustments for elected officials commencing with 1997, died for lack of a second. It was suggested that Supervisors Reilly and Stewart investigate possibilities for a mechanism for future adjustments. Discussion was held as to whether such adjustments should be automatic or reviewed and ratified each year for elected officials and for the Board members. (M)Parker, (S)Taber, Res. 96-144 adopted directing that the cost-of-living adjustment mechanism used for the Board of Supervisors be used for the elected officials, with direction for the Auditor to bring the annual adjustment information to the Board each year for approval by the Board, effective with the adjustment for 1997/Ayes: Balmain, Stewart, Parker, Taber; Noes: Reilly. Direction was given for County Counsel to schedule action to change the salary adjustment mechanism from automatic to an annual review for the Board members.

10:41 a.m. Jim Evans, Housing and Community Development Agency Director;  
A) PUBLIC HEARING, to Authorize the Submission of Two

Community Development Block Grant Applications:

1) General Allocation Application for Dental Project Public Services in the Amount of \$138,624; and

2) American Indian Allocation Application for Public Works (Electric Project) and Housing Rehabilitation in the Amount of \$539,575

BOARD ACTION: Jim Evans and Steve Hayes/Housing and Community Development Agency, presented staff report, including options for the electric project; and responded to questions from the Board relative to acreage, zoning, regulatory oversight, and road improvements, for the Kitty Basau allotment electric project; and application process. Public portion of the hearing was opened. Karen Cornelison advised that her father (an heir to the Kitty Basau allotment) was present; and commented that the costs to bring in electricity keep going up over the years, and that the easement problems they had in the past have been reconciled. Public portion of the hearing was closed and Board commenced with deliberations. (M)Reilly, (S)Stewart, Res. 96-125 adopted approving submission of grant application and contract execution for funding from the Native American allocation of the CDBG program for the Public Works/Electric Project and Housing Rehabilitation Program (\$373,694); and Res. 96-126 adopted approving submission of grant application and contract execution for funding from the General allocation of the CDBG program for the Mariposa County Dental Public Services program (\$138,624)/ Ayes: Reilly, Balmain, Stewart, Taber; Abstained: Parker. Hearing was closed.

B) Resolution Authorizing the Chairman to Sign a Personal Service Agreement with Michelle Pecchenino, RD, CDE to Provide Head Start Program Nutrition Services (Continued from 4/2/96)

BOARD ACTION: Jim Evans advised the last line from the Scope of Services should be deleted so there is no confusion as to the termination of the contract on June 30, 1996. (M)Stewart, (S)Reilly, Res. 96-136 adopted/Ayes: Unanimous.

11:09 a.m. HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA

A) Conduct Annual Meeting of the Housing Authority of the County of Mariposa and Select the Chair and Vice-Chair for 1996

COMMISSION ACTION: (M)Parker, (S)Reilly, Hous. Auth. Res. 96-1 adopted selecting Commissioner Taber as Chair and Commissioner Stewart as Vice-Chair/Ayes: Unanimous.

Commissioner Taber noted that she will retire from the Board of Supervisors effective June 1, 1996.

B) Resolution (HA96-2) Certifying Completion of Annual Tenant Re-Examinations for the Year Ending June 30, 1996 and Authorizing Submission of the Estimate of Total Required Annual Contributions (Budget) for the Year Ending June 30, 1997

COMMISSION ACTION: Following discussion, (M)Reilly, (S)Stewart, Hous. Auth. Res. 96-2 adopted/Ayes: Unanimous.

11:13 a.m. Jim Evans advised of a meeting he attended in Sacramento on April 8th concerning legislation for the energy assistance program - he is hopeful the differences can be worked out.

11:15 a.m. Mike Edwards, Public Works Director;

A) Resolution Adopting Bid and Contract Documents for the 1996 Overlay Program on Various County Roads, Public Works Project Number PW 95-30, Authorizing Advertisement for Sealed Bids, Set a Bid Opening Date for Thursday, May 2 at 10:30 a.m. and Authorizing the Public Works Director to Execute a Contract with the Lowest Responsible Bidder;

B) Presentation of Informational Report Regarding Upcoming Summer 1996 Road Maintenance Efforts;

C) Resolution Authorizing Public Works Director to Implement a Combination of a Year-Round 4/10 and 9/80 Flex Schedule and Assignments for Facilities Maintenance Staff; and

D) Resolution Authorizing Public Works Director to Change Shift Assignments for Custodial Staff in Facilities Maintenance

BOARD ACTION: (M)Parker, (S)Reilly, all Public Works items were approved - Res. 96-137/overlay program; Res. 96-138/flex schedule; and Res. 96-139/shift assignments/Ayes: Unanimous.

11:17 a.m. Jeff Green, County Counsel;

A) Discussion and Direction Regarding Recruitment for Visitors Bureau Director

BOARD ACTION: Following discussion, Board concurred with interviewing the top five candidates; and with screening panel as recommended - with one of the two panel members from the Tourism Advisory Council to represent non-lodging interests.

B) Resolution Approving New Class Specifications for the Positions of Senior Maintenance Worker - Facilities and Senior Maintenance Worker - Roads, Both at a Salary Range of 139, Eliminating the Existing Class Specification for the Position of Senior Maintenance Worker, and Reclassifying Certain Employees from the Existing Position into the New Classifications (Continued from 3/19/96)

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 96-140 adopted/Ayes: Unanimous.

C) Resolution Amending Section VI: Mariposa County Selection Procedures, to Policy and Program of Mariposa County Employment (Continued from 4/2/96)

BOARD ACTION: At Supervisor Reilly's request to have more time to review this item, matter was continued to be rescheduled.

Consideration of Appointment to Fill Vacancy on Coulterville Town Planning Advisory Council (Supervisor Balmain)

BOARD ACTION: (M)Taber, (S)Stewart, Doralee "Dodie" Heiny was appointed/Ayes: Unanimous.



Consider the Following Actions with Regards to Board Committees:

1) Adopt this Resolution Deleting the Following Committees as Recommended on the Attached Status List:

- Adult Day Health Care Planning Council
- Child Care and Development Planning Council
- Countywide Community/Economic Development Committee
- Emergency Medical Care Subcommittee
- Mariposa County Golden Chain Council Committee
- Human Services Task Force/Master Plan Advisory Committee
- Justice System Advisory Group
- Data Processing Advisory Committee
- Jail Planning Steering Committee - Ad Hoc
- Yosemite Transit Ad Hoc Task Force

2) Review the Status of Each Board Committee and its Membership and Update as Appropriate

- Human Services Department Recommendations Relative to Membership Changes for the Child Abuse Prevention Coordinating Council
- Letters of Resignation Have Been Received from Della Hern and Pat Rickert from the Mental Health Board

3) Provide Direction to Department Heads to Continue to Evaluate the Need for Each of the Committees Assigned to Their Department and Whether They Could be Consolidated or Deleted; and to Update the Membership for Existing Committees

4) Provide Direction to Staff to Begin the Process to Decertify the Redevelopment Agency of the County of Mariposa (Supervisors Parker and Stewart)

BOARD ACTION: (M)Stewart, (S)Parker, Res. 96-141 adopted deleting committees as recommended; approving membership changes for the Child Abuse Prevention Coordinating Council as recommended; accepting resignations from Della Hern and Pat Rickert from the Mental Health Board; providing direction to departments to evaluate committees as recommended; and providing direction to staff to begin the process to decertify the Redevelopment Agency. Following discussion, motion was amended, agreeable with maker and second, to include direction to delete the Bootjack Town Planning Advisory Committee; appoint Doralee "Dodie" Heiny, Wayne Bullis as a regular member, Janelle Shannon and Tom Henry to the Coulterville Service Area No. 1 Advisory Board; Adult Day Health Care Planning Council to be deleted only if it is determined that it is not required by law (further review by County Counsel determined that this Council is required by law); reappoint Carol Davis and Joan Conlan to the Midpines Town Planning Area Advisory Committee/Ayes: Unanimous.

Resolution Supporting AB 2455 (Battin), an Act to Amend Section 31000 of the Government Code, Relating to County Contracts (Supervisor Balmain)

BOARD ACTION: Following discussion, (M)Taber, (S)Stewart, Res. 96-142 adopted/Ayes: Unanimous.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Management/Confidential Employees (MCMCO) (County

Labor Negotiator) (County Administrative Officer)

BOARD ACTION: Mike Coffield, County Administrative Officer, advised that closed session is not necessary.

CONSENT AGENDA

- CA-1 Accept Resignation of Elizabeth Metzler from the Commission on Aging Representing District III (Community Services)
- CA-2 Resolution Authorizing the Public Works Department to Submit and the Public Works Director to Sign a California Tire Recycling Program Grant Application (Public Works); Res. 96-127
- CA-3 Resolution Authorizing Chairman to Sign the Agreement Between the County of Merced and the County of Mariposa for the Use of Weights and Measures Testing Equipment and Personnel for 1996/97 and 1997/98 (Agriculture); Res. 96-128
- CA-4 Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No. C96-1 in the Amount of \$3,745.88 (County Counsel); Res. 96-129
- CA-5 Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No. C96-3 in the Amount of \$3,947.32 (County Counsel); Res. 96-130
- CA-6 COMMUNITY SERVICE AREA 1M (DON PEDRO)  
Authorize Chairman to Execute Lease Agreement with Stephen and Brenda Schmidt for Grazing Property in the Don Pedro 1M Area (County Counsel); Res. 96-131  
and CSA Res. 96-2 Lake
- CA-7 Resolution Authorizing Chairman to Sign Personal Service Agreement with Jane Williams to Teach Fire Fighter Medical First Responder Recertification Course (Fire Protection); Res. 96-132
- CA-8 Resolution Authorizing Chairman to Sign Personal Service Agreement with Jim Wilson to Teach Fire Fighter Medical First Responder Course (Fire Protection); Res. 96-133
- CA-9 Resolution Authorizing Chairman to Sign Personal Service Agreement with Bill Bondshu to Teach Volunteer Fire Fighter Course (Fire Protection); Res. 96-134
- CA-10 Resolution Authorizing Chairman to Sign Personal Service Agreement with Bill Hodson to Teach Volunteer Fire Fighter Course (Fire Protection); Res. 96-135



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

9:27 a.m. Bill Flaherty/Victim-Witness Coordinator, appeared on behalf  
of Christine Johnson, District Attorney;

Resolution Authorizing the Appropriation of Unanticipated Revenues  
(\$2048) for Victims of Crime Assistance (VOCA), and Authorize District  
Attorney to Sign Contract (4/5ths Vote Required)

BOARD ACTION: Bill Flaherty advised of concurrence with the District  
Attorney for the unanticipated revenue to be deposited into the General  
Fund to offset previous County contributions to the program - Board  
concurred. It was requested that excess funding for benefits in the  
program be transferred to other areas in the program - this request to be  
submitted on a future agenda. (M)Parker, (S)Stewart, Res. 96-150 adopted  
authorizing District Attorney to sign the Contract amendment/Ayes:  
Unanimous.

9:34 a.m. Jim Evans, Housing and Community Development Agency Director;

A) Resolution Authorizing the Transfer of \$18,085 from Head Start  
Salaries to Services and Supplies to Make Improvements to the Classrooms,  
Purchase a Telephone System, and Provide for Professional Services  
(Continued from Mid-Year Budget Discussion)

BOARD ACTION: Following discussion, (M)Parker, (S)Reilly, Res. 96-151  
adopted/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Taber.

B) Resolution Authorizing the Transfer of \$1,000 from Services and  
Supplies to Travel for Expenses Necessary to Oppose the State's  
Restructure and Reorganization of the Low Income Home Energy Assistance  
Program

BOARD ACTION: Jim Evans advised of meeting concerning AB 2982 and stated  
he would keep the Board informed relative to this matter; and presented  
revision to budget request reflecting a transfer within the Housing  
Administration budget versus the Community Action Agency. Supervisor  
Reilly asked about the status of the budget referral issue relative to  
travel budgets. Following discussion, (M)Reilly, (S)Stewart, Res. 96-152  
adopted approving transfer within Housing Administration budget/Ayes:  
Reilly, Balmain, Stewart; Noes: Parker, Taber.

9:45 a.m. Jeff Green, County Counsel;

Resolution Approving Revised and New Extra-Help Class Specifications for  
the Positions of Lifeguard I/II/III and Recreation Aide I/II/III,  
Respectively; Eliminating Existing Extra-Help Class Specifications for  
the Positions of Lifeguard, Cashier, Program Aide, and Teen Recreation  
Leader - Adult; Allowing Employees Working Under Current Extra-Help  
Contracts for the Eliminated Positions to be Renewed for Fiscal Year  
1996-97 at the Appropriate Level of the New Specification Under which  
they

Meet Minimum Qualifications; and Establishing the Following Hourly Salaries:

Lifeguard I	\$5.00	Recreation Aide I	\$4.25
Lifeguard II	\$6.50	Recreation Aide II	\$5.25
Lifeguard III	\$7.25	Recreation Aide III	\$6.50

BOARD ACTION: Following discussion, (M)Taber, (S)Reilly, Res. 96-153 adopted/Ayes: Unanimous.

9:47 a.m. Recess

9:55 a.m. Mike Edwards, Public Works Director;

A) Resolution Adopting Bid and Contract Documents for the Broncho Hollow Chip Seal Program, Public Works Project Number PW Z94-03, Authorizing Advertisement for Sealed Bids, Set a Bid Opening Date for Thursday, May 17 at 10:00 a.m. and Authorizing the Public Works Director to Execute a Contract with the Lowest Responsible Bidder; and

B) Resolution Adopting Bid and Contract Documents for the 1996 Chip Seal Program on Various County Roads, Public Works Project Number PW 95-29, Authorizing Advertisement for Sealed Bids, Set a Bid Opening Date for Thursday, May 16, at 10:00 a.m. and Authorizing the Public Works Director to Execute a Contract with the Lowest Responsible Bidder

BOARD ACTION: (M)Reilly, (S)Taber, Res. 96-154 adopted/Broncho Hollow Chip Seal Program, and Res. 96-155 adopted/1996 Chip Seal Program/Ayes: Unanimous.

9:51 a.m. Dr. Mosher, Health Officer;

Resolution Waiving Hiring Freeze and Authorizing Health Officer to Recruit to Replace Environmental Health Specialist (Sanitarian); Authorization for Health Officer to Appoint Previous Incumbent on Extra Help Basis Using Salary Savings, Not to Exceed 176 Hours

BOARD ACTION: Discussion was held concerning request, option to fill position under emergency hire and possibility of sharing staff with the Building Department. Further discussion was continued for the following hearings to be opened.

PUBLIC HEARING to Consider a Notice of Exemption (from Environmental Review) and the Approval or Denial of General Plan/Zoning Amendment No. 95-38; Mack and Pam Toney, Applicants BOARD ACTION: Hearing was opened and continued to May 14, 1996, at 11:00 a.m. based on request from staff.

PUBLIC HEARING to Consider a Notice of Exemption (from Environmental Review) and the Approval or Denial of General Plan/Zoning Amendment No. 95-36; Meherana Inc., Applicant

BOARD ACTION: Hearing was opened and continued to May 21, 1996, at 10:30 a.m. based on request from staff.

Further discussion was held with Dr. Mosher concerning request. Board concurred with proceeding with recruitment for extra help and a permanent position without waiving the hiring freeze, and establishing a list. If it is determined that a permanent position is needed, request can be brought back to the Board.

