



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 6, 1999



Time Description

9:10 a.m. Meeting Called to Order, with Supervisor Pickard excused due to County business in Sacramento.

Pledge of Allegiance led by Ian Holser, Boy Scout member with Troop 94.

Introductions - none

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

- Rich Begley/PWD-Recreation and Parks Planner, introduced Ian Holser and advised that he is working with the Department on his Eagle Rank with the Boy Scouts of America. He is building trash can sized recycling bins for aluminum cans for some of the parks around the County, and is soliciting donations to cover the cost of the bins.
- Jim Evans complimented the Board on the County's participation in the YARTS process, and he stated he feels it is important for the County to stay in the process. He also complimented Supervisor Stewart for maintaining civility in the face of adversity during the last YARTS meeting.
- Steve Fortner, Catheys Valley, stated he feels the Mining and Mineral Museum should be in Catheys Valley, and he cited the benefits he sees in relocating the Museum.
- Charles Record stated he owns the Triangle R Country Store in Catheys Valley and that he received a notice from the County requesting structural engineering for the upstairs portion. He advised that he received a permit in 1979. Vice-Chairman Parker suggested that he meet with County Counsel to review the matter
- Sally Rodeman advised that she left copies of letters for the Board members that she wrote to Henrietta DeGroot and the Park Service relative to ride-sharing issues, employee use of parking spaces in Yosemite Valley and entrance fee issues.

Resolution Commending George Krizek for his Many Years of Service to the Emergency Medical Care Committee (Health)

BOARD ACTION: Matter was continued to be rescheduled as Mr. Krizek was unable to be present due to the storm conditions.

Approval of Minutes of 3/16/99 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Stewart pulled items 3 and 5 – action was taken on these items later this date. (M)Reilly, (S)Stewart, balance of items were approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Abbey Edwards;

Request for Letter of Support to CalTrans for an Encroachment Permit to Paint a Mural

on the Retaining Wall Along Highway 140 Below the Miners Inn

BOARD ACTION: Abbey Edwards presented her proposal for the mural and request for Board support. (M)Balmain, (S)Stewart, Res. 99-107 adopted supporting the project/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Pelk Richards, Sheriff;

Presentation by William Cornelius, State Board of Correction Standards and Training Program Regarding Training Compliance for the Sheriff and Probation Departments

BOARD ACTION: William Cornelius presented information relative to the function of the State Board of Correction Standards and Training, and he commended the County for its participation in the training program. He presented Certificates to Pelk Richards/Sheriff, and Jim Moffett/Chief Probation Officer, for their departments' training compliance, and to Sgt. Richard Parrish and Senior Juvenile Supervisor John Cogdell (who was unable to be present).

Consent Agenda item 5 – Following discussion with Howard Davies, Assistant Sheriff, (M)Stewart, (S)Reilly, item 5 was approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Consent Agenda item 3 – Following discussion with Mike Edwards, Public Works Director, (M)Stewart, (S)Balmain, item 3 was approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Jeffrey G. Green, County Counsel;

Resolution Approving Administrative Leave Policy and Procedures

BOARD ACTION: Following discussion, (M)Stewart, (S)Reilly, Res. 99-110 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

9:55 a.m. Recess

10:14 a.m. Mike Edwards, Public Works Director;

A) Resolution Approving Summer 1999 Road Maintenance/Construction Program

BOARD ACTION: Discussion was held, and Mike Edwards advised that he will come back with identified funding mechanisms for the projects where necessary. (M)Balmain, (S)Reilly, Res. 99-111 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Discussion was held relative to the status of repairs on the roads following the work being done by the telephone company, and Mike Edwards advised that they expect the roads to be put back in at least the same condition. He also advised that the program anticipates funding for the road improvements with the construction of the new County library.

B) Resolution Authorizing the Public Works Director to Execute an Agreement with Lance Turner (Future Stars 2000) to Conduct Tennis Lessons at Mariposa Park

BOARD ACTION: Discussion was held with Mike Edwards and Rich Begley/PWD-Recreation and Parks Planner, and it was noted that the acrimonious atmosphere among former tennis providers remains. Public Works recommended that the matter be withdrawn until there is a provider with some level of community support – Board concurred.

10:35 a.m. LOCAL TRANSPORTATION COMMISSION

Review and Provide Direction Regarding the Draft YARTS Technical and Citizens Advisory Committee and Management Board Bylaws (Supervisor Stewart)

COMMISSION ACTION: Discussion was held, and Commissioner Stewart advised of comments received from Janet Hogan, County Administrative Officer, and he also

commented on the recent YARTS meetings. Comments received from Commissioners included the following:

- should county(s) that have taken action to withdraw from the YARTS process be included in the bylaws;
- what categories constitute the 37 members of the TAC, and would that number change if counties withdraw;
- why is it necessary for a member to have at least one-year of experience before being able to serve as chairman;
- the bylaws for the Management Board calls for a representative of the United States Forest Service – should a representative also be included on the TAC;
- Sections 2 and 3 of the Management Board bylaws should be clarified to reflect that “...the Management Board will be provided with comments received and *a list of those agencies which did not respond with comments.*”; and
- Section 3 of the Management Board by-laws should be corrected to reflect “...Document transmittal will be accompanied with a letter specifying the desired review period and the requested action...”

Steve Fortner stated he supports having the by-laws and the County continuing to sit at the table. He further congratulated Commissioners Stewart and Reilly for dealing with the contentious issues pertaining to YARTS. He stated he does not feel that the County will receive a firm commitment from the National Park Service to not remove infrastructure during the YARTS demonstration project. He referred to quotes in recent articles from Board of Supervisors members from other counties, and he stated he feels that they are jealous about Highway 140 being in Mariposa County. He stated he feels the Commission should do what is best for Mariposa County – it may be best for the County to focus on Highway 140 versus regional advertising. He stated he feels that Park entrance fees for mass transit needs to be addressed. He feels there are burdens and benefits to having the Park here, and he feels the Park should be sent a bill outlining the costs of those burdens so that they are aware. He also stated he feels the environmental impact for the Park should be capped at four million visitors, and we should try to increase visitorship without increasing the impacts.

11:17 a.m. Resolution Approving Space Needs Committee Recommendation to Decline to Make an Offer to Purchase the First Baptist Church Property Located Adjacent to the Government Center (Supervisors Stewart and Parker)

BOARD ACTION: (M)Balmain, (S)Reilly, Res. 99-112 adopted/Ayes: Reilly, Balmain, Parker; Abstained: Stewart; Excused: Pickard.

Resolution Directing that the Meeting for the Board of Supervisors for May 4, 1999, Commence at 2:00 p.m. (Clerk of the Board)

BOARD ACTION: (M)Balmain, (S)Reilly, Res. 99-113 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Resolution Approving Modification to Extra-Help Hourly Schedule – Specialized Classes and Approving Methodology to Provide for Future Increases (County Counsel/Personnel)

BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, Res. 99-114 adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Board Information and Announcements

- Supervisor Balmain advised that last Friday he flew former Supervisor Art Baggett and his companions across the Sierras to Bishop to ski 300 miles along the Sierra crest from south of Mt. Whitney to Yosemite National Park. This trek is part of a campaign to name a peak after Orland “Bart” Bartholomew, a famed hydrographer.

- Supervisor Reilly advised that she will attend the CSAC Legislative Conference in Sacramento on Wednesday.
- Supervisor Stewart advised that he plans to attend the CSAC Legislative Conference on Thursday.
- Jeff Green, County Counsel, advised that the old Masonic Hall is in escrow and the existing agreement with the Masons requires a sixty-day notice to the County before escrow can close. He advised that, unless there is any objection, he will work with the Masons and County staff to reschedule/move activities planned for the Hall to allow for the close of escrow as soon as possible. Supervisor Reilly requested that adequate notice be given to those who regularly use the Hall.

11:27 a.m. Jeffrey G. Green, County Counsel;

CLOSED SESSION to Consider Anticipated Litigation Matter Pursuant to Subdivision (B) of Government Section 54956.9 (Continued from 3/23/99)

BOARD ACTION: (M)Reilly, (S)Balmain, closed session was held with the Public Works Director to be present/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

12:22 p.m. Clerk advised that direction was given to staff as a result of closed session.

Mike Edwards, Public Works Director;

Resolution to Approve and Authorize the Operation of the Mariposa County Landfill and Four County Transfer Stations by the Department of Public Works (Continued from 3/16/99)

BOARD ACTION: This item will be continued to a later date and time certain.

INFORMATION - No action was necessary on the following:

A) Inform the Board of Public Works' Decision to Award the Bid for the Installation of a Fiberglass Interior Surface on the El Portal Pool, Project No. PW 9802, to Applied Fiberglass Systems, in the Amount of \$17,583 (Public Works)

B) Draft of Industrial/Commercial Zone Code Revisions will be Available for Review on April 2, 1999 (Planning)

C) Board Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

- CA-1 Resolution Approving Contract Extension for Copy Machine Services with Spriggs, Inc. and Minolta Corporation, and Authorize the Chairman to Sign the Contract Extension (Administration); Res. 99-104
- CA-2 Resolution Authorizing the Chairman to Sign Amendment No. A-1 to the Agreement with the State of California Alcohol and Drug Programs for Fiscal Year 1998-99 (Human Services); Res. 99-105
- CA-3 Resolution Adopting Revised Plans and Specifications for the Mariposa Town Sidewalk Project (PW 92-38), Set a Bid Date of May 13, 1999, and Authorize the Director of Public Works to Award the Project to the Lowest Responsible Bidder and Execute a Contract with Same (Public Works); Res. 99-109
- CA-4 Resolution Authorizing an Increase of \$5,342 to the Domestic Violence Deputy Position Line Item Received from the Domestic Violence Grant at No Additional Cost to the County (Sheriff) (4/5ths Vote Required); Res. 99-106

CA-5 Resolution Allowing the Sheriff to Purchase the Equipment for the Radio Upgrade from Mobile Communications Inc., of Merced as a Sole Source Provider (Sheriff); Res. 99-108

12:23 p.m. Adjournment in memory of Delores Canter, Betty Schrock, Violet June Cabezut, and James Rust.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 13, 1999



Time Description
3:04 p.m. Meeting Called to Order
Pledge of Allegiance

Introductions – Chairman Pickard introduced and welcomed Jim Petropulos, the new Assistant Director of Public Works.

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

- Leota Striplin announced the Golden Oaks Lions Club luncheon and tour of the Superstitious Iris Gardens on May 1st; and she advised of the upcoming opening of the Little League season and benefit raffle.
- Chairman Pickard advised that in response to a request from the Planning Commission, a joint meeting has been scheduled with the Commission for May 11, 1999, at 2:00 p.m. to discuss circulation/road policy issues.

Resolution Commending George Krizek for his Many Years of Service to the Emergency Medical Care Committee (Health) (Continued from 4/6/99)

BOARD ACTION: (M)Stewart, (S)Balmain, Res. 99-115 adopted and presented to George Krizek/Ayes: Unanimous.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Janet Hogan, County Administrative Officer, pulled item 2 to submit a modification to transfer the funds to professional services versus extra help and to correct a previous transfer for this purpose. Supervisor Reilly pulled item 1 for an update and discussion during Dale Wagerman's presentation. (M)Reilly, (S)Stewart, item 3 was approved/Ayes: Unanimous. (M)Reilly, (S)Parker, item 2 was approved as revised/Ayes: Unanimous.

Janet Hogan, County Administrative Officer;
Presentation by Dale Wagerman, Wagerman and Associates

BOARD ACTION: Dale Wagerman presented an update on the current legislative session and activities and reported on the status of pending legislation that may affect the County. Discussion was held. Supervisor Pickard acknowledged the efforts of Dale Wagerman and his staff in assisting the County with the gas tax legislation, and he advised that the Local Government Committee approved the pending legislation on Wednesday.

Consent agenda item 1 – Discussion was held with Dale Wagerman relative to SB 1785, stray animals impounding requirements. He advised that AB 1482 (Alquist) has been introduced, and he recommended that the Board support this legislation, with the extension to be for one year and on a statewide basis. Supervisor Pickard advised of discussion held with RCRC staff on this legislation. Supervisor Reilly advised of discussion held at the CSAC Legislative Conference and noted that the legislation should also apply to city and county operated facilities, not just non-profit. Dale Wagerman stated the legislation should cover stray and relinquished dogs. (M)Reilly, (S)Parker, Res. 99-117 adopted authorizing Chairman to sign a letter of support for AB 1482, with modifications as discussed. Supervisor Parker suggested that the Sheriff and District Attorney be brought up-to-date on this issue, and that the matter come back to the Board. Dale Wagerman also suggested that an SB90 claim be filed for the costs. Ayes: Unanimous.

3:58 p.m. Recess

4:07 p.m. Mike Edwards, Public Works Director;

Discussion and Direction Regarding Citizen Proposal for Public Works to Provide Engineering Services for a New Bridge Across Mariposa Creek Connecting Joe Howard and Antone Road into the County Road System

BOARD ACTION: Discussion was held and Mike Edwards advised of the meeting held with Supervisors Balmain and Stewart and staff and George Greenamyre earlier in the day. Mike Edwards recommended that if the Board is interested in the project that it be a private project; the County could accept the bridge into the County-maintained road system, and perhaps reimburse some of the costs at that time. He advised that there are still pending issues relative to dedication of a public right-of-way and engineering.

Input from the public was provided by the following:

George Greenamyre read his letter to the Board into the record and stated he is agreeable with the recommendation of Public Works to move forward with the project. He also noted that there is a similar bridge to the one being proposed on Cole Road.

Bobbe Standen advised that she is involved with a partnership that owns 40 acres across the creek and they would like to be able to do something with the property, and they would like to see something happen to improve access for those who live across the creek. She further advised that she reserved a sixty-foot easement that could be offered for dedication for a public road.

George Greenamyre further noted that a bridge has been talked about for the last 25 years and nothing has been done. He would like to see the County help and get the project done this year.

Discussion was held relative to the number of residences that are affected by the access and whether they would be willing to participate financially. Supervisor Parker suggested that consideration be given to using the zone of benefit funding that was set aside for private road projects. Board concurred with referring the matter to Public Works to obtain more detailed information, and to work with Mr. Greenamyre and the Board committee to look at the possibility of a joint venture for this project.

4:50 p.m. Bob Pickard, District V Supervisor;

Consider and Approve Request from the Rotary Club for the Temporary Placement of a Peace Pole in an Area Near the Government Center

BOARD ACTION: David Whitcomb, on behalf of the Rotary Club, presented information and responded to questions. Discussion was held relative to possible locations for the peace pole and the plans for a ceremony on April 30th/Arbor Day. (M)Parker, (S)Balmain, request was denied to temporarily place the peace pole near the Government Center/Ayes: Balmain, Stewart, Parker; Noes: Reilly, Pickard. (M)Reilly, (S)Parker, direction was given to Public Works to work with the Rotary Club and with Mr. Whitcomb to temporarily place the peace pole at the Mariposa Park/Ayes: Unanimous.

5:07 p.m. Dinner Break

5:40 p.m. Sarah Williams, Interim Planning Director;

PUBLIC HEARING to Consider Amendments to Chapter 18.02 of County Code, Surface Mining and Reclamation (Continued from 3/23/99)

BOARD ACTION: Sarah Williams and Jay Pawlek/Air Quality-Transportation Specialist, presented the staff report and advised of minor changes to the proposed document. Jeff Green, County Counsel, also advised of a change to Section 18.02.180 for appeals of Planning Commission's actions. Staff responded to questions from the Board relative to monitoring the management plans.

Public portion of the hearing was opened and there was no public input. Public portion of the hearing was closed and Board commenced with deliberations. (M)Parker, (S)Reilly, direction was given to staff to file a Notice of Exemption on the project with the recommended findings for exemption; and first reading was waived and the Ordinance was introduced amending Chapter 18.02, Surface Mining and Reclamation, with the recommended findings for County Code amendment and with the changes as presented/Ayes: Unanimous. Hearing was closed.

Resolution Adopting Revised New Class Specification and Salary for the Position of Court Executive Officer (County Counsel/Personnel)

BOARD ACTION: Following discussion, (M)Reilly, (S)Parker, Res. 99-118 adopted/Ayes: Unanimous.

LOCAL TRANSPORTATION COMMISSION

Resolution Authorizing Chair to Sign the Letter of Support for the Merced County Association of Governments' Application to CalTrans for funding Under the State Planning and Research Program – Partnership Planning Element on Behalf of the Yosemite Area Regional Transportation Strategy (YARTS) (Planning) (Continued from 3/23/99)

COMMISSION ACTION: Matter was pulled due to the grant schedule.

Board Information and Announcements

- Supervisor Pickard advised of the success of AB 915, gas tax legislation, which was passed by the Local Government Committee last Wednesday, and he advised that he will attend the “Day at the Capitol” event in Sacramento this Wednesday.
- Supervisor Stewart advised that the San Joaquin Valley Supervisors Association (SJVSA) conference is in Fish Camp this week and he plans to attend.
- Supervisor Parker advised that he plans to attend the Mountain Valley Emergency Medical Services Agencies meeting on Wednesday.
- Supervisor Reilly advised that she plans to attend the SJVSA conference on Thursday.
- Supervisor Balmain advised that he plans to attend a portion of the SJVSA conference and on Thursday he plans to attend the State Controller’s Task Force meeting in Los Angeles.

Don Starchman presented his previous request for the Board to schedule public presentations at 6:00 p.m. on the agendas for night meetings. Board concurred with this request.

Chairman Pickard called for public comments – none were received.

FORTHCOMING POLICY

Resolution Adopting the Mariposa/Yosemite Airport Policy for Commercial/Business Usage and Direct Staff to Develop and Issue Requests for Proposals for Fixed Base Operators Pursuant to the Policy (Public Works) (For Action on 4/27/99)

CONSENT AGENDA

CA-1 Consider Lending Support to Regional Council of Rural Counties (RCRC) with Their Request for a One-Year Extension on SB 1785 (Stray Animals Impounding Requirements) by Authorizing Chairman to Sign a Letter Supporting a One-Year Extension (Supervisor Pickard); Res. 99-117 supporting AB 1482, with modifications to the letter

- CA-2 Resolution Transferring Funding From Salary Line Item to Extra Help (\$3,000) (District Attorney); Res. 99-116, with modifications to the budget transfer
- CA-3 Appoint Sam Hays to the Historical Sites and Records Preservation Commission as an At Large Member (Planning)

6:19 p.m. Adjournment in memory of Charles McClure, Thomas Visher, Jewel Jones, Juliette Wilson, Annette A. Dixon, Louis Coleman, June Young, Marveen Joyce Westmoreland, Charles Stidham, Julie and Carole Sund, and Silvina Pelosso.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 20, 1999



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

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

Proclaim April 25 Through May 1, 1999 as “Week of the Young Child” in Recognition of National Week of the Young Child (Lee Jorgensen, Child Care Resource and Referral)
BOARD ACTION: (M)Stewart, (S)Parker, Proclamation was approved and presented to Lee Jorgensen/Ayes: Unanimous. Lee Jorgensen presented the Board members with a plaque of the “Toddler Property Law” and advised of the Peter Alsop Family Concert scheduled for April 30th and workshop scheduled for May 1st. Phyllis Becker, Head Start Center Director, and several children from Head Start, presented the Board with a poster they made.

