



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JULY 6, 1999



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

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

- Supervisor Pickard provided input on the Wagon Train event led by Mariposa County to the Port of Stockton as a part of the sesquicentennial celebration, and he commended those who participated and those who contributed toward sponsoring this event.
- Supervisor Stewart stated he felt the fireworks display for the 4th of July was done very well.

Resolution and Tile Plaque Recognizing Charlotte (Char) Wilson Upon her Retirement from the Mariposa County Human Services Department (Human Services); and Resolution Recognizing James Moffett for his Service to the County of Mariposa as Chief Probation Officer (Probation)

BOARD ACTION: (M)Stewart, (S)Reilly, Res. 99-215 adopted recognizing Char Wilson, and Res. 99-216 adopted recognizing Jim Moffett/Ayes: Unanimous. The resolutions and tile plaques were presented to Char Wilson and Jim Moffett.

9:33 a.m. Recess

9:44 a.m. Approval of Minutes of 6/8/99 and 6/15/99 Regular Meetings

BOARD ACTION: Minutes were approved with a change in the minutes for June 15, 1999, regarding Supervisor Balmain's report of his trip to the Headwaters.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: (M)Balmain, (S)Parker, all items were approved/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 6/22/99)

BOARD ACTION: (M)Balmain, (S)Stewart, Res. 99-222 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly. Lisa Edelheit, SEIU representative, asked about providing input on this matter. Supervisor Reilly expressed concern with the cost impacts and with being able to have information that was previously requested. Lisa Edelheit noted they wanted to raise the I/II series issue; stated she feels there is an inequitable situation now; and until there is full staffing that is trained, she requested that a differential in salary be considered for the incumbent permit coordinator that is being reclassified as a development services technician. Discussion was held.

Ken Melton stated he appreciates what the Board is doing and the efforts to make things user friendly in the Building Department.

9:56 a.m. Tom Archer, Human Services Director;
PUBLIC HEARING for Comment on the County's Final Performance Report for the 1996 Native American Community Development Block Grant (96-STBG-1048) and the Dental Services Community Development Block Grant (96-STBG-1018)

BOARD ACTION: Tom Archer presented the staff report and advised that the purpose of the hearing is to receive comment. Staff responded to a question from the Board about application deadlines for economic development assistance funding from the CDBG program. Janet Hogan, County Administrative Officer, advised that she will find the information. There was no public input. No action was necessary.

10:02 a.m. Recess

10:12 a.m. Steve Hayes, Visitors' Bureau Director;
Resolution Approving an Extension of the Existing Agreement with the Mariposa County Chamber of Commerce in the Amount of \$23,704.68 to Operate the Mariposa County Visitor Information Centers Beginning July 1, 1999 Through September 30, 1999 and Authorize the Visitors' Bureau Director to Sign the Agreement Extension

BOARD ACTION: Steve Hayes reviewed the request and advised that Jan Mennig, Executive Director of the Chamber of Commerce, was present to respond to questions. Discussion was held. (M)Reilly, (S)Balmain, Res. 99-223 adopted/Ayes: Unanimous.

10:16 a.m. Recess

2:15 p.m. LOCAL TRANSPORTATION COMMISSION (LTC)

Jay Pawlek, Senior Planner, appeared on behalf of Sarah Williams, Interim Planning Director;

Discussion and Possible Direction Related to Yosemite Area Regional Transportation Strategy (YARTS) Revised Demonstration Plan

COMMISSION ACTION: Jay Pawlek reviewed the revised Demonstration Plan and responded to questions from the Commissioners. Discussion was held.

Input was provided by the following:

Chip Jenkins, Management Assistant for the Strategic Planning Office at Yosemite National Park, advised that from the Park's prospective, YARTS is a positive process. He noted that they have to make management decisions to protect the Park, the Valley is a relatively small area and there is a limited number of vehicles that it can handle and a lot of resource issues to consider. He stated he feels the transportation infrastructure is important to be able to manage and protect the natural resources. He stated he feels the option to have a cap on the number of vehicles and to allow for the transportation system is the best. He further advised that the Park feels that this issue is so important that they are committed to allocating space for transit bus loading and unloading. They are working on changes needed in circulation and to move the visitor center to transit locations. He advised that they need to increase the service level of the Valley shuttle system, and they would like to double the size of their fleet. He further advised that they have changed the entrance fee structure for transit buses to create a financial advantage for tourists to ride the bus versus entering in their automobile. Yosemite has committed \$300,000, pending approval from the Department of the Interior, to help pay for this demonstration program.

Candy O'Donel-Browne, owner of the KOA in Midpines, commented on her experiences with people who bring their 34-foot RV to the campground and have to decide the best way to enter the Park – meet the early Amtrak bus and pay \$20 a person; or drive their RV and the whole family can enter for \$20 and use the pass for seven days. She noted that the choices are being made based on options being given. She further commented that members of the Chamber of Commerce and Yosemite Park staff have

tried since 1991 to find alternatives for the entrance fees. She urged the Board to support the demonstration study.

Curtis Riggs, VIA Adventures, stated he appreciates the process and hopes to be able to continue to provide transit services to the County regardless of the option the County selects. He stated he feels the transit options are good for the County and for the general public. He noted that YARTS involves many agencies, and that to his knowledge, there is not a transit system that operates without a subsidy. He stated he is happy to work with the County.

Erik Bruun, Midpines, stated he feels the Demonstration Plan is well thought out and well presented; however, they are opposed to the project. They do not see a reason for more busing with the existing low ridership, and he noted that VIA has access to the Park. He stated he feels it would be good for every county to have local control. He asked how the transit and entrance fee will work for those who pay to enter the Park for lodging and then use the bus.

Barbara Taylor, Fish Camp, noted that at the last meeting when the Commission discussed YARTS, many people were opposed, and she urged the Commission to oppose this project. She feels that once a bus system is started through this demonstration phase, that it would be difficult to stop. She further stated that she feels that by endorsing a plan now, it will assist the Park with implementing its twenty-year-old General Management Plan. She referred to the Commission's previous request for a letter of assurance from the Park Service relative to retaining the infrastructure and stated she felt the Park's response was not adequate. She further stated that she feels it is premature to move ahead with this plan before making a decision on participation in the JPA.

Doug Shaw, Yosemite Bug Hostel, stated he is primarily present because of his guests – those who ask for another form of transportation to the Park to help with the congestion. He stated they want to find a way to get their guests to the Park and keep them happy so they will come back and perhaps stay an extra day. He noted that they have tried to help the students who are on a tight budget by subsidizing their entrance fees. He further noted that most of their guests are used to transportation systems that work with each other as is the case in other countries. He feels that YARTS will help with these issues – with solving the inconsistencies and the expense. He also noted that they have been trying to find ways to get people here from key cities, they have worked with transportation systems that go from hostel to hostel, but he feels the YARTS program will be more consistent. They want a system that is easy, consistent and affordable, and he feels that the majority of his guests would use such a system.

Dora Bruun stated no mention has been made of the unhealthiness of the diesel fueled buses – she feels the health of the local citizens and the impact the diesel exhaust has on wildlife and vegetation should be considered.

Steve Fortner, Catheys Valley, stated he is happy to see the Chamber, Yosemite Bug Hostel and KOA represented, because he feels there is a market if this transportation system is linked to the transient occupancy tax payers. He further stated that he feels the entrance fee incentives are key to the success of the program, and he feels that YARTS should be able to lobby the Park Service to get the incentives. He stated he feels that the Park Service is dancing around Clean Air Act regulations, and they should be partners with YARTS to foster the Act. He stated he feels the \$300,000 being committed by the Park Service is just the tip of the iceberg. He stated he does not feel that the existing transit systems, Yosemite Concession Services, Yosemite National Park and VIA Adventures, provide a seamless service for the public; however, if all of their funding was used with the YARTS project, a great coordinated service could be created.

Jan Mennig, Executive Director of the Chamber of Commerce, stated the Chamber has supported tourism and increased lodging in supporting access to Yosemite National Park, and a coordinated transit system would be helpful.

Curtis Riggs advised that to alleviate concerns with air quality and the older diesel buses, they have worked through Merced County Association of Governments (MCAG)

and applied for a grant for a full size natural gas tour bus, and he will commit that bus to their part of the YARTS fleet if the project proceeds.

Jerry Fischer, Yosemite Motels, stated he feels that people are concerned and afraid and are not sure how this system will work. He stated he feels the existing system does not serve the tourist very well. The schedule and rate structure of a system is important. He stated he feels this demonstration program is worth a try. He noted he has concerns – a lot of international tours are booked in advance and this project will not meet their calendar schedule to be able to disseminate information. He also stated he feels that consideration should be given to having a multi-day ticket price.

Sally Rodeman advised that an application was submitted for a California Energy Commission grant to pay for a natural gas fueling facility, and she hopes that this will be supported and useful for YARTS. She also stated she hopes that there will be a waiver of the Park entrance fee for all clean-fuel buses.

Jay Pawlek advised of the letter received from the Redwoods and from Tenaya Lodge. He responded to the input that was provided. Discussion was held. Commissioner Stewart advised of his visit to Kern County with Jay Pawlek to view natural gas buses, and he stated the idea behind YARTS is to be able to manage all of the systems together to have a coordinated system. He also stated he would like to see the visitors have the ability to get off of the bus in town for lunch, etc., and then get back on the bus to go to Yosemite. Commissioner Reilly reviewed her testimony given to the Congressional subcommittee relative to YARTS. Commissioner Balmain stated he felt the proposed operational costs are too high, and that a connection needs to be made from Merced to LaGrange, Greeley Hill, Coulterville and Buck Meadows so that those lodging facilities are included, and he noted that perhaps that would alleviate some of the pressure on the Highway 140 route. He further stated the system needs to be totally voluntary on the part of the rider and that the system needs to be privatized. Commissioner Pickard stated he would like to have alternatives to a JPA for administration explored.

(M)Stewart, (S)Parker, direction was given to staff to proceed with development and implementation of the YARTS revised Demonstration Plan, with a tentative commitment of funding used for the VIA system for FY 1999-00; and with direction to staff to continue to work on the JPA to develop a JPA or acceptable agreement and to come back to the Commission/Ayes: Reilly, Stewart, Parker, Pickard; Noes: Balmain.

3:55 p.m. Board reconvened and recessed.

4:11 p.m. Board Information and Announcements

- Robert Hunt announced that he and Elizabeth “Beth” Stewart were issued a marriage license earlier this date, and he requested consent from the Board for the marriage to Supervisor Stewart’s daughter (to take place on September 11, 1999). Board members congratulated Mr. Hunt and Miss Stewart.
- Supervisor Reilly advised of meetings held by the Park Service for the scoping period for the Merced River Plan – Jay Pawlek attended the meeting that was held in Mariposa and she attended the meeting held in the Valley. She recommended that comments be prepared by Planning for submittal to the Park Service. Board concurred with informally discussing the comments next week.
- Supervisor Pickard reported on the Area 12 Agency on Aging meeting he and Supervisor Balmain attended in Woodford – he advised that the restaurant meal program and the expanded transportation plan for the Northside were approved.
- Supervisor Parker advised that he received a call from John McCamman, Chief of Staff for Congressman Radanovich, advising that Congress is working on a statute for the compost/landfill project; and if the hearing is successful, the Park Service will be participating. He further requested that the Board consider taking action to support this statute when more information is obtained.

- Janet Hogan, County Administrative Officer, provided a brief update on the status of budget preparations and advised that she will keep the Board members informed.