10:06 a.m. Dan Tinnel, Fire Chief;

Discussion and Possible Action Regarding the Upcoming Vacancy in the Position of County Fire Chief

BOARD ACTION: Dan Tinnel presented request from the Fire Chief's Association. Discussion was held relative to the Emergency Services Officer/Coordinator functions, and relative to the requests. Bill Bondshu asked about the Office of Emergency Services (OES) option for contracting with Dan Tinnel for services during recruitment. George Cordingly stated they need strong leadership, 24 hours a day, 7 days a week; stated he feels that if the County contracts with Dan Tinnel, additional support would be necessary to fill in when Dan is not available; and commended Jim Wilson for his work. Jim Wilson stated his services to the County would be available if requested and personnel issues would need to be worked out. Dan Tinnel advised that Hal Nolan has also volunteered his services. (M)Parker, (S)Taber, direction was given to staff to begin immediate recruitment to fill the Fire Chief's position; continue the matter of appointment of interim Fire Chief until the Board has an opportunity to discuss the issue in closed session with Dan Tinnel; further consideration to be given to the issue of Emergency Services Coordinator; authorize selection of up to two Chiefs from the Association to serve on the screening committee, with final authorization to be determined in the future; direct that any salary and benefit savings realized from the vacancy stay with the Fire budget and come back as line item changes in the budget for purchase of equipment/Ayes: Unanimous. Mike Coffield, County Administrative Officer, initiated discussion relative to holding a closed session this date on personnel issues with Dan Tinnel and suggested that any savings in the Fire budget be brought back during the budget process for reallocation to the Fire budget. (M)Parker, (S)Taber, Board waived its rules requiring 72 hours agenda noticing to consider holding a closed session later this date with Dan Tinnel/Fire Chief, due to the urgency of appointing an interim Fire Chief/Ayes: Unanimous. (M)Parker, (S)Taber, Board directed that closed session be held at 2:00 p.m. with Dan Tinnel/Ayes: Unanimous. Further discussion concerning appointment of an interim Fire Chief was continued to 3:00 p.m. this date.

10:47 a.m. Recess

10:57 a.m. Ed Johnson, Planning and Building Director;

C) Review of Building Department Budget and Authorization of Appropriation of \$25,000 from Reserve for Contingencies to the Building Enterprise Fund

(4/5ths Vote Required)

BOARD ACTION: Discussion was held with Ed Johnson. Board concurred with continuing this matter for consideration with the third quarter budget report on May 7, 1996.

D) Discussion and Possible Direction to Planning Staff to Include Consideration for Inside Signs with the Mariposa Specific Plan Project (Supervisor Parker)

BOARD ACTION: Supervisor Parker advised of request. Ed Johnson provided input. Board concurred with direction to staff to include consideration of inside signs with the Mariposa Specific Plan project.

11:07 a.m. Susan Shaughnessy, The Sierra Escape;

Propose Interim Advertising for the County of Mariposa

BOARD ACTION: It was noted that Susan Shaughnessy requested that this matter be pulled from the agenda as Jerry Fischer would be covering the request with the presentation by the Tourism Advisory Council.

Mike Coffield, Administrative Officer;

Presentation by Tourism Advisory Council on Suggested Promotional Activities During Vacancy of Visitor's Bureau Director Position

BOARD ACTION: Mike Coffield advised of the Tourism Advisory Council's meeting last Thursday. Jerry Fischer, representing the Tourism Advisory Council, presented the following recommendations: to extend the hours of the Visitors Center, for an interim advertising campaign, for a section in the Sierra Escape, to coordinate a press trip with travel writers from throughout England, to select members to represent the Council in the screening process for the Visitors Bureau Director position, for reimbursement to Mike Habermann for travel costs to attend the ITB trade show, to select a subcommittee to work with the County Administrative Officer in the interim of filling the Visitors Bureau Director position, and to fund request from the Arts Council for the Goldrush Festival. The Board thanked the Advisory Council members for their work. Mike Coffield advised that Steve Hayes from Housing and Community Development has been assisting with filling in during the vacancy. Ann Sparks, Executive Director for the Chamber of Commerce, commented on the proposed extension of hours for the Visitors Center - they require that the Center be staffed by a minimum of two persons and it will take about a month to implement the new hours; and she further advised that the Chamber is working with the merchants to implement a schedule where the businesses would alternate staying open longer hours. Jerry Fischer advised of information he received that the 4:00 p.m. holds are no longer available in Yosemite for lodging - credit card numbers are being taken so the visitor pays whether or not they show. Ann Sparks responded to question from the Board relative to Chamber referrals for lodging. (M)Parker, (S)Reilly, Board approved selection of George Spach and Linda Sinclair for the screening panel for the Visitors Bureau Director position, and selection of subcommittee (Jerry Fischer, Joan Gloor and Linda Sinclair) to work closely with the County Administrative Officer in the interim of filling the position/Ayes: Unanimous. The remaining recommendations were continued to April 23, 1996, for further consideration. Jerry Fischer advised of the status of the travel planner and requested a waiver of the formal bid process for printing - it is proposed that a informational but nonetheless competitive solicitation will occur for the printing without the requirement for prospective Board approval of bid specifications, etc. Motion by Parker to authorize an informal bid process for the printing, was withdrawn following further discussion. Jerry Fischer advised that he would have more information available next week on this matter. Board members requested an opportunity to review the draft travel planner prior to final printing.

Request Received from the Arts Council for Support of the Spring Festival to be Held May 17 Through 19, 1996 (Supervisor Parker)

BOARD ACTION: Supervisor Parker reviewed the request, including additional requests for closure of 9th Street, and 10th Street, as needed; and Courthouse security to be subject to review and approval by County Counsel. Joe Fox, Arts Council, provided input on the request.

Supervisor Balmain asked about coordination of events - it was noted that the Coulterville Coyote Howl and the School Foundation events are scheduled for this same weekend. Glen Franklin commented on the Bluegrass portion of the event. (M)Parker, (S)Taber, Res. 96-156 adopted approving request and additional requests as presented/Ayes: Unanimous.

Resolution Accepting Audit Report for the Period Ending June 1995 with Responses from Departments (Administrative Officer)  
BOARD ACTION: (M)Parker, (S)Reilly, Res. 96-157 adopted/Ayes: Unanimous.

Classifications Recommended to be Exempted from Hiring Freeze (County Administrative Officer)

BOARD ACTION: Discussion was held concerning this request. Mike Coffield, County Administrative Officer, advised that he and the Personnel Officer recommends lifting of the hiring freeze. (M)Taber, (S)Stewart, Res. 96-158 adopted exempting classifications from the hiring freeze. Following further discussion, motion was amended by maker, agreeable with second, to lift the hiring freeze for all existing budgeted positions/Ayes: Reilly, Balmain, Stewart, Taber; Noes: Parker.

12:26 p.m. Lunch

2:06 p.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Management/Confidential Employees (MCMCO) and Appointed Department Heads (County Labor Negotiator) (County Administrative Officer)

BOARD ACTION: (M)Parker, (S)Stewart, closed session held, including closed session scheduled from earlier this date, with Dan Tinnel and Jim Wilson to be present for a portion relative personnel issues pertaining the Fire Chief/Ayes: Unanimous.

3:08 p.m. Board reconvened in open session with labor negotiations portion of closed session continued to later this date; and took the following action as a result of closed session. (M)Taber, (S)Parker, Res. 96-159 adopted appointing Dan Tinnel as Interim Fire Chief, and Jim Wilson as Deputy Fire Chief under the direction of Chief Tinnel, until a full time replacement occurs; and direction was given to staff to negotiate personal services agreements for these services/Ayes: Unanimous.

3:14 p.m. Board reconvened in closed session with County Administrative Officer and County Counsel excused for the rest of the meeting. Supervisor Taber was excused during closed session for the rest of the meeting.

4:11 p.m. Board reconvened in open session and took the following action as a result of closed session. (M)Parker, (S)Reilly, Res. 96-160 adopted increasing salaries for appointed officials effective retroactive to January 1996, as follows: County Administrative Officer/\$70,000; Clerk of the Board/\$33,000; Community Services Director/7%; County Counsel/7%; Housing and Community Development Agency Director/7%; Human Services Director/7%; Librarian/7%; Planning and Building Director/7%; Chief Probation Officer/7%; Public Health Officer/7%; Public Works Director/7%;



Fire Chief/no change as position is becoming vacant; and Visitors Bureau Director/no change as position is vacant/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

CONSENT AGENDA

- CA-1 Resolution Authorizing Chairman to Sign the "Declaration of Intent" to Contract with Department of Health Services for Public Health Services for FY 1996-97 (Public Health); Res. 96-145
- CA-2 Resolution Authorizing Chairman to Sign State Standard Agreement #95-23544 for Provision of Public Health Services (Public Health); Res. 96-146
- CA-3 Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No. C96-5 for Undetermined Amount (County Counsel); Res. 96-147
- CA-4 Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No. C96-8 for \$250 (County Counsel); Res. 96-148
- CA-5 Resolution Authorizing the Chairman to Sign Fair Time Rental Agreement 96-7E with the 35-A District Agricultural Association to Rent Space in the 1996 Fair for the Alcohol and Drug Advisory Board (Human Services); Res. 96-149



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4/23/96

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA  
APRIL 23, 1996

Time Description

9:01 a.m. Meeting Called to Order  
Pledge of Allegiance

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

- Jim Eutsler, Community Services Director, advised that Title IIIB, IIIC-1, and IIIC-2 of the Older Americans Act are now going to be separate amendments and further advised that the contracts need to be signed as soon as possible. The Board concurred that this should be placed on the May 7th Agenda.

- Supervisor Reilly requested that the Board waive the rules and write a letter of support to Cal Trans giving our permission for the Pow Wow Banner to go up in town. (M) Stewart, (S) Taber, Board approved letter supporting the banner going up, with the understanding that the County is not responsible for the liability/Ayes: Unanimous.

Resolution and Tile Plaque Recognizing Dan Tinnel for His Service to the Community of Mariposa as Fire Chief

BOARD ACTION: (M) Taber, (S) Parker, Res. 96-161 adopted/Ayes: Unanimous. Resolution and Tile Plaque were presented to Dan Tinnel.

Resolution Proclaiming Thursday, May 2, 1996 as the National Day of Prayer (Supervisor Stewart)

BOARD ACTION: (M) Taber, (S) Stewart, Res. 96-162 adopted/Ayes: Unanimous. Vice-Chairman Stewart presented a copy of this Resolution to several of the pastors of the community who were present.

Approval of Minutes of 4/9/96 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Dan Tinnel, Fire Chief;

Resolution Authorizing Chairman to Sign Five Year Service Agreement with the National Park Service for Structure Fire Protection and Dispatch Services and to Pay the 1996-97 and the 1995-96 Contracts Out of the 1996-97 Budget Year

BOARD ACTION: Discussion was held with Dan Tinnel and he advised of changes in the accounting procedures for the National Park Service. The Park Service is now requesting that we pay for services in the year services are provided instead of the current practice of paying after services are rendered. This new procedure would require us to pay the Park Service a one time fee of \$40,000 which would include services for prior and current years. Dan Tinnel further stated that the Park Service was requesting \$2,000 to maintain equipment thereby eliminating the necessity for us to haul any equipment needing repairs down to Mariposa. (M) Reilly, (S) Parker, Res. 96-167 adopted. Further discussion was held concerning the additional \$2,000. Following further discussion, motion was amended, agreeable with maker and second, to include direction to create a separate line item for the \$2,000 from the existing \$70,000 line item with the understanding that during Budget Hearings the Board could increase the line item/Ayes: Unanimous.

Jeff Green, County Counsel;

Resolution to Include the Existing Extra-Help Position of Sanitarian Aide with Regular Mariposa County Classifications at a Salary Range of 92

BOARD ACTION: (M) Reilly, (S) Stewart, Res. 96-168 adopted/Ayes: Unanimous.

Don Z. Phillips, Tax Collector;

Resolution Transferring Funds from Tax Collector's Cost Fund to Transportation and Travel (\$2,000) and from Tax Collector's Cost Fund to Communications (\$1,800) (4/5ths Vote Required)

BOARD ACTION: Marjorie Wass, appearing for Don Phillips, explained to the Board the necessity of the transfer requested. Following Discussion, (M) Taber, (S) Stewart, to transfer \$2,000 for two tax employees to attend the HTE Users' Group Annual Conference was denied/Ayes: None, Noes: Balmain, Stewart, Parker, Taber, Abstained: Reilly. (M) Parker, (S) Reilly, Res. 96-169 adopted transferring from Tax Collector's Cost Fund to Communications \$1800 for telephone installation when the office was moved/Ayes: Unanimous.

9:55 a.m. Tom Archer, Human Services Director;

Resolution Transferring Funds from the Department of Human Services to Department of Public Works/Building Maintenance for Human Services Building Modifications (\$3,500)

BOARD ACTION: Res. 96-170 adopted following discussion with Tom Archer. (M) Parker, (S) Reilly/Ayes: Unanimous.

Ken Hawkins, Auditor;

A) Resolution of Intention to approve an Amendment to Contract Between the Board of Administration of the Public Employees Retirement System and Board of Supervisors of the County of Mariposa (Section 20965) (Credit for Unused Sick Leave) (4/5ths Vote Required)

BOARD ACTION: (M) Reilly, (S) Stewart, Res. 96-171 adopted/Ayes: Reilly, Balmain, Stewart, Taber, Excused: Parker.

B) Resolution Designating the Option Under which Appropriation Limits Shall be Computed for Fiscal Year 1994-95

BOARD ACTION: Following discussion with Chris Ebie, (M) Reilly, (S) Stewart, Res. 96-172 adopted approving recommendation to change limit for the Mariposa Lighting District and retain previous calculation method for

rest of districts/Ayes: Reilly, Balmain, Stewart, Taber, Abstained: Parker. By request of Supervisor Taber, Public Works will research the possibility of the ballfield in Mariposa being included within the Mariposa Lighting District.

10:22 a.m. Recess

10:33 a.m. Mike Edwards, Public Works Director;

A) Status Report on Current Status of the Preliminary Design of the Government Center

BOARD ACTION: Craig Scott of DuPertuis-Scott, presented a review of the committee process in developing the preliminary design. He briefly reviewed the changes made, illustrating the difference in the original three story design to the now proposed two story building. In collaboration with the design change, Planning, Building, and Environmental Health would be located on the first floor; the meeting room, Board of Supervisors, Administration, and their staff, would be located on the second floor. Mr. Scott presented illustrations of the proposed two tiered parking lot with a ramp to be located on 11th Street and a parking deck to be located off Jones Street, including parking underneath; and parallel parking on 9th and 10th Streets. Following Mr. Scott's presentation, Mr. Dubberke and Mr. Thomas of the Pioneer Market, gave a presentation proposing the use of the 40,000 square foot Pioneer Market Building for the Government Center. Mr. Dubberke pointed out the approximate 140 space paved parking available, the History Center and future creek park being adjacent to this building site, the source availability for possible consolidation of other County offices as well as the safety advantage of having sprinklers throughout the building.

B) Direct Staff and the Government Center Committee to Proceed with the Completion of Negotiations with DuPertuis-Scott for Detailed Design of the Government Center, and Bring the Contract to the Board for Approval

BOARD ACTION: Discussion was held with Mike Edwards, Public Works Director, concerning the two proposals for the Government Center. The Board concurred that the Government Center could not be located at the Pioneer Market Building due to the building not being in the "historical hub", the Board felt the commercial space should not be utilized when they felt it was already limited and the uncertainty of time it may take to move Pioneer Market to its new location, and the unknown factor of what funds and interest rates could be in the future that could compete with the current availability of RECDs funding. (M) Taber, (S) Stewart. Res. 96-173 adopted approving recommended action/Ayes: Unanimous.

Ed Johnson, Planning and Building Director;

Consideration of the Preliminary Environmental Determination for the Mariposa County Government Center (Negative Declaration with Mitigation Measures)

BOARD ACTION: Ed Johnson, Planning Director and Mike Edwards, Public Works Director advised that they would return in approximately three weeks for Board Action on this matter.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Management/Confidential Employees (MCMCO) (County Labor Negotiator) (County Administrative Officer)

BOARD ACTION: Mike Coffield, County Administrative Officer, advised that Closed Session is not necessary this date for this matter.

Resolution Approving Contracts with Dan Tinnel as Interim Fire Chief and Jim Wilson as Interim Deputy Fire Chief (County Counsel) (Continued from 4/16/96)

BOARD ACTION: (M) Parker, (S) Stewart, Res. 96-174 adopted/Ayes: Unanimous.