9:15 a.m. Recess

9:19 a.m. Approval of Minutes of 3/23/99 and 4/6/99 Regular Meetings
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Pickard pulled item 4. (M)Parker, (S)Stewart, balance of items were approved/Ayes: Unanimous.

Consent agenda item 4 – Jeff Green, County Counsel, advised that Mr. and Mrs. Wirth were present to provide input on their claim against the County.

Walter Wirth advised that it was he who had the accident and not his wife. He stated he feels that the issue is the lack of a shoulder on that section of the road and not the width of the road. While waiting for the tow truck, he observed other vehicles crossing the yellow line that would force oncoming traffic off of the roadway. He also noted that since he filed his claim, the County has worked on that section of the road.

Kent Woolsey, PWD/Superintendent of Roads, advised that there was a drop-off on the side of the road caused by erosion from recent rains and that this is a problem throughout the County. However, they are working to alleviate these situations as they are brought to their attention. He further advised that the traffic travels too fast for the road conditions in this particular area.

Walter Wirth suggested that speed limit signs might help, and he also stated that he feels that this whole section of Triangle Road needs to be improved.

Wendy Wirth stated she feels the road is not designed for the amount of truck traffic that she has observed traveling on it.

(M)Parker, (S)Stewart, Res. 99-120 adopted rejecting Claim No. C99-3/Ayes: Unanimous. Jeff Green advised the claimants of options they have to pursue this matter further if they so determine.

Jeffrey G. Green, County Counsel;
Resolution Adopting Extra-Help Specialized Class Specification for Senior Recreation

Leader at an Hourly Salary Rate of \$9.00

BOARD ACTION: Discussion was held. Rich Begley, PWD/Recreation and Parks Planner, provided input. (M)Balmain, (S)Stewart, Res. 99-121 adopted/Ayes: Unanimous.

9:49 a.m. Recess

10:06 a.m. Janet Hogan, County Administrative Officer;
Review and Action Regarding 1998 Reclassification Requests

BOARD ACTION: Discussion was held concerning the requests, timing of the reclassification process in relation to the salary negotiation process for employees, changes in the ranges versus percentages, and relative to budgeting for the increased costs. (M)Reilly, (S)Stewart, Res. 99-122 adopted approving the 1998 reclassification requests as recommended/Ayes: Unanimous.

10:50 a.m. Recess

11:04 a.m. Yvonne Bennett;
Discussion of "Relaxed Policy" on Construction in the County
(Supervisor Pickard)

BOARD ACTION: Yvonne Bennett advised of grading work that is occurring on a neighboring property. She reviewed the history of the work and her contacts with government officials relative to her concerns with environmental impacts and her efforts to ensure that proper procedures are followed.

Discussion was held.

John Davis, Interim Building Director, provided input and advised that in regard to the Red-legged frog, permits for single-family dwellings do not fall under the environmental review requirements. He further advised that his office and the Planning staff have been working on the complaints filed by Ms. Bennett, and that Mr. Stanhope has taken out a permit.

Jerry Prognor, USDA Natural Resources Conservation Service, provided input and advised that he would be happy to continue to work on this project to strive to keep the environment as clean as possible.

Further discussion was held relative to this specific situation and code compliance/enforcement issues in general.

Jo Day expressed concern with the rocks that have come down the mountain during the dozer work and noted that she feels this situation is also a safety issue for her grandchild waiting at the bus stop.

Shirley Schmelzer asked what the purpose of having industrial/commercial zoning would be if there is no enforcement. She also commented on complaints she has filed for projects where there has not been the proper permits or enforcement.

Board concurred with Supervisor Balmain working with staff on this matter to bring back solutions and alternatives for further discussion.

12:27 p.m. Lunch

2:10 p.m. INFORMATION - No action was necessary on the following:

AIR POLLUTION CONTROL DISTRICT

Dave Walker, Planner, provided input relative to the proposed revisions and advised that they would not affect the residential-type burning.

- A) Proposed Revision to California's Agricultural Burning Guidelines
- B) Yosemite National Park Fire Management Plan Scoping Period (Planning)

Mike Edwards, Public Works Director;
Resolution to Approve and Authorize the Operation of the Mariposa County Landfill and
Four County Transfer Stations by the Department of Public Works (Continued from
4/6/99)

BOARD ACTION: Discussion was held with Mike Edwards, and he reviewed his recommendation and alternative actions for operating the landfill and transfer stations and for the gate keeping operations. Supervisor Stewart asked about the possibility of improving the road to the transfer station in Hornitos – Public Works will review and schedule maintenance. Board concurred with continuing this matter for two weeks for Supervisors Balmain and Parker to work with staff and bring back more details on the alternatives.

Board Information and Announcements

- Supervisor Pickard advised that he attended the “Day at the Capitol” in Sacramento last Wednesday, and that he will attend the RCRC meeting this Wednesday and Thursday.
- Supervisor Balmain advised that he attended the State Controller’s Task Force meeting in Los Angeles last week.
- Supervisor Stewart advised that he attended the YARTS JPA meeting on Friday.
- Supervisor Reilly advised that she and Supervisors Balmain and Stewart attended portions of the San Joaquin Valley Association conference last week.
- Supervisor Pickard advised of an invitation the Board received for the Criminal Justice meeting scheduled for April 28th to discuss the Drug Court program – Supervisor Parker advised that he would be willing to attend. Supervisor Reilly requested that a presentation of the program be made to the full Board.
- Janet Hogan, County Administrative Officer, advised that information was received from the Health Officer relative to a diagnosed case of meningitis in the County.

Janet Hogan reported on the meeting held with staff from Yosemite National Park and CalTrans and Visitors’ Bureau last Thursday relative to the Highway 140 improvement project. She requested that any complaints that are received be forwarded to her for review at the committee meetings. Discussion was held relative to the informational signs for the project and coordinating information.

Janet Hogan also advised of a situation that Public Works and Health Departments are dealing with where a house has been vacated and the owner is not available to respond to a situation where three freezers of meat are decomposing. Staff will work with County Counsel to recover any County costs that are incurred.

CONSENT AGENDA

- CA-1 Resolution Authorizing the Chairman to Sign the Annual Work Plan and Reimbursable Budget Plan for Fiscal Year 1999-00 with USDA/APHIS/WS Wildlife Services (Ag Commissioner/Sealer); Res. 99-119
- CA-2 Appoint James Allen, Assistant Sheriff, as a Representative of Mariposa County to the Regional Advisory Committee (RAC) of the Mountain Valley Emergency Medical Services Agency to Replace George Krizek (Health)
- CA-3 Appoint Blaine Schulz, Fire Chief, as Alternative Representative of Mariposa County to the Regional EMS Agency’s Regional Advisory Committee (RAC) (Health)

CA-4 Resolution Authorizing Chairman to Sign an Order of the Board to Reject
Claim No. C99-3 in the Amount of \$370.54 (County Counsel); Res. 99-120

3:08 p.m. Adjournment in memory of Ben Jones, Claude McNally and Helen "DeDe"
Lewis.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 27, 1999



Time Description
3:14 p.m. Meeting Called to Order
Pledge of Allegiance
Introductions

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

- Supervisor Reilly advised of information received from Lt. Rosenberg, California Highway Patrol, relative to a major rock slide that occurred during the night near Savage's Trading Post on Highway 140.
- Supervisors Parker and Reilly reported on the Yosemite National Park "State of the Park Meeting" that was held on Thursday, and advised that a written report was prepared by the Visitors' Bureau Director.

Proclaim May 10 Through 16 1999, as Bluegrass Week in Mariposa County (Mariposa County Arts Council)

BOARD ACTION: (M)Parker, (S)Stewart, Proclamation was approved and presented to Joe Fox on behalf of the Mariposa County Arts. Council/Ayes: Unanimous.

Approval of Minutes of 4/13/99 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Chairman Pickard noted an amendment was received to the wording for item 3. Supervisor Stewart pulled item 5 for discussion with Public Works later this date. (M)Parker, (S)Balmain, the balance of the items were approved, including item 3 as amended/Ayes: Unanimous.

Pelk Richards, Sheriff;

Resolution Waiving Hiring Freeze for Jail Sergeant and Jail Lieutenant Positions

BOARD ACTION: Following discussion, (M)Parker, (S)Balmain, Res. 99-126 adopted/Ayes: Unanimous. Discussion was held relative to the status of the hiring freeze. (M)Parker, (S)Stewart, to lift the hiring freeze for the Sheriff's Department and leave intact the freeze for management positions; motion withdrawn following further discussion. Direction was given for the County Administrative Officer to bring the hiring freeze issue back as an agenda item.

Resolution Authorizing an Arrangement Between the County and Fairgrounds to Utilize Jail Trustees in Providing Basic Maintenance at the Fairgrounds; and Authorize the Chairman to Execute an Agreement With the Fairgrounds Upon Review and Approval as to Legal Sufficiency by County Counsel (County Counsel)

BOARD ACTION: Discussion was held with Jeff Green, County Counsel. Pelk Richards, Sheriff, provided input and advised that the County's half of the costs of the providing the workers compensation insurance could be funded from the Inmate Welfare Fund. (M)Parker, (S)Stewart, Res. 99-127 adopted/Ayes: Unanimous.

Blaine Shultz, Fire Chief;

Resolution Authorizing County Counsel and the Fire Chief to Negotiate a Lease Agreement with Robert Bondshu to Provide Temporary Quarters for the Fire Department Administration

BOARD ACTION: (M)Parker, (S)Stewart, Res. 99-128 adopted/Ayes: Unanimous.

Tom Archer, Human Services Director;
Waive First Reading and Introduce Ordinance Establishing a Children and Families First Commission as Well as a Children and Families First Trust Fund for Mariposa County
BOARD ACTION: Discussion was held with Tom Archer. Ken Hawkins, Auditor, provided input relative to receipt of the remittance advice for \$50,000, and he noted the funds should arrive shortly for the program. Discussion was held relative to administration and oversight and recouping expenses; and relative to the make-up of the Commission. (M)Reilly, (S)Stewart, first reading was waived and an Ordinance introduced establishing a Children and Families First Commission and Trust Fund for Mariposa County, and direction was given for staff to provide information to answer the questions that were raised/Ayes: Reilly, Stewart, Pickard; Noes: Balmain, Parker.

4:11 p.m. Recess

4:21 p.m. Ken Hawkins, Auditor;

Resolution Eliminating the Flex Schedule from the Auditor's Office

BOARD ACTION: Discussion was held with Ken Hawkins relative to his request to eliminate the flex schedule in his department. Input was provided by the following:

Barbara Powell/Auditor-Accounting Technician III, provided input relative to the workload at her desk and advised that she would be willing to forego the flex schedule during the tax season if that would help.

Lisa Edelheit, SEIU Field Representative, stated they were not aware until recently that the Auditor had a concern relative to the flex schedule, and she commented on a meeting held with the Auditor relative to this matter. She stated she feels taking away flex produces a hardship for the employees. She feels that the flex schedules help to create good morale, and she urged the Board to give a period of time to work this matter out and to not eliminate the flex schedule.

Don Phillips, Treasurer/Tax Collector/County Clerk, stated he does not have flex schedules in his department. He further stated that a few times a month when he tries to reach employees in other departments, they are sometimes out of the office due to their flex schedule.

Marian Casner/Auditor-Account Clerk III, referred to her letter to the Board, commented on the promotion she passed up to maintain her flex schedule, and she stated she feels that the flex schedule is a nice benefit for employees.

Discussion was held concerning the request. (M)Parker, (S)Balmain, Res. 99-129 approving the Auditor's request. Further discussion was held relative to allowing the employees' time to make adjustments and changes in their schedules, and relative to encouraging departments to work out these issues within their own offices. Ayes: Unanimous.

Mike Edwards, Public Works Director;

A) Resolution Appropriating Funds from the General Fund Contingency to Airport CIP for Costs Associated with Removal/Trimming of Trees in Runway Protection Zone at East End of Runway 26 (\$30,000) (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Parker, (S)Balmain, Res. 99-130 adopted/Ayes: Unanimous.

B) Resolution Adopting the Mariposa/Yosemite Airport Policy for Commercial/Business Usage and Direct Staff to Develop and Issue Requests for Proposals for Fixed Base Operators Pursuant to the Policy (Continued from Policy on 4/13/99)

BOARD ACTION: Matter was pulled to be rescheduled.

Consent agenda item 5 – (M)Stewart, (S)Parker, item 5 was approved/Ayes: Unanimous.

4:52 p.m. Dinner Break

5:44 p.m. Mike Edwards, Public Works Director;
PUBLIC HEARING and Resolution Authorizing the Public Works Director to Request Approval from FEMA/OES of a Revised Method of Repair for Incline Road, a Lesser Standard of Restoration Below Clearinghouse, Agreeing to Cap Project Costs at the Original DSR Estimate of \$2,273,000 and Authorizing Public Works to Prepare Plans and Specifications for the Project

BOARD ACTION: Mike Edwards noted that the rock slide that occurred during the night near Savage's Trading Post may have prevented some people from being present. However, due to the number of people that were present, he recommended that the Board move forward with the hearing, and he presented the staff report. Dave Tucker/PWD-Engineer, provided input relative to the project and work to be done. Staff responded to questions from the Board relative to repair of the road in relation to the flood plain levels. Hearing was continued until after the following matter.

6:02 p.m. Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Ron Iudice asked about the status of a response to the Mariposa Business Forum's request of May 1998, for an update on completion of County projects with building permits that have not been finalized. Janet Hogan, County Administrative Officer, advised that meetings have been held with staff and almost all of the projects have been completed, and she noted that the jail landscaping and erosion control project has been funded and should begin shortly. Ron requested that a response be provided in writing and requested a timeframe in which to expect the response. Chairman Pickard advised that it would be provided as soon as possible.
- Bill Yaley reiterated the request for a specific timeframe in which to receive a response to the Business Forum's request. He noted they have waited a year without receiving an answer and he stated he does not feel that "as soon as possible" is acceptable. Chairman Pickard advised that a response would be provided by May 25, 1999.
- Supervisor Reilly advised that she would report on the rock slide issue after the public hearing is concluded.

6:09 p.m. Continued Public Hearing to consider repair for Incline Road. Dave Tucker commended Bob Metzler for the work he has done to repair Incline Road to his property.

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

Kurt Requarth asked about residential access and the Board's position, as well as the Forest Service's position relative to access.

Tom Lowe, USFS/Road Manager for the Sierra National Forest, stated they want to make sure that the permittees and the Forest Service have access, and they want to make sure that no future trail utilization is closed. From an operational standpoint, they want to make sure that there are safe turn-arounds, and they are willing to do a cooperative agreement for the portion of the road.

Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to questions from the Board relative to the public access issues.

(M)Stewart, (S)Reilly, Res. 99-132 adopted authorizing the Public Works Director to request approval from FEMA/OES of a revised method of repair for Incline Road, a lesser standard of restoration below Clearinghouse, agreeing to cap project costs at the original DSR estimate of \$2,273,000 and authorizing Public Works to prepare plans and specifications for the project/Ayes: Unanimous. Hearing was closed.

Supervisor Reilly reiterated her report on the rock slide near Savage's Trading Post on Highway 140 which was given during the earlier public presentation portion of the

meeting, and the problems it creates with El Portal residents being blocked during the closure periods for the Highway 140 improvement project. She requested that direction be given to County staff to make available any resources possible to help out with the situation. Board concurred with having the County Administrative Officer and Fire Chief contacting appropriate State agencies and soliciting assistance in getting the slide cleared.

Anthony Alfano and Ryan Giles, Representing Yosemite Elementary School; Presentation Relative to their Upcoming Trip to John Muir's Native Home of Scotland in Recognition of his Immigration to the United States 150 Years Ago; and Approval of Proclamation to be Presented to Students Recognizing this Special Event (Supervisor Reilly)

BOARD ACTION: Supervisor Reilly advised that the students were unable to be present due to the rock slide, and she hopes they will be able to give a presentation upon their return from Scotland. (M)Reilly, (S)Parker, proclamation was approved/Ayes: Unanimous.

Doug Balmain, District II Supervisor and
Garry R. Parker, District IV Supervisor;
Review and Approve Recommendations by Sub-Committee on Functional Changes
Within the Planning and Building Department

BOARD ACTION: Discussion was held. Supervisor Pickard suggested that an administrative practice session be scheduled to discuss the structure of the Planning Department and goals the Board has for the Department. Supervisor Reilly agreed and suggested that the full Board should be involved. Further discussion was held relative to the sub-committee's recommendations.

6:55 p.m. Recess

7:11 p.m. Further discussion was held. (M)Stewart, (S)Parker, Res. 99-133 adopted approving recommendations to divide the Planning and Building into separate departments; indicating intent to appoint John Davis as Building Director and directing Personnel to bring a class specification and salary recommendation back to the Board of Supervisors for approval; continuing the appointment of Sarah Williams as Interim Planning Director; and directing the Interim Planning Director and County Administrative Officer to work with the sub-committee to submit an evaluation report for the October 5, 1999, Board of Supervisors meeting; and direction was given for an administrative practice session to be scheduled with Planning and Building to further review the details. Further discussion was held. Ayes: Balmain, Stewart, Parker; Noes: Reilly, Pickard.

Lisa Edelheit, SEIU Representative, asked for clarification of the action taken.

Discussion was held relative to scheduling the administrative practice session – it was scheduled for May 10, 1999, at 10:00 a.m. Chairman Pickard requested that the sub-committee continue to work on these issues.

Ron Iudice thanked the Board for its action on this matter and Supervisors Balmain and Parker for having a public meeting to discuss these issues.

Resolution Approving Contract and Budget Action for Training Services from Becker and Bell, Inc. for a Total Amount of \$7,500 (4/5ths Vote Required) (Administration and County Counsel)

BOARD ACTION: Following discussion, (M)Parker, (S)Stewart, Res. 99-134 adopted/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Pickard reported on the RCRC meeting he attended on Thursday, and he advised that the Health Officer will be bringing some suggestions to the Board

relative to the CUPA issues. He advised that El Dorado County is hosting the next RCRC meeting to be held May 19 and 20th in Lake Tahoe.