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

CONSENT AGENDA

- CA-1 Resolution Authorizing Chairman to Sign Software License Agreement with ES & S for the Absentee Voter Registration Software (County Clerk); Res. 99-217
- CA-2 Resolution Authorizing Chairman to Sign Amendment to the 1998-99 Agreement with KingsView Corporation for Alcohol, Drug and Perinatal Services for Mariposa County, Increasing the Existing Agreement by \$37,160 and Appropriate the Revenue and Expenditures Related to this Amendment (4/5ths Vote Required) (Human Services); Res. 99-218
- CA-3 Resolution Authorizing a Personal Services Agreement with Dave Apilado for the Human Services Department Independent Living Program (\$4,800) (Human Services); Res. 99-219
- CA-4 Resolution Authorizing the Director of Human Services to Sign the Department of Energy and Weatherization Contract #99C-1220 with the State Department of Community Services and Development (\$4,316) (Human Services); Res. 99-220
- CA-5 Resolution Approving the Mariposa County Library System to Host an Inservice on Customer Service Training in Mariposa and Allow the County Library System to Close on Tuesday, August 3, 1999, to Enable All Library Assistants to Attend the Inservice at the Mariposa Main Library (Library); Res. 99-221
- CA-6 Appoint Rhonda Scherf to the At-Large Vacancy on the Parks and Recreation Commission (Supervisor Parker)
- CA-7 Certificate of Recognition to be Presented to George and Betty Gordo at their Fiftieth Wedding Anniversary to be Held on July 3, 1999 (Supervisor Parker)

4:22 p.m. Adjournment in memory of Owen Webster Cunningham and Robert Casey.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JULY 13, 1999



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

- Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Supervisor Pickard commended Mary Williams, Community Services Director, and Supervisor Balmain for the successful implementation of the restaurant meal program, and he noted that 148 meals were served in the first ten days of the program.
 - Supervisor Pickard advised that he and Supervisor Reilly have attended Merced Wild and Scenic River Management Plan scoping meetings. The Superintendent for Yosemite National Park has extended the public comment period on the Plan to July 30, 1999. Board concurred with Supervisors Pickard and Reilly working on drafting comments for the Board to review on July 27th. Supervisor Reilly provided input on the process and the meeting held in El Portal.
 - Supervisor Balmain thanked Supervisor Pickard for his efforts in working with the Area 12 Aging on Agency Board on the restaurant meal program and the enhancement of the bus service on the Northside.

Certificate of Appreciation to Don Haag for Representing Mariposa County on the California Film Commission (Supervisor Pickard)
BOARD ACTION: (M)Reilly, (S)Parker, Certificate of Appreciation was approved and presented to Don Haag/Ayes: Unanimous.

Approval of Minutes of 6/22/99 Regular Meeting
BOARD ACTION: Minutes were approved with change in Supervisor Balmain's report regarding senior issues on the Northside.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: (M)Reilly, (S)Balmain, all items were approved/Ayes: Unanimous.

Ken Hawkins, Auditor;
Report Relative to Judicial Salary Increases During the Calendar Year 1998
BOARD ACTION: Ken Hawkins presented the report. Discussion was held and the Board thanked Ken for providing the report. Further discussion was held relative to consideration of increasing the percentage ratio of the rate of pay. Jeff Green, County Counsel, advised that an ordinance would be required to change the percentage ratio of the rate of pay. Board concurred with giving direction to staff to bring back information, including cost information for increasing the percentage ratio, for the Board to further review.

Board Information and Announcements

- Supervisor Stewart reported on the YARTS meeting he attended on Monday and the acceptance of the revised demonstration plan for 2000, and he advised that he plans to attend the JPA committee meeting in Merced on Friday.

- Jeff Green, County Counsel, advised that he met with the Judges and interviewed two candidates for the Court Executive Officer position, and the position has been offered to Michael Berest to start next week.
- Supervisor Reilly asked about the status of the co-compost statute being considered by Congress. Supervisor Parker advised that he received a phone call from Congressman Radanovich's office and the statute may be on the floor today and more information will be provided when it is available.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (County Counsel)

BOARD ACTION: Janet Hogan, County Administrative Officer, requested the matter be continued to July 20, 1999.

9:37 a.m. Recess

10:32 a.m. LOCAL TRANSPORTATION COMMISSION (LTC)

Mike Edwards, Public Works Director;

PUBLIC HEARING on Unmet Transit Needs for 1999/2000

COMMISSION ACTION: Dave Walker, Transportation Planner, presented the staff report. Staff responded to questions from the Commissioners relative to future needs for the Welfare to Work program and coordination and funding of unmet needs with the VIA system. It was clarified that this hearing to consider unmet transit needs is for FY 1999-00 versus FY 1998-99. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and Commission commenced with deliberations. (M)Parker, (S)Balmain, LTC Res. 99-13 adopted finding there are no unmet transit needs/Ayes: Unanimous. Hearing was closed.

10:41 p.m. The Board reconvened.

FORTHCOMING POLICY

Resolution Authorizing an Agreement Between the Friends of the Library-Wawona and Various Persons/Groups to Display Art in the Wawona Bassett Memorial Library (Library) (For Action on 7/27/99)

CONSENT AGENDA

CA-1 Resolution Authorizing the Mariposa County Agricultural Commissioner to Sign the 1999/2000 Regulatory Pesticide Enforcement Contract #99-0033 and the 1999/2000 Pesticide Application Reporting Contract #99-0119 with the Department of Pesticide Regulation (CDPR) (Agriculture)Res. 99-224

CA-2 Resolution Authorizing the County Librarian to Submit Grant Application for Youth Services Materials Grant from the State Library (Library); Res. 99-225

CA-3 **LOCAL TRANSPORTATION COMMISSION (LTC)**
Resolution Authorizing Executive Director of the LTC to Sign the STIP Planning Programming and Monitoring Fund Transfer Agreement (Public Works); LTC Res. 99-11

- CA-4 **LOCAL TRANSPORTATION COMMISSION (LTC)**
Resolution Authorizing the Executive Director of the LTC to Sign the MOU with CalTrans Regarding Coordination of Ongoing Transportation Planning and Programs Through Preparation of the Project Study Report Under the Transportation Funding Act (Public Works); LTC Res. 99-12
- CA-5 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Resolution Authorizing Changes in Chapter XXVII of the Administrative Plan for the Housing Authority of the County of Mariposa and Adjusting the Voucher Payment Standard (Human Services); HA Res. 99-5
- CA-6 Resolution Amending the Employee Allocation Schedule Reducing the Social Worker III Positions by One and Increasing the Employment and Training Worker II Positions by One (Human Services); Res. 99-226

10:42 a.m. Adjournment in memory of Robert E. Saylor, Roger Moen and Anna Stewart.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JULY 20, 1999



Time Description

9:11 a.m. Meeting Called to Order with Supervisor Pickard arriving at 9:19 a.m.
Pledge of Allegiance

Introductions – Judge La Roche introduced Michael Berest, the new Court Executive Officer.

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

- Mike Edwards, Public Works Director, gave a report on the electrical situation at the Library/History Center facilities and advised that there are some wiring and maintenance issues that need to be addressed. They will work with Don Weston, History Center, and the Library to address the immediate needs and they plan to present a budget request for approximately \$10,000 during the final budget hearing to address the electrical deficiencies in the building.
- Supervisor Parker advised of an off-agenda request to send letters of support to Senators Boxer and Feinstein for legislation which provides funding for the solid waste composting project, as recently approved by the House of Representatives. (M)Parker, (S)Balmain, Board waived rules requiring 72 hours agenda noticing finding this matter was not known about at the time the agenda was prepared and it is a matter of timeliness as the Senate may hear the matter prior to the next Board meeting/Ayes: Unanimous. (M)Parker, (S)Balmain, Chairman was authorized to sign the letters to Senators Boxer and Feinstein urging their support for the funding approved by the House for the solid waste composting project/Ayes: Unanimous.

Approval of Minutes of 7/6/99 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Marian Spacke, Investment Officer, appeared on behalf of Don Z. Phillips, Treasurer; Treasurer's Year End Report of Investments by Fiduciary Trust

BOARD ACTION: Report was presented by Allen Seidner and Eric Reynolds, Fiduciary Trust International, and they responded to questions from the Board.

Supervisor Balmain requested that information on the investment fees be included in future reports. Janet Hogan, County Administrative Officer, requested that the calculations and amount of actual fees for the period of the report be included.

Jeffrey G. Green, County Counsel;

Resolution Modifying Position Allocation for the Building Department by Adding One Development Services Technician

BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 99-228 adopted/Ayes: Unanimous.

Mike Edwards, Public Works Director;

A) Resolution of Commitment of Additional Funds Required for Library Construction

BOARD ACTION: Discussion was held, and Mike Edwards advised that at the time the budget requests were first submitted, the estimated amount to complete the library project was \$312,000 (which is included in the proposed budget request) and now the revised

estimate leaves a shortfall of an additional \$250,000. Discussion was held relative to the value engineering – list of items being considered to reduce the construction cost.

Input from the public was provided by the following:

Dr. Jeff Hamilton, MCUSD Superintendent, stated he was representing the educational system of the County, and he urged the Board to support this project to provide library services for the community.

Barry Brouillette commented on the cultural diversity of the County, and he noted that with the new UC Merced, this project is very important for the County. He feels this building will need to serve the community for the next century, and he urged the Board to approved the additional funding.

E. O. Lewis, President of the Friends of the Library, stated they have worked hard for a lot of years to see this project brought forward – he feels it is really needed and the community will be proud of it. He further offered additional contributions from the Friends of the Library if the County will commit to the balance of the shortfall - \$10,000 from memberships and \$30,000 from a CD.

Earle Jorgensen advised that he and his wife have been on the building fund committee and participated in a home Christmas tour fundraiser event. When he spoke with his father (who lives out of the area) and advised him of this project, his father offered a donation. He feels this shows how important this project is..

Further discussion was held. Chairman Pickard advised, for the record, that Pat Sischo, Friends of Wawona Library, phoned and supports this project. (M)Stewart, (S)Parker, Res. 99-229 adopted approving an appropriation of \$562,000 in the General Fund Interfund Transfers budget for the library project and adjustments to Fund 517 to allow project development and bidding to proceed prior to adoption of the Final Budget for FY 1999-2000/Ayes: Unanimous. Supervisor Parker thanked everyone for their support of this project and advised that as the project progresses, he feels it can be determined how to best use the additional funds offered by the Friends of the Library. E. O. Lewis thanked the Board for its action.

10:09 a.m. Recess

10:20 a.m. B) Resolution Authorizing Public Works Director to Purchase a Used Demonstration Roadlazer Striper from Dispensing Technology Corporation for \$34,000
BOARD ACTION: Discussion was held with Mike Edwards and Ken Woolsey, PWD/Road Superintendent. Marty Allan/Fleet-Fiscal Manager, provided input relative to past expenditures for contracting for the striping work. (M)Balmain, (S)Stewart, Res. 99-230 adopted waiving the formal bidding process for the purchase of the Roadlazer Striper, finding it is a sole source item; approving purchase and expenditure of funds for this fixed asset prior to the adoption of the Final Budget for FY 1999-2000/Ayes: Unanimous.

C) Resolution Approving and Authorizing the Public Works Director to Notify Mariposa County Total Waste Systems, Inc. that its Contract with the County to Operate the Four County Solid Waste Transfer Stations will be Canceled Effective January 31, 2000

BOARD ACTION: (M)Parker, (S)Stewart, Res. 99-231 adopted/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Stewart presented a photograph of the antique car in the Sierra Classics Lions Club Car Show over the weekend that he judged for a plaque award. He advised that he met with Congressman Radanovich on Saturday in Fresno, thanked him for his support of the funding for the composting project, and they discussed YARTS and other issues. He also advised that the YARTS JPA subcommittee approved the JPA with minor revisions.

- Supervisor Balmain advised that he will be out of the County for the rest of the week to attend a family reunion in Tennessee.
- Supervisor Pickard advised that he and Supervisor Stewart attended a Forest Service public meeting in North Fork last week relative to Forest Service roads. A presentation will be scheduled in the future for the Board on this matter and on the Sierra Conservation Framework. Supervisor Stewart asked about the status of the road issue with the Stanislaus National Forest, and Supervisor Balmain responded that they are also involved in this process of reviewing roads.
- Supervisor Reilly advised that on Monday, she attended a video conference at Cal-State Stanislaus on the Children and Families First Initiative.

10:54 a.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (County Counsel) (Continued from 7/13/99)

BOARD ACTION: Jeff Green, County Counsel, requested that the Board waive the rules to consider an existing litigation matter (Jarrett vs. County of Mariposa/Superior Court Case No. 7661) in closed session, as a settlement offer was received and a Settlement Conference is scheduled for Wednesday. (M)Parker, (S)Reilly, Board waived rules requiring 72 hours agenda noticing to consider the litigation matter in closed session, finding it was not known about at the time the agenda was prepared and it is a matter of timeliness due to the scheduling of the Settlement Conference; and direction was given for closed session to be held for this matter and for the labor negotiations, with Rick Bolanos, County labor negotiator, to be present for a portion of the session/Ayes: Unanimous. Chairman Pickard advised that the Board would adjourn following closed session and the results of the closed session will be announced at the next meeting on July 27, 1999.