11:59 a.m. Lunch

2:03 p.m. Mike Coffield, Administrative Officer  
Presentation by Tourism Advisory Council on Suggested Promotional Activities During Vacancy of Visitor's Bureau Director Position (Continued from 4/16/96)

BOARD ACTION: Discussion was held with Jerry Fischer, representing the Tourism Advisory Board, regarding some of the Council's suggested promotional activities discussed in the 4/16/96 Board meeting. The first topic of discussion was the proposed Travel Planner and suggested revisions. (M) Parker, (S) Stewart. Res. 96-175 adopted authorizing \$15,500 plus shipping and taxes out of the advertising budget for the Travel Planner/Ayes: Unanimous. Board concurred to extend the hours of the Visitors Bureau to include service from 8:00 a.m. to 9:00 p.m. Monday through Saturday; and Sundays from 10:00 a.m. to 6:00 p.m. from May 1st to October 31st. Ann Sparks, Executive Director for the Chamber of Commerce, advised the Board that time would be needed to hire and train staff to comply with this request. Members of the Tourism Advisory Council suggested bringing in volunteers and staggering the hours of those that would be training until staffing could be filled. Supervisor Taber suggested hiring the youth during the summer. Mike Coffield, County Administrative Officer, indicated to the Board that they could give direction to him to negotiate amendments to the contract with the Chamber of Commerce. The Board unanimously concurred. Also discussed was the need for special events, such as Courthouse tours, events similar to the Appleton Weekend, merchants staying open for longer hours in the evening, etc. Board members expressed concern with spending as much as \$50,000 to promote Mariposa and then having visitors arrive to find there are no activities for them.

3:18 p.m. Recess

3:27 p.m. Following recess, discussion continued regarding the use of \$35,000 for newspaper advertising and \$15,000 to contract with Sierra Escape for a 4 page Mariposa section. Jim Evans, Housing and Community Development Agency Director, provided the Board with a letter from him requesting approval for the Visitors Bureau to initiate the Courthouse tours. The Board advised Mr. Evans that he would need to bring this proposal to the Board at the May 7th meeting. (M) Parker, (S) Stewart, after extensive discussion, the Board concurred to adopt the recommendation of the Tourism Advisory Council for the \$50,000 budget line item /Ayes: Balmain, Stewart, Parker, Noes: Reilly, Taber. (M)

Parker, (S) Taber, Board approved contracting with California A La Carte, to coordinate a press trip to Mariposa with travel writers from several chains of weekly papers throughout England for \$5,000/Ayes: Balmain, Parker, Taber, Noes: Reilly, Stewart. (M) Parker, (S) Taber, claim was approved for \$550 by Mike Habermann of Boulder Creek B&B, be paid out of tourism budget/Ayes: Reilly, Balmain, Stewart, Parker, Noes: Taber. (M) Reilly, (S) Stewart, Board approve spending \$1,000 to support the Goldrush Festival with radio spots, Blue Grass Magazine spot, and free publications in the local papers/Ayes: Unanimous.

Discussion and Direction to Schedule a Date for Interviews by the Board for the Visitors Bureau Director Candidates  
(County Counsel)

BOARD ACTION: Jeff Green, County Counsel, advised that there were only five qualified applicants for the Visitors Bureau Director position and therefore would not need the Tourism Committee to screen prior to the Board interviewing. (M) Parker, (S) Stewart, Board waived rules requiring 72 hours Agenda noticing to hold a Closed Session finding this is a matter of timeliness to avoid a prolonged vacancy for the Visitors Bureau Director position/Ayes: Reilly, Balmain, Stewart, Parker, Excused: Taber. (M) Parker, (S) Reilly, Closed Session was held following short recess/Ayes: Reilly, Balmain, Stewart, Parker, Excused: Taber.

3:55 p.m. Recess

4:17 p.m. Board convened in Closed Session.

5:02 p.m. Board reconvened in Open Session and noted that Closed Session was continued to Wednesday, April 24, 1996 at 2:00 p.m.

#### CONSENT AGENDA

CA-1 Resolution Authorizing Chairman to Sign Personal Service Agreement with John Faleski to Teach Water Tender Driver Course (County Fire); Res. 96-163

CA-2 Resolution Approving the Mariposa County Pioneer Wagon Train Event as a County Activity which Will be Held June 6-8, 1996 and Authorizing Chairman to Execute Related Agreements (County Counsel); Res. 96-164

CA-3 Resignation of Maurice Sweatman from the Coulterville Town Planning Area Advisory Committee (Planning)

CA-4 Resolution Approving the Road Name "Shy Fox Lane" (Planning); Res. 96-165





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MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA  
MAY 7, 1996

Recorded in Minutes Book 2-II  
Page 11 Mariposa County Records  
Entered MAY 21, 1996

Time                      Description  
9:03 a.m. Meeting Called to Order with Supervisor Taber arriving  
at 9:07 a.m.

Pledge of Allegiance

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

- Andrew Carisio stated he applied for a job with the county and received a response letter back stating he was not selected for interview, and requested that he be given the opportunity to be interviewed for the position. Jeff Green, County Counsel/Personnel Officer, commented on the application process and advised that Mr. Carisio's application does not indicate that he is qualified to be interviewed. Mr. Carisio stated he would provide additional information for his application.

- Steve Hayes/HCD (Visitors Bureau and Transit Assistance) provided information on transit and publicity proposals relative to potential admission delays to Yosemite during the weekend preceding Memorial Day and Memorial Day weekend. Supervisor Reilly advised of an upcoming meeting being scheduled with the Park relative to restricted access.

- Supervisor Reilly advised that it has been brought to her attention that the HTE software training conference is felt to be critical by employees of the Tax Collectors Office, and asked the Board if there is a willingness to reconsider the travel request for this conference.

- Karen Davey, Operations Manager for VIA Adventures, Inc., advised that she and Curtis Riggs/President were available to answer any questions relative to the Memorial Day weekend transit proposal presented by Steve Hayes.

Approval of Minutes of 4/16/96 Regular Meeting, 4/23/96 Regular Meeting, and 4/24/96 Regular Meeting (Continued from 4/23/96)

**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)

**BOARD ACTION:** Supervisor Parker pulled item 4 - action was taken on this item later this date. (M)Parker, (S)Reilly, balance of items were approved/Ayes: Unanimous.

Jim Eutsler, Community Services Director;  
Resolution Authorizing the Chairman to Sign the Older Americans Act Title IIIB, IIIC-1 and IIIC-2 Contract Amendment with Area 12 Agency on Aging (A12AA) for FY 1995-96 and Appropriate Funds

(\$465) (4/5th Vote Required)

BOARD ACTION: Mike Coffield/County Administrative Officer, advised that Jim Eutsler was unable to be present and he would cover this item. (M)Reilly, (S)Taber, Res. 96-177 adopted/Ayes: Unanimous .

Bill Flaherty/DA-Victim Witness Program, appeared on behalf of Christine Johnson, District Attorney/Victim Witness;  
Resolution Authorizing a Transfer of Funds from Benefits (\$3,000) to Transportation and Travel (\$500) and Office Expense (\$2,500)  
BOARD ACTION: (M)Parker, (S)Stewart, Res. 96-178 adopted/Ayes: Unanimous .

Jim Evans, Housing and Community Development Agency Director;  
A) Resolution Adopting Class Specifications and Establishment of an Hourly Rate of \$7.00 for the Extra Help Position of Courthouse Tour Guide; and  
B) Resolution Authorizing the Mariposa County Visitors Bureau to Provide Courthouse Tours from May 10, 1996 Through June 30, 1997  
BOARD ACTION: Discussion was held with Jim Evans. (M)Parker, (S)Taber, Res. 96-179 adopted approving the expenditure \$2,500 for the remainder of this fiscal year for tour guides; directing that the Visitors Bureau Director review and provide recommendation for the future of the tour guide program; and Res. 96-180 adopted approving class specifications and establishment of an hourly rate of \$7.00 for the extra help position of Courthouse Tour Guide/Ayes: Unanimous .

Ken Hawkins, Auditor;  
Resolution to Participate in National Association of Counties (NACO) Sponsored OBRA 457 Plan  
BOARD ACTION: Discussion was held with Ken Hawkins, and he advised that the net savings to the County is estimated at \$18,000; and all part-time employees would be required to participate. (M)Parker, (S)Stewart, Res. 96-181 adopted/Ayes: Unanimous .

9:38 a.m. Jeff Green, County Counsel;  
A) Resolution Approving New Extra-Help Class Specifications and Hourly Salary Rate for the Position of Water Safety Instructor  
BOARD ACTION: Following discussion, (M)Taber, (S)Reilly, Res. 96-182 adopted/Ayes: Unanimous .

B) Resolution Adopting Policy for Implementation of Drug and Alcohol Testing for Drivers, Mechanics and Supervisory Personnel Directly Involved in the Operation of Commercial Motor Vehicles and Approving Execution of a Carrier Agreement with DrugTech Toxicology Service to Provide the Required Training and Testing Services  
BOARD ACTION: Jeff Green advised of request from an employee bargaining unit to further review this matter. Matter was continued to May 21, 1996.

C) Waive First Reading and Introduce Ordinance Deactivating the Mariposa County Redevelopment Agency

**BOARD ACTION:** Following discussion, (M)Taber, (S)Stewart, Ordinance was introduced/Ayes: Unanimous.

Third Quarter Financial Report 1995-96 (County Administrative Officer)

**BOARD ACTION:** Mike Coffield/County Administrative Officer, presented report and advised of the changes in projected deficits and surpluses. Supervisor Reilly requested that County Counsel's request for a budget transfer to purchase a computer be continued to be considered with an upcoming request from the Board Office. (M)Parker, (S)Reilly, Res. 96-183 adopted approving report, with the exception of the transfer in County Counsel's budget which will be considered on a future agenda/Ayes: Unanimous.

Discussion and Possible Action to Appoint a Visitors Bureau Director (County Counsel)

**BOARD ACTION:** Mike Coffield/County Administrative Officer, advised that no action is necessary this date.

Discussion and Possible Action to Amend the Board of Supervisors Regular Meeting Schedule to Include Evening Meetings (Supervisor Stewart)

**BOARD ACTION:** Discussion was held concerning this matter; possible schedules; and existing flexibility with scheduling evening meetings and meetings in other locations of the County for specific items. Ed Johnson, Planning and Building Director, commented that a number of items will be forthcoming from his department this summer that will be of interest to the public. Board concurred with continuing to schedule evening meetings where the subject matter dictates.

**10:05 a.m.** Ed Johnson, Planning and Building Director;

A) Resolution Supporting Changes to Federal Law to Relieve Downwind Jurisdictions from Penalties Resulting from Upward Pollution Sources

**BOARD ACTION:** Discussion was held. Supervisor Reilly asked about the process for this request and suggested that the Mountain Counties Air Basin be involved. (M)Parker, (S)Stewart, Res. 96-184 adopted/Ayes: Unanimous.

B) Review of Building Department Budget and Authorization of Transfer of \$25,000 from Reserve for Contingencies to the Building Enterprise Fund (4/5ths Vote Required)

**BOARD ACTION:** Discussion was held with Ed Johnson concerning this request and possible alternatives for short and long-range planning to deal with the project deficit. It was suggested that the fee structure for building permit violations be reviewed. (M)Parker, (S)Reilly, Res. 96-185 adopted encumbering \$25,000 from Reserve for Contingencies, with funding to be appropriated at the end of the fiscal year to offset the actual deficit/Ayes: Unanimous.

10:47 a.m. Recess

11:00 a.m. Supervisor Balmain;

Discussion and Possible Action on Funding (\$5,000) Request Received from the Chamber of Commerce for the Annual County Exhibit to be Displayed at the California State Fair and Los Angeles County Fair

**BOARD ACTION:** Ann Sparks/Executive Director and Jan Mennig/Vice-President for the Chamber of Commerce, provided input and responded to questions concerning the request. Discussion was held concerning the request and having someone present at the exhibit. (M)Reilly, (S)Stewart, Res. 96-186 adopted approving request with the funding to be paid from the Visitors Bureau Contingency budget to the Chamber for the exhibit. It was clarified that the Chamber for the exhibit builder be designated as the official representative and to receive any award funds. E. O. Lewis commented on the funding and invited the Board members to assist with tending the exhibit during the Fair. Motion was amended, agreeable with maker and second, to include direction for the Chamber to have someone present to tend the exhibit as much as possible during the Fair/Ayes : Unanimous.

11:25 a.m. Mike Edwards, Public Works Director;

A) Status Report of Activities by the Public Works Department During the First Quarter of 1996

**BOARD ACTION:** Mike Edwards advised he was willing to respond to any questions concerning the report. No action was necessary.

B) Discussion and Direction for Requested Waiver of Sewer Fees by Lake Don Pedro Golf and Country Fees for Pool and Garden Uses

**BOARD ACTION** Mike Edwards stated staff does not support the fee waiver request. Following discussion, (M)Taber, (S)Parker, Board denied request for waiver of sewer fees/Ayes: Unanimous .

C) Resolution Appropriating \$3,700 from the Coulterville County Service Area Contingency Line for the Implementation of the State-Approved Sludge Disposal Plan at the Coulterville Wastewater Treatment Plant Irrigation Sprayfield (4/5ths Vote Required)

**BOARD ACTION:** Discussion was held with Mike Edwards. Cliff Price/FWD-Facility Maintenance Manager, provided input.

(M)Reilly, (S)Stewart, Res. 96-187 adopted/Ayes: Unanimous .

D) Resolution Appropriating \$55,000 from Yosemite West Utility Capital for the First Phase of a Three-Phase Project to Rehabilitate the Water System in the Yosemite West Special District and Purchase a Storage Van (4/5ths Vote Required)

**BOARD ACTION:** Mike Edwards advised that the storage van would only cost between \$1,500 to \$2,000, and presented a sample of the failing pipe fittings. (M)Reilly, (S)Stewart, Res. 96-188 adopted/Ayes: Unanimous .



E) Resolution Authorizing Appropriation of \$20,000 from the Don Pedro Sewer Zone Utility Capital Fund for Repair of Lift Stations in the Wastewater Collection system of the Don Pedro Sewer Zone (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Parker, (S)Stewart, Res. 96-189 adopted/Ayes: Unanimous.

F) Allocate the Position of Associate Civil Engineer within the Public Works Roads Division and Authorize Recruitment for Same to Replace the Junior civil Engineer who has Resigned Effective April 25, 1996. Authorize Recruitment for a Junior civil Engineer and Approve Underfilling of Associate Civil Engineer Position if that Recruitment is Unsuccessful; and Transfer Funds (\$414)

BOARD ACTION: Discussion was held with Mike Edwards. supervisor Parker asked about creating an Assistant Public Works Director position versus the requested recruitment. Matter was continued to May 14, 1996, for further review. Board concurred with authorizing recruitment as requested in the interim.

G) Resolution Transferring \$10,000 from Fleet Maintenance Equipment Mechanic Salary Savings to the Gas and Oil Line Item  
BOARD ACTION : Discussion was held and Mike Edwards advised that consideration will be given to passing the increased fuel costs to departments next fiscal year. (M)Reilly, (S)Parker, Res. 96-190 adopted/Ayes: Unanimous.

H) Resolution Approving and Authorization for the Public Works Director to Sign Contract Change Order #13 with Total Waste Systems to Provide Water/Leachate Transportation from the Mariposa Landfill to Mariposa Public Utility District for Disposal

BOARD ACTION: Discussion was held. Supervisor Taber asked about consideration of hiring other local contractors. (M)Reilly, (S)Stewart, Res. 96-191 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber.

I) Resolution Authorizing the Public Works Director to Sign CalTrans state-Local Transportation Partnership Program Agreement No. SLTPP-5940 and Program Supplement No. 001 for Partial Funding of the Asphalt Concrete Overlay, No. PW 95-30

BOARD ACTION: Following discussion, (M)Parker, (S)Reilly, Res. 96-192 adopted/Ayes: Unanimous.

Consent Agenda item 4 - Discussion was held with Mike Edwards, Public Works Director. Supervisor Parker asked about consideration of other approaches to solve this matter. Board concurred with denying the request at this time, with direction for Public Works to further pursue the matter if it is determined that there is another approach that could be taken.

12:28 p.m. Supervisor Taber was excused for the rest of the meeting.