- Supervisor Parker advised that Bill Bondshu has been appointed OES Officer, replacing Dan Tinnel, and he suggested that the Chairman send a letter of congratulations to Bill.
- Supervisor Stewart advised that Merced County hosted the San Joaquin Valley Supervisors Association Conference in Mariposa County.
- Janet Hogan, County Administrative Officer, advised of the receipt of an unsolicited proposal from Bruce Daniels relative to an expansion of the Mining and Mineral Museum project. Letter to be sent thanking Mr. Daniels for his offer.
- Supervisor Balmain advised that the Public Hearing for the Specific Plan for Coulterville is being scheduled for June 22nd and he suggested that the hearing be held in Coulterville in the evening. There were no objections to scheduling the hearing at 6:00 p.m. in Coulterville. Supervisor Balmain also advised that Ed Johnson contracted with Nelson/Nygaard to work on the YARTS project - Highway 132 corridor.

CONSENT AGENDA

CA-1 Resolution Approving the Inclusion of Mariposa County Superior Court in the Self-Insurance Programs Through CSAC Excess Insurance Authority (County Counsel); Res. 99-123

CA-2 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Certifying Completion of Annual Client Re-Examinations for the Fiscal Year Ending June 30, 1999, and Authorizing Executive Director's Signature on the Estimate of Total Required Annual Contributions (Budget) and Requisition, and Submission of These Documents for the Year Ending June 30, 2000 (Human Services); HA Res. 99-3

CA-3 Waive Second Reading and Adopt an Ordinance Amending Chapter 18.02, Surface Mining and Reclamation, of County Code (Planning); Ord. 943

CA-4 Resolution Declaring County-Owned Equipment and Vehicles Surplus and Authorizing the Public Works Director to Execute a Contract with Howard Leach Auctioneers to Auction Same to the Public on May 15, 1999 (Public Works); Res. 99-124

CA-5 Resolution Authorizing Public Works to Transfer Funds (\$3,700) from Service and Supplies to Fixed Assets (Public Works); Res. 99-131

CA-6 Resolution Authorizing the Sheriff to Continue Participation in the State Funded Boating Safety Program Budget for 2000-2001 (Sheriff); Res. 99-125

7:53 p.m. Adjournment in memory of Margaretha Otto, Helen Soares, Russ L. Bassett, Lawrence Nolan and Williams McKay.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 4, 1999



Time Description
2:10 p.m. Meeting Called to Order
Pledge of Allegiance
Introductions

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

- Steve Fortner announced that Karl Baumann passed away on Saturday, and he advised that a memorial service is planned for next Saturday at 2:00 p.m.
- Supervisor Stewart advised of an off-agenda item to recognize Earl and Geraldine DeSues on celebrating their 50th wedding anniversary. (M)Parker, (S)Reilly, Board waived rules requiring 72 hours agenda noticing to consider this matter finding that it was not known about at the time the agenda was prepared and a special event is scheduled prior to the next meeting/Ayes: Unanimous. (M)Stewart, (S)Parker, Board approved a certificate of congratulations for Earl and Geraldine DeSues/Ayes: Unanimous.
- Supervisor Balmain requested that the Board consider rescheduling the administrative practice session which was set for May 10th, due to a previous commitment he had.

2:17 p.m. Recess

2:19 p.m. Discussion was held relative to rescheduling the administrative practice session. Board concurred with rescheduling the discussion of the organization of the Planning and Building Departments for May 17, 1999, at 1:00 p.m.

- Supervisor Reilly advised that she will provide a status report on the Highway 140 slide project during Board information and announcements later this date.

Approval of Minutes of 4/20/99 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Stewart pulled item 5 for discussion with the District Attorney later this date. Supervisor Reilly pulled item 7 for discussion with the Public Works Director later this date. (M)Stewart, (S)Balmain, balance of the items were approved/Ayes: Unanimous.

Bill Flaherty, Victim-Witness Coordinator, appeared on behalf of Christine Johnson, District Attorney;

Resolution Authorizing the Position of an Eighty Percent Permanent Part-Time Advocate Replacing the Position of Extra Help Part-Time Advocate for the Mariposa County District Attorney's Office Victim/Witness Program and Allow Hiring to Occur Effective September 1, 1999; and

Consent Agenda item 5 – Resolution Authorizing an Extension of the Statutory Rape Vertical Prosecution (SRVP) Grant

BOARD ACTION: Discussion was held with Bill Flaherty relative to the requests and phasing out of the Statutory Rape Vertical Prosecution (STVP) grant program. (M)Stewart, (S)Reilly, Res. 99-138 adopted approving Consent Agenda item 5; and Res.

99-139 adopted authorizing the eighty percent advocate position as requested/Ayes: Unanimous.

Mike Edwards, Public Works Director;

A) Status Report on Capital Improvement Projects Assigned to the Public Works Department

BOARD ACTION: Discussion was held with Mike Edwards, and he advised that they are working to develop a list of timelines for the projects and will bring that information back in the future. Supervisor Parker asked about the status of the Triangle Road and Snow Creek bridge – details of this project to be brought back for further review. Supervisor Balmain asked about the Converse Road project and advised of a pending trade of land with the Forest Service and suggested that a letter be sent from the Board – Chairman Pickard requested that Supervisor Balmain bring a letter back to the Board for approval on this matter. Supervisor Pickard asked about the status of the Fish Camp Fire Station improvements – Public Works will review their budget request for this matter.

B) Discussion and Direction Regarding Alternatives for Operations of the Solid Waste Landfill and Transfer Stations for Possible Savings to Finance Needed Landfill/Recycling Center Improvements

BOARD ACTION: Discussion was held with Mike Edwards relative to the options and recommendations. It was clarified that the recommendation for recruitment for transfer station gate attendants also includes landfill attendants and direction for staff to begin the recruitment process; the subcommittee will continue to work with staff on the other options; and the recommendation to extend the contract with Total Waste Systems to operate the transfer stations is for operation and hauling. (M)Balmain, (S)Stewart, Res. 99-140 adopted:

- 1) approving a month-to-month extension to the contract with Total Waste Systems to operate the landfill with a six-month notification for termination;
- 2) approving a month-to-month extension to the contract with Total Waste Systems to operate the transfer stations with a six-month notification for operation and hauling for termination;
- 3) authorizing staff to draft class specifications for extra-help transfer station and landfill gate attendants; and
- 4) directing staff and the solid waste sub-committee to continue to investigate all options and bring more complete recommendations to the Board when sufficient information has been obtained/Ayes: Unanimous.

Consent Agenda item 7 – Following discussion with Mike Edwards, Public Works Director, and Tom Starling/PWD-Solid Waste Coordinator, (M)Reilly, (S)Parker, item 7 was approved/Ayes: Unanimous.

3:17 p.m. CLOSED SESSION Relative to Public Employee Performance Evaluation for Visitors' Bureau Director Position (County Administrative Officer)

BOARD ACTION: (M)Parker, (S)Reilly, closed session was held, with the Board to recess for dinner following closed session/Ayes: Unanimous.

4:40 p.m. Closed session was continued to 5:45 p.m. and the Board recessed for dinner

5:50 p.m. Board reconvened in continued closed session with Steve Hayes, Visitors' Bureau Director, present.

5:56 p.m. Recess

6:06 p.m. Board reconvened with closed session continued to May 11, 1999.

Sarah Williams, Interim Planning Director;
Continued PUBLIC HEARING to Consider Industrial/Commercial Zone Code Revisions
(Continued from 3/9/99)

BOARD ACTION: Chairman Pickard reviewed the hearing process and procedures. Jaw Pawlek, Planning-Air Quality/Transportation Specialist, presented the staff report. Staff responded to questions from the Board relative to the changes and status of this process.

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

Kathleen Bagwell stated she has lived in the County for over forty years and has participated in several meetings during her time here relative to planning for the future of the County. She cited several things which she feels are important, including jobs with reasonable wages, clean air and water, recreational facilities, and keeping government off our backs. She noted that she participated in the drafting of Title 17 and that she worked with a subcommittee with staff to polish the document before it was released for public review. At that time, she felt that it was made clear that the Supervisors wanted the use process to be deleted. During the process, the committee took input from everywhere in the County and they met numerous times. Title 17 was a simple document and was written in plain English. They tried hard to give the public what it wanted and to meet requirements without destroying the integrity of the County. She further commented that the industrial and commercial parts of the document have been rewritten in the past, but never fully implemented, and she feels they have been attacked by every planning director. She stated she feels we were the first in the country to allow home enterprise and she feels it works well. She feels the proposed changes would prohibit development like the Tavis Corporation, and she is upset that commercial development is being thwarted. She suggested that surrounding counties be contacted to see if they want to annex portions of Mariposa because she feels we are letting our economy die.

Dick Kunstman, resident of the County for a number of years, stated he worked with Kathleen Bagwell and others on the original revisions to Title 17. They put a lot of effort into drafting the document and thought they did a good job and that the people were pleased with it. At that time, the committee did not consider doing an environmental impact report (EIR) and one should have been done. He feels there needs to be an EIR for this revision and he cited CEQA requirements. He stated he feels the Board has three options: 1) prepare an EIR prior to adoption of the revisions; 2) adopt a mitigated Negative Declaration; or 3) adopt a Negative Declaration based on the initial review. He referred to Attorney McCutchen's letter relative to EIR requirements and noted that it does not state that the Board is immune to suit or that it would prevail if it chose not to do an EIR. He referred to options that those opposing this process have: 1) petition for referendum to overturn the decision of the Board; 2) file a lawsuit requesting the Court to overturn the Board's decision; or 3) file a lawsuit to require the preparation of an EIR. He stated he feels the County should see this as a project as defined by CEQA and agree to prepare an EIR.

Larry Mack provided input on the following sections of the document:

- Section 17.08.190 Project Completion/asked who will be responsible if a project is not completed
- Chapter 17.92 Resort Commercial – Commercial Zone/stated he does not feel that parcels smaller than the five acre minimum would be sufficient for some uses such as pistol and rifle ranges, etc.
- Section 17.112.040(D) Findings of Approval/he feels that the wording taken out of the deleted item I relative to the use not being “injurious or detrimental” to property should be added to this section

- Section 17.124.130(1) Hearing by the Board of Supervisors/he feels that this finding for public convenience and necessity is a matter of opinion. He suggested that the deleted text in item 4 referring to health and safety should be added to item 1 as that would make it a finding that we can relate to.
- Section 17.132.020(E) Public Notification/he stated he feels that ten calendar days is inadequate for publication notice. If a person lives out of the area, owns property here and receives the local newspaper, less than five days is left to respond; and less than that if a holiday is involved. He requested that twenty days be required.
- Section 17.148.010 Definitions/he feels that adequate water supply should be defined.

Ken Melton provided input on the following sections of the document:

- Section 17.110.050 Commercial and Industrial Off Street Parking/stated he feels that the proposed parking requirements for rural areas developed outside of the town planning areas (TPAs) are too much. The existing parking areas for established developments are gravel and not well defined, but appear to be adequate. He expressed concern that portions of the parking area that are not paved or surfaced be landscaped, and he stated he feels the surfacing requirements could require cut and fill and a disruption of the soil. He feels the addition of the wheel stop standards is an issue of shifting TPA standards to rural development standards.
- Section 17.110.060 Structure Location and Setbacks/he stated he feels that the setbacks for right-of-ways which have offers of dedication have not been legally used, and they exist on every subdivision road. He stated he would like to see this requirement taken out of the document.
- Section 17.110.080 Signs/he stated he feels this section is confusing with respect to non-conforming signs. He suggested language to allow non-conforming signs for fifteen years from the adoption of this document. He further expressed concern with the requirements for altering a sign – saying he feels it is not fair that a business will not be allowed to alter a sign to reflect a change if the sign was conforming at one time. He also expressed concern with the language for the cumulative limitations on signs. He stated he feels these conditions are too restrictive. He agrees with Kathleen Bagwell and asked why the County wants to be involved in all of these regulations.
- Section 17.110.110 Site Improvement Standards/he feels grading is too regulated. The requirements could be construed to require a permit to cut down a tree or to clear a property. He also stated he feels that ground disturbances should be defined in regard to the required engineered grading plans, or the section should be deleted. He asked for clarification of the condition that all grading shall result in natural slopes. He stated he feels that sections F, G, H, and J should be taken out as they are too subjective and there is no reason to have these conditions especially in rural areas.
- Section 17.110.120 Tree Preservation/he stated he feels that Section A should be removed as he does not feel there is a problem with trees or a lack of trees. He doesn't feel that these conditions should be in the TPAs either.
- Section 17.110.130 Landscaping/he feels this section is subjective and that staff should not be dictating these conditions in rural areas.
- Section 17.110.200 Traffic Standards/he stated he feels that the County already has information that a traffic study would produce, except for particular types of projects, and does not feel the study should be required.

Chairman Pickard noted that it would be helpful for the comments to be provided in writing for staff to review and respond.

Shirley Schmelzer read her letter into the record stating General Commercial should be located only in or adjacent to TPAs; Neighborhood Commercial should serve the local residents only; Resort Commercial should not include “professional offices”; and Business Parks should be on a minimum of 20 acres and be located west of Mariposa near Highway 140.

Les Overstreet, member of MERG, read his letter into the record:

- requesting that the Mitigation and Condition Monitoring section be written to ensure that environmental protection and other objectives are achieved;
- expressing concern with changes in parcel size in the General Plan and Zoning Code amendments as this could become the main issue should a law suit be filed concerning the zoning changes;
- reiterating concerns previously expressed by MERG lawyers and environmental consultants relative to the reduction of parcel sizes, increases in “permitted uses,” shifting of authority and responsibility for land use decisions from the Board to Planning, and with the standards being “watered down” – being made less restrictive and less specific.
- He further stated that all of MERG’s consultants, lawyers and advisors agree that an EIR is required for the anticipated Zone Code changes.
- He also noted that MERG is concerned about changes to the General Plan, and he cited specific examples.

Steve Fortner, Catheys Valley, thanked Shirley Schmelzer for pointing out the wonderful future for the West side of the County and for supporting the channeling of growth to the TPAs.

- He stated he does not see these revisions as a project that will allow people to get what they want – he feels the issue is who will do the environmental review.
- He feels this document puts the responsibility on the property owner to do the environmental review when making a site specific recommendation. He noted that it was pointed out that the original Title 17 document was probably illegal since there was no environmental review. He feels that the proposed document is much better than what currently exists.
- He stated he feels there should be more concern about being sued for lack of complying with State standards and current laws with the existing document.
- He stated he also agrees with some of the comments on the impacts to rural areas. He does not see a list of standards in the existing Title 17. He can live with most of the standards in the revised document, and those that he has concerns with, he will bring to the attention of the Planning Commission.
- He stated he feels the revised document will be easier to implement and for staff and the public to understand.

Don Starchman stated he is afraid that we have forgotten where we came from and that we do not know where we are going.

- He noted that this whole process started with the Open Window Period application process and had nothing to do with the TPA. We had existing uses and wanted to perpetuate them and give them an opportunity to expand. He stated that he does not feel that this document meets the Board’s direction.
- He commented on Mr. Seastrom’s participation in the Open Window Period process, noting that he has a permitted use at this time. With the implementation of the revisions, Mr. Seastrom would need to go back and get a use permit to continue his use.
- He asked where the “magical” property exists in the County that would meet the criteria for a project that is being proposed in the revisions. He noted that the

Tavis Corporation is being used an example of a Business Park use; however, under the proposed revisions he feels that this type of use would be non-conforming because it could not meet the conditions.

- He expressed concern with the amount of time and staff effort on the these revisions, and stated he does not see that things are getting done. He feels that the Board's direction has been ignored, and he hopes that the Board will go back to its original intent. He feels the Mariposa TPA should be expanded to include the Airport.
- He stated he feels that the supplemental standards should be carefully reviewed. He feels that there are restrictions in the revisions that were not included in the original document.
- He feels that we will still depend on Yosemite National Park for our economy. He does not feel that there is anything in the document that encourages economic development. He commented on questions asked at a High School workshop to determine how many students want to come back to Mariposa, and how many would come back if there were living wages available.

Cathie Pierce Raghianti, cattle rancher from Catheys Valley and representative of the Mariposa Farm Bureau, stated she just received the revised document and she feels that the Farm Bureau should have been mailed a copy to review. She noted that they were very involved in the original Title 17 process and she feels they should have been involved in this process. She expressed concern with the agricultural changes, and she stated there are portions that do not make sense and areas where more research should be done.

Chairman Pickard advised that the Board would entertain any thoughts on specific language. Mrs. Raghianti requested that a copy of the document be sent to the Farm Bureau.

7:14 p.m. Recess

7:35 p.m. Joe Simon, Catheys Valley resident, noted that he and Karl Baumann were Chair of the Catheys Valley TPA, and he feels that did a good job in Catheys Valley. He noted that a part of their process included a survey of the people and what they wanted. He suggested that the same consideration could be given for these revisions, along with more notice in the newspaper – perhaps on the front page.

Shirley Schmelzer stated she agrees with the need for more noticing on the front page of the newspaper.

Public portion of the hearing was closed. Discussion was held relative to the process from this point. Jeff Green, County Counsel, suggested that an opportunity be given to review the environmental document that was just received; and that the Board could determine to reopen the hearing to take input on the entire document, or concentrate on just the environmental review. Supervisor Parker suggested that staff compile the testimony that has been received and that a workshop be scheduled for the Board to discuss and address the specifics. Jeff Green suggested that it would be helpful for the Board to have a re-cap of all of the comments provided during the hearing process. Chairman Pickard agreed, and suggested that there be more publicity in the newspaper. Board concurred with scheduling a workshop for June 8, 1999, at 2:00 p.m. Following the workshop, the public hearing will be scheduled. Hearing was closed.