FORTHCOMING POLICY

Resolution Authorizing an Agreement Between the Friends of the Library-Wawona and Various Persons/Groups to Display Art in the Wawona Bassett Memorial Library (Library) (For Action on 7/27/99)

CONSENT AGENDA

- CA-1 Accept Resignation of Tom Henry from the Coulterville Service Area One Advisory Board (Supervisor Balmain)
- CA-2 Appoint Linda Sinclair to the Tourism Advisory Council, Representing District IV (Supervisor Parker)
- CA-3 Resolution Approving Personal Service Agreement with Char Wilson for Consultation, Technical Assistance, and Training for the Calaveras-Mariposa Community Action Agency and Department of Human Services (Human Services); Res. 99-227

11:53 a.m. Adjournment in memory of Lois Traver and Dorothy Miller.

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA JULY 27, 1999

Time Description

9:08 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Chairman Pickard announced that as a result of closed session on July 20, 1999, the Board gave direction to staff relative to labor negotiations with SEIU and relative to an existing litigation matter.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Stewart pulled item 1. (M)Stewart, (S)Parker, balance of items were approved/Ayes: Unanimous. Supervisor Stewart introduced Juanita DeLucia, new member of the Commission on Aging. (M)Stewart, (S)Parker, item 1 was approved/Ayes: Unanimous.

Jacque Meriam, Librarian;

Resolution Authorizing an Agreement Between the Friends of the Library-Wawona and Various Persons/Groups to Display Art in the Wawona Bassett Memorial Library (Library) (Continued from Policy on 7/20/99)

BOARD ACTION: Discussion was held with Jacque Meriam concerning the request and policy issues relative to displaying the art, allowing it to be sold, compensation to the County, and liability/responsibility for the art. Discussion was also held relative to controlling the type of art to be displayed, consideration of implementing a use policy that is used for other county facilities, and whether a policy should be considered on a countywide basis. Motion by Reilly to authorize the Librarian to work with County Counsel to bring back a policy for art to be displayed at the Wawona Bassett Memorial Library was withdrawn. Board concurred with giving direction to staff to bring back a policy and to address the issues that were raised.

Mike Edwards, Public Works Director;

Resolution Authorizing Staff to Negotiate and County Counsel to Execute a Lease, Cost not to Exceed \$2,700 per Month Initially, for Evans Building at Southeast Corner of 8th and Bullion, Formally Occupied by Mariposa Family Medicine, for District Attorney, Family Support Unit, and Authorize District Attorney, Criminal Division, to Occupy Lind House

BOARD ACTION: Janet Hogan, County Administrative Officer, clarified that the requested action should be for County Counsel to negotiate and develop a lease agreement and authorization for the Chair to execute the document. Discussion was held. (M)Parker, (S)Stewart, direction was given for staff to negotiate a lease agreement as requested, with the agreement to be brought back for Board approval; and authorization was given for the Criminal Division to occupy the Lind House/Ayes: Unanimous. Christine Johnson, District Attorney, advised that they would like to be able to keep one office in the Courthouse available for their operations.

Christine Johnson, District Attorney;

Resolution Approving and Authorizing Chairman to Execute a Community Assisted Support Enforcement System (CASES) Consortium Memorandum of Agreement and

CASES Consortium Bylaws which Allows Mariposa County Family Support to Participate as a Member of the Community Assisted Support Enforcement System (CASES) (Family Support Div.)

BOARD ACTION: Discussion was held with Marita Green, DA/Supervising Family Support Officer. (M)Reilly, (S)Stewart, Res. 99-236 adopted/Ayes: Unanimous.

9:50 a.m. Recess

10:12 a.m. Patti A. Reilly, District I Supervisor and Bob Pickard, District V Supervisor; Discussion Relative to Comments on Scoping for the Merced Wild and Scenic River Management Plan Environmental Review Process

BOARD ACTION: Discussion was held. Supervisor Parker requested that the comments include fishing and recreational uses on the River.

Input from the public was provided by the following:

Dick Kunstman expressed concern with the boundary issues along the River; and he stated that for property exchanges between the government and private parties, there should be an evaluation to determine that the value of the exchange is equal for both parties.

Further discussion was held. Supervisor Pickard commented on the process and the opportunity for the public to be able to provide input that would have an affect on the planning.

Dick Kunstman noted that placing the boundary of a one quarter mile distance along the portion of the River designated as Wild and Scenic in the El Portal area does not preclude the construction of housing. It will probably include requirements for the architectural nature of the housing to be appropriate to the River. He further commented that he feels what is being done by the Park needs to be closely scrutinized.

Discussion was continued for the following hearing to be opened.

10:39 a.m. Public Hearing to consider closeout and final report for Economic Development Block Grants was opened and continued to after the following matter.

Further discussion was held. Supervisor Parker requested that the issues related to outstandingly remarkable values be clarified. (M)Parker, (S)Stewart, direction was given to the Chair to sign the letter to Yosemite National Park Superintendent providing comments on the scoping for the Merced Wild and Scenic River Management Plan Environmental Review Process, with changes as discussed/Ayes: Unanimous.

Sarah Williams, Interim Planning Director;

PUBLIC HEARING to Consider Closeout of Grant No. 97-EDBG-521: Transportation Center, Commercial Complex and Potential of Bower Cave; Accept the Final Report on Grant No. 97-EDBG-52; and Direct Staff to Send Closeout Letter to Housing, Community and Development (HCD)

BOARD ACTION: Chairman Pickard advised of the recommendation to continue this hearing to allow time to review the document, and he advised that public comment would be taken at this time as well. There was no public comment provided. The hearing was continued to August 3, 1999, at 11:00 a.m.

Board Information and Announcements – none.

10:45 a.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (County Counsel) (Continued from 7/20/99)

BOARD ACTION: (M)Reilly, (S)Balmain, closed session was held following a short recess, with Rick Bolanos, County labor negotiator, present, and with announcement of the result of closed session to be made on August 3, 1999/Ayes: Unanimous.

11:56 a.m. Lunch

2:00 p.m. Mike Edwards, Public Works Director;
Leave Government Center for Site Review of Proposed Triangle Road Bridge at Snow Creek and Proposed Location of Darrah School Park Improvements

BOARD ACTION: Board reconvened at 2:30 p.m. at the Darrah School Park.

Mike Edwards and Dave Tucker/PWD-Engineer, reviewed the plans for the proposed Triangle Road bridge improvements at Snow Creek. Discussion was held and a tour conducted of the site.

Input from the public was provided by the following and staff responded to the questions:

Helen Kwalwasser asked about liability issues if the improvements are not made to correct the safety concerns.

Lowell Young commented on problems with drivers straightening out blind curves, and he stated he feels this would help by eliminating two blind curves and that would make him happy.

Sally Wallace asked about the changes to the slope of the bank with the proposed improvements.

Discussion was held relative to proposed improvements, including the request for an addition of a ballfield, at the Darrah School Park. Supervisor Parker advised that to add a ballfield may require additional land. Helen Kwalwasser, representing the Kiwanis, advised of the price quote of \$26,000 they obtained for renovating the old school structure, and she advised that they plan to have the handicapped restrooms and ramp completed by October. Board concurred with reviewing the Master Plan for park facilities prior to the final budget hearings and further consideration of funding requests for this project.

INFORMATION – No action was necessary on the following:
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 Statutory Rape Vertical Prosecution Unit (District Attorney)

CONSENT AGENDA

- CA-1 Appoint Juanita DeLucia to the Mariposa County Commission Aging as a Member at Large (Community Services)
- CA-2 Resolution Authorizing the County Librarian to Apply for the Gates Initiative Library Grant Allowing the Main Library and All Four Branches to Receive Hardware, Software, One Year Technical Support, Training, and Internet Connectivity (Library); Res. 99-232
- CA-3 Resolution Authorizing Chairman to Sign Agreement with Mountain Valley Emergency Medical Services Agency (\$6,601) (Health); Res. 99-233

CA-4 Resolution Authorizing the County Mental Health Director to Sign
Amendment No. A-1 to the Agreement Between the State Department of
Mental Health and Mariposa County for Consolidation of Medi-Cal Specialty
Mental Health Services (Human Services); Res. 99-234

CA-5 Resolution Authorizing Public Works Director to Execute Master Agreement
for Mariposa Town Sidewalks (Public Works); Res. 99-235

3:46 p.m. Adjournment in memory of Richard During, Jr., and Joie Ruth Armstrong.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA AUGUST 3, 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
- Chairman Pickard announced that as a result of closed session on July 27, 1999, the Board gave direction to staff relative to labor negotiations with SEIU.

Approval of Minutes of 7/13/99 and 7/20/99 Regular Meetings
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Balmain pulled item 1. Supervisor Stewart pulled items 6 and 7. (M)Parker, (S)Reilly, balance of the items were approved/Ayes: Unanimous. (M)Balmain, (S)Reilly, item 1 was approved/Ayes: Unanimous. Following discussion, (M)Stewart, (S)Balmain, items 6 and 7 were approved/Ayes: Unanimous.

Mariposa County Business Forum;
Discussion Relative to the Weekly Board of Supervisor Agenda Being Accessed on the Internet; and Discussion Regarding Evening Meetings (Chairman Pickard)
BOARD ACTION: Matter was continued to August 10, 1999, at the request of the Mariposa Business Forum.

Jim Allen, Assistant Sheriff, appeared on behalf of Pelk Richards, Sheriff;
Resolution Authorizing the County Administrative Officer to Sign Bureau of Justice Assistance Grant Application
BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 99-242 adopted/Ayes: Unanimous.

Tom Archer, Human Services Director;
Discussion Regarding Administration of the Calaveras-Mariposa Community Action Agency; and Resolution Deleting One Contracts Administrator Position from Community Services Block Grant Budget 335-0514 and Adding One Social Worker III Position to the Department of Human Services Budget 001-0501
BOARD ACTION: Following discussion, (M)Balmain, (S)Stewart, Res. 99-243 adopted/Ayes: Unanimous.

Dennis Patrick, Technical Services Director;
Resolution Approving the Purchase of Fixed Assets for Y2K Purposes Prior to Final Budget Hearings for Fiscal Year 1999-2000 (\$35,000)
BOARD ACTION: Discussion was held. (M)Reilly, (S)Stewart, Res. 99-244 adopted, with approval of the fixed asset appropriations as recommended by the County Administrative Officer/Ayes: Unanimous.

9:30 a.m. CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (County Counsel) (Continued from 7/27/99)
BOARD ACTION: (M)Balmain, (S)Reilly, closed session held/Ayes: Unanimous.

9:54 a.m. Recess

10:05 a.m. Board reconvened in open session with direction given to staff as a result of the closed session.

Blaine Shultz, Fire Chief;

Presentation of the Southwest Interface Task Force Relative to their Involvement in Strategic Fire Planning in the Northeast Portion of Mariposa County and the Southeast Portion of Tuolumne County

BOARD ACTION: Blaine Shultz introduced the following members of the Task Force who were present for the presentation: Pat Michael/Division Chief for Pre-Fire Engineering for CDF; John Robbins/Division Chief for Mariposa Operations for CDF; Tom James/District Fire Management Officer for the USFS; Art Laursen/Battalion Chief for Mariposa County Fire Department; Rich Strazzo/Fire Captain with Tuolumne-Calaveras Ranger Unit for CDF; Roscoe Rowney/Division Chief for CDF; and Carolyn Higgins/USFS-staff to the Task Force.

A power point presentation was given on the Southwest Interface project – a strategic planning and multi-agency coordination of wildlife protection of a 132,000 acre corridor with a significant large fire history. Discussion was held. Chief Robbins advised of the planned control burn near Coulterville scheduled for later in August. Tom James noted that for the Forest Service and Bureau of Land Management, this type of partnership is precedent setting for the State and perhaps for the nation.

The Board thanked the Task Force for their presentation.

10:49 a.m. Recess

11:07 a.m. Sarah Williams, Interim Planning Director;

PUBLIC HEARING to Consider Closeout of Grant No. 97-EDBG-521: Transportation Center, Commercial Complex and Potential of Bower Cave; Accept the Final Report on Grant No. 97-EDBG-52; and Direct Staff to Send Closeout Letter to Housing, Community and Development (HCD) (Continued from 7/27/99)

BOARD ACTION: Sarah Williams and Jay Pawlek/Senior Planner, presented the staff report. Sarah Williams commented on the document itself and noted that some of the data is outdated; however, she does not feel that the County will use the report for future projects and she feels the contractor has met the contract requirements in preparation of the document. Jay Pawlek advised of the purpose of the hearing and reviewed the report. Staff responded to questions from the Board relative to the closeout of the grant; process for reimbursement and the status of reimbursement for the contract costs; as to whether ADE has any further contractual requirements to meet to satisfy the conditions of the grant; and options for accepting portions of the document and deleting those portions that contain incorrect information.