Resolution Authorizing Chairman to Sign a License Agreement with the Mariposa County Unified School District for Use of the Coulterville Community School {County Counsel}

**BOARD ACTION:** (M)Parker, (S)Reilly, Res. 96-193 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Submission of Deferred Responses to 1994-95 Grand Jury Report {County Administrative Officer}

**BOARD ACTION:** Discussion was held. Mike Coffield/County Administrative Officer, advised that he forwarded a draft of the response to Community Concepts, Harris and Associates, and the auditing firm for review and comment. The following responses were received: Harris and Associates returned a check for the questioned overpayment; Community Concepts returned a check for a portion of the questioned overpayment and needs more information on the overhead calculations; and no comment was received from the auditing firm. Board concurred with change in the action form and with not including the letter to the 1995-96 Grand Jury Foreman from the County Administrative Officer in the response. (M)Parker, (S)Stewart, Res. 96-194 adopted approving submission of the responses with the changes as noted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Resolution Approving in Concept a Finger Print Imaging System for Public Assistance Applicants in Order to Reduce Fraud and Support Merced County's Application for Federal Waivers to Implement Such a System on a Regional Basis {Supervisor Stewart}

**BOARD ACTION:** Following discussion, {M}Stewart, {S}Parker, Res. 96-195 adopted, with direction for a copy of the action to be sent to Supervisor Keene/Merced County/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

CLOSED SESSION to Discuss Two Cases which Have Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9 (County Counsel)

**BOARD ACTION:** Closed session was continued to May 14, 1996.

**INFORMATION** - No action was necessary on the following:  
Board Hearing Schedule {Clerk of the Board}

#### **CONSENT AGENDA**

- CA-1 Resolution Approving a Temporary Extension of the 240-Hour Vacation Limit for Three Employees in the Facility Maintenance Division {Public Works}; Res. 96-196
- CA-2 Resolution Transferring Funds from the Solid Waste and Mariposa Pines Sewer Zone Budgets to Facilities Maintenance to Cover Expected Overtime Expenses Through FY 1995/96 (\$400) (Public Works); Res. 96-197

- CA-3 Resolution Authorizing the Extension of an Emergency Hire Contract Until the Completion of the Current Equipment Mechanic Recruitment (Public Works); Res. 96-198
- CA-4 Resolution Requesting President Clinton to Remove the Military Satellite Positioning System Time Clock Masking in Order to Allow Economical civilian Location of Accurate Ground Positions (Public Works); Direction was given to Public Works
- CA-5 Resolution Accepting the Statement of All Votes Cast in the Primary Election as Certified to the Secretary of State (County Clerk); Res. 96-199
- CA-6 Appoint Patrick Rhoan to the Mariposa County Historic Sites and Records Preservation Commission to Fill the Vacancy Representing the American Indian Community of Mariposa County (Planning)
- CA-7 Accept Resignation of John Greiner from the Mariposa County Historic Sites and Records Preservation Commission (Planning)
- CA-8 Resolution Recognizing and Congratulating Wallace "Tom" Reavis on his Retirement from the California Department of Forestry (Supervisor Taber); Res. 96-176
- CA-9 Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No . C96-10 for \$350 (County Counsel); Res. 96-200
- CA-10 Resolution Authorizing Chairman to Sign the FY 1995-96 Contract with Kings View Corporation for Alcohol, Drug, and Perinatal Services for Mariposa County (Human Services); Res. 96-201

12 :44 p.m. ADJOURNMENT in memory of Arline Britt, Rufus "Mac" McClendon, and Thomas Russell Simpson, Sr.

Respectfully submitted,

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MARG LLIAMS  
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA  
May 14, 1996

Recorded in Minute Book 211  
Page 11 Mariposa County Records  
Entered May 28, 1996

Time	Description
9:00 a.m.	Meeting Called to Order Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda - Gussie Kidd appeared with children from Almost Like Home child care center and they presented the Board members and staff with posters and buttons in appreciation of the support the Center receives from the County.

Joan Kays, American Legion;  
Resolution Proclaiming Friday, May 17, 1996 as "Poppy Day"  
BOARD ACTION: (M)Parker, (S)Taber, Res. 96-202 adopted and presented to Joan Kays, representing the American Legion Auxiliary/Ayes: Unanimous.

Approval of Consent Agenda (See End of Minutes)  
BOARD ACTION: Supervisor Taber pulled items 3, 5, and 7 - action was taken on these items later this date. (M)Parker, (S)Reilly, balance of items were approved/Ayes: Unanimous.

Ken Hawkins, Auditor;  
Resolution Establishing Appropriation Limits for the 1994-95 Fiscal Year  
BOARD ACTION: Discussion was held with Ken Hawkins and Chris Ebie/Assistant Auditor. (M)Parker, (S)Reilly, Res. 96-207 adopted/Ayes: Unanimous.

Jeff Green, County Counsel;  
Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No. C96-6 for \$760  
BOARD ACTION: Discussion was held. Cathi Ragghianti/claimant, advised that Sgt. Green of the Sheriff's Department was the first person to see the damage cited in this claim; referred to her previous requests to the Board for assistance in regulating permits for transporting mobile homes that are too wide and too long to travel down the road without causing damage to their property - this subject home was too high; advised that she was not notified before the home was moved; and advised that the claim process was used to bring this matter to the Board's attention.

Rick Jarrett stated he purchased the modular home and had of fered to repair the cattleguard and clean up the wood; does not feel that Russell's Transport should be penalized by not being able to obtain transport permits as he feels they do a good job.

Mike Edwards provided input relative to the width of the subject road and advised that they have added language to the

transport permits in an attempt to resolve the issues being raised. Bob Johnson/PWD-Deputy Director-Roads, commented on authorization to remove the flare rails from the cattleguards for wide loads; and further advised that he requested that Mrs. Jarrett contact Mrs. Ragghianti if they needed to get on private property when moving the home. (M)Parker, (S)Taber, Res. 96-208 adopted denying the claim; directing Public Works to proceed with refining the permit process to deal with the issues raised; and directing that Public Works contact Cathi Ragghianti personally to advise her of any permits issued for Trower Road. Motion was amended, agreeable with maker and second, to include direction for Public Works to send a letter to local authorities relative to checking permits for oversize and overweight vehicles/Ayes: Unanimous.

Mike Edwards, Public Works Director;

A) Resolution Authorizing Purchase of Yosemite Aviation Assets (\$2,052.79), Budget Actions for Remainder of 1995-96 FY, and Establishment of Petty Cash Fund (\$200) for Airport Management (4/5ths Vote Required)

**BOARD ACTION:** Mike Edwards introduced and welcomed Maria Liddle, the new Airport Manager. Following discussion, (M)Parker, (S)Reilly, Res. 96-209 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber.

B) Allocate the Position of Associate Civil Engineer within the Public Works Roads Division and Authorize Recruitment for Same to Replace the Junior Civil Engineer who has Resigned Effective April 25, 1996. Authorize Recruitment for a Junior Civil Engineer and Approve Underfilling of Associate Civil Engineer Position if that Recruitment is Unsuccessful; Transfer Funds (\$414) (Continued from 4/7/96)

**BOARD ACTION:** (M)Parker, (S)Stewart, Res. 96-210 adopted/Ayes: Unanimous.

Consent Agenda item 3 - Following discussion with Mike Edwards/ Public Works Director, (M)Taber, (S)Parker, Res. 96-211 adopted/Ayes: Unanimous.

Consent Agenda item 7 - Following discussion with Mike Edwards/ Public Works Director, (M)Reilly, (S)Stewart, Res. 96-212 adopted. Motion was amended, agreeable with maker and second, to include authorization for the Public Works Director to solicit bids sooner if he determines that would be in the best interest of the County/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Taber.

Consent Agenda item 5 - Following discussion, (M)Taber, (S)Parker, Res. 96-213 adopted/Ayes: Unanimous.

Waive First Reading and Introduce Ordinance Rescinding Ordinance which Set Elected Officials' Compensation Rates; and Adopt Resolution Preserving the Constables' Salary at Existing Rate (County Counsel) - Ordinance Introduced;

Resolution Establishing an Annual Review Process for Elected Officials' Salaries (County Counsel) - Res. 96-214 adopted;

Waive First Reading and Introduce Ordinance Concerning Section 20862.8 of the Public Employees Retirement System (Credit for Unused Sick Leave) for Miscellaneous Members Only (Auditor) - Ordinance Introduced;

Resolution Authorizing Execution of Contract with David M. Griffith and Associates, Ltd. for Preparation and Submittal of Claims for SB-90 Reimbursement from the State for Fiscal Years 1993-94, 1994-95 and 1995-96; and Approve Unanticipated Revenue (\$7,500) (4/5ths Vote Required) (County Administrative Officer) - Res. 96-215 adopted; and

Resolution Authorizing Appropriation of \$154,061 in Funds to Make Transfers to Departments Implementing Negotiated Salary Increases, and Additional Authorization to the Auditor to Make the Transfers of Approximately an Additional \$11,400 to Implement the MCMCO Agreement (4/5ths Vote Required) (County Administrative Officer) - Res. 96-216 adopted

BOARD ACTION: (M)Parker, (S)Stewart, the above items were approved/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber.

10:28 a.m. CLOSED SESSION to Discuss Two Cases which have Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9 (County Counsel) (Continued from 4/7/96)

BOARD ACTION: (M)Parker, (S)Stewart, closed session was held following a short recess, with Gary Estep/Assessor to be present for portion of session/Ayes: Unanimous.

11:01 a.m. Board reconvened in open session and continued closed session to later this date.

11:02 a.m. Ed Johnson, Planning and Building Director;  
PUBLIC HEARING - General Plan/Zoning Amendment No. 95-38 and Development Agreement No. 96-1; Mack and Pam Toney, Applicants  
BOARD ACTION: Ed Johnson provided staff report, and responded to questions from the Board relative to the Development Agreement, expansion restrictions, and Rural Home Enterprise/Industry regulations. Public portion of the hearing was opened. Persons speaking in support: Mack and Pam Toney/applicants, were present; and Pam advised that they obtained permits and followed guidelines, they better understand and are now prepared to sign the Development Agreement and feel that should make a difference to the neighbors as the Agreement severely limits what they can do on the property, and referred to the petitions supporting the businesses. Elaine Dorman/owner of the beauty shop, stated she does not feel there are alternatives for her for space in the area, commented on the inadequacy of the structure at her previous location, and feels her hours are compatible with the restaurant operation. Persons speaking in opposition: Walter Rottenkolber, neighboring property owner, stated he does not want the re-zoning approved and he agrees with the Planning Commission's recommendation; suggested that the owners of the

businesses operate them from their own homes; expressed concern with impacts of traffic and noise from the businesses; feels this "spot" zoning could lead to financial harm for surrounding properties - feels the neighbors relied on the area remaining residential; and stated he feels that initially the Toneys were going to keep the same size of restaurant space as they had in their previous location, but they increased the space. Martha Chernoff, resident on Westfall Road, stated she opposes the re-zoning as she does not see a need to allow for commercial development in the area - feels that under the Neighborhood Commercial-2 (CN-2) zoning, the parcel could be split, and the zoning change would open the possibility of what could be done on the property; stated she has no problem with the restaurant as long as the home enterprise restriction of having the property owner live on the property is enforced; feels the beauty parlor should be moved to the owner's property; and suggested the business owners be given one year to come into compliance with home enterprise regulations. Gordon Kjeldergaard, adjoining property owner, expressed concern with the visibility for traffic at the intersection of the driveway and East Westfall and Triangle Roads; opposed the re-zoning; and commented that the front of the property was enhanced, but the back has piles of refuse from the remodel. Mardel Sanders, an adjoining property owner, stated she moved here twenty years ago to be in a rural atmosphere and does not want commercial property next to her; and agrees with the restaurant staying as a Rural Home Enterprise, but opposes the zoning change. Mariella Haney, an adjoining property owner, stated she hoped the Board would protect the interest of the surrounding property owners - they enjoy the rural atmosphere of the area and a zone change would have an adverse impact on neighboring properties. Helen Kwalwasser stated she is trying to get zoned for commercial uses through the Open Window Period application process; she received her use permit eighteen years ago and under the Open Window Period process she will be restricted to her current uses; and she feels the proposed Development Agreement for the Toneys is different and could be cancelled or amended. Comments of a general nature: none. Rebuttal: Pam Toney commented that the prior use of the facilities was for a church; she did not solicit more names on the petitions due to the prior Board action; stated she feels the Development Agreement resolves the problems and does not mention being able to subdivide the property; the driveway was constructed in accordance with all rules; the previous tenants on the property had barking dogs which created a nuisance for the neighbors; and they like and have encouraged the rural quality of the area and noted that the deer wander through in the evenings. Public portion of the hearing was closed and Board commenced with deliberations. Ed Johnson reviewed options available for action and responded to questions from the Board relative to the amendment process for the Development Agreement. (M)Parker, (S)Balmain (who passed the gavel), to give direction to staff to continue with processing the re-zoning to CN-2 with a 30-year Development Agreement that limits the use to the existing uses and expansion to no more than 50%, to waive firstreading and

introduce ordinances for the zone change and Development Agreement with allowance for a B & B use and addressing the termination of the Agreement, failed by the following vote: Ayes: Balmain, Parker; Noes: Reilly, Stewart, Taber. (M)Taber, (S)Stewart, to deny the General Plan/Zoning Amendment based on the Planning Commission's recommendation, was amended following further discussion. Motion was amended, agreeable with maker and second, to include a one year extension for the owners to comply. Motion failed by the following vote: Ayes: Stewart, Taber; Noes: Reilly, Balmain, Parker. (M)Parker, (S)Stewart, Res. 96-217 adopted directing staff to work with representatives of the Board, the applicants and other interested parties in an effort to find a workable solution; and for the hearing to be rescheduled and noticed/Ayes: Unanimous. Hearing closed.

12:45 p.m. Lunch

1:30 p.m. Continued CLOSED SESSION to Discuss Two Cases which have Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9 (County Counsel) (Continued from 4/7/96); and

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Management/Confidential Employees (MCMCO) (County Labor Negotiator) (County Administrative Officer)  
BOARD ACTION: (M)Parker, (S)Stewart, Board reconvened in closed session/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber. Supervisor Taber arrived at 1:32 p.m.

3:56 p.m. Board reconvened in open session with direction given to staff on a litigation matter and regarding negotiations with MCMCO.

Regarding Discussion and Possible Action to Appoint a Visitors Bureau Director (County Counsel) (Continued from 4/7/96)  
BOARD ACTION: (M)Reilly, (S)Parker, direction was given to staff to re-recruit for the Visitors Bureau Director position/Ayes: Unanimous.

INFORMATION - No action was necessary on the following: Results of the Recent Vehicle Bids (Public Works)

#### CONSENT AGENDA

- CA-1 Resolution Authorizing the Chairman to Sign a Lease Agreement with Almost Like Home for Use of the Woodland Community Hall for FY 1996/97 (Housing & Community Development Agency); Res. 96-203
- CA-2 Resolution Authorizing Chairman to Sign Contract with David M. Griffith Cost Plan for Fiscal Year 1996-97 (Auditor); Res. 96 204



- CA-3 Resolution Approving the Final Map for Condominium Conversion Purposes for Donald J. Starchman and Francie M. Starchman, LDA 1296 (Public Works); Res. 96-211
- CA-4 Resolution Authorizing Chairman and Mental Health Director to Sign Fiscal Year 1995-96 Mental Health Service Contracts with Kings View Corporation for the County Child Abuse Prevention Program {AB1733} and the American Indian Community Mental Health Program (Human Services); Res. 96-205
- CA-5 Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No. C96-9 for \$289 (County Counsel); Res. 96-213
- CA-6 Resolution Approving and Authorizing Execution of the Settlement Agreement Between Mariposa County and the Mariposa County Managerial/Confidential Organization and the American Federation of State, County and Municipal Employees {AFSCME}, Local 2703 (County Administrative Officer); Res. 96-206
- CA-7 Resolution Authorizing Public works to Renew Bid for Fuel with Chase's Foothill Petroleum (Public Works); Res. 96-212

**3:59 p.m.** ADJOURNMENT in memory of Christine Emerson Reed, Barbara L. Laird, John Tavis, Sr., John M. Davis, Jr., and Robert E. Jones.