Board Information and Announcements

- Supervisor Pickard reminded the Board members that they have been invited to serve lunch at the Senior Activity Center on May 11th; and he announced that the administrative practice session scheduled for May 17th is set for 1:00 p.m. to discuss the organization of the Planning and Building Departments.
- Supervisor Stewart reported on the YARTS Management Board meeting and the demonstration of the MCI compressed natural gas (CNG) bus. He also reported on his trip to Bakersfield with Planning staff to review buses that use alternative fuels, and he advised that he will attend the California Transportation Commission (CTC) meeting on Wednesday.
- Supervisor Reilly advised that she delivered the proclamation from the Board to the students of Yosemite Elementary School for their trip to Scotland. She also advised that she attended the town meeting in El Portal the previous week relative to the rock slide on Highway 140, and that the issue of access over Foresta Road was raised. She commended the citizens for making the inconvenient commute for work and family activities during the removal of the slide, and she updated the Board on the information received from CalTrans relative to the slide.
- Janet Hogan, County Administrative Officer, updated the Board on the status of coordinating the rent payments for the Mining and Mineral Exhibit with the State and the Fairgrounds.
- Supervisor Pickard advised that he will be in San Francisco on Thursday and Friday with the sixth grade class from Woodland Elementary School.

INFORMATION - No action was necessary for the following:

- A) Notification of Augmentation and Extension Through June 30, 2000 of the Office of Criminal Justice Planning Grant for the Mariposa County District Attorney's Office, Victim/Witness Program (District Attorney/Victim Witness)
- B) Information Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

- CA-1 Resolution Authorizing Transfer of Nutrition Funds from Salary to Extra Help (\$7,100) (Community Services); Res. 99-135
- CA-2 Appoint Pauline Blass to the Area Agency on Aging Advisory Board Representing Mariposa County (Community Services)
- CA-3 Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No. C99-2 in the Amount of \$289.07 (County Counsel); Res. 99-136
- CA-4 Resolution Authorizing the Chairman to Sign Amendment to the Agreement for Unemployment Compensation Services (County Counsel/Personnel); Res. 99-137
- CA-5 Resolution Authorizing an Extension of the Statutory Rape Vertical Prosecution Grant from July 1, 1999, Ending March 31, 2000, Thus Allowing the Grant to Expend Unused Funds (District Attorney/Victim Witness); Res. 99-138
- CA-6 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**

Resolution Transferring Funds from Fixed Assets and Rents Line Items to Training and Seminars Line Items, Within the Housing Authority Budget (\$750) (Human Services); HA Res. 99-4

CA-7 Resolution Approving and Authorizing the Director of Public Works to Execute an SB 1330 Farm and Ranch Solid Waste Cleanup and Abatement Grant Program Application from the California Integrated Waste Management Board (Public Works); Res. 99-141

CA-8 Congratulations and Recognition to Nevada Haag on Celebrating her 102nd Birthday on May 5, 1999 (Supervisor Parker)

8:05 p.m. Adjournment in memory of Christopher Pacquette, Charles C. Fenton, Karl Baumann, and Verne Casaretto.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 11, 1999



Time Description

9:11 a.m. Meeting Called to Order with Supervisor Reilly excused to arrive later.

Pledge of Allegiance

Introductions – Chairman Pickard introduced Dr. Jeff Hamilton, Superintendent of Schools.

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

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Chairman Pickard clarified that the proclamation in CA-1 proclaims May 21st as “Mariposa County Senior Exposition/Health Fair Day.” Supervisor Balmain pulled item 4. (M)Parker, (S)Stewart, balance of items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Discussion was held with Mary Williams, Community Services Director, relative to item 4. Item 4 was continued for Supervisor Balmain to work with Community Services and bring it back in the future.

Christine Johnson, District Attorney;

Resolution Transferring Funding from Deputy District Attorney (Anti-Drug Abuse Enforcement Grant) Salary Line Item (\$727) to Transportation Line Item (\$632) and Private Vehicle Line Item (\$95) with Respect to an Asset Forfeiture Seminar with an Alternative of S.L.E.S.F./C.O.P.S. Funding also Available for Travel Expenditure

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 99-149 adopted, including authorization for the transfer of the funding to be determined based on grant approval/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Mike Edwards, Public Works Director;

Resolution to Establish a Revolving Loan Fund for Formation and Improvement Costs Associated with County Service Area Zones of Benefit for Road Maintenance

BOARD ACTION: Discussion was held with Mike Edwards and Dave Tucker/PWD-Engineer. Staff advised that if the program is approved, they will contact those parties who have expressed interest in the past to see if they are interested in participating in this program. Details of the policies for the program will be brought back to the Board. (M)Balmain, (S)Stewart, Res. 99-150 adopted establishing the revolving loan fund as recommended. Further discussion was held. Supervisor Parker requested that the subcommittee (Supervisors Parker and Balmain) continue to work with staff on this program, and that it be clear that this program is not intended to be to the benefit of a developer – that it is for existing private roads. Discussion was held relative to having the interest from the loaned funds go back to the revolving loan program, and the interest from the revolving loan program going back to the General Fund. Motion was amended, agreeable with maker and second, to include direction for the subcommittee to work with staff to bring back the details of the policy, and to include changes in the wording in the resolution to reflect that the Board finds that the improvement and regular maintenance of non-County maintained roads through the successful formation of a zone of benefit is in the public interest, and to direct that the funds are for existing private roads/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Janet Hogan, County Administrative Officer;

CLOSED SESSION Relative to Employee Performance Evaluation for Visitors' Bureau Director Position

BOARD ACTION: (M)Balmain, (S)Parker, Closed Session to be held following Board information and announcements/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Board Information and Announcements

- Supervisor Balmain reported on the SMART Task Force meeting he attended in San Jose on Monday.
- Supervisor Pickard updated the Board on the status of AB 195, gas tax legislation. The funding from AB 473 is still in the Governor's budget, so they plan to pull the current legislation pending the May budget revision from the Governor.
- Janet Hogan, County Administrative Officer, advised of their coordination with OES to assist the residents which were affected by the recent rock slide on Highway 140.

9:52 a.m. Closed Session was held with Steve Hayes, Visitors' Bureau Director, to be present.

11:45 a.m. Lunch

2:16 p.m. Board reconvened in open session with all members present.

Chairman Pickard announced that as a result of closed session the Board has completed its evaluation of the Visitors' Bureau Director and after a productive discussion, the Board is looking forward to continuing to work with Steve Hayes to promote Mariposa County.

Chairman Pickard announced that today's meeting will be continued to May 17, 1999, at 1:00 p.m. for administrative practice session to discuss the organization of the Planning and Building Departments.

Sarah Williams, Interim Planning Director;

Joint Meeting with the Planning Commission to Discuss Mariposa County's Development Policy Documents and Regulations (Supervisor Pickard)

BOARD/COMMISSION ACTION: Commissioners Gary Colliver, Leroy Radanovich, Pierce Loberg, Bob Rudzik and Don Pucilowski were present. Sarah Williams, Interim Planning Director, and Mike Edwards, Public Works Director, were present for the discussion.

Commission Chairman Loberg explained that the Commission requested this meeting to share information and discuss issues they identified in their memorandum to the Board.

Sarah Williams reviewed the following issues: road maintenance, costs for projects, nexus requirements, and planning for growth.

Planning Commissioners shared their thoughts on these issues.

Commissioner Rudzik referred to situations the Commission has had to deal with when considering applications. He stated that they find that, with few exceptions, private road maintenance agreements do not work. He stated he feels impact fees need to be addressed.

Commissioner Radanovich expressed concern with planning for the growth for the future, especially with the UC Merced project. He feels some good standards are being

developed, and he noted that we always run the risk of the County's major funding source (tourism to Yosemite) being diverted or drying up. He stated he feels that we need to be upfront on these issues and not drag behind, and that the Commission and the Board need to work together.

Commissioner Colliver stated he feels the County has been getting along pretty well up to this point; however, we are reaching a point where we are about to go beyond that point. He feels that the goals in the General Plan are valid and strong; some could create conflicts with each other if we focus on one and get out of balance. The increase in population and new faces bring changes in expectations for the quality of life and services. He stated he feels that we need to refine the tools to move into the future.

Commissioner Rudzik stated he hopes the General Plan can be amended. relative to the UC Merced project, he feels our only tool is planning and management.

Commissioner Pucilowski commented on his observations as a Commissioner relative to road issues. He advised that the majority of those purchasing property in the Don Pedro area are from the Bay area; they are financially successful and are building their "second" homes on the same scale as their residence in the Bay area. With the impacts the UC Merced will have, he feels we need to be prepared. He noted that developers are coming in and canvassing property to see what is available, especially in the Ranchito Drive and Barrett Cove Road areas.

2:48 p.m. Recess

3:05 p.m. Sarah Williams gave a slide presentation showing examples of road improvement requirements for projects. Commissioner Radanovich commented on the need to adhere to new standards such as the fire safe standards. Sarah reviewed the relationship between the various policy and code documents which are utilized for development review.

Dick Kunstman asked about Commissioner Radanovich's comments relative to requirements to building roads to County standards and the County's liability. Commissioner Radanovich responded with the opinion he has received from County Counsel that the County began accepting liability when it began imposing standards.

Ross Ainsworth, OMNI-means – County transportation planning consultant, was present to give a presentation.

Commissioner Radanovich expressed concern with having enough time scheduled for the Board and the Commission to review all of the issues that were scheduled for discussion. It was agreed that the presentation should be given.

Ross Ainsworth presented information and gave a status report on the Regional Transportation Plan update. Jay Pawlek, Air Quality/Transportation Specialist, responded to a question from Commissioner Radanovich relative to the generation of the year 2020 land use projections.

Discussion was held relative to the individual items raised in the Planning Commission's memorandum, and staff presented real project examples to illustrate certain issues.

Commissioner Radanovich provided input relative to the need to address historic parcels. Commissioner Rudzik asked about the number of historic parcels that exist within the sphere of influence for the UC Campus. Staff presented maps showing the number of historic parcels involved in one family ranch, and another map on agriculture land near the UC Merced site.

3:53 p.m. Recess

4:06 p.m. Commission Chairman Loberg reminded everyone that there are twelve issues to review.

Further discussion was held relative to the historic parcel issues.

Don Starchman, Starchman Law Offices, provided input relative to the creation of historic parcels, and he noted that 99% of the parcels were created by the U. S. Government. He stated he feels that any regulations adopted by the Board would need to be applied to all of the parcels in the County and not just those who put together a ranch consisting of historic parcels. He also noted that in each of the historic parcel cases he has been involved with, they have been able to make a better situation.

Ken Melton noted that he has been involved in County planning since 1977, and he feels we have still not solved parcel development at the end of roads that are not up to standard. He stated the problem with a successful development is that it breaks the developer before being fully developed, and he urged the Board to be careful when considering standards. He stated he feels the historic parcels is a control issue. He further stated he does not feel that the Board has the right to tell people how to maintain their roads on a private road. He feels another problem is the offer of dedication and rights to use the road. He stated more regulations may not be what people are looking for – people want government out of their affairs. He noted that the Fire Safe Standard regulations are out of the Board’s hands and already regulate things.

Further discussion was held relative to the historic parcel issues.

Discussion was held relative to the density provisions established by County Code for parcels which contain more than the minimum parcel size for a particular zone.

Discussion was held relative to consideration of an impact fee program, where the monies from the program are used to improve private or county roads.

Discussion was held relative to the “nexus” requirements relative to road issues.

Discussion was held relative to continuing this matter – it was agreed to continue the joint meeting to June 1, 1999, at 2:00 p.m. Board members thanked the Commissioners and staff for their effort on these matters.

Planning Commission adjourned at 5:07 p.m.

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 Proclaim May 22, 1999 as “Mariposa County Senior Exposition/Health Fair Day” (Community Services)
- CA-2 Resolution Recognizing Irene Rhyne as Senior Volunteer of the Year for 1999 (Community Services); Res. 99-143
- CA-3 Resolution Recognizing Lenore and Joseph Emerson as Senior Lady and Senior Gentleman of the Year for 1999 (Community Services); Res. 99-144

- CA-4 Resolution Approving the Closure of the Greeley Hill Nutrition Site Due to Low Attendance and Offering a Restaurant Meal Program at Coulter Café in Coulterville (Community Services); continued for Supervisor Balmain to work with Community Services and bring it back in the future
- CA-5 Resolution Recognizing “Cousin Jack” Franklin for his Contributions to the Community of Mariposa (Mariposa County Arts Council); Res. 99-142
- CA-6 Resolution Recognizing the Sierra Artists Gallery’s Annual Gold Rush Art Show and Reception (Supervisor Parker); Res. 99-145
- CA-7 Resolution Recognizing Herman Spranz for his Contributions to Mariposa County (Supervisor Parker); Res. 99-146
- CA-8 Accept Resignation of Herman Spranz from the Area 12 Commission on Aging Advisory Council and the Mariposa County Commission on Aging (Supervisor Stewart)
- CA-9 Appoint Jim Loeser to the Coulterville Community Planning Advisory Committee (Supervisor Balmain)
- CA-10 Appoint Roxann Mulrey and Caitlin Lee-Roney to the El Portal Town Planning Advisory Committee (Supervisor Reilly)
- CA-11 Resolution Authorizing the Director of Public Works to Advertise for Closed Bids and to Award Contracts for the Sale of the Historic Gimblin House and Water Tower to be Demolished and/or Moved (Public Works); Res. 99-147
- CA-12 Resolution Approving the Mariposa County Pioneer Wagon Train Event as a County Activity which Will be Held June 10-12, 1999 and Authorizing the Chairman to Execute Related Agreements (County Counsel); Res. 99-148

5:07 p.m. Board recessed in memory of Neal O’Donel-Browne and Mildred M. Leoni, and continued the meeting to Monday, May 17, 1999, at 1:00 p.m. for an administrative practice session to discuss organization of the Planning and Building Departments.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA

MAY 17, 1999

(Continued Meeting from May 11, 1999)



Time Description

1:06 p.m. Board convened in continued meeting from May 11, 1999, for an Administrative Practice Session to discuss organization of the Planning and Building Departments, and relocation of the transportation planning and air pollution functions.

Dr. Mosher, County Health Officer, advised that the affected departments have been meeting to ensure a smooth transition, and that the change will have three department heads overseeing the permit staff at the counter.

Sarah Williams, Interim Planning Director, reviewed the proposed reorganization of the Planning Department and staffing changes. Discussion was held relative to the status of computer automation and plans for future support – Sarah Williams advised that there isn't anything included in the budget. Future support could be budgeted for staff or contract assistance.

Dr. Mosher explained how a permit application is processed at the Development Services counter currently, using an example of an application to build a new restaurant outside of the MPUD Water District. John Davis, Interim Building Director, reviewed the timeframes for the permit process and the Building Department's processing of the permit. Sarah Williams reviewed the Planning Department's processing of the permit. Dr. Mosher reviewed the portion that the Health Department is involved with. Discussion was held.

Dr. Mosher presented the proposal for the new Development Services approach with the reorganization. Sarah Williams advised that they are still working on the details – another permit coordinator position is being requested for the Building Department to assist with providing counter service and they may be able to share their receptionist duties with this position, and in trade provide some budgetary assistance to Building. Discussion was held. John Davis explained the permit process for a single family residence.

2:00 p.m. Recess

2:13 p.m. Further discussion was held relative to the requested staffing changes as a result of the proposed reorganization.

Discussion was held relative to providing staff support for YARTS activities. Sarah Williams advised that about 25% of Jay Pawlek's time is allocated for YARTS activities in their proposed budget for the next fiscal year. Mike Edwards, Public Works Director, responded to a question from the Board and advised that he is not aware of other funding sources, other than the Local Transportation Fund that could be used to fund staff support for the YARTS activities. Jay Pawlek/Air Quality-Transportation Planner, agreed that there are not any other funding sources.

Discussion was held relative to transportation planning activities in general. Mike Edwards referred to his memorandum to the Board on this matter, and he stated he supports having a full-time transportation planning position in the Department. He feels staff support to the YARTS activities would impinge on their transportation planning efforts. Supervisor Reilly expressed concern with having enough staff support for the

transportation planning issues such as bike lanes, walkways, and searching out funding opportunities for these projects. Jay Pawlek provided additional information relative to his concerns for timing the change in staffing for the YARTS activities. Supervisor Stewart stated he feels that Jay Pawlek should continue as staff support for YARTS activities until September 1999, or sooner contingent upon the Local Transportation Commission's decisions.

Discussion was held relative to staffing for economic development activities. Jay Pawlek provided a brief status report on the current economic development grant funded projects, including the Mining and Mineral Exhibit.

Discussion was held with John Davis relative to staffing for the Building Department and proposal to increase fees to cover the costs of the additional staffing. Discussion was also held relative to the status of reimbursing the General Fund for its past contributions to the budget. Discussion was held relative to the status of office space and furnishings for staffing changes. Jim Petropulos, Assistant Public Works Director, Dave Walker, Planner II, and Sarah Williams provided input relative to the status of furniture and space.

Discussion was held with Dr. Mosher relative to staffing changes for Environmental Health as a result of the reorganization.

Susan Warner, Building-Permit Coordinator, asked about the proposal to have three permit coordinators staff the front counter. Janet Hogan, County Administrative Officer, advised that the draft class specification has been reviewed by the affected departments and will be scheduled for the Board's review.

Further discussion was held relative to the reorganization proposal.

Janet Hogan suggested the following:

- that issues for staff support to YARTS and economic development be deferred to be considered with the overall work program for the Planning Department;
- that the Building Department issue of an additional staff person for the front counter be considered during the upcoming budget process;
- that the request for increase in fees for the Building Department come to the Board as a separate action prior to July 1, 1999;
- that the Environmental Health Department issues relative to appointment of the Air Pollution Control Officer and allocation of an 80% REHS position be considered as scheduled on the May 25th agenda;
- that the class specification for the transportation planner position be scheduled in the next couple of weeks on the agenda; and
- with the goal that these issues be brought to the Board before June 30, 1999.

Discussion was held relative to the status of recruitment for the Planning Director position, and revised class specifications for the Planning and Building Director positions. Sarah Williams advised that the Department's proposed work program on current projects could be scheduled soon, with the listing of advance planning projects to be presented to the Board in June 1999.

3:56 p.m. Adjournment

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 18, 1999



<u>Time</u>	<u>Description</u>
9:09 a.m.	Meeting Called to Order Pledge of Allegiance Introductions

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

Resolution Declaring the Week of May 16 Through 22, 1999 as Emergency Medical Services Week (Public Health)

BOARD ACTION: (M)Parker, (S)Stewart, Res. 99-151 adopted and presented to Dr. Mosher, County Health Officer and Chairman of the Emergency Medical Care Committee/Ayes: Unanimous. Brian Brouhard advised of activities planned for Sunday at the Fairgrounds for EMS week.