Public portion of the hearing was opened. Input from the public: none. Public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to additional questions from the Board relative to the report and the incorrect information contained therein. Supervisor Balmain stated he feels the report should have contain information for developing Bower Cave in phases to keep it self-supporting; and he stated he is unclear about the forest revenue funding that is referred to in the report. He also stated he disagrees with the conclusion that the wild and scenic designation should be pursued for the North Fork of the Merced River. Board members expressed concern with derogatory statements that were included in the report about the El Portal community. Jeff Green, County Counsel, responded to a question from the Board relative to the document meeting the contract requirements.

(M)Balmain, (S)Parker, Res. 99-245 adopted accepting the Final Report with the deletion of the derogatory reference to El Portal and the conclusion to pursue wild and scenic designation of the North Fork of the Merced River; and direction was given for staff to send the Closeout Letter to the Department of Housing and Community Development/Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly. Hearing was closed.

Board Information and Announcements

- Supervisor Stewart advised of the YARTS meeting that he and Supervisor Balmain attended in Mammoth on Monday.
- Janet Hogan, County Administrative Officer, reminded the Board members that it is time to practice for the upcoming apple peeling contest with the Fair Board. Board concurred that Supervisor Stewart should be the team captain. Janet Hogan also advised that she will have the recommended budget for FY 1999-2000 to the Board members on Monday for their review.

Janet Hogan, County Administrative Officer, advised of request for the Board to consider an off-agenda item to designate a media contact for the Sund/Pelosso matter. Per her conversations with the Sheriff and District Attorney, there is serious consideration being given to determining that the County will have jurisdiction for the Sund/Pelosso matter. (M)Parker, (S)Stewart, Board waived rules requiring 72 hours agenda noticing to consider this request, finding it is a matter of timeliness as a decision of jurisdiction is expected to be made prior to the next Board meeting/Ayes: Unanimous. Following discussion (M)Parker, (S)Stewart, the Mariposa County Sheriff's Department was designated as the sole media contact for any press inquiries related to the Sund/Pelosso matter; and direction was given for the County Administrative Officer to prepare a formal statement on behalf of the Board advising of this designation/Ayes: Unanimous.

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

CONSENT AGENDA

- CA-1 Resolution Authorizing the Chairman of the Board to Sign the 1999/2000 Detection Trapping Contract No. 99-0088 (Ag); Res. 99-239
- CA-2 Resolution Authorizing the Chairman of the Board to Sign the 1999/2000 Agreement Between California Department of Food and Agriculture Egg Quality Control Program and the County of Mariposa #99-0138 (Ag); Res. 99-237
- CA-3 Accept Resignations of James Moffett and Steve Hanson from the Alcohol and Drug Advisory Board (Supervisors Stewart and Parker)
- CA-4 Appoint Paul Ratchford to the Fish Camp Community Planning Advisory Council (Supervisor Pickard)
- CA-5 Resolution Approving a Temporary Extension of the 240-Hour Vacation Limit for an Employee in the Parks and Recreation Division of Public Works (Public Works/Parks and Rec. Div.); Res. 99-238

- CA-6 Resolution Authorizing the Transfer of a Dictaphone, Dictaphone Tape Cabinet, Dictaphone Bulk Tape Eraser and Approximately 150 Real to Real Tapes to the John C. Fremont Hospital (Sheriff) (4/5ths Vote Required); Res. 99-240
- CA-7 Resolution Authorizing the Sale of a 1991 Chevrolet Astro Van to Area 12 Agency on Aging in the Amount of \$250 (Community Services) (4/5ths Vote Required); Res. 99-241

12:27 p.m. Adjournment in memory of Lester Bissett, Fred Parenti, Robert Miller, Ila Hardin and Junior Austin.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA AUGUST 10, 1999



Time Description
9:07 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Supervisor Stewart advised of an off-agenda item to send a letter to the Mariposa Fair Board relative to the upcoming apple peeling contest between the Fair Board and the Board of Supervisors. (M)Stewart, (S)Balmain, Board waived rules requiring 72 hours agenda noticing to consider this matter finding it is a matter of timeliness/Ayes: Unanimous. Following discussion, (M)Stewart, (S)Balmain, Board approved sending the letter to the Fair Board relative to the apple peeling contest at the Fair/Ayes: Unanimous. Pelk Richards/Sheriff and Fair Board Member, advised that the Fair Board members have confidence in their peeling abilities and not everyone has been practicing this year.

Resolution and Tile Plaque Recognizing Nancy J. Kyle Upon her Retirement from the Mariposa County Personnel Department (County Counsel)
BOARD ACTION: (M)Balmain, (S)Reilly, Res. 99-246 adopted and was presented to Nancy Kyle along with a tile plaque/Ayes: Unanimous.

9:20 a.m. Recess

9:37 a.m. Approval of Minutes of 7/27/99 Regular Meeting
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: Supervisor Parker pulled item 2 for discussion with Public Works later this morning. (M)Reilly, (S)Parker, item 1 was approved/Ayes: Unanimous.

Mariposa County Business Forum;
Discussion Relative to the Weekly Board of Supervisor Agenda Being Accessed on the Internet; and Discussion Regarding Evening Meetings (Chairman Pickard) (Continued from 8/3/99)
BOARD ACTION: Lynn Gill, Mariposa County Business Forum, requested that the Board post its agenda and folder material on the internet, and he asked about the status of implementing this process. Chairman Pickard advised that direction was given to staff to include the purchase of equipment in the budget request to be considered during the final budget hearings in September, and that the County is trying to get a single server for all departments.

Ron Iudice, Mariposa Business Forum, asked about the status of the Board's review of continuing with the night meetings. He stated he feels the night meetings allow for better public participation.

Discussion was held concerning the request. Supervisor Stewart noted that there are increased costs for staff time, utilities, etc., for the night meetings, and that some of the citizens, particularly seniors, have difficulty driving at night. Also, the winter weather conditions have an impact. Supervisor Pickard noted the Board has held evening meetings for items where a large public participation is anticipated, and the Board has

met in other locations of the County for the convenience of the citizens. Supervisor Parker suggested that the County Administrative Officer could bring statistical information relative to attendance during the trial period for the Board's consideration after the final budget hearings for further consideration.

Ron Iudice reminded the Board of the 1300 signatures that were collected on petitions requesting night meetings, and he stated that it is difficult for him, as a business person, to attend meetings during the day.

Supervisor Balmain stated he would be willing to meet with the merchants and try to reach a schedule that would be mutually beneficial. Supervisor Reilly noted public participation is important, and she would like to find a way to get the public more informed.

Ron Iudice requested a copy of the cost information for the night meetings.

Supervisor Stewart stated he agrees with trying to find a schedule that works for everyone, and he suggested that perhaps meetings could be held later in the day versus nighttime.

Further discussion was continued for the following hearing to be opened.

10:10 a.m. Hearing regarding the "Report of Delinquent Fees" for Special Districts was opened and continued to after the following matter.

Further discussion was held relative to holding night meetings.

Gene Mickel stated he feels that people have given up on government and they are not happy and that is why they are not attending meetings. He stated he feels the attendance will increase if night meetings are held, and he noted that it costs the business people to attend a day meeting. He stated he feels that communication is important and the computer email/internet system will help. He suggested that consideration be given to making the agenda available ten days in advance of the meeting to give citizens a chance to discuss their concerns. He would like to see the agenda information on the internet as soon as possible.

Mike Edwards, Public Works Director;

A) PUBLIC HEARING Regarding the "Report of Delinquent Fees" and Confirmation by Resolution for the Addition of Delinquent Fees to the Appropriate Property Tax Roll for Collection of Water and Sewer Standby Fees and Water, Sewer and Road Fees in Several County Special Districts

BOARD ACTION: Mike Edwards presented the staff report and responded to questions from the Board relative to the \$2.00 processing fee required by the Auditor's Office for filing liens and whether that amount covers the costs. Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and the Board commenced with deliberations. (M)Balmain, (S)Parker, Res. 99-248 adopted confirming the addition of delinquent fees to the appropriate property tax roll for collection of water and sewer standby fees and water, sewer and road fees in several County Special Districts. Further discussion was held. Jeff Green, County Counsel, responded to a question from the Board as to whether the delinquency fee could be added to the charges owed by the property owner. Motion was amended, agreeable with maker and second, to include direction for the \$2.00 delinquency fee to be collected against the delinquent property owner if this is possible; and direction was given to staff to work with County Counsel to determine whether other costs could be included in the delinquency fee/Ayes: Unanimous. Hearing was closed.

B) Resolution Authorizing Expenditure not to Exceed \$10,000 to Correct Immediate Electrical Deficiency Needs in the Library/History Center Facility Prior to Adoption of Fiscal Year 1999-2000 Budget

BOARD ACTION: Discussion was held with Mike Edwards and Clif Price, PWD/Fleet-Fiscal Manager, relative to the request. (M)Stewart, (S)Parker, Res. 99-249 adopted. Supervisor Pickard requested that a list of similar situations that may exist with other older County facilities be provided for the Board. Ayes: Unanimous.

Consent Agenda item 2 – Discussion was held with Mike Edwards, Public Works Director concerning the request and the timeframes. Supervisor Parker expressed concern that in the interim of this process, the vehicles to be replaced were sold through the auction. He requested that the item be held to allow time to further review the whole matter. Matter was continued to August 17, 1999.

10:54 a.m. Recess

11:04 a.m. Resolution Revising the Class Specification for the Planning Director; Set Salary at \$60,000 Annually; and Authorize a Recruitment for the Planning Director (Supervisors Balmain and Parker)

BOARD ACTION: Discussion was held and Jeff Green, County Counsel, requested that direction be given relative to the screening process. Board concurred with further reviewing the screening process at the first meeting after the deadline to submit applications. (M)Reilly, (S)Stewart, Res. 99-250 adopted approving the revised class specification and authorizing recruitment for the Planning Director/Ayes: Unanimous.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (County Counsel) (Continued from 8/3/99)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised that it was not necessary to hold a closed session this date.

Board Information and Announcements

- Supervisor Pickard advised that he will meet the new Yosemite National Park designee to handle land use issues on a Park wide basis. He also advised of the status of meetings to resolve the moving of the Seventh Day Adventist Camp and parcel swap with the Park Service.
- Supervisor Balmain commented on his letter to the State Controller relative to the *SMART Task Force Report*. Janet Hogan, County Administrative Officer, also provided input on this matter.
- Janet Hogan advised that the recommended budget for FY 1999-2000 was distributed for review and she is available to answer any questions that arise. She also noted that she will be out of the office on Thursday, Friday and Monday.
- Supervisor Stewart, Apple Peeling Contest Team Captain, reminded the Board members to practice peeling apples for the upcoming contest at the Fair.

CONSENT AGENDA

- CA-1 Resolution Authorizing an Encroachment Permit for the Annual Labor Day Parade and Authorize \$750 Contribution from the Visitors' Bureau Budget for Trophies (Labor Day Parade Committee); Res. 99-247
- CA-2 Resolution Rescinding Bid Award on PWB 99-08 to John Roth Chevrolet for Default and to Authorize Public Works to Rebid New Model Year and Award to Lowest Responsible Bidder (Public Works); Matter was continued to August 17, 1999.

11:40 a.m. Adjournment in memory of Kimbre Arrowsmith and Marc O'Neill.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA AUGUST 17, 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 – none.

Approval of Minutes of 8/3/99 Regular Meeting
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)
BOARD ACTION: (M)Parker, (S)Stewart, all items were approved/Ayes: Unanimous.

Mike Edwards, Public Works Director;

B) Resolution Rescinding Bid Award on PWB 99-08 to John Roth Chevrolet for Default and to Authorize Public Works to Rebid New Model Year and Award to Lowest Responsible Bidder (Continued from 8/10/99)

BOARD ACTION: Discussion was held with Mike Edwards and Marty Allan/Fleet-Fiscal Manager, relative to the bid process for these vehicles. Marty Allan advised that they are reviewing options to the County bid process for automobiles – possibly going out of County and joining with other sales. Matter was continued for further discussion after the following item.