Respectfully submitted,

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**MARGLIAMS**  
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA  
May 21, 1996

Recorded in Minute Book 211  
Page 12 Mariposa County Records  
Entered June 4, 1996

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

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda Jeff Green, County Counsel, advised of the status of the recruitment for the Fire Chief position and recommendation for screening committee. Discussion was held relative to previous request from the Fire Chiefs Association to have two representatives on the screening committee. (M)Taber, (S)Stewart, Board waived its rules requiring 72 hours agenda noticing to consider this issue, finding it is a matter of timeliness as there is an existing vacancy/Ayes: Unanimous. (M)Parker, (S)Stewart, Board directed that the screening committee for applications for the Fire Chief position consist of the following: up to two representatives of the Fire Chiefs Association, Acting Fire Chief Dan Tinnel, one representative from CDF, and one fire person from a surrounding county/Ayes: Unanimous.

Discussion and Consideration of Supporting AB 705 (Ayala and Aguiar), the "Making Criminals Pay" Proposal which will Impose a Financial Criminal Penalty on Convicted Criminals in Order to Support the Law and Justice System (Supervisor Parker)  
BOARD ACTION: Christine Johnson/District Attorney, advised that the District Attorney's Association has taken no position on this legislation; feels it is good in theory, but not in practice, as it may be costly to collect; and stated that she is interested in seeing Penal Code 987.81 enforced - upon adoption of a resolution by the Board, this would require the Court to hold a hearing at the end of a criminal case to determine if the defendant can reimburse the County for court-appointed counsel fees. Following discussion, (M)Stewart, (S)Parker, Res. 96-221 adopted supporting this type of legislation (AB 705) in concept, with a question as to whether the actual dollar amount is appropriate and collectable; and with suggestion that Penal Code 987.81 be reviewed/Ayes: Balmain, Stewart, Parker; Abstained: Reilly; Not Voting: Taber.

Approval of Minutes of 5/6/96 Continued Regular Meeting; and Minutes of 5/7/96 Regular Meeting  
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)  
BOARD ACTION: County Counsel pulled item 9. Supervisor Taber pulled items 1 and 2. (M)Reilly, (S)Parker, balance of items were approved/Ayes: Unanimous. Following discussion, (M)Taber, (S)Parker, item 2 was approved/Ayes: Unanimous. Following

discussion, item 1 was approved/Ayes: Reilly, Balmain, Stewart; Noes: Taber; Abstained: Parker. Jeff Green, County Counsel, advised that the ordinance for item 9 was submitted in sample format last week and suggested that the completed ordinance be re-introduced this week and adopted next week. (M)Parker, (S)Reilly, first reading was waived and the ordinance was re-introduced concerning Section 20862.8 of the Public Employees Retirement System (credit for unused sick leave) for miscellaneous members only/Ayes: Unanimous.

Jeff Green, County Counsel;  
Resolution Adopting Policy for Implementation of Drug and Alcohol Testing for Drivers, Mechanics and Supervisory Personnel Directly Involved in the Operation of Commercial Motor Vehicles and Approving Execution of a Carrier Agreement with DrugTech Toxicology Service to Provide the Required Training and Testing Services (Continued from 5/7/96)

**BOARD ACTION:** Jeff Green pulled this matter and advised it will be rescheduled in early June, 1996.

1996-97 Budget Outlook Report (County Administrative Officer)

**BOARD ACTION:** Mike Coffield/County Administrative Officer, presented report and advised of recommendations. Discussion was held concerning the Advertising Fund and having the Visitors Bureau budget contain all revenues and expenses associated with this function. Supervisor Balmain requested that if consideration is given to changing the matching grant program for the Lodging Council, that sufficient notice be given so that the businesses can prepare for any changes. (M)Parker, (S)Stewart, Board approved recommendations: 1) authorize issuance of FY Budget Instructions, including adoption of FY 1995-96 Final Budget as the Preliminary Budget for FY 1996-97; 2) adopt Budget Guidelines; approve budget calendar; adopt resolution delaying the final budget process in accordance with the alternative calendar authorized by SB-2070; and direct County Administrative Officer to notify all department heads to remain available until completion of the budget process, and request the same of the elected officials. Further discussion was held concerning direction for preparing the Visitors Bureau budget. Motion was withdrawn. (M)Reilly, (S)Stewart, previous motion was restated, with the inclusion of direction for the County Administrative Officer to bring back the Visitors Bureau budget to provide for a more uniform accounting/Res. 96-225 adopted/Ayes: Unanimous. Mike Coffield advised that the Visitors Bureau budget would be brought back with the end of the year budget action.

Resolution Authorizing Execution of Contingency Contract with David M. Griffith (DMG) to Prepare SB-90 Claims for Additional Programs Authorized by AB-818, for the Amount of 30% of State Reimbursement Amount Received, not to Exceed \$10,000 (County Administrative Officer)

**BOARD ACTION:** Following discussion, (M)Parker, (S)Reilly, Res. 96-226 adopted/Ayes: Unanimous.

Discussion and Consideration of Supporting AB 50 (Johnson and Pringle), which will Repeal the Mandate for an Ergonomic Regulation (Supervisor Balmain)

BOARD ACTION: Following discussion, (M)Stewart, (S)Taber, Res. 96-227 adopted/Ayes: Unanimous.

Resolution Transferring Funds:

1) From Board of Supervisors Salary Savings (\$1,500) and Services and Supplies (\$1,000) to Fixed Assets for Purchase of Computer for Clerk of the Board (\$2,500)

2) From Savings in Memberships, Travel and Legal Publications to Fixed Assets for Purchase of a Computer for the Board of Supervisors (\$2,500)

3) From County Counsel Salary Savings to Fixed Assets for Purchase of a Computer for County Counsel's Executive Secretary (\$2,638) (County Administrative Officer)

BOARD ACTION: Following discussion, (M)Parker, (S)Reilly, Res. 96-228 adopted/Ayes: Unanimous.

Salary Adjustment for County Fire Chief for the Period January 1996 Through April 1996 to Provide Equity with Other Appointed Department Heads (County Administrative Officer)

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, to approve the salary adjustment failed by the following vote - Ayes: Reilly, Stewart; Noes: Balmain, Parker, Taber.

10:31 a.m. Ed Johnson, Planning and Building Director; CANCEL PUBLIC HEARING to Consider a Notice of Exemption (from Environmental Review) and the Approval or Denial of General Plan/Zoning Amendment No. 95-36; Meherana Inc., Applicant (Continued from 4/16/96)

BOARD ACTION: Hearing was cancelled at the request of Planning and will be rescheduled following the Planning Commission's hearing on this matter.

Resolution Authorizing Chairman to Sign Settlement Agreement with Yosemite Concession Services Co. (YCSC) for Refund of Property Taxes (County Counsel)

BOARD ACTION: Jeff Green, County Counsel, advised that the settlement is recommended by Attorney Paul Baker/representing Mariposa County, County Administrative Officer, Assessor, and himself. Supervisor Reilly was excused from the meeting for this matter due to a potential conflict of interest. Discussion was held concerning the agreement. (M)Parker, (S)Taber, Res. 96-229 adopted/Ayes: Balmain, Stewart, Parker, Taber; Excused: Reilly.

INFORMATION - No action was necessary on the following: Board Members are Invited to Serve Lunch at the Senior Activity Center on this Date

CONSENT AGENDA

- CA-1 Resolution Authorizing Chairman to Sign a Personal Services Agreement with Jim Carl to Write the First Draft of a Comprehensive Tobacco Control Plan and Budget for 1996-1998 (Public Health); Res. 96-224
- CA-2 Resolution Adopting Bid and Contract Documents for the Installation of Service Entry Conversions for the Underground Utilities District No. 2, Along 8th and Jones Street, Public Works Project Number PW 94-05, Authorizing Advertisement for Sealed Bids, Set a Bid Opening Date for Thursday, June 20, at 10:00 a.m. and Authorizing the Public Works Director to Execute a Contract with the Lowest Responsible Bidder (Public Works); Res. 96-223
- CA-3 Proclaim May 24, 1996 as "Mariposa County Senior Exposition Day" (Community Services)
- CA-4 Resolution Recognizing Kathie and Joe Dalton as Senior Lady and Senior Gentleman of the Year (Community Services); Res. 96-218
- CA-5 Resolution Affording Special Recognition to Dorothy Bauer (Community Services); Res. 96-219
- CA-6 Resolution Affording Special Recognition to Mary and Grant Colliver (Community Services); Res. 96-220
- CA-7 Resolution Authorizing Chairman to Sign the Regulatory Pesticide Enforcement Contract No. 96-0023 with the Department of Pesticide Regulation (CDPR) for 1996/97 (Ag Commissioner/Sealer); Res. 96-222
- CA-8 Waive Second Reading and Adopt Ordinance Deactivating the Mariposa County Redevelopment Agency (County Counsel); Ord. 898
- CA-9 Waive Second Reading and Adopt Ordinance Concerning Section 20862.8 of the Public Employees Retirement System (Credit for Unused Sick Leave) for Miscellaneous Members Only (Auditor); Ordinance was re-introduced

10:38 a.m. ADJOURNMENT

Respectfully submitted,

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MARG IAMS  
Cler o; e Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA  
MAY 28, 1996

Recorded in Minute Book 211  
Page 13 Mariposa County Records  
Entered June 11, 1996

<u>Folder</u>	<u>Time</u>	<u>Description</u>
9:02 a.m.		Meeting Called to Order with Supervisors Parker and Taber excused.

Pledge of Allegiance

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

- Leota Striplin commented on publicity relative to the Veterans Memorial Cemetery in Santa Nella and relative to the Memorial Day services in Mariposa.

Approval of Minutes of 5/14/96 Regular Meeting  
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)  
BOARD ACTION: Supervisor Stewart pulled item 2. (M)Reilly, (S)Stewart, balance of items were approved/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Taber. Following discussion, (M)Stewart, (S)Reilly, item 2 was approved/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Taber.

Jim Evans, Housing & Community Development Director;  
Resolution Authorizing the Jesse Benton Fremont School to Use the County Courthouse Grounds and Front Parking Area on June 3, 1996 from 11:00 a.m. to 2:00 p.m. to Publicize a California Susquecentennial Celebration

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 96-234 adopted/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Taber.

Don Z. Phillips, Tax Collector;

A) Resolution Appropriating Funds from Tax Collector's Cost Fund (\$2,000) for Employees to Attend HTE Users' Group Training Seminar (4/5ths Vote Required)

BOARD ACTION: No action was taken as only three Board members were present and action requires a 4/5ths vote.

B) Resolution Establishing Minimum Requirements for Public Member to Serve on Treasury Oversight Committee

BOARD ACTION: (M)Reilly, (S)Stewart, Res. 96-235 adopted/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Taber.

Waive Second Reading and Adopt Ordinance Rescinding Ordinance which Set Elected Officials' Compensation Rates (County Counsel)  
BOARD ACTION: (M)Reilly, (S)Stewart, Ordinance No. 900  
adopted/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Taber.

Temporary Appointment of Steve Hayes as Tourism Assistant to County Administrative Officer, During Vacancy of Visitors Bureau Director (County Administrative Officer)  
BOARD ACTION: Following discussion, (M)Stewart, (S)Reilly, Res. 96-236 adopted/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Taber. Board members noted their appreciation for the work Steve Hayes has performed during the vacancy.

CLOSED SESSION to Discuss a Case which has Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9 (County Counsel)  
BOARD ACTION: At County Counsel's request, closed session was continued to June 11, 1996.

9:20 a.m. Recess

9:30 a.m. Mike Edwards, Public Works Director;  
PUBLIC HEARING on Mariposa County's Solid Waste Nondisposal Facility Element and Resolution to Adopt the Nondisposal Facility Element

BOARD ACTION: Mike Edwards presented staff report and responded to questions from the Board relative to the status of AB 939, legislation concerning solid waste regulations; and procedures for updates. Public portion of the hearing was opened. There was no public input received. Public portion of the hearing was closed and Board commenced with deliberations. Tom Starling/PWD-Solid Waste Coordinator, commented on the waste energy plan for Stanislaus County. (M)Reilly, (S)Stewart, Res. 96-237 adopted/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Taber. Hearing was closed.

9:40 a.m. Ed Johnson, Planning and Building Director;  
PUBLIC HEARING, Environmental Determination for the Mariposa County Government Center (Negative Declaration with Mitigation Measures)

BOARD ACTION: Sarah Williams, Planning Manager, presented staff report. Public portion of the hearing was opened and input was received from the following: Darlene Miles stated she lives across the street from the proposed project and read her letter into the record citing concerns with impacts during the construction phase; parking, aesthetics and living environment impacts for the government center; and asked how the drainage in the existing County parking lot will be addressed and what affects the project will have on the property value of her home. James Brzezinski, neighboring property owner, stated he agrees with the concerns expressed by Darlene Miles. Public portion of the hearing was closed and Board commenced with deliberations. Ed Johnson, Sarah Williams, Dave Tucker/PWD-Senior Civil Engineer, and Mike Edwards/Public Works Director, responded to

questions from the Board relative to location of the neighboring residents with concerns; profile of the proposed center with the change to a two-story building; changes in use from the existing structures; anticipated length of construction and work hours; and changes in parking facilities. (M)Stewart, (S)Reilly, Res. 96-238 adopted/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Taber. Hearing was closed.

10:00 a.m. Mike Edwards, Public Works Director;

A) Resolution Approving Contract for Architectural Design Services for Administrative and Development Services Building, Public Works Project Number PW 91-15, and Authorizing Director of Public Works to Sign Agreement with the Architectural Firm of DuPertuis-Scott of Merced

BOARD ACTION: Discussion was held with Mike Edwards concerning the scope of services in the contract. Dave Tucker/PWD-Senior Civil Engineer, stated the contract would include the mechanical items. Mike Edwards stated he would verify that the fire alarm system is included in the scope of services. (M)Stewart, (S)Reilly, Res. 96-239 adopted/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Taber.

B) Resolution Appropriating Funds (\$1,500) from Yosemite West Utility Capital Fund to Purchase a Dissolved Oxygen Meter for the Yosemite West Wastewater Treatment Pond (4/5ths Vote Required)

BOARD ACTION: Matter was continued to June 4, 1996, as action requires four Board members to be present.

10:20 a.m. Dr. Mosher, Health Officer;

A) Information Regarding Various Health Department Activities

BOARD ACTION: Dr. Mosher presented report. No action was necessary.

B) Discussion, Possible Action and Direction to Staff Regarding Preparation of an Application to Become a Certified Unified Program Environmental Agency (C.U.P.A.)

BOARD ACTION: Discussion was held with Dr. Mosher. Board concurred with directing Health Officer to write a letter expressing the Board's concern with the additional burden this program would have on businesses with the surcharge and on the County with administering the program; requesting Regional Council of Rural Counties to look into this; and combining the three programs currently in existence in the County on an in-house basis.

C) Resolution Authorizing the Chairman to Sign the Standard Agreement with California Department of Health Services (CDHS), Local Public Health Services Section (LPHSS), for Local Assistance Block Grant (AIDS) in the Amount of \$6,900, for AIDS Testing in the Amount of \$5,400, for HIV Prevention Community Planning (HPCP) in the Amount of \$20,000, and for Immunization in the Amount of \$11,396, for Fiscal Year 1995/1996; and



Appropriating \$4,700 for AIDS Blood Testing (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 96-240 adopted approving the Agreement and revenue and program changes; authorization was given to shift existing funding between accounts to do additional AIDS blood testing, with the appropriation request trailed until June 4, 1996, for four Board members to be present to take action/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Taber.

CONSENT AGENDA

- CA-1 Resolution authorizing Increase in Office Space Rent and Water for Environmental Health at Italian Acres (Public Health); Res. 96-230
- CA-2 Resolution Designating Fresno Community Hospital, Cedar Vista Hospital and Tuolumne General Hospital as Mental Health Evaluation and Intensive Treatment Facilities (5150) for Residents of Mariposa County for the Purposes of the Lanterman-Petris-Short Act (Welfare and Institutions Code Section 5000, Etc. Seq.) (Human Services); Res. 96-233
- CA-3 Resolution Authorizing Health Officer to Contract with Boyer Temporary Personnel to Fill the Temporary Vacancy of the Accounting Technician Position at the Health Department (Public Health); Res. 96-231
- CA-4 Reappoint Elvie Bullis to the Coulterville Planning Advisory Committee (Planning)
- CA-5 Equity Adjustments Approved Pursuant to Labor Negotiations with MCMCO (County Administrative Officer); Res. 96-232
- CA-6 Waive Second Reading and Adopt Ordinance Concerning Section 20862.8 of the Public Employees Retirement System (Credit for Unused Sick Leave) for Miscellaneous Members Only (Continued from 5/21/96) (Auditor); Ordinance No. 899

11:06 a.m. ADJOURNMENT in memory of Lynn Fielding.