Presentation of Plaques in Recognition of Individuals Voted by Their Peers as “Outstanding Emergency Medical Services Professionals” for the Year 1999 (Public Health)

BOARD ACTION: (M)Parker, (S)Stewart, plaques were presented to the following:

Dr. Gerald McCallum, EMS Physician of the Year;
Nanette Wardle, EMS Mobile Intensive Care Nurse of the Year;
Steve Ward, EMS Paramedic of the Year;
George Maroudas, EMS Emergency Medical Technician of the Year;
Art Laursen, EMS First Responder of the Year; and
Jesse Figueroa, EMS Instructor/Trainer of the Year/

Ayes: Unanimous.

Approval of Minutes of 4/27/99 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Dr. Mosher, Health Officer;

Discussion and Possible Direction to Staff of Issues Regarding the CUPA Program

BOARD ACTION: Dr. Mosher updated the Board on the status of options with the CUPA Program, and he reviewed his recommendations. Discussion was held relative to the programs that fall under CUPA and the benefits of County versus State administration of the Program. Supervisor Pickard advised of the workshop that Inyo County conducted with its business community and suggested that Mariposa County do the same.

Supervisor Parker requested that information be submitted to the newspapers and/or by letter to individual businesses with information on the program prior to the workshop, and that district meetings or a meeting with the County be held prior to conducting a workshop with the State. Discussion was held.

Board concurred with directing staff to send a letter to affected businesses advising of the program and see if they would like to have a workshop; and to send a letter to Cal EPA asking for an extension while determining if it is feasible to form a joint powers

authority. Dr. Mosher is to keep the Board informed of the responses that are received from the State and the business community.

10:01 a.m. Recess

10:12 a.m. Jacqueline Meriam, Librarian;
Resolution Authorizing Volunteers to Fill in Occasionally During the Summer; Accept Money Donated by the Friends of the Library-Wawona to Provide 140 Additional Hours of Library Services at the Cost of \$1,220 for the Bassett Memorial Library, with Hours Beginning June 1 and Ending September 6, 1999; Authorize Adding an Extra Hour to Help Support the Friends of the Library for the Additional Hours They Have Paid for; and Request the Following Summer Hours for the El Portal and Bassett Memorial Library Branches:

- El Portal Library –
- Monday – 5:00 p.m. to 8:30 p.m.
 - Tuesday – Split 10:00 a.m. to 12:30 p.m. and 1:30 p.m. to 3:00 p.m.
 - Thursday – 9:00 a.m. to 12:00 p.m.
- Bassett Memorial Library –
- Monday – Closed
 - Tuesday – 10:00 a.m. to 12:00 p.m. and 4:30 p.m. to 7:30 p.m.
 - Wednesday – 3:30 p.m. to 7:30 p.m.
 - Thursday – 10:00 a.m. to 12:00 p.m. and 4:30 p.m. to 7:30 p.m.
 - Friday – 4:30 p.m. to 7:30 p.m.
 - Saturday 10:00 a.m. to 2:00 p.m. (Library)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised that Jacque Meriam was unable to be present this date, and recommended that the Board defer action until discussion is held with the Librarian on request to add an extra County funded hour for the Bassett Memorial Library/Wawona – Board concurred and continued this portion of the request to May 25, 1999. (M)Balmain, (S)Reilly, Res. 99-155 adopted approving the balance of the request/Ayes: Unanimous.

Chairman Pickard introduced Dave and Pat Sischo from Wawona, and thanked them for their work with the Library.

Janet Hogan, County Administrative Officer;
Resolution Approving and Authorizing County Administrative Officer to Sign an Expansion Proposal for a Full-Day Head Start Class in the Amount of \$157,153

BOARD ACTION: Following discussion, (M)Reilly, (S)Parker, Res. 99-156 adopted/Ayes: Unanimous.

Christine Johnson, District Attorney;

A) Resolution Waiving Countywide Indirect Overhead Costs (5.8346%) Concerning the Office of Criminal Justice Planning Anti-Drug Abuse (ADA) Enforcement Program Grant (Mariposa County Drug Court Program)

BOARD ACTION: Discussion was held with Pelk Richards, Sheriff, relative to the benefits of the grant program and their request to waive the Countywide indirect overhead costs. (M)Balmain, (S)Reilly, Res. 99-157 adopted waiving the Countywide indirect overhead costs as requested. Further discussion was held concerning the request and whether the costs could be covered by the affected departments. Pelk Richards advised that if there are funds left in his Jail budget at the end of this fiscal year, they could be allocated to meet the overhead costs of the grant. Discussion was held relative to handling indirect costs for grants. Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

B) Resolution Approving the Extension and Augmentation of the Office of Criminal Justice Planning (OCJP) Anti-Drug Abuse (ADA) Enforcement Program Grant, Concerning the Mariposa County Drug Court from July 1, 1998 Through July 30, 2000
BOARD ACTION: Following discussion with Pelk Richards, (M)Stewart, (S)Reilly, Res. 99-158 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

C) Resolution Authorizing Chairman to Execute a Lease Agreement with Lawrence and Joan Laity and Ronald and Carol Iudice Concerning Shared Office Space by the Mariposa County District Attorney's Victim/Witness Program, Statutory Rape Vertical Prosecution Program and the Family Violence Response Team, and Authorizing Auditor to Process Monthly Payments in Accordance with Lease
BOARD ACTION: Discussion was held with Bill Flaherty, Victim-Witness Coordinator, concerning the request, and he commented on problems there were experiencing in receiving timely information from the audit firm for the County to submit for their grants. Janet Hogan, County Administrative Officer, advised that staff is working with the audit firm and Grand Jury to bring a recommendation to the Board. (M)Reilly, (S)Stewart, Res. 99-159 adopted/Ayes: Unanimous.

Further discussion was held relative to Countywide indirect overhead costs for grants and whether to consider public safety grants separately. Pelk Richards and Christine Johnson provided input. Board concurred with directing staff to bring back a list of all grants and the indirect overhead costs for further consideration.

11:23 a.m. Lunch

2:10 p.m. Sarah Williams, Interim Planning Director;

A) PUBLIC HEARING to Consider Appeal Number 99-3; Appeal of Planning Director's Determination Regarding Issuance of Transient Rental Permit; Richard Long, Applicant/Appellant; APN 006-090-017

BOARD ACTION: Sarah Williams presented the staff report and reviewed the history of the code compliance items and issuance of permits.

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

Gregg Garrison, Attorney at Law, representing the applicant/appellant, thanked County Counsel and Planning staff for meeting with him on these issues and trying to find ways for Mr. Long to comply with the regulations. He reviewed his professional background and history with dealing with land use and environmental issues. Mr. Garrison presented his request for the matter to be remanded back to the Planning Department, without prejudice, with the following conditions:

that inspection of unit two be conducted in accordance with the transient rental operation; and

that the subject property be retrofitted with low-flow toilets as a condition to issuing a transient rental permit, and that they be able to prove the net gain in savings on the sewer system.

Mark Chapman, resident of Yosemite West, stated he has a transient rental home and that when Ordinance 934 was adopted several people got caught in the process with uncompleted building permits. He suggested that the Board consider allowing an amnesty period to give people an opportunity to correct outstanding permit issues. He feels that this might allow everyone to ride out the sewer moratorium and that it would create good will in the community.

Ken LeBlanc, Yosemite's Scenic Wonders, noted that some of the uses of the properties go back ten years and that there was a lot of confusion on what was needed for permits for transient rentals after the building permits were obtained.

David Deto stated he holds a valid transient occupancy permit at the present time, and he has not thought about the people who are trying to tie up their loose ends, and he

feels the amnesty period might be a valid avenue to discuss at the appropriate time. He stated he does not feel that people violated the permit process with malice against the County as they have been paying taxes, including the transient occupancy taxes. He feels an amnesty period could bring members of the community, Advisory Committee and the County together.

Public portion of the hearing was closed and Board commenced with deliberations. Jeff Green, County Counsel, responded to Attorney Garrison's request, and he advised that he spoke with Sarah Williams regarding the proposal and they feel it would be worth taking a look at it. He advised that the appeal could be held in abeyance until staff reviews the proposal made by Attorney Garrison and comes back to the Board with a recommendation. Staff responded to questions from the Board relative to the inspection process for the transient rental units. Attorney Garrison advised that he is okay with holding the appeal in abeyance as recommended by County Counsel, and the Board concurred. Sarah Williams advised that, pending a final decision, the facilities are not to be used for transient rental purposes. Staff responded to a question from the Board relative to the status of the hearing on the Cease and Desist Order from the State for Yosemite West. Attorney Garrison stated he would be willing to work with the County in responding to the Cease and Desist Order. Supervisor Reilly stated she feels the suggestion for an amnesty period should be reviewed. Supervisor Stewart stated he would like information on the properties that this could affect.

B) PUBLIC HEARING to Consider Request for Time Extension for Abatement of Code Violation; Frank and Beverly Hutchinson, Property Owners; APN 006-100-061 **BOARD ACTION:** Sarah Williams and Jean Clark/Assistant Planner, presented the staff report, and advised the issues pertain to the habitable space within the setback area and the operation of a key distribution facility. Sarah Williams also advised of the appeal filed by Mark Chapman and procedural issues. Staff responded to questions from the Board relative to distribution of the keys for the condominium units at the office for the condominiums and whether that is a legal use; whether the condominium office could be considered as a potential location for distribution of the keys for the rentals; consideration of rezoning the property to Resort Commercial for this type of activity; and how key distribution is handled for other rentals.

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

Mark Chapman stated he was present to rebut the staff's position – he feels it violates Title 17 zoning laws, the General Plan policy, runs counter to the CC & Rs, and Mariposa County policy for the last thirty years. He also rebutted the timeframe for the extension that was requested. He referred to the appeal procedures in Title 17 and his written rebuttal. He noted that most of the activity for the transient rental operation takes place off-site and only the key distribution is handled in Yosemite West – he feels this is a business activity. He stated he is not challenging the setback issues at this time unless they can not get a variance, or they could move that portion of the operation to another part of the home. He referred to home enterprise regulations and stated he feels they apply to a business operating in the house that is engaged in the sale of a product, and he does not feel that this type of activity takes place on this property. He stated he does not feel that the key activity is any different that someone cleaning the property as a maid service. If this is not an appropriate activity, then he feels that every transient rental in the County would be illegal. He feels the key distribution operation is a legal activity, and he referred to the portion of the General Plan that cites the need to provide for economic development. He stated he feels the Resort Commercial zone most closely reflects what Yosemite West is, and he feels the area is improperly zoned.

Beverly Hutchinson, property owner, thanked the Board and Planning staff for hearing their request.

Ken LeBlanc, owner of Yosemite's Scenic Wonders and member of the Yosemite West Advisory Committee, presented his request on behalf of the properties that he

represents for a six-month time extension to operate the key distribution to allow time to find an alternative. He stated he feels this became an issue because of Doblack's complaint letter, and he noted that Mr. Doblack also operates a transient rental. He stated he has patterned his business after the Yosemite West Cottages and Condominiums who have been operating for many years, and he stated he has never solicited anyone in the community to provide this service. He referred to the previous direction given by the Board and stated he feels the Advisory Committee is making progress. He noted that signs have been removed for the facility and that creates confusion for their guests and the residents are complaining. He stated he feels the County and the community was supportive of transient rental operations and now they are making it difficult. He responded to questions from the Board relative to his request for a six-month time extension and alternatives.

Dave Deto stated there is a lot of frustration. He suggested, from his involvement in the meeting held by the Advisory Committee, that the regulations be taken from Title 17 for 2 ½ acre parcels and applied to ¼ acre parcels. He also suggested a "hands-off" approach until the Advisory Committee makes its recommendations. He stated he feels Title 17 was drafted to promote business, and he cited problems he would have personally if he could not use his house as a transient rental. He stated he feels an overlay needs to be looked at – who lives on-site, off-site and what is appropriate. He stated the key distribution place may be in the spirit of the law; however, it is out of the letter of the law. He further noted that if the key distribution took place at the condominium office, guests would not pass by any residential lots and the residences would not be impacted. He further noted that not all of the people in Yosemite West have come from Southern California and have a lot of money. He stated he feels the solution needs to be long-term to allow families to relocate to town as their situation changes.

4:07 p.m. Recess

4:28 p.m. Richard Kunstman stated he was a member of the committee that worked on revisions to Title 17, and their intent was as stated by Sarah Williams and as interpreted by the Planning Department. For rural home industry, the person would be required to reside at the place where the business operation took place. At that time, he was doing consulting work and was considered a rural home industry and he paid business taxes, and he noted that the only product of his business was thinking. He did not have anything that he marketed or produced. He suggested that if it does not require thinking to hand out a key, then perhaps the key distribution is not a rural home industry. He further stated that he feels that the whole operation could be automated and not require anyone to perform it.

Public portion of the hearing was closed and the Board commenced with deliberations. Supervisor Reilly commented on the correspondence that has been received on this issue. Staff responded to questions from the Board relative to the changes in the use of the garage to a workshop and then to an office and the permit process. (M)Parker, Res. 99-160 adopted denying the request for a time extension for abatement of the code violations, requiring that full compliance with County Codes be made within 105 days following this action, and requiring that a proposal of code compliance be made within 45 days following Board action. Staff responded to questions from the Board relative to the recommendation for the 105 days and timeframes for processing a General Plan zoning amendment. Motion was amended to include statement that this is not a rural home enterprise, it is a commercial business operation. Motion was seconded by Stewart. Ayes: Stewart, Parker, Pickard; Noes: Reilly, Balmain. Hearing was closed.

Board Information and Announcements

- Supervisor Reilly advised that she and Supervisor Pickard attended the UC Merced MOU signing ceremony; that she attended the Blue Grass Festival and it was great;

that she will attend the Mother Lode Job Training meeting on Thursday; and that next week she and two members of the El Portal Town Planning Advisory Committee have been asked to join Yosemite Valley planners and consultants to work on plans for El Portal – thus, she will miss the morning portion of the Board meeting on May 25th.

- Supervisor Pickard commented on the UC Merced MOU signing ceremony, and stated he hopes that advanced placement opportunities will be afforded to our residents as well.
- Janet Hogan, County Administrative Officer, advised that she will be out of the office the rest of the week, and she advised that on Monday two Board members, the Clerk of the Board and herself will attend Internet training.

CONSENT AGENDA

- CA-1 Resolution Authorizing the Sale of Obsolete Computer Equipment and Placing the Revenue of Sale in the Data Processing Budget for the Purchase of Computer Parts for Repair Purposes (Data Processing); Res. 99-152
- CA-2 Resolution Authorizing Adjustments to Revenue and Appropriations to Reflect Changes Due to Wage Increases for Mariposa County Managerial/Confidential Organization (MCMCO) and Service Employees International Union (SEIU) Employees (District Attorney/Family Support Div.) (4/5ths Vote Required); Res. 99-153
- CA-3 Waive Second Reading and Adopt Ordinance Establishing a Local Children and Families First Commission (Human Services); Ord. 944
- CA-4 Resolution Approving the Mother Lode Job Training 1999 Initial Modification to the Department of Labor Welfare-to-Work Block Grant for Mariposa County (Mother Lode Job Training); Res. 99-154

5:00 p.m. Adjournment in memory of Wilma Ballantyne, Lee Anderson, Robert B. McGlaufflin, and Thomas C. Edmundson.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 25, 1999



Time Description

9:07 a.m. Meeting Called to Order, with Supervisor Reilly excused to attend the planning workshop in El Portal.

Pledge of Allegiance
Introductions

Resolution and Tile Plaque Recognizing Robert "Bruce" Pickard Upon his Retirement from the Mariposa County Sheriff's Department (Sheriff); and
Resolution and Tile Plaque Recognizing Frank Sanchez Upon his Retirement from the Mariposa County Sheriff's Department (Sheriff)

BOARD ACTION: (M)Stewart, (S)Parker, Res. 99-161/Pickard and Res. 99-162/Sanchez adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.
Resolutions and tile plaques were presented to Bruce Pickard and Frank Sanchez.
Chairman Pickard introduced his mother, Joanne Pickard.

Pelk Richards, Sheriff, introduced the following members of his staff: Brian Muller/Lieutenant-Operations; Susan Patterson/Lieutenant-Jail; Howard Davies/Assistant Sheriff; and Jim Allen/Assistant Sheriff.

Pelk Richards also advised that the Department is involved in sponsoring a town meeting scheduled for June 2nd at 6:30 p.m. for Voices Against Violence. This will provide an opportunity for citizens to share their thoughts concerning the safety of our children, schools and community.

9:24 a.m. Recess

9:35 a.m. Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Mike Edwards, Public Works Director, presented a request for action on an off-agenda item to consider recommendation of appointment of Richard Welton to the California Transportation Commission. Board recessed for the Local Transportation Commission to convene to consider this request.

- **LOCAL TRANSPORTATION COMMISSION** convened. (M)Pickard, (S)Stewart, Commission waived rules requiring 72 hours agenda noticing to consider this matter finding it was not know about at the time the agenda was prepared and that it is a matter of urgency/Ayes: Balmain, Stewart, Pickard, Parker; Excused: Reilly.
(M)Pickard, (S)Stewart, Commission approved letter recommending the appointment of Richard Welton to the California Transportation Commission/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

- **9:39 a.m.** Board reconvened. Jeff Green, County Counsel, presented a request for action on an off-agenda item relative to the Educational Revenue Augmentation Fund (ERAF) lawsuit being filed by Sonoma County. (M)Balmain, (S)Stewart, Board waived rules requiring 72 hours agenda noticing to consider this matter finding it was not known about at the time the agenda was prepared, and that it is a matter of urgency as documents are being filed in court on Wednesday/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Discussion was held relative to this matter and the request for financial

contribution. (M)Parker, (S)Balmain, Res. 99-163 adopted authorizing County Counsel to contact Sonoma County to join in the lawsuit being filed against ERAF, with direction that a contribution of \$1,000 be made from the Insurance Set Aside Fund; and that if additional funding is requested, the request shall be brought back to the Board for further consideration/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Approval of Minutes of 5/4/99 Regular Meeting

BOARD ACTION: Approved

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Jeff Green, County Counsel, pulled item 1 – matter to be rescheduled for June 8, 1999. Supervisor Balmain pulled item 10. Supervisor Pickard pulled item 11. (M)Balmain, (S)Stewart, balance of items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Discussion was held relative to item 10 and the various strategies to have the funds returned. Supervisor Pickard requested that Assemblyman House, Senator Monteith, RCRC and CSAC be added to the distribution of the letters for items 10 and 11. (M)Balmain, (S)Stewart, items 10 and 11 were approved with the additional distribution/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Pelk Richards, Sheriff;

Resolution Authorizing the County Administrative Officer to Apply for and Execute a Grant Application for Fifty Percent Matching Funds of the Total Cost of Bullet Proof Vests (\$9,000)

BOARD ACTION: Following discussion, (M)Parker, (S)Stewart, Res. 99-174 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Steve Hayes, Visitors' Bureau Director;

Resolution Approving Request by the Mariposa Kiwanis Club to Fund the Cost of the 1999 Fireworks Display for \$6,500 (to be Included in Fiscal Year 1999-00 Budget)

BOARD ACTION: Discussion was held. Sara Parrish, representing the Kiwanis Club, presented their request for funding, and she advised that they negotiated a two-year contract for the fireworks and that funding will be requested from the County again next year. Discussion was held relative to the request and the budget for the event. Lowell Young, representing the Kiwanis Club, provided input, including a review of the history of the event. Further discussion was held relative to the event and future needs for funding. Motion was made by Stewart to fund the request for the fireworks for this year only, based on the time elements involved, and with direction that issues relative to the future of the event need to be addressed. Motion died for lack of a second.