A) Resolution Concurring with Year-End Adjustments to the Fleet Maintenance, Heavy Equipment and Vehicle Replacement Budgets to Balance the Fleet Maintenance Budget (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Mike Edwards concerning the areas of the over-expenditures. Supervisor Pickard expressed concern with the costs of accidents and those caused by carelessness, and he stated he would like to see the Board further discuss department accountability for the cost of accidents as a separate issue.

(M)Reilly, (S)Balmain, Res. 99-252 adopted concurring with year-end adjustments to the Fleet Maintenance, Heavy Equipment and Vehicle Replacement budgets as requested; and Res. 99-253 adopted rescinding bid award on PWB 99-08 to John Roth Chevrolet for default and authorizing Public Works to rebid new model year and award to the lowest responsible bidder. Further discussion was held. Supervisor Balmain stated he feels there are areas for improving employee use of equipment and tire wear. Motion was amended, agreeable with maker and second, to include direction to staff (County Administrative Officer and Personnel Director) to bring back a recommendation for a policy for vehicle safety and standardized disciplinary action for vehicle misuse/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

10:11 a.m. Recess

10:26 a.m. Ed Hardy, consultant, provided a status report on the Mining and Mineral Museum. He advised that they are working to transfer the collection from the State

Department of Conservation to the Department of Parks and Recreation; Directors of the newly formed Fund for the Preservation of the California State Mining & Mineral Museum met with State representatives and they visited the proposed site at the intersection of Highway 140 and Jones Street; and they continue their fundraising efforts. Discussion was held.

Steve Hayes, Visitors' Bureau Director;

A) Resolution Authorizing the Promotional Work Program of the Visitors' Bureau for the First Quarter of Fiscal Year 1999-2000 and Provide Direction Regarding the Ongoing Visitors' Bureau Work Program Development and Approval Process as Outlined

BOARD ACTION: Discussion was held with Steve Hayes relative to the promotional work program and the status of each element of the program. Discussion was also held relative to consideration of more countywide promotion versus focusing on promoting Yosemite. Janet Hogan, County Administrative Officer, suggested that the annual marketing plan include theme information and proposed ad content/copy; and that the Visitors' Bureau and Tourism Advisory Council come back in November with recommendations for the second half of the fiscal year. Supervisor Balmain stated he feels there needs to be flexibility to consider things that come up during the year.

Ed Hardy advised that he sees every community having this type of discussion; and he feels it is important to have consistent advertising and to be committed to a marketing plan. He also stated that he feels the overall campaign should be parallel with Yosemite, as it is successful.

(M)Parker, (S)Balmain, Res. 99-254 adopted authorizing the promotional work program for the first quarter of this fiscal year as proposed, with a change to include information as suggested by the County Administrative Officer in the annual marketing plan/Ayes: Unanimous.

(M)Parker, (S)Balmain, direction was given to staff to continue to work on the following quarter based on the same guidelines as proposed, and to bring back with the cooperation of the Tourism Advisory Council, as soon as possible, the overall program for the balance of this fiscal year/Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly.

B) Approve the Report of the Visitors' Bureau Regarding the Advertising Program for 1998-99 Fiscal Year

BOARD ACTION: Matter was continued to September 7, 1999, at 2:00 p.m., with the events policy to be scheduled at the same time.

Steve Hayes advised that there may be issues to resolve relative to the Courthouse tour program if the Sund/Pelosso trial is held here. He will discuss this matter with the County Administrative Officer.

12:12 p.m. Lunch

2:05 p.m. Chairman Pickard introduced Alex Conway and advised that he is present to observe the meeting as a part of earning his Boy Scouts Merit Badge.

Sarah Williams, Interim Planning Director;

Resolution Approving Agreement Requested by Jack Andrews to Allow a Residential Structure to Remain in the Zoning Ordinance Front Yard Setback Area; APN 014-150-036 (Blackberry Creek Road) with the Following Conditions:

- Direct County Counsel to Prepare Agreement
- Authorize the Chairman of the Board of Supervisors to Execute the Agreement on the County's Behalf (Supervisor Parker)

BOARD ACTION: Sarah Williams presented the staff report, and she responded to questions from the Board relative to status of compliance with the septic tank system; dates of the construction on the residential structure and when the County became involved; status of tax assessments and delinquent fees and building permit fees and penalties; and size of the parcel. Gary Estep, Assessor, responded to questions relative to the status of tax assessments and delinquent fees, and he advised that the new structure would be assessed and that value added to the existing parcel. Staff responded to additional questions from the Board relative to the amount the house is encroaching into the setback area and the location of the other residence on the parcel in relation to the subject residence.

Input from the public was provided by the following:

Eric Andrews thanked the Board for hearing his request; cited reasons for front yard setbacks and stated his residence is more than 55 feet from the existing road and at the present time he is at the very end of the road; stated he is agreeable with the proposed agreement; and he advised that they tried to work out a lot line adjustment with the neighboring property owner and they contacted house movers and neither option was financially possible. He stated he feels it would result in a severe punishment if he is required to tear his house down to accommodate the possible construction of a road which may never occur. He further stated he does not feel that it would be precedent setting to sign an agreement because most people would not want to go through this process with the proposed conditions.

Jack Andrews commented on why the home was constructed, and advised that in the beginning they just had enough funds to construct a tent structure. He stated they called the Building Department prior to siting the tent structure to determine how far it needed to be from the property boundary. He feels everything was okay until a neighbor complained. He stated they did not take out a building permit because they did not have the funds; they borrowed funds for the structure and traded work to improve it. He stated it is a nice home now. They never intended to avoid the permit process because they knew that P.G. & E. would not connect power without a permit. He stated they did not have room in their house for Eric and his son to continue to reside with them, and now their daughter and her son lives with them. They are trying to make sure that their family functions and it creates a financial hardship. He noted that Eric has health problems that does not allow him to work. He also advised that the road was built to conform to the terrain versus the easement, as has occurred with other roads. He stated they do not feel that they are impacting anyone. He responded to questions from the Board relative to the status of power to the structure, when the tent structure was erected, and when the permanent structure was built.

Mike Noriega, neighboring property owner, representing John Alger – Trustee for their property, asked to be able to rebut at the end of the hearing if the applicants are allowed to speak again and bring up anything new. He stated he agrees with the Board's last action and he feels it was the right thing to do. He stated he feels the County has put him in the position of being the primary opponent in this matter. He feels the material in the agenda package makes this matter clear. He noted that a quarter of the property owners in the area are absentee owners and have their trust in the County to protect their interests while they are away. He stated he feels that centerline of the easement is not the centerline of the road and that the road will be developed in the future. It is the primary entrance to a large developable parcel owned by Mr. Von DerAhe. He stated they have an improved site for a barn and a permit to construct which will need to be moved if they negotiate a lot line adjustment, and he does not feel that the Andrews had a serious offer for the lot line adjustment. He also noted that Eric Andrews has not moved out of the structure as previously requested by County Counsel. The septic system is in; however, the power connection does not meet code, and they have had plenty of time to come into compliance with the code. He requested that screening (landscape buffer) be included in the conditions. He responded to questions from the Board as to when he applied for a

building permit for his barn; proposed location of the barn and his residence. Mr. Noriega further commented that he feels it is important to protect the character of the community. He feels the Andrews have broken the law and the County is considering entering into an agreement with them, and he asked how that will be enforced. He further asked about the status of the proposed addition to the residence and the condition to add the shear for structural integrity. He stated if the agreement is approved, it should be extended to others in the same situation and that this establishes a precedent for others to build in a similar situation. He asked about future liability for the County if the structure needs to be moved. He feels the law should allow for the tax assessments to go back to the time when the construction occurred. He presented the scenario of a child needing a jacket and the family justifying the child taking the jacket from the store because they could not afford to pay for it, and he stated he feels that is similar to what is occurring in this situation. He presented three letters supporting his position, and he urged the Board to not allow this second request for an agreement.

Bryce Johnson, neighboring property owner to the Noriega's, stated they have lived in the area for fifteen years and the Andrews have been outstanding neighbors. He stated the structure in question is beautiful and well-made and he does not find it objectionable. There is plenty of room, and he stated he appreciates the Board's fairness in dealing with this issue.

There was no further public input. Discussion was held by the Board. Supervisor Parker referred to information he requested from the Planning Department relative to the status of the building permit fees and penalties, and information from the Assessor relative to tax assessments and delinquent fees. Jeff Green, County Counsel, responded to questions from the Board relative to the whether the nine-foot encroachment into the setback affects the Noriega property, whether he could still build his barn as proposed, and relative to enforcement of the agreement with the Andrews.

Mr. Noriega asked to be able to speak again, and he was advised that there was ample opportunity given for public comment.

The Board continued with its discussion. Staff responded to additional questions from the Board relative to the condition to add the shear with the rectangular addition to the structure, and what would happen if the addition is not built; the existing size of the structure and the proposed size; and whether any other fees are involved for the permit. Jeff Green responded to additional questions and advised that the structure is not causing any damage that the setback code was adopted to avoid. Gary Estep responded to a question from the Board relative to the amount of back taxes and delinquent fees that are due.

(M)Parker, (S)Reilly, Res. 99-255 adopted approving the property owner's request to execute an agreement with the County, with the conditions as recommended by staff; with all applicable permits to be obtained and appropriate fees and penalties to be paid; and with direction for the Assessor to work with County Counsel and the property owner to establish the amount of taxes that are due and past due, with all of the assessments and delinquent fees to be paid. Staff responded to questions from the Board relative to the status of occupancy of the structure, whether the agreement can be made exclusive with the Andrews versus with the property, and relative to the timeframes for compliance. Motion clarified to include direction that the agreement will run with the property and for County Counsel to work with staff on appropriate language to ensure that the structure will be moved should that become necessary in the future, and direction was given for the agreement to be brought back to the Board for approval on September 14, 1999, with recommendation for timeframes for compliance/Ayes: Reilly, Balmain, Parker, Pickard; Noes: Stewart.

3:47 p.m. Supervisor Reilly was excused for the rest of the meeting, and the Board recessed.

4:03 p.m. Board Information and Announcements

- Supervisor Pickard advised that he plans to attend the RCRC meeting on Wednesday and Thursday; and that a HiCAP representative from the State will be in the County trying to help with the HMO issue on September 8 and 9th - information will be included in the newspaper on times and locations.
- Supervisor Balmain advised that he received a proposal from the SMART Task Force and has distributed copies to the Board members and County Administrative Officer, and he would like input on the document.
- Supervisor Stewart advised that the memorial service for Frances Binning is scheduled for Saturday at 11:00 a.m. at McCay Hall.
- Janet Hogan, County Administrative Officer, advised that CDF has scheduled a control burn near Coulterville on August 25th and Board members are invited to be present.
- Supervisor Parker advised that he plans to attend the Mountain County EMSA meeting in Alpine County on Wednesday.
- Supervisor Stewart reminded the Board members to practice peeling their apples for the upcoming apple peeling contest with the Fair Board members.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (County Counsel) (Continued from 8/10/99)
BOARD ACTION: Matter was continued to August 24, 1999.

CONSENT AGENDA

- CA-1 Resolution Authorizing Chairman to Sign the 1999-2000 Nursery Inspection Agreement No. 99-0230 with the California Department of Food and Agriculture (Ag); Res. 99-251
- CA-2 Appoint Daniel Marszalek to the Coulterville Service Area 1 Advisory Board (Supervisor Balmain)

4:12 p.m. Adjournment in memory of Frances Binning, Emilia Costa, and Earle Jorgensen, Sr.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA AUGUST 24, 1999



<u>Time</u>	<u>Description</u>
9:04 a.m.	Meeting Called to Order Pledge of Allegiance Introductions

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

Supervisor Stewart advised that he has an off-agenda item relative to encroachment permits from CalTrans for parades that he would like to discuss with the Board around 10:00 a.m. when representatives of CalTrans and the upcoming Labor Day Parade Committee can be present.

Approval of Minutes of 8/10/99 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain pulled item 3. (M)Balmain, (S)Parker, balance of the items were approved/Ayes: Unanimous. Following discussion, (M)Balmain, (S)Parker, item 3 was approved, with change in the agreement/Ayes: Unanimous.