Respectfully submitted,

MARGI IAMS  
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA  
JUNE 4, 1996

Recorded in Minute Book ZH  
Page 14 Mariposa County Records  
Entered June 18, 1996

Time                      Description  
9:00 a.m. Meeting Called to Order  
Pledge of Allegiance

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

- Brian McFaden, former Mariposa P. G. & E. Manager, introduced Mark Luz, the new P, G. & E. Manager.
- Leota Striplin advised that the Merced-Mariposa Cancer Society Daffodil Days fundraising activity was successful.
- Mike Coffield/County Administrative Officer, advised of an off-agenda request to schedule a public hearing to discuss funding and facility plans for a new library; and advised of notification received from the State to fund a portion of the County's grant application. (M)Parker, (S)Reilly, Board waived its rules requiring 72 hours agenda noticing to consider this request, finding notification was received from the State after the agenda deadline and action is required prior to the next Board meeting in order to act within the State's timeline/Ayes: Unanimous. (M)Taber, (S)Parker, Res. 96-241 adopted scheduling a public hearing relative to the location and construction of a library facility for June 18, 1996, at 7:00 p.m.; and amending the Board's meeting schedule to commence at 2:00 p.m./Ayes: Unanimous. Direction was given for the hearing notice to run for two weeks in the newspaper and to advise that written comments are welcome.

Special Recognition to Alison Uebner for Receiving the Girl Scout Gold Award (Supervisor Taber); and  
Special Recognition to Carrie Kaiser for Receiving the Girl Scout Gold Award (Supervisor Taber)  
BOARD ACTION: (M)Taber, (S)Parker, a letter of commendation was presented to Alison Uebner and to Carrie Kaiser, along with a Courthouse pin/Ayes: Unanimous.

Approval of Minutes of 5/21/96 Regular Meeting  
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)  
BOARD ACTION: Supervisor Parker pulled item 10 - action was taken on this item later this date. Supervisor Taber pulled item 9. (M)Parker, (S)Reilly, balance of items were approved/Ayes: Unanimous. Following discussion with Christine Johnson/District Attorney, item 9 was approved with the November deadline restriction deleted/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber.

Mike Edwards, Public Works Director;  
Resolution Appropriating Funds (\$1,500) for Yosemite West Utility  
Capital Fund to Purchase a Dissolved Oxygen Meter for the  
Yosemite West Wastewater Treatment Pond (4/5ths Vote Required)  
(Continued from 5/28/96)

**BOARD ACTION:** Following discussion, (M)Reilly, (S)Stewart, Res.  
96-252 adopted/Ayes: Unanimous.

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

Ken Hawkins, Auditor;  
Resolution Designating the Option Under which Appropriation  
Limits Shall be Computed for Fiscal Year 1995-96  
**BOARD ACTION:** Following discussion, (M)Reilly, (S)Stewart, Res.  
96-253 adopted/Ayes: Unanimous.

Dr. Mosher, Health Officer;

A) Discussion and Possible Action in Response to Request  
for Fee Waiver by Mariposa Youth Football

**BOARD ACTION:** Following discussion, (M)Taber, (S)Reilly, Res.  
96-254 adopted approving fee waiver/Ayes: Reilly, Balmain,  
Stewart, Taber; Abstained: Parker.

B) Resolution Appropriating Unanticipated Revenue (\$4,700)  
for AIDS Blood Testing (4/5ths Vote Required) (Continued from  
5/28/96)

**BOARD ACTION:** Following discussion, (M)Reilly, (S)Stewart, Res.  
96 255 adopted/Ayes: Unanimous.

Don z. Phillips, County Clerk;

A) Request for Appropriation of \$4,115 from General  
Contingency for Elections Expenses (4/5ths Vote Required)

**BOARD ACTION:** Following discussion, (M)Taber, (S)Parker, Res.  
96-256 adopted appropriating unanticipated revenue from special  
election for election expenses/Ayes: Unanimous.

B) Presentation of Treasurer's Investment Portfolio by Alan  
Seidner

**BOARD ACTION:** Alan Seidner presented report and responded to  
questions from the Board.

**10:02 a.m.** PUBLIC HEARING to Consider a Time Extension for  
Planned Development Zone No. 84-2 (Golden Hills Mobile Home Park,  
aka Granite Springs Mobile Home Park), F.E. Davis, Applicant; and  
PUBLIC HEARING to Consider the Planning Commission' s  
Recommendations on the Continuing Processing of General  
Plan/Zoning Amendment Applications Initiated by the County Under  
the Commercial Sites Open Window Program, were opened and  
continued to after the following item.

Further discussion was held concerning the Treasurer's investment  
portfolio. It was requested that future reports include

information relative to the earnings of each investment, and include information on changes in investments between reports. No action was necessary.

10:10 a.m. Recess

10:16 a.m. Ed Johnson, Planning and Building Director;

A) PUBLIC HEARING to Consider a Time Extension for Planned Development Zone No. 84-2 (Golden Hills Mobile Home Park, aka Granite springs Mobile Home Park), F.E. Davis, Applicant  
BOARD ACTION: Jay Pawlek/Associate Planner, presented staff report and responded to questions from the Board relative to changes in ownership of the property and status of the project. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and Board commenced with deliberations. (M)Parker, (S)Stewart, Res. 96-257 adopted approving requested time extension/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber. Hearing was closed.

B) PUBLIC HEARING to Consider the Planning Commission's Recommendations on the Continuing Processing of General Plan/Zoning Amendment Applications Initiated by the County Under the Commercial Sites Open Window Program  
BOARD ACTION: Ed Johnson presented staff report and requested direction relative to who would be responsible for paying for environmental review and special studies, and relative to Planning Commission's request that only legally established uses be processed. Jay Pawlek/Associate Planner, gave slide presentation and reviewed recommendation for each of the applications; and advised of correction to the chart in the staff report to reflect proceeding with application C-14 - Mel-O-Dee Motel/Von der Ahe, applicant, under General Plan/Zoning Amendment with Development Agreement. Ed Johnson, Jay Pawlek, and Sarah Williams/Planning Manager, responded to questions from the Board relative to non-conforming use and recommendation for application C-16 - Hillside Motel/Houtz, applicant; recommendation for application C-21 - Archibald Mini Storage/Archibald, applicant; and Planning Commission's recommendation, improvements and applicant's intentions for application C-14 - Mel-O-Dee Motel/Von der Ahe, applicant. Public portion of the hearing was opened. Chairman called for input on each application. The following input was received: Jim Conrad stated he was satisfied with the recommendation for application C-4 - Midpines Post Office parcel. Leonard Brazzi stated he submitted application C-6 - shop building, residences, etc., to legalize the existing uses and commented that no permits were necessary for these uses when he moved there six years ago. Veronika Gerger asked if the recommendation for C-10 - Indian Flat RV Park is the same as what was requested. Thomas Archibald requested that his application C-21 - Mini Storage be zoned commercial as the site is surrounded by commercial activity and Caltrans has approved a commercial encroachment to the site. Dave Lawson, applicant for application C-23 - construction company, stated he understood that the open window application process was to bring existing uses into

compliance; this site is within the Town Planning Area (Bootjack) and is a low impact use - in use since 1981 with a substantial payroll; requested processing of the application be continued for commercial use versus processing through the Specific Plan process as the Specific Plan is still tentative; and advised that he has permits for additional construction on the site. Dave Lawson responded to questions from the Board relative to processing the application; size of the parcel; and plans to construct another building. Board concurred with holding the public portion of the hearing open during the summary portion and questions of staff portion prior to deliberations. Ed Johnson presented summary and responded to issues raised. Staff responded to questions from the Board relative to processing the applications; concerning expansion for application C-8 - Little Valley Inn/Hewitt, applicant; reason for recommendation for C-16 - Hillside Motel/Houtz, applicant; reason for recommendations to process C-22 - mini-storage/Young, applicant, and C-23 - construction company/Lawson, applicant, through the Specific Plan process; recommendation for C-21 - mini-storage/Archibald; applicant; recommendation for C-14 - Mel-O-Dee Motel/Von der Ahe, applicant; and recommendation and options for C-20 - Don Pedro Golf Course and Townhouses/Leonardi, applicant. Additional public input was received from the following: Dave Lawson asked whether the specific use has to be defined for a development agreement and whether there would be any flexibility. Mary Good commented that the Hillside Motel provides much needed housing for employees of the El Portal motels and concessions. Dave Lawson responded to question from the Board relative to Caltrans requirements for access if he constructs a second building. Public portion of the hearing was closed and Board commenced with deliberations. Hearing was continued to 1:30 p.m.

11:50 a.m. Lunch

1:31 p.m. Board reconvened with Supervisor Taber excused for the rest of the meeting.

Continued deliberation was held on the processing of General Plan/Zoning Amendment applications initiated by the County under the Commercial Sites Open Window Program. Dave Lawson responded to questions from the Board relative to his involvement with the Bootjack Town Planning Area Specific Plan process, and continued processing of his application. (M)Parker, (S)Reilly, Res. 96-258 adopted approving continued processing of the applications as recommended by staff with the following changes: C-8/Hewitt moved to Revise Rural Home Industry Standards (defer) ; C-14/Von der Ahe moved to General Plan/Zoning Amendment with Development Agreement as recommended by the Planning Commission; C-16/Houtz moved to General Plan/Zoning Amendment (defer) ; C-20/Leonardi moved to General Plan/Zoning Amendment with Development Agreement for those uses that are existing; C-21/Archibald, C-22/Young, and C-23/Lawson moved to General Plan/Zoning Amendment with Development Agreement; direction was given that the uses for development agreements will be whatever are existing as of the

date of the application; and the costs for processing applications C-15/Fischer and C-16/Houtz will be covered by the County, with the applicants to pay for any special studies as previously directed by the Board/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Taber.

Scheduling of Interviews of Applicants for Fire Chief Position (County Counsel)

BOARD ACTION: Jeff Green/County Counsel, initiated discussion and presented request received from the Screening Committee that they be allowed to personally interview the applicants prior to interviews by the Board, and for a member to sit in with the Board interviews. Board concurred with inviting the Screening Committee to submit specific questions or areas they would like to see covered in the interview process with the Board; and with scheduling interviews on June 17, 1996, at 9:00 a.m.

INFORMATION - No action was necessary on the following:

A) Board Hearing Schedule (Clerk of the Board)

B) Board of Supervisors and Staff Invited to Ground

Breaking Ceremony for Merco Credit Union from 12:00 - 1:00 p.m. this Date (Chairman Balmain)

#### CONSENT AGENDA

(For Consent Agenda Items 1-5, Note that the Board has Approved these Contracts for the Last Several Years, However, it Should be Emphasized that the Board is Making FY 1996-97 Budget Decisions with the Approval of these Contracts)

- CA-1 Resolution Authorizing the Chairman of the Board of Supervisors to Sign the 1996/97 Nursery Inspection Contract No. 96-0026 with the Department of Food and Agriculture (Ag Commission); Res. 96-242
- CA-2 Resolution Authorizing the Chairman of the Board of Supervisors to Sign the 1996/97 Egg Quality Control Contract No. 96-0151 with the Department of Food and Agriculture (Ag Commission); Res. 96-243
- CA-3 Resolution Authorizing the Chairman of the Board of Supervisors to Sign the 1996/97 MOU for Pesticide Use Reporting No. 96-0142 with the Department of Pesticide Regulation (Ag Commission); Res. 96-244
- CA-4 Resolution Authorizing the Chairman of the Board of Supervisors to Sign the 1996/97 Pesticide Application Reporting Contract No. 96-0085 with the Department of Pesticide Regulation (Ag Commission); Res. 96-245
- CA-5 Resolution Authorizing the Mariposa County Sealer of Weights and Measures to Sign the 1996/97 Weights and

Measures Agreement P-56922 and the 1996/97 Weights and Measures Agreement W-56922 with the Department of Food and Agriculture {Ag Commission) ; Res. 96-246

- CA-6 Resolution Authorizing the Chairman to Sign Personal Services Agreement with Clara Mossman (Public Health); Res. 96-247
- CA-7 Resolution Adopting Bid and Specification Documents for a Heated/Agitated 2000 Gallon Oil Emulsion Tank for the Ben Hur Yard, Public Works Project Number PW 95-35, Authorizing Advertisement for Bids, Set a *Bid* Opening Date for Thursday, June 27, at 10:00 a.m. and Authorizing the Public Works Director to Execute a Contract with the Lowest Responsible Bidder (Public Works) ; Res. 96-248
- CA-8 Reappoint Bill Bondshu to the Regional Advisory Committee of the Alpine, Mother Lode, San Joaquin Emergency Medical Services Agency {Supervisor Parker)
- CA-9 Resolution Approving a Temporary Extension of the 240 Hour Vacation Limit for Two Employees of the Family Support Division (District Attorney/Family Support); Res. 96-251
- CA-10 Resolution Rejecting Bid for the Broncho Hollow *Chip* Sealing Project, Public Works Project Number PW Z94-03 (Public Works); Res. 96-259
- CA-11 LOCAL TRANSPORTATION COMMISSION  
Resolution Requesting Caltrans to Exchange Eligible Federal Regional Surface Transportation Program Funds for State Fund and Authorize the Executive Director to Execute the Agreement (Planning); LTC Res. 96-10
- CA-12 Resolution Appointing Mark Koenig as the CDF Representative to the Emergency Medical Care Committee {EMCC) {Public Health) ; Res. 96-249
- CA-13 Resolution Authorizing Chairman to Sign Extra Help Agreements (2) with Carolyn Rose, MD, to Provide Services to the Health Department at No Expense to the County (Public Health) ; Res. 96-250

2:28 p.m. ADJOURNMENT in memory of Charles Morse, Paul Richert, Lilburn Schatz (former Supervisor for District V) and Dorothy Schatz.

"- pectfully submitted,

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**MARLIAMS**

Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA  
JUNE 11, 1996

Recorded in Minute Book 211  
Page 15 Mariposa County Records  
Entered JUNE 25, 1996

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

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

- Leota Striplin, representing the Kiwanis, advised of their "Kow Chip Bingo" fundraising effort during the 4th of July Celebration, and invited everyone to attend.

Approval of Minutes of 5/28/96 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Parker pulled item 3. Supervisor Taber pulled items 9 and 10 - items were continued for discussion with Human Services Director and action was taken later this date.

(M)Stewart, (S)Reilly, balance of items were approved/Ayes: Unanimous. Discussion was held with Jeff Green/County Counsel, relative to item 3. Supervisor Parker requested that County Counsel review whether there is a mechanism available for the towing service to be able to re-coup their expenses. Supervisor Stewart asked whether a portion of vehicle registration fees are apportioned to the County for an abandoned vehicle program. (M)Parker, (S)Stewart, item 3 was approved/Ayes: Unanimous.

Jim Eutsler, Community Services Director;

Resolution Authorizing Chairman to Sign the County Subvention Program Certificate of Compliance and the Medi-Cal Cost Avoidance Agreement with the California Department of Veteran Affairs (CDVA) for Fiscal Year 1996-97

BOARD ACTION: Following discussion, (M)Reilly, (S)Parker, Res. 96-267 adopted/Ayes: Unanimous.

Jim Evans, Housing & Community Development Director;

Resolution Authorizing the Purchase of a Computer System and Software Upgrade from EdTech Computer Services and Products in the Amount of \$2,810 and the Transfer of Funds from Services and supplies to Fixed Assets

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 96-268 adopted/Ayes: Unanimous.