10:34 a.m. Recess

10:44 a.m. Janet Hogan, County Administrative Officer;

Resolution Approving and Authorizing the County Administrative Officer to Sign an Application for Head Start Quality Improvement Funds in the Amount of \$10,294

BOARD ACTION: Following discussion, (M)Stewart, (S)Balmain, Res. 99-175 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Christine Johnson, District Attorney;

Resolution Waiving Countywide Indirect Overhead Costs Concerning the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office, Grants to Encourage Arrest Policies

BOARD ACTION: Matter was continued to June 1, 1999, as requested by the District Attorney.

Dr. Mosher, Health Officer;
Resolution Appointing Health Officer as Air Pollution Control Officer; and Authorize the Filling of the County Registered Environmental Health Specialist Position at 0.8 FTE Permanent-Part Time

BOARD ACTION: (M)Parker, (S)Stewart, Res. 99-176 adopted. Motion was amended, agreeable with maker and second, to include the County Administrative Officer's recommendation to delete one registered environmental health specialist position from the Health Department and add one 80 percent permanent part time position/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Mike Edwards, Public Works Director;
Resolution Adopting Update of 1988 Improvement Standards

BOARD ACTION: Supervisor Balmain requested that this matter be continued and that information be sent to the Contractor's Association and others who are involved with these standards to solicit their input. Mike Edwards advised of the input received during the committee process, and he advised that the revisions to the standards are to bring them into compliance with the current practices and codes. Supervisor Parker suggested that committee have an opportunity to review the final draft and provide a recommendation. Board concurred with continuing the matter as requested.

Jacqueline Meriam, Librarian;
Resolution Authorizing the Addition of an Extra Hour to Help Support the Wawona Friends of the Library for the Additional Hours they Have Paid for (Continued from 5/18/99)

BOARD ACTION: Discussion was held with Jacque Meriam, and she advised that this is a one-time issue with funds coming from the existing budget allocation. (M)Balmain, (S)Parker, Res. 99-177 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Jacque Meriam invited the Board members to the Greeley Hill Red Cloud Library branch's 50th anniversary celebration on June 6, 1999, at 2:00 p.m.

Discussion and Possible Action Regarding an Ordinance Prohibiting Skate Boarding on Pedestrian Walkways (Supervisor Parker)

BOARD ACTION: Supervisor Parker initiated discussion and advised of complaints he has received from the business owners and pedestrians relative to the use of the sidewalks by the skateboarders and safety issues. Several skateboarders were present.

Input was provided by the following:

Guy Spurlin advised that he skated with the kids on Sunday afternoon and found that there were only two areas in town where they were allowed to skate. He stated he feels the best option to prohibiting the skating is to provide a place for skating. He also noted that he has had a difficult time trying to determine the status of the skatepark facility, and he was advised that it is in the design phase and to contact Kathy Delaney for more details.

Discussion was held and Board members expressed an interest in concentrating on efforts to get the skatepark built and urged the skateboarders to use caution and common sense and be mindful of the safety of the pedestrians. Supervisor Parker advised that he will pull this item from the agenda; however, he warned that this does not say that it is okay to use the downtown sidewalks.

Guy Spurlin requested that the skateboarders not be judged by a couple of skaters who do not use caution, and he suggested that they volunteer to not skate during the high foot traffic times. He also requested information on the authorized uses of the pedestrian walkways.

Pelk Richards, Sheriff, provided input relative to concerns in the town area, and he advised of his plans to form a youth council for crime prevention.

Keith Robinson, Tenaya Lake Trade Company, stated he hopes the skaters will be more responsible and he feels it is great that they are being given a second chance.

A skateboard member stated he hoped they could have a parking lot to use until the skatepark is built.

As requested by Supervisor Parker, matter was pulled from the agenda.

Board Information and Announcements

- Supervisor Pickard advised that he attended the RCRC meeting and the conference will be held in October, at which time he will be moderating two panels relative to legislation and changes with the new administration and relative to planning for future issues. He also advised that he attended the Celtic games and participated in the caber toss.
- Supervisor Balmain advised that he walked the road being built in the Penon Blanco area which was brought to the Board's attention by Yvonne Bennett. After discussions with the Interim Building Director and the landowner, it was agreed that there are problems which will need to be addressed before the next rain season. The Interim Building Director advised the landowner that if the project is not complete by next October, erosion control measures are to be taken on the disturbed areas.

FORTHCOMING POLICY

Resolution Adopting the Mariposa/Yosemite Airport Policy for Commercial/Business Usage; Direct Staff to Develop and Issue Requests for Proposals for Fixed-Based Operators Pursuant to the Policy (For Action on 6/8/99)

INFORMATION - No action was necessary on the following:

Treasurer's Monthly Report Per Government Code 53607 (Treasurer)

CONSENT AGENDA

- CA-1 Resolution Approving Revised Class Specifications for Engineering Technician I, Engineering Technician II and Engineering Technician III (County Counsel/Personnel); Matter continued to June 8, 1999
- CA-2 Resolution Increasing the General Contingency with Proceeds from Settlement on a Complaint to Quiet Title Action and Authorizing Reimbursement to Road Fund from the Proceeds (4/5ths Vote Required) (\$4291) (County Counsel); Res. 99-164
- CA-3 Resolution Approving Extension of Extra-Help Agreement for Christina Jonas (County Counsel/Personnel); Res. 99-165
- CA-4 Resolution Authorizing the Chairman to Sign a Cooperative Fire Protection Services Agreement for Local Agencies to the State of California Department of Forestry and Fire Protection for Dispatching Services (Fire); Res. 99-166
- CA-5 Resolution Authorizing Increase in AIDS Coordinator Position from 0.5 FTE to 0.6 FTE; \$6,075 to Fund this Increase to be Included in Fiscal Year 1999-00 Budget (100% Grant Funded) Effective 7/1/99 (Health); Res. 99-167

- CA-6 Resolution Authorizing a Storage Shed at the Health Department (Health); Res. 99-168
- CA-7 Resolution Declaring Old Engine 233 from Fish Camp as Salvage and to Release it to Burton's Fire Apparatus in Payment for Towing and Storage Expenses (Public Works); Res. 99-169
- CA-8 Resolution to Update Screening Card Names for the Office of Surplus Property, California Department of General Services (Public Works); Res. 99-170
- CA-9 Resolution Authorizing Public Works to Transfer Funds from Contingency and Depreciation to Professional Services-Water in Yosemite West Maintenance District to Cover Cost for Repairs Due to Upper Pressure System Failure (4/5ths Vote Required) (\$6,156) (Public Works); Res. 99-171
- CA-10 Resolution Authorizing the Chairman to Sign a Letter Addressed to Assembly Member Leonard in Support of ACA 17 which will Eliminate the Transfer of Property Tax Revenue from Local Governments to the State Through the Education Revenue Augmentation Fund (ERAF) (Supervisor Pickard); Res. 99-172
- CA-11 Resolution Authorizing Chairman to Sign a Letter Addressed to Assembly Member House, Requesting that he Support Restoring the \$20.2 Million to the County Medical Services Program (Supervisor Pickard); Res. 99-173

11:34 a.m. Adjournment in memory Peggy A. Cole and Edith Joos.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 1, 1999



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

Certificate of Recognition to Arthur G. Baggett on his Appointment to the California State Water Resources Control Board (Chairman Pickard)

BOARD ACTION: (M)Stewart, (S)Parker, Certificate was approved and presented to Art Baggett/Ayes: Unanimous.

9:14 a.m. Recess

9:24 a.m. Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda – none.

Approval of Minutes of 5/11/99 Regular Meeting

BOARD ACTION: Approved

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Stewart pulled item 5 for discussion with the Public Works Director. (M)Reilly, (S)Parker, balance of the items were approved/Ayes: Unanimous.

Christine Johnson, District Attorney;

Resolution Waiving Countywide Indirect Overhead Costs Concerning the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office, Grants to Encourage Arrest Policies (Continued from 5/25/99)

BOARD ACTION: Christine Johnson presented information relative to the activities under this grant and the proposal to fund an advocate position for Mt. Crisis Services. Discussion was held concerning the indirect costs. (M)Parker, (S)Stewart, Res. 99-179 adopted approving the request to waive the countywide indirect overhead costs for this grant, with direction to staff to bring the issue of indirect overhead costs for grants back to the Board for further discussion and direction/Ayes: Unanimous.

9:50 a.m. LOCAL TRANSPORTATION COMMISSION

Sarah Williams, Interim Planning Director;

Resolution Adopting Proposed Amendments to the Mariposa County Regional Transportation Improvement Program

COMMISSION ACTION: Dave Walker, Planner, advised of typographical errors in the document, and he presented the staff report. Mike Edwards, Public Works Director, provided input. (M)Balmain, (S)Pickard, LTC Res. 99-8 adopted/Ayes: Unanimous.

Steve Fortner commented on the hazards of using the passing lane at Schoolhouse Road on Highway 140 as a left-turn lane; and he further stated he feels the areas in town planning areas should have a reduced speed.

10:02 a.m. Consent Agenda item 5 – Following discussion with Mike Edwards, Public Works Director, (M)Stewart, (S)Parker, item 5 was approved/Ayes: Unanimous.

10:05 a.m. Recess

10:19 a.m. Ron Wilson, Wagon Master, advised that a drawing was held to determine the line-up of the wagons from throughout the State for the trip to Stockton to commemorate the Sesquicentennial and Mariposa drew the first spot. He further invited the Board members to participate in bringing the Cannonball stage from the Fairgrounds to the Mariposa Museum on June 12th.

Jeffrey G. Green, County Counsel;

A) Resolution Adopting New Class Specification for the Position of Transportation Planner, Appointing Incumbent Planner II to this New Position, and Amending Employee Allocation Schedule

BOARD ACTION: Following discussion, (M)Parker, (S)Stewart, Res. 99-181 adopted/Ayes: Unanimous.

B) Discussion and Action Relative to Adoption of New Class Specification for Building Department Director and Setting Salary at \$52,000 Per Annum (Supervisors Balmain and Parker)

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 99-182 adopted/Ayes: Balmain, Stewart, Parker; Noes: Reilly, Pickard.

10:28 a.m. Don Cripe, Agricultural Commissioner/Sealer;
Presentation of the 1998 Mariposa County Agricultural Crop Report

BOARD ACTION: Don Cripe presented the report and discussion was held.

Resolution Authorizing Chairman to Execute an Agreement with Mercy Medical Transportation, Inc., Effective January 1, 1999 for Ten Years (Supervisors Balmain and Parker)

BOARD ACTION: Discussion was held with Rick Roesch, Mercy Medical Transportation, Inc. (M)Balmain, (S)Parker, Res. 99-183 adopted/Ayes: Unanimous.

10:45 a.m. Jeffrey G. Green, County Counsel;
CLOSED SESSION Relative to Public Employee Appointment to the Position of Building Director

BOARD ACTION: (M)Balmain, (S)Parker, closed session was held with John Davis, Interim Building Director, to be present for a portion of the session, and with the Board to recess for lunch following closed session/Ayes: Unanimous.

11:56 a.m. Lunch

2:05p.m. Supervisor Pickard clarified his position on his earlier vote, advising that he was not in agreement with separating the Planning and Building Department. Action taken as a result of closed session, (M)Parker, (S)Stewart, Res. 99-184 adopted appointing John Davis as Building Director, at an annual salary of \$52,000, effective immediately/Ayes: Unanimous.

2:07 p.m. Sarah Williams, Interim Planning Director;
Joint Meeting with the Planning Commission to Discuss Mariposa County's Development Policy Documents and Regulations (Continued from 5/11/99) (Supervisor Pickard)

BOARD/COMMISSION ACTION: Commissioners Gary Colliver, Leroy Radanovich, Pierce Loberg, Bob Rudzik, and Don Pucilowski were present.

Sarah Williams reviewed the May 11th meeting and the process for land divisions, certificates of compliance, lot line adjustments, and building permits for residences and access issues. Commissioner Radanovich pointed out that in other counties access through the creation of an easement is allowed, and he suggested that perhaps that method could be considered.

Discussion was held relative to the agenda for the meeting. Commissioner Rudzik advised that the Commission wants to know which of the following issues the Board feels are worth pursuing.

Commission Chairman Loberg reviewed item 1: Should County policies guide and direct land division and development to those areas which are economically viable to develop and maintain? Discussion was held. Commissioner Radanovich noted that the idea of developing an overall plan for the County to indicate where development should occur has not been approached.

Commission Chairman Loberg reviewed item 2: Should the County policies guide and direct subdivision and development to those areas where roads are actively maintained? Discussion was held and examples noted where private roads are constructed to a higher standard than the connecting County road.

Commission Chairman Loberg reviewed item 3: Should the County create incentives for higher density, higher quality, planned and/or clustered subdivisions and major subdivisions?

Barry Brouillette stated he feels there is a market for density development. He stated he feels we should plan our communities as we want them as best as we can. He also noted that relative to the low land known as the “cattle ag land,” that we should keep in mind the visual experience people have when leaving the cities to come to Yosemite.

Ken Melton suggested that a few topics be considered and discussed in detail versus a general review of all of the topics.

Commissioner Loberg stated he does not want development to be more difficult in town planning areas than it is outside.

3:12 p.m. Recess

3:30 p.m. Dick Kunstman, Midpines, stated that cluster development is a more efficient use of land and there will not be as much roadway to maintain; and one leachfield could serve several facilities. He stated he feels that people will want this type of development versus having to take care of five acres.

Steve Fortner, Catheys Valley, stated he has attended many meetings on Title 17, and now he feels we are trying to unravel the dilemmas with the road issues and very little time has been spent determining what a township road circulation should look like. He cited an example of Hornitos Road Extension and asked if it would be a private road if it was extended all the way to Highway 140. He also commented on cluster development.

General discussion was held relative to the issues that were raised and how to proceed.

Don Starchman noted that clustering exists with the town planning areas and is allowed in Title 17. He stated reasonable standards are needed to encourage clustering – he does not feel that curbs, gutters and sidewalks are needed everywhere. He also stated he feels it will be necessary to look at forming another town planning area near the UC Merced boundary in the future. He noted that the Agriculture Exclusive zoned land creates a nice open space element on the west side of the County. He stated he feels that most of the tools are already in place – we just need a philosophy to encourage growth in appropriate places.

Commission Chairman Loberg reviewed item 4: Should the County address historic parcels, because as the subdivision requirements become greater and more costly, development pressure will turn to the historic parcels as a cheaper way to develop?

Don Starchman provided input relative to the historic parcel issue, noting there are thousands of such parcels and he agrees with doing an inventory. He also stated that any requirement placed on the parcels will affect all parcels. He noted the historic parcels were created prior to the Subdivision Map Act. He stated he feels that we have a process that has been working well and we could over-regulate it. The existing problems are being corrected with lot line adjustments.

Commission Chairman Loberg reviewed item 5: Should the County modify the density provisions established by County Code for parcels which contain more than the minimum parcel size for a particular zone?

Commission Chairman Loberg reviewed item 6: Should the County consider an impact fee program, where monies from the program are used to improve private or county roads?

Commission Chairman Loberg reviewed item 7: Should the County consider “nexus” requirements for road standards?

Commission Chairman Loberg reviewed item 8: Should the County have a mechanism to ensure that all roads meet a “minimum standard” and are actively maintained?

Commission Chairman Loberg reviewed item 9: Should the Zone of Benefit requirement for subdivisions established by the current Road Improvement and Circulation Policy be maintained?

Commission Chairman Loberg reviewed item 10: Should the County consider requiring all subdivision roads to be paved?

Commission Chairman Loberg reviewed item 11: Should the subgrade for roads be required to be built to accommodate the maximum practical development?

Commission Chairman Loberg reviewed item 12: Should the County initiate a comprehensive review and update of the General Plan Land Use and Circulation elements?

Discussion was held. Supervisor Pickard requested that the historic parcel issue come back at a later date independent of the other issues. Sarah Williams noted that the issues that relate to the road improvement circulation policy are numbers 7, 9, 10 and 11. Board concurred with scheduling another workshop to start reviewing those issues in detail.

Chairman Pickard to work with Commission Chairman Loberg and staff to schedule the workshop.

Barry Brouillette stated he felt that issues number 6 and 10 should be focused on.

Mike Edwards, Public Works Director, stated item 12 is an important issue, and he referred to the contract with OMNI-means and the work on the traffic model – this issue will be coming back to the Board and the Commission with information on likely scenarios for a twenty-year period. In regard to item 8, he noted that the County has implemented a Zone of Benefit loan program and they are sending out notices to groups and property owner associations on this. Supervisor Parker stated it needs to be clear that the program is not for new development, only for existing roads.

Planning Commission adjourned at 4:36 p.m.

Board Information and Announcements

- Supervisor Reilly advised that she attended the workshop on the Valley Plan in El Portal last week; and she attended the Mother Lode Job Training meeting and she will bring issues relative to these meetings to the Board in the future.
- Supervisor Pickard advised that he will be in Sacramento on Wednesday working with RCRC on budget issues for the County and on the Mariposa Creek project funding for the third phase. He advised that he plans to attend an Area 12 Agency on Aging meeting on Thursday.