Gwen Nitta, Program Manager, Mother Lode Job Training;
Presentation Relative to the Activities Taking Place in the Workforce Investment System and Resolution Supporting Mother Lode Job Training (MLJT) in the Transition to Develop the One-Stop System through the Workforce Investment Act

BOARD ACTION: Gwen Nitta introduced Woody Smallwood/Executive Director in the Sonora Office; Candace Katosic/Program Director in the Sonora Office; and Sherry Gamble/Program Assistant in the Mariposa Office. Gwen gave a power point presentation on the transition from the Job Training Partnership Act to the Workforce Investment Act. Discussion was held relative to the changes. (M)Stewart, (S)Parker, Res. 99-259 adopted supporting the MLJT Agency and its Board of Directors in the development of an integrated workforce development system, to be funded under the Workforce Investment Act of 1998; and recognizing MLTJ as the appropriate agency to establish and operate the One Stop Career Center, in partnership with other workforce investment agencies as required under the Workforce Investment Act, within the County of Mariposa. Motion was amended, agreeable with maker and second, to include recognition for establishment and operation of the One Stop Career Center on an interim basis until approval by the State of the Workforce Investment Areas/Ayes: Unanimous

The Public Hearing to reaffirm the current fee structure for County Service Area and Special District Services was opened and continued to after the following items

9:51 a.m. Recess

10:02 a.m. Pelk Richards, Sheriff;

A) Resolution Authorizing Chairman to Sign the Contract with John C. Fremont Hospital for Dietary Services for the County Jail for the Period of September 1, 1999 to June 30, 2000; and

B) Resolution Authorizing Chairman to Sign Contract with John C. Fremont Hospital

for Medical Treatment at the County Jail for the Budget Year 1999-2000

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 99-260 adopted authorizing Chairman to sign the contract for dietary services; and Res. 99-261 adopted authorizing Chairman to sign the contract for medical treatment/Ayes: Unanimous.

Supervisor Stewart advised that George Gordo/Labor Day Parade Chair, and Steve Waldron/CalTrans Permit Engineer, were present for discussion relative to encroachment permit requirements for parades. Steve Waldron advised of changes in the requirements: he advised that they will waive the permit fee since the parade falls on a recognized State holiday; and he advised of the change in the insurance requirement to five million dollars; however, they will accept a letter explaining the hardship for the organization and reduce the amount of insurance to two million dollars for the rest of this year only. George Gordo provided input relative to the insurance issue.

10:29 a.m. Mike Edwards, Public Works Director;

A) PUBLIC HEARING and Resolution Reaffirming the Current Fee Structure Charged for County Service Area (CSA) and Special District Services Including Water, Sewer, Standby Fees, Fire Protection and Road Maintenance and County Zones of Benefits

BOARD ACTION: Mike Edwards presented the staff report, and he advised that the Coulterville County Service Area water and sewer fees will come back as a separate hearing, along with the reaffirmation of the Wawona County Service Area fees for solid waste collection. Staff responded to questions from the Board clarifying the number of parcels within the Broncho Hollow Lane Zone of Benefit; and relative to changes in costs to the remaining parcels served by a zone if a parcel is removed.

Public portion of the hearing was opened. There was no public input. Public portion of the hearing was closed and the Board commenced with deliberation. (M)Balmain, (S)Stewart, Res. 99-262 adopted reaffirming the current fee structure as recommended/Ayes: Unanimous. Hearing was closed.

B) Resolution Approving and Authorization for the Public Works Director to execute an Agreement with Integrated Recycling, Inc., to Perform a Waste Characterization Study at the Mariposa County Landfill

BOARD ACTION: Discussion was held and Mike Edwards noted that there were changes to the agreement. Discussion was held relative to the proposed study; the status of obtaining a financial analysis for the co-composting project; relative to the status of meeting the 50% solid waste reduction requirements at the landfill; and relative to the status of reaching a franchise agreement with the waste hauler. (M)Parker, (S)Balmain, Res. 99-263 adopted approving the agreement as requested. Further discussion was held. Ayes: Unanimous. Board concurred with giving direction to staff to schedule an administrative practice session to discuss solid waste issues, including results of the waste characterization study, the solid waste reduction requirements, and options to move the process along expeditiously.

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: Matter was continued to September 7, 1999.

CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (County Counsel) (Continued from 8/17/99)

BOARD ACTION: Matter was continued to September 7, 1999.

11:40 a.m. Recess

11:54 a.m. Response to the 1998-1999 Mariposa County Grand Jury Final Report (Administration)

BOARD ACTION: Janet Hogan, County Administrative Officer, advised of corrections to the response to reflect the receipt of the audit report and to correct a typographical error. Discussion was held. Supervisor Parker requested that the Board members receive a copy of future Grand Jury reports as soon as they are released. Supervisor Parker requested that the response include a note that the County does not have any oversight over the Hospital. Janet Hogan advised that she would ask Public Works to provide information to the Board on the advertising and responses for the zone of benefit program. (M)Parker, (S)Balmain, Res. 99-264 adopted approving the response, with changes as discussed/Ayes: Unanimous.

Resolution Revising the Class Specification for Chief Probation Officer and Authorizing a Recruitment to Fill the Vacancy (Personnel)

BOARD ACTION: Following discussion, (M)Parker, (S)Balmain, Res. 99-265 adopted/Ayes: Unanimous.

Supervisor Parker suggested the new permit requirements being imposed by CalTrans for parades be added to the County's legislative platform, especially in regard to the insurance requirements – Board concurred.

Board Information and Announcements

- Supervisor Pickard advised that several issues, including Y2K and HMO coverage, were discussed at the RCRC meeting last week. He also noted that there was discussion relative to changing the RCRC meetings to consider adding themes and guest speakers – there is a survey being sent to Board members to determine their interest.
- Supervisor Balmain commented on the status of the Pilot Fire in Tuolumne County. He advised that there is a workshop on the Sierra-Nevada Conservation Framework at UC Davis this week, and he will be unable to attend, but will send a letter with his comments.
- Supervisor Parker advised that he attended the Mountain Valley EMSA meeting, and he noted that Phil Whitson is resigning as liaison and interviews have been held to fill the position.

CONSENT AGENDA

- CA-1 Resolution Accepting the 1997-1998 Countywide Audit Prepared by Vargas, Lopez and Company (Auditor); Res. 99-256
- CA-2 Reappoint William Bondshu to the Regional Advisory Committee (RAC) Serving the Mountain Valley EMS Agency (Supervisor Parker)
- CA-3 Resolution Authorizing Chairman to Sign the Hold Harmless Agreement Between the Regents of the University of California and Mariposa County for Mariposa 4-H Clubs to Use County Facilities for the Purpose of Conducting 4-H Projects and Activities (Farm); Res. 99-258, with correction in the agreement
- CA-4 Resolution Authorizing the Health Officer to Submit Proposal from Indian Health Clinic to the State for CMSP One Time Grant Funding (Health); Res. 99-257

CA-5 Approve Letter of Appreciation to Ian Holser for Achieving Eagle Rank
(Supervisor Reilly)

12:20 p.m. Adjournment in memory of Nevada Haag, Freda Miller, Olive Anderson,
Vernon Plott, Margaret Ann “Granny” Burns, and Hailey Phillips.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA SEPTEMBER 7, 1999



Time Description

9:12 a.m. Meeting Called to Order with Supervisor Reilly excused due to illness to arrive later for a portion of the meeting.

Pledge of Allegiance
Introductions

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

- Sally Wallace was present with her sister Joanne Calhoun and advised that they are the owners of the Macready Ranch. She expressed concern with the noticing for the proposed Triangle Road bridge at Snow Creek and requested information on the noticing that was provided. She asked for information on the improvements that are proposed, and she stated she feels there are other areas in the County where improvements are needed. She stated that she feels improvements to the bridge and its approach will result in traffic traveling at a higher speed and more accidents. She feels the improvements will impact the wildlife and the natural beauty of the land, and the cattle grazing. She further advised of their efforts to maintain the ranch in its natural state. She further stated she feels the traffic counts were taken during the Highway 49 South improvement project and they are higher than normal. Chairman Pickard advised that these comments relate to the bridge matter which is scheduled on the agenda later this morning; however, Sally was unable to be present later this date to provide input.
- Dick Kunstman stated he feels that for the County to proceed with the bridge at Snow Creek against the property owners wishes, it would constitute a taking of private property.
- Supervisor Stewart commended the Board members for winning the apple peeling contest against the Fair Board members during the County Fair.
- Supervisor Stewart advised of an off-agenda request to recognize Abbey Edwards for the mural at the corner of Highway 140 and 49 North. (M)Stewart, (S)Balmain, 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 a dedication ceremony is planned to occur prior to the next Board meeting/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. (M)Stewart, (S)Parker, Board approved the presentation of a Certificate of Appreciation to Abbey Edwards for the mural/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.
- Chairman Pickard advised that the Board members and staff purchased the Reserve Grand Champion duck at the Junior Livestock Auction at the County Fair.

Approval of Minutes of 8/17/99 and 8/24/99 Regular Meetings

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Pickard pulled item 6. Supervisor Stewart pulled item 3. Action was taken on these items later this date. (M)Parker, (S)Balmain, balance of the items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Dr. Mosher, Health Officer;

Discussion and Possible Direction to Staff Regarding Further Activities Toward

Implementation of the CUPA Program

BOARD ACTION: Discussion was held relative to the CUPA program. Supervisor Pickard requested a copy of the letter from the State extending authorization for the County to continue to operate the program to June, 2000. Board concurred with staff's recommendations for a meeting with the regulated businesses, with a representative from the State to be invited to attend to field questions, and for the RCRC JPA to be further investigated.

9:44 a.m. Recess

9:56 a.m. Mike Edwards, Public Works Director;

A) Resolution Approving Funding and Authorizing the Public Works Director to Award a Contract for the Sale of the Historic Gimblin House to be Moved at the County's Expense (\$12,000) to a Site within the Mariposa Town Historic District and to Demolish the Water Tower

BOARD ACTION: Discussion was held relative to the request and options. (M)Parker, (S)Balmain, Res. 99-270 adopted approving funding and authorizing Public Works Director to award a contract for the sale of the historic Gimblin house to be moved at County expense to a site within the Mariposa Town Historic District. Motion was amended, agreeable with maker and second, to include direction for the water tower to be demolished to make room for the library project/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Further discussion to be held on September 14, 1999, if there are no acceptable bids.

B) Resolution Authorizing the Purchase of Real Property in the Town of Mount Bullion from James G. Musick and Joyce N. Musick, for the Purchase Price of \$60,500; Authorize Chairman to Sign Agreement for Purchase and Sale of Real Property; Direct Auditor to Issue a Check to the Mariposa County Title Company; Direct the Escrow to be Closed as Soon as Possible; and Authorize the Public Works Director to Provide Renter Relocation Assistance as Required and Funded Through the FAA Grant

BOARD ACTION: (M)Parker, (S)Stewart, Res. 99-271 adopted approving recommended actions, with correction of typographical error in the agreement/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

C) Resolution Authorizing the Director of Public Works to Sign and Execute Property-Related Agreements Associated with the Airport Construction Projects

BOARD ACTION: (M)Balmain, (S)Parker, Res. 99-272 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

D) Direction to Continue with the Design and Construction of the Proposed Triangle Road Bridge at Snow Creek

BOARD ACTION: Discussion was held relative to the proposed project. Mike Edwards advised that this is a safety project being funded by the Federal Bridge Replacement Program. He further commented on the public notification process for the project and of the contact with the property owners. He stated there are safety concerns with the existing bridge and it is functionally obsolete. Dave Tucker/PWD-Engineer, commented on the ability to transfer the funding for this project to another project in the County.

Input from the public was provided by the following:

Bart Brown expressed concern with the bridge being more dangerous if the road is straightened out, due to the ice and increased speeds. He commented on his monitoring of the traffic in the area one evening. He asked about scoping requirements under the CEQA process. He further stated that he feels that if Triangle Road is improved in its entirety, that would be different than improving a small portion.

Yvonne Bennett stated she is happy to hear that the funds can be transferred to another project, and she noted there are improvement projects on the Northside of the County.

Further discussion was held relative to the proposed project, traffic counts, using the environmental studies for future consideration of the project, and options for traffic control – stop signs at each end of the bridge or one-way traffic signs for the bridge. Staff provided input relative to the environmental process and status of funding for these types of projects.

(M)Parker, (S)Balmain, Res. 99-273 adopted directing that the project not go forward at this time. Motion was amended, agreeable with maker and second, to include direction for staff to try to capture the funds and efforts spent thus far on the project/Ayes: Balmain, Stewart, Parker; Noes: Pickard; Excused: Reilly. Further direction was given to staff to review sign options for the bridge and report back to the Board.