George Gordo;

Request that La Paloma Road be Kept Open (Supervisor Stewart)

BOARD ACTION: Discussion was held concerning the request and Merced County's seasonal closure of the portion of the road within Merced County. (M)Taber, (S)Parker, direction was given for a letter to be sent to Merced County in support of keeping La Paloma Road open/Ayes: Unanimous.

Gwen Foster/FWD-Junior Civil Engineer, appeared on behalf of Mike Edwards, Public Works Director;

Resolution Authorizing Application for State Aeronautics Program Funding (\$342,900) for Runway Safety Area Improvements and Runway & Taxiway Slurry Seal and Certifying the Availability of Matching Funds (\$38,100) (4/Sths Vote Required)

BOARD ACTION: Discussion was held concerning the request. Supervisor Taber requested information relative to the number of fly-ins and groups that use the Airport. (M)Reilly, (S)Stewart, Res. 96-269 adopted/Ayes: Unanimous.

9:30 a.m. Recess

9:45 a.m. Consent Items 9 and 10 - Discussion was held with Tom Archer/Human Services Director. (M)Reilly, (S)Parker, items 9 and 10 were approved/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Taber.

10:18 a.m. Recess

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

A) PUBLIC HEARING to Consider Appeal of Planning Commission's Approval of a Conditional Certificate of Compliance to APN 08-330-011; Joseph E. Lepetich, Applicant and Appellant  
BOARD ACTION: Ed Johnson reviewed the subdivision process with regards to a Certificate of Compliance. Sarah Williams, Planning Manager, presented staff report and reviewed the specifics for the subject appeal, and presented the Planning Commission's recommendations. Staff responded to questions from the Board relative to water requirements; dates for creation of the parcels in the area - before and after the Subdivision Map Act became effective on March 4, 1972; previous and existing zoning for the area; width and status of easements to the subject parcel; and location of this parcel with regards to Bureau of Land Management (BLM) property. Public portion of the hearing was opened and input was provided by the following: Joe Lepetich/appellant, stated he did not feel that the Planning staff knew about the BLM road requirements and should not be discussing that issue; feels he has been caught in the middle of bureaucracy with this matter; commented on appeal procedure requirements for obtaining a copy of the record and providing material for the appeal; stated he feels his record provides a different story than what was presented by Planning staff; commented on his purchase of the property in 1971 from Mr. Worley - the road was built through the BLM land during Worley's ownership, and stated he feels the County was not prepared to administer the Subdivision Map Act in

March 1972; referred to a meeting he had with Mr. Gimblin (former District Attorney and County Counsel) during his purchase process and stated he was not advised at that time of the Map requirements; stated he does not agree with the easement requirements and commented on prescriptive easements and advised that he would be willing to record a statement that no County services are available with this parcel if that would satisfy the requirements; stated he feels there are other parcels that were created without following the Subdivision Map Act provisions and requested that they be pursued by Planning; and stated he disagrees with the statements in the letter received from Regis Schmittle. Mr. Lepetich responded to questions from the Board relative to the number of parcels and access and whether a certificate or permit exists; and Schmittle's statement relative to offer of deeded access. Persons speaking in support of the appellant: Hal Locke stated he was in the title and escrow business and handled transactions that occurred for this property and has knowledge based on that relative to this matter; stated there were two attempts to survey the original property, but neither were recorded; at the time the appellant was developing his property, all of the elements the Planning Commission is requesting today were *in* place; and stated this is considered wilderness property. Hal Locke responded to questions from the Board relative to the access through BLM property which has since been blocked. Persons speaking in opposition: none. General comments: Kate Uruburu asked whether BLM is aware of this matter. Mr. Lepetich offered rebuttal, stating Mr. Gimblin filed a subdivision in 1981 without fulfilling requirements of the Subdivision Map Act, and he was County Counsel at the time the Map Act was passed; stated he did not conspire to cheat anyone and has followed all laws; and commented that there are no provisions for determining radon content or UFO landings. Mr. Lepetich responded to question from the Board relative to accessibility of the easements. Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to the public input and responded to additional questions from the Board relative to easements and access through BLM property; division of parcels in the area; and status of development on the parcels. Supervisor Parker suggested BLM be contacted to determine if an agreement can be reached for access connecting to the existing easement through private property. (M)Reilly, (S)Taber, Res. 96-272 adopted denying the appeal and upholding the Planning Commission's determination; and requesting that negotiations be explored with BLM for access and maintenance to the parcel/Ayes: Unanimous.

C) Discussion on Straw Bale Buildings

BOARD ACTION: Discussion was held with Ed Johnson. Kathleen Pfeffer stated they are interested in constructing a bale residence and responded to questions from the Board. Ed Johnson advised that the resolution and ordinance for this matter is scheduled on next week's agenda and no action is necessary this date.

BJ Review Schedule for Board Action on Various Planning Projects

BOARD ACTION: Ed Johnson reviewed the status of several major items pending scheduling on the Board's agenda. Following discussion, direction was given for Planning to contact the applicant for Ocean Sierra Restaurant to give them an opportunity to state their preference for scheduling their application. Board concurred with scheduling the pending matters in July and August so they do not overlap with Final Budget Hearings.

12:26 p.m. Lunch

2:04 p.m. CLOSED SESSION to Discuss a Case which has Significant Exposure to Litigation Pursuant to Subdivision (BJ of Government Code Section 54956.9 (Continued from 5/28/96) (County Counsel); and

CLOSED SESSION to Discuss a Case which has Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9 (County Counsel)

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

3:38 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

#### CONSENT AGENDA

- CA-1 Resolution Authorizing Chairman to Sign Addendum to Agreement with Ross and Castillo Claims Administration (County Counsel); Res. 96-260
- CA-2 Resolution Authorizing the Chairman to Sign Lease Agreement with Mariposa Lodge No. 24 F&AM Temple Association for Use of the Masonic Hall (County Counsel); Res. 96-261
- CA-3 Waive First Reading and Introduce Ordinance Amending Chapter 8.32 of the Mariposa County Code Relative to Procedures for Removing Abandoned Vehicles (County Counsel)
- CA-4 Resolution Authorizing the Chairman to Sign an Extension to the Agreement with Kenneth and Lamerna Mari for Lease of Vault Space for Storage of County Records (County Counsel); Res. 96-262
- CA-5 Resolution Authorizing the Chairman of the Board of Supervisors to Sign the 1996/97 Detection Trapping Contract No. 96-0081 (Note that the Board has Approved this Contract for the Last Several Years, However, it Should be Emphasized that the Board is Making FY 1996-97 Budget Decisions with the Approval of this Contract) (Ag Commission); Res. 96-263

- CA-6 Resolution Approving and Authorizing the Chairman to Execute an Interim Rental Agreement with 35-A District Agricultural Association (Public Works) ; Res. 96-264
- CA-7 Resolution Authorizing Health Officer to Apply for Maternal-Child Health Grant (#96-25591) for Fiscal Year 1996-97 (to Continue Implementation of the Maternal Child Health Program in this County) in the Amount of \$50,155 (Public Health); Res. 96-265
- CA-8 Resolution Authorizing Health Officer to Apply for the 1996-97 Enforcement Assistance Grant in the Amount of \$17,827 (Public Health) ; Res. 96-266
- CA-9 Resolution Authorizing Chairman to Sign Personal Services Agreement for Jane Siebeneicher for the Human Services Department Independent Living Program (Human Services); Res. 96-270
- CA-10 Resolution Authorizing Chairman to Sign Personal Services Agreement for Jane Siebeneicher for the Mariposa County Family Preservation and Support Program (Human Services); Res. 96-271

3:38 p.m. Board recessed and continued meeting to Monday, June 17, 1996, at 9:00 a.m. in the Mariposa Public Utility District Conference Room, located at 4992 7th Street, for Closed Session to interview applicants for Fire Chief position.

Respectfully submitted,

  
**MARGLIAMS**  
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA  
(CONTINUED MEETING OF 6/11/96 - CLOSED SESSION)

JUNE 17, 1996

Z tt

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



CLOSED SESSION to Interview Applicants for Fire Chief Position (Continued from 6/11/96)  
(County Counsel)  
and

CLOSED SESSION to Discuss a Case which has Significant Exposure to Litigation Pursuant to  
Subdivision (B) of Government Code Section 54956.9 (Continued from 6/11/96) (County Counsel)

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

12:42 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

12:44 p.m. ADJOURNMENT in *memory* of Gertrude Fichtner, Delores Grogan, and Stanley Castro.

Respectfully submitted,

MARGIE WILLIAMS  
Clerk of the Board

By: RHONDA SCHERF  
Deputy Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA

JUNE 18, 1996

Recorded in Minute Book

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Entered JULY 2, 1996

Time Description  
2:01 p.m. Meeting Called to Order  
Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda  
- Mike Edwards/Public Works Director, advised of an upcoming Committee hearing on AB 1647 (Bustamante) which would reaffirm the California Integrated Waste Management Board's earlier policy which authorized limited use of alternative daily cover for diversion credits. (M)Parker, (S)Reilly, Board waived its rules requiring 72 hours agenda noticing to consider action on this legislation, finding the matter was not known about at the time the agenda was prepared and the Committee hearing is scheduled for June 25, 1996/Ayes: Unanimous. Following discussion, (M)Reilly, (S)Stewart, Res. 96-273 adopted supporting AB 1647/Ayes: Unanimous.

Approval of Minutes of 6/04/96 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Chris Ebie, Assistant Auditor, appeared on behalf of Ken Hawkins, Auditor;  
Resolution Establishing Appropriation Limits for the 1995-96 Fiscal Year

BOARD ACTION: (M)Parker, (S)Stewart, Res. 96-278 adopted/Ayes: Unanimous.

Christine Johnson, District Attorney;

Resolution Authorizing the District Attorney to Apply for the Continuation of the Office of Criminal Justice Planning Drug Enforcement Grant

BOARD ACTION: Following discussion, (M)Parker, (S)Stewart, Res. 96-279 adopted/Ayes: Unanimous.

Jeff Green, County Counsel;

Resolution Adopting Policy for Implementation of Drug and Alcohol Testing for Drivers, Mechanics and Supervisory Personnel Directly Involved in the Operation of Commercial Motor Vehicles and Approving Execution of a Carrier Agreement with DrugTech Toxicology Service to Provide the Required Training and Testing Services (Continued from 5/21/96)

BOARD ACTION: Jeff Green advised of changes made to the policy following discussions with the Union. Lisa Edelheit/SEIU, stated they were concerned with privacy for the testing and training and requested to be invited to the training, and to be able to come back to the Board if there are any concerns or issues with the laboratory's handling of the testing. Following discussion, (M)Parker, (S)Stewart, Res. 96-280 adopted; direction was given for a letter to be sent from the Chairman to Congressman Radanovich outlining concerns with this type of unfunded mandate/Ayes: Unanimous. Marty Allan!PWD-Fleet Fiscal Manager, commented on the testing procedures.

Annual Review and Discussion of the Health Department Lease Agreement and Consideration of the "Option to Purchase" Clause (County Counsel)

BOARD ACTION: Following discussion, no action was taken.

2:25 p.m. Mike Edwards, Public Works Director;

A) Resolution Approving and Authorizing the Public Works Director to Execute the Application for Participation in State/Local Transportation Partnership Program Cycle 8 to Partially Reimburse County for Cost for Summer, 1997 County Road Overlays  
**BOARD ACTION:** Following discussion, (M)Parker, (S)Stewart, Res. 96-281 adopted/Ayes: Unanimous.

-) Mike Edwards advised that SB 160 (Kopp) should be carefully followed as it would overhaul the transportation funding program for the State.

B) Discussion and Direction Regarding Use of Mariposa Lighting District Funds for Replacement of inadequate Lighting and Poles at the Mariposa Ball Fields; and Consider Transferring Funds from the Capital Improvement Budget, from Ball Field Lights to Public Works Administration for Extra Costs for El Portal Pool Deck (\$2,400)  
**BOARD ACTION:** Discussion was held with Mike Edwards and he advised that he would like to bring the lighting proposal back during the budget process for the CIP budget, the existing fixtures could be used on new poles; and discussion was held concerning the funding shortfall for the El Portal pool deck project. (M)Parker, (S)Reilly, Res. 96-282 adopted appropriating \$2,800 from Reserve for Contingency for the funding shortfall for the El Portal pool deck project/ Ayes: Unanimous.

C) Resolution Approving Funding and Authorizing the Public Works Director to Prepare Plans and Specifications to Build an Extension on the Heavy Equipment Shop for Consolidation of Services, Public Works Project PW 94-35; Prepare Advertisement for Bids; Set Bid Date; and Execute a Contract with the Lowest Responsible Bidder, Upon Review of County Counsel  
**BOARD ACTION:** Discussion was held with Mike Edwards and Marty Allan/PWD-Fleet Fiscal Manager, relative to the proposal, including relocation of the maintenance facilities to Public Works and financing options. Tim Crafts/PWD-Vehicle Maintenance, provided input relative to being able to increase the size of the fleet and handling maintenance. (M)Parker, (S)Stewart, Res. 96-283 adopted approving request, with funding to come from the following sources: \$182,000 current year savings in CIP/Government Center; \$40,000 for projected one-time savings on fleet inventory through consolidation; \$35,000 for one year of salary savings by deleting one equipment mechanic; \$41,000 for one year of baseline savings from loan payoff of Rest Area lot purchase; and authorizing staff to proceed with inclusion of the balance of \$127,000 in the RECDS loan package, unless in Final Budget hearings one-time savings can be identified for this project/Ayes: Unanimous.

D) Resolution Authorizing Chairman to Sign Amended and Restated Joint Powers Agreement Creating the Regional Council of Rural Counties Authority For Environmental Services  
**BOARD ACTION:** Following discussion, (M)Reilly, (S)Parker, Res. 96-284 adopted/Ayes: Unanimous.

E) Resolution Approving Additional County Transportation Permit Conditions  
**BOARD ACTION:** Following discussion, (M)Taber, (S)Stewart, Res. 96-285 adopted, with amendment to reflect "over-sized" loads versus mobile homes/Ayes: Unanimous.

3:15 p.m. Recess

3:30 p.m. Ed Johnson, Planning and Building Director;

A) Resolution Endorsing the Concept of Straw Bale Construction in Mariposa County; and

B) Waive First Reading and Introduce Ordinance Establishing Standards for the Utilization of Straw Bale Technology in Structures

**BOARD ACTION:** Discussion was held. Input was provided by the following: Alex Keaton commented on the energy and labor savings; stated this type of construction is user friendly and presented a cross section diagram of the walls for his proposed residence. Jerry Johnson stated he has studied this type of construction and commented on the estimated square footage costs; and stated he feels this type of construction is good in terms of ecological liability. Lee Haley, General Building Contractor, stated he agreed with the previous comments and feels this type of construction has the potential for being a very comfortable low-income home and can be simple or elegant; and stated he is proposing a Nebraska style - load bearing construction. (M)Reilly, (S)Taber, Res. 96-286 adopted endorsing the concept of straw bale construction in the County; and an Ordinance introduced establishing standards for the utilization of straw bale technology in structures, with change to reflect "prevailing winds"/Ayes: Unanimous.