FORTHCOMING POLICY

Resolution Adopting the Mariposa/Yosemite Airport Policy for Commercial/Business Usage; Direct Staff to Develop and Issue Requests for Proposals for Fixed-Based Operators Pursuant to the Policy (For Action on 6/8/99)

CONSENT AGENDA

- CA-1 Accept Resignation of Jack Smith from the Mental Health Board and Appoint Fabrice Jean Desbrosses to the Alcohol and Drug Advisory Board (Supervisors Reilly and Stewart)
- CA-2 Resolution Authorizing the Human Services Director to Sign Contract # 98-EHAP-1830 from the State Department of Housing and Community Development for the Emergency Housing and Assistance Program (\$10,000) (Human Services); Res. 99-178
- CA-3 Appoint Suzanne Turpin to the Mariposa County Emergency Medical Care Committee (EMCC) as the Representative of the Northern Ambulance Association (Health)
- CA-4 Approve a County Tile Plaque to be Presented to the First Mariposan who Finishes the Endurance Ride Scheduled for June 27, 1999 (4-H Equine Program)
- CA-5 Resolution of Summary Abandonment of a Portion of the Easement for Sierra Pines Drive (Public Works); Res. 99-180

4:39 p.m. Adjournment in memory of Walter Shipley.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 8, 1999



Time Description
9:11 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

- Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Mike Edwards, Public Works Director, advised that the second attempt to solicit bidders to move and restore the Gimblin house from the future library site was unsuccessful. He reviewed options that are available, and he advised of a memorandum sent to the Interim Planning Director for a determination of whether there could be a finding made relative to the economic value to demolish the structure. Supervisor Reilly requested that the options include what the County could do with the building. Supervisor Stewart asked about including different types of notices in the newspaper that may draw more attention versus the legal notices. Mike Edwards advised that he will keep the Board informed of the status of this project.
 - Supervisor Parker advised of an off agenda request to consider a certificate of appreciation for Bill Bondshu. (M)Stewart, (S)Reilly, Board waived rules requiring 72 hours agenda noticing finding this matter was not known about at the time the agenda was prepared and a special event is planned prior to the next meeting to congratulate Bill Bondshu on his appointment as Assistant Chief for the Office of Emergency Services/Ayes: Unanimous. (M)Reilly, (S)Stewart, Certificate of Appreciation was approved to be presented to Bill Bondshu for his services to the Fire Department/Ayes: Unanimous.

Approval of Minutes of 5/17/99 (Continued Meeting from 5/11/99)

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Stewart pulled item 5. Supervisor Parker pulled item 1. (M)Parker, (S)Stewart, balance of the items were approved/Ayes: Unanimous. Marita Green/District Attorney-Family Support Division, provided input on item 5. (M)Stewart, (S)Parker, item 5 was approved/Ayes: Unanimous. Discussion was held relative to item 1 – Supervisor Parker expressed concern with potential liability to the County and noted that he did not think the program was used in the County. Matter was continued to be brought back with additional information for further discussion. Supervisor Pickard advised that he would ask someone from RCRC to be present for the discussion.

9:43 a.m. LOCAL TRANSPORTATION COMMISSION

Sarah Williams, Interim Planning Director;
Resolution Adopting Proposed Amendment to the Transportation Planning 1998-99
Overall Work Program (Amended)

COMMISSION ACTION: Discussion was held with Dave Walker/Planner, relative to the proposed amendment and it was noted that future changes would be necessary to reflect organizational changes. (M)Parker, (S)Stewart, LTC Res. No. 99-10 adopted/Ayes: Unanimous.

9:48 a.m. Board reconvened and recessed.

10:05 a.m. A) Mike Edwards, Public Works Director;
Resolution Approving and Authorizing the Purchase of a Pollution Liability Insurance Policy for Mariposa County from the Robert F. Driver Company, Inc. (\$22,035)
BOARD ACTION: Discussion was held, and Mike Edwards advised that the details of the payment of the premium could be determined during the final budget hearings. Further discussion was held on the options for coverage and whether the premium should be paid from the Solid Waste Fund or the Insurance Set Aside Fund or the General Fund. Board concurred with postponing action on this matter until it is known whether five counties in the RCRC/ESJPA will participate, and for further consideration during the final budget hearings. Mike Edwards advised that he will advise the Board of the status of participation by the counties after the next RCRC meeting.

B)Resolution Adopting the Mariposa/Yosemite Airport Policy for Commercial/Business Usage; Direct Staff to Develop and Issue Requests for Proposals for Fixed-Based Operators Pursuant to the Policy (Continued from Policy on 6/1/99)
BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 99-188 adopted approving the Policy, with direction to staff as recommended/Ayes: Unanimous.

10:56 a.m. Recess

11:10 a.m. Mike Edwards, Public Works Director;
Presentation and Discussion Regarding the Energy Policy Act of 1992 (EPACT) and What it Means to Mariposa County Now and in the Near Future
BOARD ACTION: Bob Riding and Jim Larsen with Pacific Gas and Electric Company gave a presentation and answered questions. Discussion was held. Murrell Boyd asked about looking at the Honda vehicle that they drove to the meeting, and he was advised that it is available for everyone to look at.

12:20 p.m. Lunch

2:11 p.m. Sarah Williams, Interim Planning Director;
Board Workshop to Discuss Public Comments on the Industrial/Commercial Zone Code Amendments Project
BOARD ACTION: Sarah Williams and Jay Pawlek/Air Quality-Transportation Specialist, were present for discussion. Staff recommended that the Board consider giving direction to staff to further work on the proposed amendments to try to achieve a consensus of the community and to come back to the Board at the end of August. Jeff Green, County Counsel, stated he agreed with the recommendation due to the input provided at the last hearing on this matter, and following his discussion with the Planning staff it was agreed that the Title 17 document had a lot of thought and was a pretty good document for the community with few exceptions and some streamlining. He further stated that he feels the existing Title 17 can be salvaged with some changes, modifications, and streamlining, without going to the degree that the current document proposes. He stated he feels there is some room to bring the community together so that everyone can live with the document. Discussion was held. Board concurred with the recommendation to continue the matter. Supervisor Reilly requested that a workshop be scheduled at the beginning of the process to get a better understanding of what is being proposed.

Input was provided by the following:

Barry Brouillette stated he feels this process has been like a long and typical country road with a lot of turns. He stated he feels we are here because of the open window period application process and if it is still the goal to try to make this work for

individual applications, he feels it will be a convoluted revision. He stated he feels there needs to be some direction given on the open window period applications.

Ken Melton stated he feels staff's recommendation is good, and he asked the Board to give staff direction on development standards – he stated he strongly disagrees with taking the standards from the Mariposa Town Planning Area Specific Plan and implementing them for rural areas.

Barry Brouillette stated he feels the standards should be reduced in town if they are being reduced in the rural areas. He stated he does not want to see a document that makes it cheaper to develop outside of the town planning areas, and he suggested that a bonus should be considered to encourage development in town planning areas.

Resolution Directing that the Meeting for the Board of Supervisors for June 22, 1999, Commence at 2:00 p.m. at the Coulterville Community Center (Old School), Broadway and Cemetery, Coulterville, California (Supervisor Balmain)

BOARD ACTION: (M)Balmain, (S)Parker, Res. 99-189 adopted/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Stewart advised that he attended the subcommittee meeting of the California Transportation Commission on Friday in Merced, and he testified relative to the YARTS process. The Commission agreed to carry the recommendation forward to continue with funding for YARTS. He also advised of discussions at the recent YARTS meeting relative to the JPA and Cooperative Agreement with the Park Service, and the status of the Nelson/Nygaard report.
- Supervisor Balmain advised that he plans to attend the Bio-diversity Council meeting at Fort Bragg and the Community Action Agency meeting at Lake Tulloch on Wednesday and Thursday. He noted they will have an opportunity to see the headwaters purchase.
- Supervisor Parker advised that the Regional Emergency Medical Services Agency will be meeting at the Government Center on Wednesday.
- Supervisor Reilly advised that she attended the visioning meeting on Saturday in Mariposa.
- Supervisor Pickard advised that he met with legislators and staff in Sacramento the previous week and discussed ERAF, COPS funding, and extending the sunset for the homicide funding. He also advised that on Thursday he attended an Area 12 Agency on Aging meeting and the restaurant meal program was discussed.
- Janet Hogan, County Administrative Officer, thanked Supervisor Balmain and his wife for giving her a tour of the Northside, and she advised that they attended the Red Cloud Library 50th anniversary celebration.

INFORMATION - No action was necessary on the following:

- A) Cancellation of 1999 Chip Seal Program on County Roads (Public Works)
- B) Information Hearing Schedule (Clerk of the Board)

CONSENT AGENDA

CA-1 Resolution Approving and Authorizing the Chairman to Sign the March 18, 1999, Revision to the Joint Exercise of Powers Agreement for the California Local Government Finance Authority (Supervisor Pickard); Matter was continued for additional information to be obtained.

- CA-2 **LOCAL TRANSPORTATION COMMISSION**
Resolution Authorizing the Executive Director of the LTC to Sign the Fund Transfer Agreement to Receive Funding to Participate in the Interregional Aviation System Plan (Planning); LTC Res. 99-9
- CA-3 Resolution Approving the Sale of Sealed Bid Tax-Defaulted Property Subject to the Power to Sell, Per Revenue and Taxation Code, Chapter 7, Part 6, Division 1, at Opening Scheduled for August 27, 1999 (Tax Collector); Res. 99-185
- CA-4 Resolution Approving Public Auction Sale of Tax-Defaulted Property Subject to the Power to Sell, Per Revenue and Taxation Code, Chapter 7, Part 6, Division 1, at Sale Scheduled for August 27, 1999 (Tax Collector); Res. 99-186
- CA-5 Resolution Transferring from Services Category to Fixed Assets within the Family Support Budget Unit to Purchase a New Y2K Compliant Server for the Computer System; Waive Formal Bid Process to Allow Purchase of Server and Work Stations; and Authorize District Attorney to Purchase from the Lowest Responsible Bidder (\$4,200) (District Attorney/Family Support Div.); Res. 99-187

2:48 p.m. Adjournment in memory of Leona M. Vergine.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA JUNE 15, 1999

Time Description
9:05 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions – None -

Resolution and Tile Plaque Recognizing Diana Adams Upon her Retirement from the Mariposa County Department of Human Services (Human Services)
BOARD ACTION: (M)Parker, (S)Stewart, Res. 99-190 adopted and presented to Diana Adams, along with the County tile plaque/Ayes: Unanimous.

9:15 a.m. Recess

9:27 a.m. Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Jim Moffett, Chief Probation Officer, announced his intention to resign, effective in July to accept a position with Calaveras County.
- Leota Striplin advised that the Fourth of July dinner and fireworks will be held from 5:00 p.m. to 8:00 p.m. with opening ceremonies commencing at 8:30 p.m. and the Veterans of Foreign War (VFW) Color Guard presenting the colors. She advised that the VFW and the Kiwanis Club sponsor this event and invited everyone to join in a good family event that engages in the use of safe fireworks.
- Supervisor Stewart advised that the County is receiving asphalt grindings from the CalTrans project on Highway 49 South which is being used to pave Old Toll Road. He further advised that some constituents have complained relative to this project not being contracted out to private business. Mike Edwards, Public Works Director, provided a brief summary of the project and responded to questions from the Board.
- Supervisor Parker advised that part of Boyer Road would also be paved from the ground up asphalt from the Highway 49 South project. He also advised that he received a complaint from Maury Mervis regarding the lack of coordination between the CalTrans projects on Highways 140 and 49 South. Chairman Pickard agreed with Supervisor Parker responding to Mr. Mervis's Letter. Supervisor Parker advised that he met with CalTrans regarding the severity of the Fairgrounds Drive entrance and the embankments, which obstruct the view of Highway 49 South. Mike Edwards advised that CalTrans is working with Public Works to resolve these issues.

Approval of Minutes of 5/18/99 and 5/25/99 Regular Meetings

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Dr. Mosher, Health Officer;

Resolution Authorizing the Establishment of a Training Program in Cardiopulmonary Resuscitation (CPR) for County Employees

BOARD ACTION: Dr. Mosher, Health Officer, provided a presentation illustrating to the necessary steps to take when a person is having a heart attack and further advised that

the step that is missing in our County is early cardiopulmonary resuscitation (CPR). He explained that performing early CPR enables a heart attack victim to maintain blood flow through the heart and brain until paramedics arrive to take further steps. Dr. Mosher stated that the County could set an example for other employers by offering CPR classes to County employees with no additional expense to the County. Supervisor Parker recommended that Dr. Mosher work with the County Administrative Officer and department heads to ensure that departments will be adequately staffed to enable services to remain available to citizens (M)Parker, (S)Stewart, Res. 99-193 adopted. The Board commended Dr. Mosher for his efforts and expressed their support for encouraging employees and citizens to be trained in CPR/Ayes: Unanimous.

Pelk Richards, Sheriff;

Resolution Authorizing the Sheriff to Purchase a Computer Based Multimedia Training System for Use in Training of Officers and Approve Budget Action (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Parker, (S)Balmain, Res. 99-194 adopted/Ayes: Unanimous.

Jeffrey G. Green, County Counsel;

A) Resolution Adopting New Specification for the Classification of Development Services Technician at Salary Range 138; Allocating One Position to Public Health and One Position to the Building Department; Reclassifying Incumbent Senior Office Assistant (Health) and Permit Coordinator (Building) to the New Development Services Technician Position Effective April 1, 1999; and Deleting Senior Office Assistant and Permit Coordinator Positions and Permit Coordinator Classification

BOARD ACTION: Jeff Green, County Counsel, advised that the Service Employee International Union (SEIU) has requested that this item be continued until the June 22nd meeting in Coulterville. Supervisor Pickard advised that he would like to move forward with this item. (M)Parker, (S)Balmain, to adopt new specifications as recommended. Discussion was held regarding the necessity of continuing this matter/Ayes: Balmain, Parker; Noes: Reilly, Stewart, Pickard. Motion failed. Matter was continued to June 22nd.

10:40 a.m. Recess

10:55 a.m. B) Resolution Approving Revised Class Specifications for Engineering Technician I, Engineering Technician II and Engineering Technician III and Adopting New Class Specification for the Position of Engineering Technician Trainee

BOARD ACTION: Discussion was held with Jeff Green, County Counsel and Mike Edwards, Public Works Director regarding minor modifications to the class specifications. (M)Reilly, (S)Stewart, Res. 99-195 adopted/Ayes: Unanimous.

Mike Edwards, Public Works Director;

A) Resolution Approving Extra-Help Allocation in the Roads Budget for Engineering Technician III, 1,200 Hours, Effective for the Fiscal Year 99/00 Budget, and Authorize Immediate Recruitment

BOARD ACTION: (M)Parker, (S)Stewart, following discussion, Res. 99-196 adopted/Ayes: Unanimous.

B) Discussion and Direction Regarding Acceptance of Relinquished Right of Way from CalTrans Along Highway 140 for the Planned Sidewalk Project in the Town of Mariposa

BOARD ACTION: Discussion was held with Mike Edwards regarding the planned sidewalk project for the town of Mariposa. Mike Edwards advised that the preferred

process would be to gain the right of way from CalTrans along Highway 140 allowing the County long-term rights to the area to make improvements and repairs. He responded to questions from the Board relative to time frames and the permitting process. Phil Jones, CalTrans, provided input and advised of the opportunity to decrease the processing time, provided the County assists with the mapping. Mike Edwards advised that Public Works is willing to do this. Further discussion was held regarding the width of the proposed sidewalks and parking availability. (M)Parker, (S)Reilly, Res. 99-197 adopted directing the Public Works Director to begin the process for acceptance of relinquished right of way from CalTrans along Highway 140 in the town of Mariposa/Ayes: Unanimous.

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

Presentation by George Eowan, President of Integrated Recycling, Inc. (IRI) and Tom Starling, Solid Waste Coordinator on the Fact-Finding Trip to Germany; and Resolution to Approve and Authorization for the Public Works Director to Issue a Change Order to IRI to Update an Economic Comparison and Feasibility Study for Mariposa County Integrated Waste Management Alternatives

BOARD ACTION: Mike Edwards, Public Works Director, introduced George Eowan, President of Integrated Recycling, Inc. (IRI). Mr. Eowan gave a video and overhead projection presentation relative to the fact-finding trip to Germany on the Herhof composting technology. He reviewed the various components of the three plants visited and addressed their strengths and weaknesses. Mike Edwards and George Eowan responded to questions from the Board. Mike Edwards requested that the Board not take action to issue a change order to IRI to update an economic comparison and feasibility study until the Solid Waste Committee had an opportunity to review staff recommendation and he felt it was necessary to come back at a later date and have a full Board discussion regarding authorization to perform a waste characterization study. Further discussion was held regarding the establishment of a system for Mariposa County that would meet the requirements of AB 939 and the possibility of creating incentives to separate our refuse in the future. The Board thanked Mr. Eowan for the presentation.

12:10 p.m. Lunch

1:30 p.m. Gwendolyn Foster, Associate Civil Engineer, Appeared on Behalf of Mike Edwards, Public Works Director;

Presentation by the Designers and Resolution Approving Concept Plan for Mariposa Creek Parkway, Phase II, 5th to 8th Streets

BOARD ACTION: Gwendolyn Foster, Associate Civil Engineer, gave a brief summary and introduced of Kay Hutmacher, Jordin Landscape Architecture. Kay Hutmacher provided a slide presentation of the proposed concept design for phase II of the Mariposa Creek Parkway. Discussion was held with Gwendolyn and Kay relative to the various design features, walkways, and pedestrian bridges. Further discussion was held regarding the possibility of purchasing or obtaining an easement and duplicating the historic bridge that used to cross over 5th Street for a pedestrian crossing to allow access from 5th Street in downtown Mariposa up to the Mariposa Park via the creek parkway. Chairman Pickard passed the gavel to Vice-Chairman Parker. (M)Pickard, (S)Reilly, Res. 99-191 adopted approving concept plan for Mariposa Creek Parkway, Phase II with direction to staff to explore having a County appraisal performed, determine the possibility of the County purchasing the Dulcich property for tying in the Mariposa County Park and the Creek Parkway, research the possibility of duplicating the original 5th Street bridge, bring this issue through the budget process, and adopt additional modifications/Ayes: Unanimous.

2:35 p.m. Recess

2:43 p.m. Janet Hogan, County Administrative Officer, advised the Board that following consultation with County Counsel, it has been concluded that having funds set aside now for appraisal services for the Mariposa Creek Parkway would be helpful, if it is determined that a purchase may be possible. Following discussion, (M)Parker, (S)Reilly, Res. 99-198 adopted appropriating \$500 from the Contingency Fund to the line item that the County Administrative Officer finds appropriate/Ayes: Unanimous.

2:45 p.m. Sarah Williams, Interim Planning Director;
Review and Provide Direction to Staff Regarding Planning Department Work Program
BOARD ACTION: The Board commended Sarah Williams, Interim Planning Director, on her proposals and layout. Sarah reviewed the current application work log and pending projects. Discussion was held relative to the projects and priorities. Discussion was held relative to code enforcement and the possibility of hiring temporary staff to provide assistance with the large projects, historic parcels issue, economic development, and junkyards until YARTS is transferred to Public Works and a Planning Director is hired. (M)Stewart, (S)Parker, Board approved the recommendation to adopt the work program priorities as presented with direction to affected department heads to begin transition of YARTS staff support from Planning to Public Works/Ayes: Unanimous.