10:55 a.m. Recess

11:10 a.m. Board reconvened with all members present.

Sarah Williams, Interim Planning Director;

A) Require the Preparation of an Environmental Impact Report for the Silvertip Resort Village Project (SP/ZA #99-1, CUP #267, and LDA #1511), PacificUS, Applicant; Authorize the Planning Director to Solicit Proposals from Outside Consultants to Prepare the Environmental Impact Report; and Execute an Agreement for Preparation of the EIR

BOARD ACTION: Discussion was held with Sarah Williams and Jay Pawlek, Senior Planner. Dick Kunstman asked about the scoping process and whether that is required by CEQA. (M)Reilly, (S)Stewart, Res. 99-274 adopted requiring the preparation of an environmental impact report (EIR) for the project, with the finding as presented by staff; and authorizing Planning Director to solicit proposals from outside consultants to prepare the EIR and execute an agreement for the preparation of the EIR/Ayes: Unanimous.

B) Require the Preparation of an Environmental Impact Report for General Plan/Zoning Amendment No. 94-2, Yosemite West Associates, Applicant; Authorize the Planning Director to Solicit Proposals from Outside Consultants to Prepare the Environmental Impact Report and Execute an Agreement for Preparation of the EIR

BOARD ACTION: Discussion was held with Sarah Williams and Jay Pawlek, Senior Planner.

Bob Borchard, consultant for the applicant, presented his letter with questions relative to the environmental review and scoping process, and advised that he is resigning from the project after today. Discussion was held relative to processing for this project. Bob Borchard advised that he feels there are three options for this site: 1) look at a comprehensive approach for use of the site, including housing alternatives relative to the Valley Implementation Plan, with the County and the Park Service as a partner; 2) proceed with the application for Commercial Resort zoning; or 3) stay with the existing zoning for housing development. Further discussion was held.

(M)Parker, (S)Stewart, Res. 99-275 adopted requiring the preparation of an environmental impact report (EIR) for the project, with the findings as presented by staff; and authorizing Planning Director to solicit proposals from outside consultants to prepare the EIR and execute an agreement for the preparation of the EIR. Further discussion was held relative to processing the Notice of Preparation document. Ayes: Reilly, Stewart, Parker; Abstained: Balmain, Pickard. Jay Pawlek reviewed the process for the project.

C) Appoint Sarah Williams to Represent Mariposa County and Participate in the University Community Interagency Coordinating Committee

BOARD ACTION: Following discussion, (M)Stewart, (S)Reilly, Sarah Williams was appointed to represent the County as recommended/Ayes: Unanimous.

12:48 p.m. Lunch

2:10 p.m. Board reconvened with Supervisor Reilly excused for the rest of the meeting.

Steve Hayes, Visitors' Bureau Director;

A) Review and Adopt the Proposed Event Policy Statement and Provide Direction for the Procedure Development Phase of Event Promotion Advertising Funding

BOARD ACTION: Discussion was held with Steve Hayes. Further discussion was continued for the following matter.

Nita Vigil, 4-H member, presented the Board members with a thank-you gift for purchasing her duck at the Junior Livestock Auction.

Further discussion was held on the proposed event policy statement and the procedure development phase of the event promotion advertising funding and the questions raised by the Visitors' Bureau Director. (M)Balmain, (S)Stewart, Res. 99-276 adopted approving the Event Policy Statement/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. The Board's subcommittee to work with staff (County Counsel and County Administrative Officer) and the Visitors' Bureau Director to come back with more specific guidelines for the event promotion advertising funding.

B) Resolution Accepting Report of the Mariposa County Visitors' Bureau Regarding the Advertising Program for the 1998-99 Fiscal Year (Continued from 8/17/99)

BOARD ACTION: Steve Hayes gave a presentation regarding the advertising program, and discussion was held.

Input from the public was provided by the following:

Barry Brouillette, representing Yosemite Motels, advised that they do not have a formal evaluation for just their advertising program, but consider their whole business program.

Joan Gloor, Mariposa Lodge, advised that they are nine percent lower than in 1995; and in past years during disasters, without the Visitors' Bureau, they have been off by twenty-five percent. She feels the Visitors' Bureau is doing a wonderful job; and following their radio advertising, they have increased calls.

Barry Brouillette suggested that an outside consultant be used to conduct periodic evaluations and make suggestions for the program.

Candy O'Donel-Browne, KOA owner, advised that they benefit by the Visitors' Bureau advertising. She feels the Visitors' Bureau has been good for business.

Direction was given for the Board's subcommittee to work with staff and bring back recommendations relative to measurement devices, acceptable return on investment goals, and development of cost estimates for a conversion study that would effectively monitor progress.

Resolution Authorizing Chairman to Execute a Legal Services Agreement with Thomas Mills, David Smothers, and Gary Collings for Indigent Defense Services (County Counsel)

BOARD ACTION: Matter was continued to September 14, 1999.

Consent Agenda item 6 – Discussion was held. (M)Balmain, (S)Stewart, item 6 was approved with revisions to the letter as discussed/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

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

Board Information and Announcements

- Supervisor Balmain reported on the recent fire in the Coulterville area.

4:09 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) (Continued from 8/24/99); and CLOSED SESSION Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (County Counsel) (Continued from 8/24/99)

BOARD ACTION: (M)Parker, (S)Balmain, closed sessions were held, with action to be reported at the next meeting/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

INFORMATION – No Action was Necessary for the Following:
Information Hearing Schedule (Board Clerk)

CONSENT AGENDA

- CA-1 Resolution Authorizing the Chairman to Sign an Administrative Match Agreement with Area 12 Agency on Aging for the 1999/2000 Fiscal Year (Supervisor Pickard); Res. 99-266
- CA-2 Resolution Approving Participation in the California State Association of Counties (CSAC) Excess Insurance Authority's New Property Program (County Counsel); Res. 99-267
- CA-3 Resolution Approving Agreement with Election Systems and Software, Inc. Election Management Software Group for the Signature and Petition Management Module and Authorize the Chairman to Sign the Agreement (County Clerk/Elections); Res. 99-278
- CA-4 Resolution Approving the Following Winter Schedule (September-June) at the Bassett Memorial Library in Wawona:
 - Monday 10:00 a.m. - 12:00 p.m.
 - Tuesday 4:30 p.m. - 6:30 p.m.
 - Thursday 4:30 p.m. - 6:30 p.m.
 - Saturday 10:00 a.m. - 2:00 p.m. (Library); Res. 99-268
- CA-5 Resolution Authorizing Public Works Director to Execute Program Supplement Agreement No. 003-M for Replacing Sign Posts with Breakaway Posts in Various Locations within Mariposa County (Public Works); Res. 99-269
- CA-6 Resolution Authorizing Chairman to Sign a Letter Commenting on the Christmas Tree Proposal to the U.S. Forest Service Supervisor of the Stanislaus National Forest (Supervisor Pickard); Res. 99-277

4:36 p.m. Adjournment in memory of Mary Talley, Raymond Morrow, Theodore Trujillo, and Adrianne McDonald.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA SEPTEMBER 14, 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
- Supervisor Stewart introduced his father-in-law, Sid Dukelow.

Approval of Consent Agenda (See End of Minutes)

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

Jan Mennig, Chamber of Commerce;

Presentation by Chamber of Commerce and Representatives of the Rural Challenge Grant Project Regarding Displaying Two Murals at the Library

BOARD ACTION: Jan Mennig, Chamber of Commerce Executive Director, advised that the students at the Mariposa Middle School painted two murals of wildflowers and butterflies for the new County library. Debbie Freitas, Rural Challenge Coordinator, provided input relative to the grant and this art project. Judy Eppler, Mariposa Middle School Principal, expressed appreciation to the students and staff at the Middle School for their enthusiasm and efforts with this project. Caro Medeghini, Mariposa Middle School art teacher, commented on their art program and asked the Board to accept the two murals for new County library. Chair Pickard thanked the School staff and the Chamber for bringing this project to the Board.

Chair Pickard announced that direction was given to staff as a result of the Closed Session on September 7, 1999, relative to anticipated litigation and labor negotiations with SEIU.

Mike Edwards, Public Works Director;

A) Consider Commitment to Reimburse a Private Party for a Portion of Costs on a Privately Constructed Bridge Across Mariposa Creek from Joe Howard Street to Antone Road (\$10,000)

BOARD ACTION: Discussion was held. (M)Reilly, (S)Stewart, Res. 99-282 adopted committing \$10,000 toward the cost of this project. Motion was amended, agreeable with maker and second, to include direction for the source of the funding to be determined during the final budget hearings/Ayes: Unanimous.

B) Resolution Approving and Authorizing the Purchase of a Pollution Liability Insurance Policy from the Robert Driver Co., Inc. and Commit Funding (\$46,509)

BOARD ACTION: Discussion was held. (M)Balmain, (S)Stewart, Res. 99-283 adopted with the source of the funding to be from the General Fund. Further discussion was held, and Supervisor Parker requested that the source of funding be further considered in the future. Ayes: Unanimous.

C) Consider Options Regarding Gimblin House if no Adequate Bids are Received (No Folder)

BOARD ACTION: Mike Edwards advised that one bid was received from Wade Larsen and a letter of interest was received from the Sierra Artist Gallery. Discussion was held relative to the bid and its condition in regard to resolving an IRS lien on the parcel being

purchased by Mr. Larsen through the tax-default auction, located on Jones Street between 13th and the Masonic Hall. Supervisor Parker initiated discussion relative to the intent of the Sierra Artist Gallery to move the house to the County-owned parcel on Stroming Road and refurbish it for use as their gallery. (M)Parker, (S)Balmain, to reject Larsen's bid and direct Public Works to enter into negotiations with the Sierra Artist Gallery, was withdrawn following further discussion. Board members requested more information on the proposed offer and bid. Supervisor Parker advised that he would obtain more information in regard to the proposal by the Sierra Artist Gallery. Jeff Green, County Counsel, advised that more information would be known relative to the status of the IRS lien on Friday. Matter was continued to September 21, 1999.

10:07 a.m. Recess

10:21 a.m. Christine Johnson, District Attorney;

Multi-agency Presentation Concerning the Mariposa County Drug Court Program

BOARD ACTION: A presentation on the Mariposa County Drug Court Program was given by the following:

Fabrice Desbrosses, Deputy District Attorney, provided input on the drug problems and caseload in the County.

Beverly Nowlin, Yosemite Drug Court and representing the alcohol and drug services of Mariposa County, advised that Steve Emmers will be the program manager. She stated she is very supportive of the program for early intervention and stated she feels they have an 80% success rate in the Yosemite Court.

Pelk Richards, Sheriff, advised that the Courts would like to proceed with this program with a grace period for the Chief Probation Officer position to be filled.

Fabrice Desbrosses responded to questions and provided additional input relative to the Drug Court process.

Further discussion was continued for the following hearing to be opened.

10:36 a.m. Public Hearing to consider appeal of Planning Commission's approval of Variance #99-1 was opened and continued until after the following items.

Further discussion was held relative to the Drug Court program, staffing and costs.

Gail Neal, Interim County Chief Probation Officer;

Resolution Authorizing Ratification of California Drug Court Project Mini Grant

BOARD ACTION: Discussion was held with Gail Neal. Janet Hogan, County Administrative Officer, advised that the class specification for the probation aide position will be presented to the Board at a later date for adoption. Pelk Richards, Sheriff, provided input relative to the OCJP grant and this grant request. (M)Reilly, (S)Stewart, Res. 99-284 adopted/Ayes: Unanimous.

10:50 a.m. Recess

11:00 a.m. Sarah Williams, Interim Planning Director;

PUBLIC HEARING to Consider Appeal #99-5; Appeal of Planning Commission's Approval of Variance #99-1, a Variance to the Sign Standards of the Neighborhood Commercial-2 Zone; (Mariposans for Environmentally Responsible Growth and Richard W. Kunstman, Appellants; Bob Willis, dab Woodland Market, Applicant)

BOARD ACTION: Chair Pickard explained the hearing process, and responded to a question from Bart Brown relative to the process.

Sarah Williams presented the staff report, reviewed the action taken by the Planning Commission and the issues raised in the appeal. She presented slides of the proposed project site and surrounding area reflecting a simulation of the proposed pole sign with

the use of a ladder truck from MPUD. The demonstration showed what the visibility of the proposed pole sign would be from various locations. Sarah reviewed the findings that would be required to support the variance, and she reviewed the options the Board has for taking action on this matter. She also noted that a lot of correspondence was received and distributed to the Board on this matter.