3:54 p.m. Dinner

7:03 p.m. Maurie Hoekstra, Librarian;

PUBLIC HEARING to Consider Resolution to Amend LSCA Application to Increase Funding Commitment from Mariposa County or Change Project Scope to Make up the Difference for the Library

**BOARD ACTION:** Maurie Hoekstra presented staff report; reviewing background to the proposed joint School/County project and fundraising efforts; and reviewed the proposed design and options. Maurie Hoekstra responded to questions from the Board relative to recommendation from Friends of the Library for this project; proposal for furnishing the new facility; option to remove one modular portion and financial impact; floor coverings; and responded to question from staff relative to the State Library's reaction if the Board accepts a reduced scope proposal. Public portion of the hearing was opened and input was provided by the following: Art Baggett, speaking as a parent and supporter of the Library and as a neighbor to the proposed site, commented on his involvement in creating a joint use (School/County) Library branch in El Portal, expressed concern with the proposed joint use and potential conflicts between the children and retirees; expressed concern with the proposed site and traffic congestion - especially during the p.m. when buses are picking up school children; stated he understands the need for economics and financing, but is concerned with a modular construction - the Mariposa Town Specific Plan won a National Award and the business community has been made to live up to its standards, and he feels that this project should also meet the standards set in the Plan; the transient occupancy tax has been raised and a lot of money is being spent to promote the town of Mariposa as an historical place and this will be a civic building and should meet the historic standards or the wrong message will be sent to the public; other buildings in the area (Courthouse, High School, and Campbell house) are on the Historic Register; and suggested that perhaps interim solutions should be reviewed until another location can be found that is more suitable for this facility. Susan Robinson, Principal at Mariposa Elementary School, stated she feels the proposed project will be good because the joint effort and resources may result in more staffing and increased hours; feels good modeling could happen between the seniors and the students and suggested joint programs such as story telling and drama; the proposed site will create a better access for the students; and commented that modular classrooms are being used next to the proposed facility and the children should not be deprived for a "stick-built construction". Herb Gloor stated no one wants a modular facility and asked if it would be possible to add a front to the facility at a later date that would tie in with the theme. Maurie Hoekstra presented samples of the proposed roofing and siding materials and stated the difference between the modular and "stick-built construction" is that the modular is constructed off-site and transported to the site. Pauline Trabucco asked if this is the only lot and stated



she does not think it is big enough. Karen Schwegman asked about the status of the funds from the "Build a House for the Library" fundraiser. Maurie Hoekstra responded that the fundraiser was temporarily put on hold until it is known what the specific plan is for the library. Chuck Kendall stated he supports the project and does not have a problem with modular construction - the budget is more important. Suzette Prue commented on her previous work with libraries and stated she does not feel that the proposed size is too much; stated her mother enjoys using the library for recreational reading; commented on a joint venture in Placerville; she feels the meeting room is important and the technology budget should be increased. E. O. Lewis, President of Friends of the Library, stated he would prefer a "stick-built construction", but is concerned with funding, and supports this modular construction project. Earle Jorgensen, Friends of the Library Committee, stated that if the County could commit to the projected funding shortfall of \$100,000 for the project, part of it could be paid back through fundraisers. Merle Wood stated she agrees with a joint use facility and location and feels there should not be a conflict between the children and the seniors - the seniors are working with the students through the SPICE program. Harriet Engleman, Friends of the Library, stated she supports the modular concept and putting funding into the inside amenities. Don Sawtelle stated he worked with the library in setting up the Internet connection and commented on the existing lack of space; stated he supports this project; and with adequate facilities, he feels there will be more support. Ruth Womack commented that when she came to the County and later graduated from High School in 1927, there were no library facilities; stated she feels that if the people will support this project, the County can have great pride in this; that the outside can be dressed up; and advised that she supports this project. Karen Schwegman asked about the moving of the High School facilities in the future and what impact that would have on this project. Bill Pettus, Superintendent of Schools, stated the Schools support this project; and advised that this has been a good opportunity for School and County staff to work together and it has been a positive experience. Susan Robinson commented on the "penny collection" fundraiser and advised that this is a project the children have been devoted to and it is a multi-generational project. Merle Wood commented on the participation of the Lushmeadows Clubhouse in the "penny collection." Maurie Hoekstra responded to questions from the Board relative to whether contingency funding is included in the financing; impact to future budgets; and grant funding requirements. Don Sawtelle commented that there will always be a need to raise dollars for the library. Maurie Hoekstra continued to respond to questions from the Board relative to participation by the School in this project; whether there are any negatives in the future with having a joint use facility; whether funding for outlying library branches would be impacted by this project; possibility of consolidating the library with the new Government Center; timetable for the proposed project; relative to the proposed floor plan and concrete foundation; possible reduction in costs due to the upcoming underground utility project and sidewalk project in the area; and proposed parking facilities. Bill Pettus responded to question from the Board relative to possible uses of the site if the library project is not approved. Mike Coffield/County Administrative Officer, responded to question from the Board relative to proposal for project management of the facility. Ruth Womack asked if the concrete foundation would be installed prior to freezing weather. Karen Schwegman stated she felt additional parking would be needed for meeting room activities. Chuck Kendall asked how parking would be handled if the library were included in the Government Center. Public portion of the hearing was closed. Maurie Hoekstra reviewed construction and financing options. Board commenced with deliberations and discussed the construction and financing proposal and options.

8:32 p.m. Recess

8:45 p.m. Board continued with deliberations. (M)Parker, (S)Taber, Res. 96-287 adopted accepting the proposed cost revisions as outlined by staff for the ten thousand

square foot library building at a cost of \$860,000. Supervisor Parker commented on the deadlines with the grant funding and the need for an agreement to be reached between the School District and the County relative to the joint use of the facility, and requested that contingency funding be considered at a later date. It was acknowledged that if additional funding could be raised the additional 1,000 square feet for the meeting room could be added back into the project. Ayes: Balmain, Stewart, Parker, Taber; Noes: Reilly. Hearing was closed.

### CONSENT AGENDA

- CA-1 Resolution Transferring Funds from Office Expense to Fixed Assets (\$418) for Purchase of Executive Swivel Chair (Municipal Court); Res. 96-274
- CA-2 Resolution Authorizing Chairman to Sign the Declaration of intent not to Apply for Rural Health Services Program Funding for Fiscal Year 1996-1997 (Public Health); Res. 96-275
- CA-3 LOCAL TRANSPORTATION COMMISSION  
Resolution Authorizing Chairman to Sign Master Fund Transfer Agreement Between Caltrans and the Local Transportation Commission (Planning); LTC Res. 96-11
- CA-4 Resolution Transferring \$452 from Rent to Taxes and Assessments for Public Health Facility (Public Health); Res. 96-276
- CA-5 Resignation of Karl Harla from the Coulterville Town Planning Area Advisory Committee (Planning)
- CA-6 Resolution Authorizing Transfer of Funds between Fixed Asset Categories, from Fax Machine (\$113) in Order to Replace a Failing Computer Monitor within the Criminal Division of the District Attorney's Office (District Attorney); Res. 96-277
- CA-7 Appoint Nakia Mayfield to the Mariposa County Alcohol and Drug Advisory Board (Human Services)

9:01 p.m. ADJOURNMENT

Respectfully submitted,

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MARGIE WILLIAMS  
Clerk of the Board

MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA  
JUNE 25, 1996

Recorded in Minute Book Z II  
Page 18 Mariposa County Records  
Entered July 9, 1996

Time                      Description  
9:00 a.m. Meeting Called to Order  
Pledge of Allegiance

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda  
- Chris Russell shared his thoughts relative to the tourism industry in the County, stating he feels the number one priority needs to be to persuade visitors who drive through the County to stop; and suggested the following: 1) establish a visual theme, perhaps gold rush; 2) create an incentive for the tour buses to stop and the cars will stop; and 3) keep the shops open in the evenings. Chris further mentioned that they have a shop in town and he applied for the Visitors Bureau Director position.  
- Ivan Laam expressed concern with what he felt was his neighbor's non-compliance with HUD regulations - requested that the abandoned vehicles be declared a public nuisance and that the child care services be stopped.  
- (M)Taber, (S)Parker, Board waived its rules requiring 72 hours agenda noticing to consider request to recognize Aaron Livingston on his 100th birthday, finding the matter was not known about at the time the agenda was prepared and a special event is planned prior to the next meeting/Ayes: Unanimous. (M)Taber, (S)Parker, Certificate of Recognition was approved and given to Herman Spranz to present to Aaron Livingston/Ayes: Unanimous.

Accept Resignation; Resolution and Tile Plaque Recognizing Brian McFaden for his Service on the Mariposa County Planning Commission (Supervisor Parker)  
**BOARD ACTION:** (M)Parker, (S)Reilly, resignation was accepted with regret, and Res. 96-288 adopted and presented to Brian McFaden, along with a tile plaque/Ayes: Unanimous.

Approval of Minutes of 6/11/96 Regular Meeting  
**BOARD ACTION:** Approved.

Approval of Consent Agenda (See End of Minutes)  
**BOARD ACTION:** Supervisor Parker pulled item 7. Supervisor Reilly pulled items 4 and 6 for consideration after the Wawona Library matter later this date. (M)Parker, (S)Reilly, balance of items were approved/Ayes: Unanimous. Following discussion, item 7 was approved/Ayes: Reilly, Balmain, Stewart, Taber; Not Voting: Parker.

Discussion and Consideration of Adoption of a County Flag (Supervisor Stewart)  
**BOARD ACTION:** Supervisor Stewart presented information on flags and suggestions received for a County flag, including a color photo of the recommended design. Discussion was held and suggestions considered for including the Courthouse and "Mother of Counties" on the flag. Matter was referred back to the Board's subcommittee for consideration of the input received and to allow the public an opportunity to comment, with direction that the matter be rescheduled in one month.

Tom Archer, Human Services Director;  
Resolution Authorizing the Chairman to Sign an Amendment to the 1995-96 Mental Health Contract with KingsView Corporation and Transfer Funds (\$15,000)  
**BOARD ACTION:** Following discussion with Tom Archer, (M)Reilly, (S)Stewart, Res. 96-293 adopted/Ayes: Unanimous.

Richard McMechan, Superior Court Judge;  
Resolution Transferring Funds for Purchase of PC, Printer and Software (\$3,500)  
**BOARD ACTION:** Following discussion, (M)Parker, (S)Stewart, Res. 96-294 adopted/Ayes: Unanimous.

Jeff Green, County Counsel;  
Adoption of Mariposa County's Family and Medical Leave Policy and Procedures and Approval of the Leave Request Form, Health Care Provider Certification Form, and Employer Response to Employee's Request for Leave  
**BOARD ACTION:** Jeff Green advised that the employee bargaining units were given an opportunity to comment on the proposed policy and subsequently changes were made; however, SEIU wants additional changes which he feels would expand the policy beyond requirements of the State and Federal law. Discussion was held. Lisa Edelheit/SEIU, requested that options be included in the policy to allow the employees flexibility in determining whether they want to take paid (using vacation or sick time) or unpaid leave, that leave taken under the Family and Medical Leave policy should be in addition to the current time that is allowed, and that intermittent or reduced leave not be restricted to just when medically necessary. Further discussion was held. Board requested that the request from the Union be presented in writing for further review and consideration. Matter was continued to July 16, 1996.

10: 10 a.m. Recess

10:25 a.m. Mike Edwards, Public Works Director;  
Resolution Approving Lease and Rental Agreement Forms for Mariposa-Yosemite Airport and Authorizing the Public Works Director to Execute Agreements  
**BOARD ACTION:** Discussion was held and Mike Edwards advised of corrections to the draft agreements. (M)Stewart, (S)Reilly, Res. 96-295 adopted/Ayes: Unanimous.

10:36 a.m. MARIPOSA COUNTY WATER AGENCY;  
Resolution Approving Additional Loan Funding for the Mariposa Public Utility District Pressure Zones 2 and 3 Water Tank/Transmission Main Project (\$71,000)  
**AGENCY ACTION:** Discussion was held with Mike Edwards/Public Works Director, and Mark Rowney/MPUD General Manager, concerning the request. Mike Edwards advised of correction to the staff report to reflect request of additional funding in the amount of \$60,000, with a total loan amount of \$1,045,000. (M)Reilly, (S)Balmain, Water Agency Res. 96-3 adopted. Motion was amended, agreeable with maker and second, committing the \$39,000 deferred with this action for the Lake Don Pedro sewer rehabilitation project to the FY 1997-98 funded project list/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Taber.

11:04 a.m. Discussion and Request for Coverage on the County's Blanket Insurance Policy for Joaquin Murrieta Days (Supervisor Balmain)  
**BOARD ACTION:** Following discussion, (M)Taber, (S)Reilly, Res. 96-296 adopted approving request for insurance coverage. Following further discussion relative to covering special events versus donating funds for separate insurance to be purchased, Board concurred with referring the matter of insurance coverage for special events to the Visitors Bureau Director for recommendation of a policy. Ayes: Unanimous.

**10:45 a.m.** Maurie Hoekstra, Librarian;

Information Presentation from the Wawona Library Committee on the Proposed Wawona Library Building Project

**BOARD ACTION:** Pierce Loberg, Wawona Library Committee, presented the Committee's proposal for the Bassett Memorial Library, a new branch library facility for Wawona. Pierce stated the facility would be under Park Service ownership and the County is not being asked to contribute to construction costs, just for additional operating maintenance, and they would like to see increased hours for all branch libraries; they will come back to the Board for approval of a 20 year MOU for the facility and for approval of a name change for this branch; and advised of the donation of Internet services to this branch. Discussion was held. Supervisor Parker requested that County Administrative Officer remind all department heads that agenda material needs to be submitted to the Board for inclusion in the agenda packages for review prior to the meeting. Board members also expressed concern that proposals should be brought to the Board prior to proceeding with any commitments.

Consent Agenda item 4: Supervisor Reilly initiated discussion concerning the variances in budgeted costs for the Library branches and suggested that an "out" clause similar to that of other contracts be added. (M)Parker, (S)Stewart, item 4 was approved/Ayes: Unanimous.

Consent Agenda item 6: Discussion was held concerning the services being provided in this area and not being available in other outlying areas of the County; and consideration of consolidation of facilities and services for the area. Supervisor Reilly asked about the status of allocation of costs to the departments who use this facility. (M)Parker, (S)Stewart, item 6 was approved/Ayes: Balmain, Stewart, Parker; Abstained: Reilly, Taber.

**12:02 p.m.** Donald Cripe, Agricultural Commissioner;

A) Presentation of the 1995 Mariposa County Agricultural Crop Report

**BOARD ACTION:** Don Cripe presented the Crop Report and responded to questions. No action was necessary.

Board members commented on the recent Ag Commissioner/Farm Advisor/RCD Open House and stated they found it informational.

B) Resolution Authorizing the Chairman to Sign Agreement No. 96-73-06-0260-RA, the Annual Work Plan and Reimbursable Budget Plan for FY 1996-97 with USDA/APHIS/ADC (Animal Damage Control)

**BOARD ACTION:** Discussion was held with Don Cripe and Don Simms/USDA Animal Damage Control Specialist, concerning the contract and alternative levels of service. (M)Parker, (S)Stewart, Res. 96-299 adopted authorizing the twelve month contract/ Ayes: Unanimous.

Resolution Approving One Year Contract with AT&T for Long Distance Service (County Administrative Officer)

**BOARD ACTION:** (M)Parker, (S)Stewart, Res. 96-300 adopted/Ayes: Unanimous.

12:22 p.m. CLOSED SESSION to Discuss a Case which has Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9 (Continued from 6/17/96) (County Counsel); and  
CLOSED SESSION to Discuss Applicants for Fire Chief Position (County Counsel)  
BOARD ACTION: (M)Reilly, (S)Stewart, closed session was held following a short recess/Ayes: Unanimous.

1:03 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

INFORMATION: No action was necessary on the following -  
Information Update on El Portal Branch Library (Library)

CONSENT AGENDA

- CA-1 Waive Second Reading and Adopt Ordinance Amending Chapter 8.32 of the Mariposa County Code Relative to Procedures for Removing Abandoned Vehicles (County Counsel); Ord. 901
- CA-2 Resolution Authorizing Chairman to Sign Rental Contract for Ag Complex Building with 35-A District Ag (Farm/Ag); Res. 96-289
- CA-3 Resolution Approving the Road Name "Lookout Mountain Road" (Planning); Res. 96-290
- CA-4 Authorize Chairman to Execute Lease Agreement with Douglas and Suzanne Griep and Raymond and Tamara Willey for Lease of the Building that Houses the Red Cloud Library (County Counsel); Res. 96-297
- CA-5 Resolution Authorizing Chairman to Sign Contract for State Reimbursement for Housing Youth Authority Prisoners in the County Jail (Sheriff); Res. 96-291
- CA-6 Resolution Authorizing the Chairman to Sign Lease Agreement with R. Scott and Karen E. Godfrey for County Office Space on the Northside (County Counsel); Res. 96-298
- CA-7 Resolution Authorizing Pre-Tax Payroll Deduction Plan for Service Credit Purchases for PERS Retirement (Auditor); Res. 96-292

1:04 p.m. ADJOURNMENT in memory of Joyce Jenkins and Marian Hutchison.

Respectfully submitted,

MAR LLIAMS  
Clerk of the Board