Discussion and Direction Regarding State Controller Kathleen Connell's SMART Task Force (Supervisor Balmain)

BOARD ACTION: Discussion was held with Supervisor Balmain relative to the reports given by the three subcommittees to the State Controller. The subcommittees all came to the conclusion that the State should return revenue and that ERAF should be done away with. Supervisor Balmain advised that he would like Janet Hogan, County Administrative Officer to attend the next meeting scheduled for Monday, June 21, 1999 to contribute her knowledge.

Board Information and Announcements

- Janet Hogan, County Administrative Officer, advised that she would be attending the next SMART task force meeting with Supervisor Balmain, scheduled for Monday, June 21, 1999.
- Supervisor Parker advised that he and Supervisors Reilly, Stewart, and Pickard attended Bill Bondshu's party on Sunday, June 13, 1999, and it was well attended.
- Supervisor Pickard advised that he and Supervisors Stewart and Parker enjoyed a ride on the Cannonball and that the event was well attended.
- Supervisor Balmain reported on his trip to the Headwaters and advised of his concern over the public paying \$480,000,000 for 75,000 acres of northern California property and expressed concern over spending \$64,000 per acre of which only 2,800 acres remain old growth redwood. Additionally, the Marbled Marelett bird was discussed.

3:44 p.m. CLOSED SESSION Regarding Conference with Legal Counsel Relative to Anticipated Litigation with Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 (County Counsel)

BOARD ACTION: (M)Reilly, (S)Stewart, Closed Session was held/Ayes: Unanimous.

3:55 p.m. The Board reconvened in open session with direction given to staff as a result of Closed Session.

INFORMATION - No action was necessary on the following:
To Inform the Board of the Results of the 1999 County Public Auction (Public Works)

CONSENT AGENDA

- CA-1 Certificate of Recognition to Mary (Ti) Shackelton for her Twenty-One Years of Service to the Yosemite Elementary School to be Presented at her Retirement Party on June 19, 1999 (Supervisor Reilly)
- CA-2 Accept Resignation of Theresa Steagall from the Mariposa County Assessment Appeals Board, Representing District II (Supervisor Balmain)
- CA-3 Resolution Appropriating \$3,065 into the Health Department Budget for Costs Associated with Instructional Materials for Food Safety Class (4/5ths Vote Required) (Health); Res. 99-199
- CA-4 Resolution Authorizing Air Pollution Control Officer (Health Officer) to Sign Personal Services Agreement with Chris Ralph in the Amount of \$8,960 (Health); Res. 99-200
- CA-5 Resolution Authorizing the Chairman to Sign an Agreement with Dobbs Acoustics to Perform the Noise Monitoring Required by Conditional Use Permit No. 256 (Tenaya Lodge Concerts), at a Cost Not to Exceed \$1,500 (Planning); Res. 99-201

3:55 p.m. Adjournment in memory of Andrew Lawrence Eimer, Eleanor Leonard, and Jim Taggart.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

By: RHONDA SCHERF
Deputy Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 22, 1999



Time Description

MEETING AT COULTERVILLE COMMUNITY CLUB IN COULTERVILLE AT 5043 BROADWAY

2:09 p.m. Meeting Called to Order
Pledge of Allegiance
Introductions

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

- Justin Sturm, President of the Northside Youth Group, advised the Board that the youth group provides a positive outlet for the youth of the community and gives support to the elderly and a number of community events, including the Northside History Center's Victorian Christmas event. He further advised that they will be having a nonsleepathon on July 26th to raise money with a portion of the donations to be made to the Red Cross to benefit a community member in need and a portion to fund some fun activities for the youth group. He thanked the Board and Rich Begley/Deputy Director, Parks and Recreation, for the use of the pool during the summer.
- Joe Brundage complimented Justin Sturm for the great job he has done with the youth program.
- James Upperman advised of the need to clear an overhanging serpentine rock on Highway 49 as he finds it to be an attractive hazard.

Approval of Minutes of 6/1/99 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Reilly pulled items 2, 3, and 5. (M)Reilly, (S)Stewart, balance of items were approved/Ayes: Unanimous. Discussion was held with Janet Hogan, County Administrative Officer, relative to item 2. Direction was given to staff to bring back more information relative to the Visitors' Bureau budget on an Agenda in the near future. (M)Parker, (S)Stewart, item 2 was approved/Ayes: Unanimous. Jeff Green, County Counsel, provided input relative to item 5. (M)Reilly, (S)Stewart, item 5 was approved/Ayes: Unanimous. Discussion was held with Janet Hogan regarding item 3. (M)Parker, (S)Stewart, item 3 was approved/Ayes: Balmain, Stewart, Parker, Pickard Abstained: Reilly.

Resolution Recognizing Elmer Keller for Ten Years of Dedicated Service to Mariposa County (Supervisor Balmain)

BOARD ACTION: (M)Balmain, (S)Stewart, Res. 99-192 adopted and presented to Elmer Keller/Ayes: Unanimous.

Jeffrey G. Green, County Counsel;

Resolution Adopting New Specification for the Classification of Development Services Technician at Salary Range 138; Allocating One Position to Public Health and One Position to the Building Department; Reclassifying Incumbent Senior Office Assistant (Health) and Permit Coordinator (Building) to the New Development Services Technician Position Effective April 1, 1999; and Deleting Senior Office Assistant and Permit Coordinator Positions and Permit Coordinator Classification (Continued from 6/15/99)

BOARD ACTION: Janet Hogan, County Administrative Officer, provided an overview of the request. She advised that the flex schedule issue would not be part of the action today but would be handled in a different process.

Lisa Edelheit, SEIU Field Representative, advised that she is representing Susan Warner. Lisa Edelheit stated that they have a number of concerns regarding the new classification for Development Services Technician. She provided background information to establish their request to have this new position at a I/II level with Susan Warner at the II level.

Following discussion, the Board concurred with taking no action on this date to allow time to better define what the Board's expectations are for the three departments, including the possibility of naming a supervisor for the position, reviewing the costs involved, and reviewing the possibility of a I/II level for the position.

2:58 p.m. Recess

3:15 p.m. John Davis, Building Director;

A) Resolution Adopting the 1997 Uniform Building Codes and Appendixes
BOARD ACTION: John Davis reviewed appendix chapters 15, 18, 19, and 29 and responded to questions from the Board. (M)Stewart, (S)Balmain, Res. 99-207 adopting the 1997 Uniform Building Codes and Appendixes/Ayes: Unanimous.

B) PUBLIC HEARING to Consider Fiscal Strategy for the Building Department and Consideration of the Adoption of Table 1A of the 1994 Uniform Building Code (Building Permit Fees)

BOARD ACTION: John Davis presented the staff report. He responded to questions from the Board regarding mobile home exemptions and his awareness of the increase in school fees, effective July 20th.

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

James Upperman inquired as to why school fees are affixed to a dwelling and not to the land. Supervisor Parker informed Mr. Upperman that only the County has the authority to tax land.

Public portion of the hearing was closed and Board commenced with deliberations. Mr. Davis responded to questions from the Board relative to the fees only including building permits and plan checks. (M)Stewart, (S)Parker, Res. 99-208 adopting Table 1A of the 1994 Uniform Building Code/Ayes: Unanimous.

C) Resolution Approving a Personal Services Agreement Between the County Building Department and the County Resource Conservation for a Term Extending from July 1, 1999 to June 30, 2000 and Compensation of \$14,300 to Provide Grading Inspection Services

BOARD ACTION: Discussion was held with John Davis regarding the increase in the contract amount each year. Jerry Progner, Resource Conservation District, provided input. Following further discussion, (M)Balmain, (S)Parker, Res. 99-209 adopted approving a personal services agreement as requested, with direction to staff to examine the current grading ordinance and fee schedule for permits to structure them to more adequately fit our rural community/Ayes: Unanimous.

Charles Stenbridge, a citizen of Coulterville, expressed his concerns with the current permitting and grading policy. He advised that he did not support renewing the agreement with the Resource Conservation District as he felt that Mr. Progner and Mr. Davis were not insuring that the appropriate steps in the permitting process are being upheld.

Skip Skyrud, Resource Conservation District Director, thanked the Board for continuing the program.

4:10 p.m. Mary Williams, Community Services Director;
Resolution Authorizing Chairman to Sign Restaurant Meal Program Contract with Coulter Café on the Northside Pending Area 12 Agency on Aging JPA Board Approval of State and Federal Funding at their Meeting on July 1, 1999

BOARD ACTION: Mary Williams presented a staff report. Supervisor Balmain advised that he and Mary Williams have been working to enhance services to seniors and insure that the senior citizens have transportation and meal services available.

Bob Green, President of the Northside Senior Club, expressed the concerns of the Senior Club regarding their fear of the senior meal program not being reestablished and senior transportation eventually being terminated. Mr. Green explained that it is important to seniors to not only having their nutritional needs met but to also be able to congregate.

Supervisor Pickard advised Mr. Green that the Board shares his concerns and that Supervisor Balmain, Mary Williams, and himself have been diligently working on a solution. He advised Mr. Green that through research they found that a number of seniors were participating in restaurant meal programs and from the dinner held in Greeley Hill this last February, it appeared to be unanimous that restaurant services were wanted for Greeley Hill. Supervisor Pickard apologized for the gap in time and informed that he feels confident that the JPA Board will authorize the proposed agreement.

Ann Gerhig advised that she is involved with the JPA and feels that it is an excellent program and that she and other seniors support it.

Supervisor Balmain advised that Peggy Lee, Area 12 Agency on Aging Director, will take the Restaurant Meal program contract along with an ambitious transportation schedule to the JPA Board. Supervisor Balmain requested that support be sent to the Area 12 Agency on Aging meeting and advised that he will personally be attending to lend his support (M)Balmain, (S)Reilly, Res. 99-210 adopted authorizing the Chairman to sign the Restaurant Meal Program agreement as recommended. Motion was amended agreeable with maker and second to include sending a letter of support to the Area 12 Agency on Aging JPA Board meeting/Ayes: Unanimous. Mary Williams expressed her thanks to Harter Bruch, Irene Rhyne, Anne Gerhig, and Peggy Wyrick, for their support in this project.

4:35 p.m. Mike Edwards, Public Works Director;
Presentation and Status Report by CalTrans on the Highway 132 Realignment Project
BOARD ACTION: Mike Edwards introduced Phillip Sanchez, Project Manager/Fresno and Mike Hutchison, Project Engineer for Highways 132 and 49 South. Mike Hutchison presented the plans for the realignment project on Highway 132. He explained that the highway does not meet current road standards. Mr. Hutchison advised that construction is scheduled to commence in August of next year and will be restructured to include two lanes with eight-foot shoulders. He stated that they are currently in the process of buying property needed to complete the project. The design phase is 75-80% complete, including plans to upgrade all cross culverts up to standard and raise the roadway two to three feet to cease flooding of the highway caused by Hayward Creek. Mr. Hutchison advised that there is a budget of \$4.1 million for this project and it appears that they will be close to that amount at completion of the project. Mr. Hutchison responded to questions from the Board. Hutchison stated that traffic delays will be minimal and in some areas of construction, traffic will be able to travel on the original road while CalTrans is working on the realignment.

Jim Upperman asked about the time frames for the project.

Bill Shimer informed that the road does not improve at the Tuolumne County line as was earlier suggested and also needs some realignment at a later date.

Mr. Hutchison agreed with Mr. Shimer, however advised that Tuolumne County is not presently interested in improving their section of the highway. The Board thanked Mr. Hutchison for the presentation.

4:50 p.m. Dinner Break

6:10 p.m. Sarah Williams, Interim Planning Director;
PUBLIC HEARING to Adopt a Notice of Exemption and Approve Coulterville Town Planning Area Specific Plan Amendment No. 98-3 with the Recommended Findings
BOARD ACTION: The Public Hearing was opened and continued until after the following.

Mike Edwards, Public Works Director;

A) Resolution Appropriating Additional Loan Funds, Effective July 1, 1999, to Allow Work to Continue Pending Receipt of State and Federal Low-Interest Loan Funds for the Don Pedro and Yosemite West Wastewater Treatment Plants Rehabilitation (3/5ths Vote Required)

BOARD ACTION: Mike Edwards, Public Works Director, provided a status report on the Don Pedro and Yosemite West Wastewater Treatment Plants. Mike Edwards explained that an action is necessary to continue design and interim construction work up to the point that state and federal loans can be secured through separate assessment proceedings. He advised that his department has made budget requests for a General Fund loan of \$200,000 for the Don Pedro project and \$265,000 for the Yosemite West project, however due to State "Cease and Desist" orders funding must be committed before budget hearings scheduled for September. Mike Edwards provided a memo of this date offering a revised estimate from Dave Tucker indicating an interim financing need of roughly \$75,000 for Don Pedro Wastewater Treatment Rehabilitation Project and \$278,664 for Yosemite West. Mike Edwards responded to questions from the Board relative to the necessity of committing all of the funding prior to budget hearings. Further discussion was held relative to other possible areas of interim funding. Janet Hogan, County Administrative Officer, advised that the County can fund the \$280,000 needed, however she would be unable to advise what areas of the budget it would be taken out of on this date. Following discussion, (M)Parker, (S)Balmain, approve loan for the Don Pedro Sewer Project from the Water Agency for \$75,000 with direction to staff to return to Board with other options relative to financing the Yosemite West project/Ayes: Balmain, Parker Noes: Reilly, Stewart, Pickard. Motion Failed. (M)Balmain, (S)Stewart, Res. 99-211 adopted appropriating \$75,000 from the Water Agency for the Don Pedro Sewer Project/Ayes: Unanimous. (M)Stewart, (S)Reilly, Res. 99-212 adopted authorizing \$280,000 be committed to the Yosemite West Wastewater Treatment Rehabilitation Project with details of where to pull funding from to be worked out later/Ayes: Unanimous.

B) Resolution Approving Contract for Engineering Design Services for Yosemite West Wastewater Treatment Project, Public Works Project Number PW 93-09, and Authorize Director of Public Works to Sign Agreement with the Engineering Firm of Psomas of Sacramento

BOARD ACTION: (M)Reilly, (S) Stewart, Res. 99-213 adopted/Ayes: Unanimous.

7:15 p.m. Recess

7:25 p.m. Continued Public Hearing to consider adopting a Notice of Exemption and approving Specific Plan Amendment No. 98-3. Sarah Williams, Interim Planning Director and Skip Strathearn, Assistant Planner, presented information relative to Specific Plan Amendment No. 98-3 recommended by the Coulterville Town Planning Advisory

Committee and noted that there were no comments received. Skip Strathearn advised that it is similar to the Mariposa County Code, however, the committee felt that an allowance of 200 sq. feet of junk per parcel more accurately reflects the nature of this community with its small lots rather than the 1000 sq. feet indicated in the County Code. Skip Strathearn and Sarah Williams responded to questions from the Board relative to abatement timeframes and enforcement.

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

James Upperman asked what the definition of junk is.

Carl Mack stated that he has classic cars and neatly stacked fencing on his property and expressed his concern that his property would fall under the category of junk.

Dan Marszalek stated that Mr. Mack's classic cars should not be referred to as junk. He pointed out that there are wagons at the corner of town that have no bottoms, yet are considered historical, not junk. Mr. Marszalek informed the Board that one wagon train has been through this town and five car clubs. The classic car clubs bring money to the town of Coulterville when they come through. He informed the Board that he feels that a small group of people are trying to punish them out of spite.

Richard Reinhardt advised that he has a business in town for restoring classic cars and that it takes approximately two years to complete one car. If the Specific Plan Amendment were approved then his property would be considered a junk yard and he would face abatement. He requested that the wording be changed and a better definition be incorporated.

Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to questions from the Board. Sarah advised that there was no intention to add businesses that redo antique cars or penalize people for storing materials for their personal use on their properties. Following further discussion the Board resolved to pull this item to a date uncertain with recommendation to the audience to attend the TPA meetings and participate.

Doug Balmain, District II Supervisor;

Discussion and Information Regarding Senior Services on the Northside

BOARD ACTION: Supervisor Balmain advised that senior issues were discussed during the restaurant meals item and further discussion would not be necessary on this date.

Resolution Approving and Authorizing the County Administrative Officer to Sign an Application for Supplemental Head Start Program Funds to Improve Teacher Qualifications in the Amount of \$2,900 (Administration)

BOARD ACTION: Following discussion with Janet Hogan, County Administrative Officer, (M)Balmain, (S)Reilly, Res. 99-214 adopted/Ayes: Reilly, Balmain, Stewart, Pickard Abstained: Parker.

Consider Participation in the San Joaquin Valley Counties Strategic Development Plan and Select Two Board Members to Represent Mariposa County (Supervisor Pickard)

BOARD ACTION: Following discussion, the Board concurred not to participate at this time.

Board Information and Announcements – not held on this date

CONSENT AGENDA

CA-1 Resolution Approving a First Amendment to the 1998-99 Head Start Program Agreement with the Madera County Community Action Agency that will increase the Total Amount to \$425,684 (Administration); Res. 99-202

- CA-2 Resolution Approving the 1998-99 Adjusted Budget as Mariposa County's Operating Budget and Extending Contracting Authority Granted to Department Heads by Resolution 98-360 from July 1, 1999 Until Adoption of the 1999-2000 Final Budget (Administration); Res. 99-203
- CA-3 Resolution Amending the Employee Allocation Schedule by Eliminating the Air Quality Transportation Specialist, Allocating a Planner IV Position to the Planning Department and Appointing Jay Pawlek as a Planner IV (County Counsel/Personnel/Administration); Res. 99-204
- CA-4 Approve Budget Action Form Transferring Funds in Various Accounts for Year-End Adjustments in the Coulterville CSA and Yosemite West Maintenance District (4/5ths Vote Required) (Public Works); Res. 99-205
- CA-5 Resolution Amending Audit Contract with Vargas, Lopez and Company to Increase the Annual Fee to Complete the 1997-98 Audit by the Amount of \$12,000 and Approve Budget Action Transferring Appropriation (Auditor); Res. 99-206

8:35 p.m. Adjournment in memory of Elenor Jamison, Elenor Yaley, Edith Allen, Joseph Paquette, Frances Rodrigues, Virginia Navarro, William Turner, William Lincoln, and Everett Lincoln.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

By: RHONDA SCHERF
Deputy Clerk of the Board