Staff responded to questions from the Board relative to the sign standards, including what portion of the requested project is allowed and what portion falls under the variance request; how the logo and gasoline pricing information is counted in the square footage of allowable sign space; and relative to staff's recommendation to the Planning Commission.

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

Bart Brown, appellant, thanked the Planning Department for their efforts with the demonstration to give visual impacts of the pole sign and canopy signs, and he stated his presentation today is based on what the Planning Commission approved. He reviewed his appeal and expressed concern with the impacts the variance has to the intent of the regulations in the sign ordinance. He further stated that if the property is divided in the future, approval would allow for additional signs. He reviewed each of the seven findings that need to be made, and stated he feels that approval of this variance will set a precedent, and he urged the Board to deny the variance and uphold the appeal. He stated he feels there are other options, and stated he feels that the petition signed by people in support of the project shows support for the business without the need for large signs. He noted that they contacted Texaco officials and were advised that they have no requirement for signing beyond what is allowed in the County's regulations. He feels what is allowed is sufficient, and that trimming of the foliage under the CalTrans improvement project would be helpful. He stated that he feels a simple solution would be to add the Texaco logo to the CalTrans informational sign on the highway. He also suggested that advertising in the local shoppers and newspapers, and coupon advertising at the local establishments, may be helpful to promote the business.

Dick Kunstman, appellant, presented a video of the simulated sign demonstration. He stated he does not feel that the proposed pole sign will provide that much information to the travelers along Highway 49, and he feels the sign intrudes on the scenic view. He stated he was a member of the citizens committee that worked on Title 17 and they received a lot of input from people in the community – it was repeated frequently that we do not want Mariposa to look like Oakhurst. He feels approval of the sign will open the door to "Oakhurstization" of Mariposa, and he finds the proposed sign aesthetically displeasing. He referred to a statement in the applicant's letter that he would open the station 24 hours a day if the regular customers request the additional service, and he stated the Planning Commission allowed for the sign to be lit 24 hours in its action. He also stated that he does not feel that the interpretation of the sign regulations that a state highway is a major road is correct, or they would have added "state highway" to the code language.

Bob Willis, applicant, advised that the property has been in foreclosure, and that he is willing to move the sign, but he is required to have gasoline pricing information. He expressed frustration with the process and opposition to his request.

11:56 a.m. Recess for lunch

1:05 p.m. Bob Willis continued with his presentation. He stated his business serves the residents of the community and the traffic of the County, including the tourist traffic that has been using Highway 49 during the closure periods of Highway 140 to Yosemite. He stated he appreciates staff's time in this process and supports their findings. He further noted that his business supports the community. He stated he feels the lights at Woodland School are brighter than his would be. He was given the option of having the lights lit 24 hours, and he does not plan to do that. He would only leave the lights under

the canopy on if he stays open for longer hours. He commented on how low the business sits below the highway, and he stated they need the Texaco sign to identify the brand of gasoline that is available. He advised that when he contacted CalTrans, he was advised that the State does not allow the logos on their informational signs, only on major freeway thoroughfares. He feels the pole sign will give clear and advance notification of the availability of gasoline at that location. He stated his customers like the sign proposal. He stated with the conditions of the Small Business Administration loan that he is obtaining, he will be unable to divide the property, and it is a 25 year loan. The variance is being requested because of the grade of the highway being above his business, and the pole sign would not be seen under the allowable sign height regulations. He further advised that his business was forced into foreclosure due to the loss of sales of gasoline while trying to meet the tank regulation requirements, and he has obtained a loan to pull the property out of foreclosure and he needs all of the business he can get to service the loan. He further noted that the tanks he replaced were in very good condition and could have lasted many more years. In reading the letters that have been submitted, he feels the issue is more than just a sign – it is an effort to block business and expansion. If this keeps occurring, people will keep going to Oakhurst to shop. He feels we need projects that can be approved here to keep people here and to have jobs. He requested that MERG publish and disclose their agenda and what they stand for – he feels that they are negative. He noted that he has suggestions for economic development for the County which he will share at a later time.

Craig Lincoln, Texaco Wholesale Fuels Distributor, presented information from Zimmerman Sign Company on the lighting for the proposed pole sign, including photographs taken of a similar sign that was installed in Bakersfield. He advised that the signage will be necessary for the business to be successful in increasing business to pay for the tank replacement project. He gave a demonstration on foot candle light readings. He responded to questions from the Board relative to location of the fuel pricing information on the pole sign; whether Texaco is requiring the pole sign, and comparison of the size of the proposed sign to other signs in neighboring counties.

Jack Wilkensen, Wilson Signs of Fresno, stated he feels Planning did a good job. He feels the signing is a safety issue – it will alert travelers that there is a clean and safe business ahead, and he feels this will increase property values in the area. Signage is important to any business and it needs to be readable. He stated he does not feel that this sign will take away from the beauty of the area. He responded to a question from the Board relative to the comparison of the size of the proposed sign to other signs in neighboring counties, and he advised that it has been determined to have a double pole stand for the sign as it is felt that will blend in better.

Bob Willis responded to a question from the Board relative to the height of the existing power pole in relation to the proposed pole sign.

Bob Perez, Vice President for the Chamber of Commerce and small business owner, stated he can understand both sides. He feels that Bob Willis needs to be able to operate his business in such a way to provide for his future retirement. He read his letter supporting the request, and he urged the Board to support the business people in the community.

Barry Brouillette, businessman, stated that as a member of the Board of Directors for the Chamber of Commerce, he voted in support of this project. He supports the sign being approved; however, he feels that MERG's position is pro-environment versus anti-business and he feels we should consider their issues and think about them. He noted that this business is down in a hole and that we need to provide for the business to continue to exist. He stated he does not feel that the variance addresses the sign size very directly – he feels the power of a logo is that it is recognizable before you can read it. A smaller sign would be in better keeping with our ordinance and the business would still be served by the sign. He also stated he feels that the issues with the lighting at Woodland School are real.

Julie Ransom stated customer service is a big impact on how well a business does. She noted they recently moved from the Woodland area and this business lost several hundred dollars worth of their patronage each month. She wants to raise her family here. She stated that she feels the trimming of the foliage off of the highway should be a CalTrans' problem. She does not want to see the area grow like Oakhurst; however, she noted that we do need to grow.

Paul Oldale stated he lives across Highway 49 from the business, and he stated that the sign demonstration showed that the pole sign will be seen from all of the rooms in the front of their house. If the sign is approved, he requested that it be moved further north. He stated he does not support approval of the sign, however. He further noted that since this issue was raised, other businesses are expressing interest in requesting a variance for a sign, and he feels that this will result in other requests.

Bud Swift stated he has been in the cattle business in the County for over 35 years. He welcomes people to come here and retire and enjoy the County. He stated as a member of the Board of Directors for the Chamber of Commerce and a former Planning Commissioner, he feels the Planning Commission has done an excellent job and that the Board should approve the variance.

Mark Harris, Yosemite Falls Well Drilling business owner, noted that every business has to start somewhere and it takes a lot to become successful. He asked how many people in the audience were with MERG, and he noted that five people raised their hands. He stated he feels the sign is necessary for the business to be successful. He suggested that the sign could be placed on the parcel in such a location as to serve all future possible splits of the parcel and future businesses. He objected to persons retiring here and opposing the businesses. He suggested that if MERG opposes projects that are proposed, that they purchase the property. He stated he feels it should be the Board's job to make the decisions relative to these types of requests and MERG should not control those decisions. He noted that of his four children, he does not have any of them living and working here. He commented on how difficult it is to run a business.

Supervisor Reilly provided a reminder of the five findings that need to be made to grant the variance as explained in the staff presentation and asked that the public be encouraged to address those issues.

Lavonne Oldale stated she and her husband support this station and want the business to thrive; however, they are concerned with the placement of the sign as they will have a constant view of it from their residence. She presented a video from inside her house of their view of the proposed sign. In the winter, she noted that the sign and the station will be more visible with the loss of the foliage on the trees. She noted that they have two parcels of land that will be affected. She also noted that without the sign, she has observed people stopping at the station looking for gasoline.

Yvonne Bennett stated she finds night lights in the sky offensive. After watching the sign demonstration and hearing the presentation, she feels this "light in the sky"/lit pole sign will not help this business that much as travelers will get such a brief look at it. She feels that if this sign is approved, requests will be received from the Northside of the County and she does not want to see these type of signs there.

Robert Schmelzer stated he always felt the business was obvious. He stated he would like to see some landscaping. He stated this business has better visibility than most of the gas stations, and he referred to his letter to the Board. He stated there are options to the signs, and he does not feel that the pole sign is necessary.

Hearing was continued for the following hearing to be opened.

2:04 p.m. Public Hearing to determine if the County can or cannot comply with the longer animal holding periods was opened and continued to after the following matter.

Board continued with the hearing on the appeal of Variance No. 99-1.

John Brady stated he agrees with MERG. He stated he wishes Mr. Willis well in his business and he noted it provides service to the neighborhood, and he has never had any problem in finding it. He stated he does not feel that opposing the sign is restricting business or growth. He noted that he is retired from two jobs and is undertaking a third career that he operates from his home. He does not feel that the interest of one business should be enough to override the code requirements. He stated he is not opposed to a sign and a canopy over the pumps; however, he is opposed to a 40-foot sign. He feels it will impact the scenery and environment. He feels a smaller sign would be appropriate and would serve everyone's interests.

Connie Morris stated she has lived in the County all of her life, and she stated that she feels this is not just necessarily about the sign. People in the community appreciate the service provided by Mr. Willis, and she urged the Board to support the variance.

Shirley Schmelzer stated there has been hard work put in on the ordinances and they should not be discarded. She stated she feels that Mr. Willis was aware of the location of the gas station and the situation when he purchased it, and she does not feel that the pole sign will help.

Jan Mennig stated he was representing 350 members of the Chamber of Commerce as Executive Director. He stated we are all good citizens and responsible people and should respect each other. He stated he feels the system works and the process has been followed.

Ronaye Bohl, neighboring property owner, stated their property faces Hirsch and the Oldales – would like to keep the area country and does not support the variance.

Lynne Rosebrock, Hirsch Road resident and customer of the business, asked if there would be support for lighting if in the future the School District and the Parks and Recreation Department established night lights for youth activities – she asked if the same objections would be made, or whether the opposition for this variance is because it is a commercial sign.

Rebuttal by the appellants:

Bart Brown stated he feels this is like a commercial enterprise versus a neighborhood commercial business, and he stated that he agrees that signage is important. He noted that alternatives were suggested, and he stated he feels a better design of the signage on the existing roof and canopy could be done. He noted that there is resort commercial property in this same area and the Board will need to consider the ramification of approving a variance for this. He stated he feels that businesses on a curve or slope may request a variance. He referred to the intent of the sign ordinance.

Dick Kunstman stated that it is not MERG's intent to have anyone go bankrupt. He stated he does not see anywhere in the record a study of the incremental business increase that would occur as a result of the sign, and he feels this information should be obtained. He suggested that the Board listen to the Planning Commission's deliberations because he does not feel that the Commission thoroughly discussed the findings to be made prior to its decision.

Public portion of the hearing was closed and the Board commenced with deliberations.

2:20 p.m. Recess

2:33 p.m. Sarah Williams reviewed options the Board has for taking action and the findings that need to be made to approve the variance. Board commenced with deliberations. Chairman Pickard thanked staff and MPUD for going on-site and doing the sign demonstration. Mr. Willis responded to questions from the Board relative to his plans to have a night-time cardlock system and hours of operating the lights; relative to the decision for the location of the pole sign; and whether the fence line follows the property boundary. Staff responded to additional questions from the Board relative to being able to restrict the hours the lights are lit; and review of the slides of the sign

demonstration. Discussion was held relative to the findings, including specific discussion by Supervisor Reilly on why she felt findings could not be made.

(M)Parker, (S)Stewart, Res. 99-285 adopted denying the appeal and modifying the Planning Commission's approval of Variance No. 99-1; with the findings as proposed by staff in their report to allow a 40-foot pole sign with 80 square feet of internally lit signage, including the Texaco logo and Food Mart language, removing the condition required by the Planning Commission for all signs to be located on the one pole sign; and denying the Texaco logo and signage on the canopy; directing staff to work with the applicant to locate the pole sign so that it will not be directly in line of site from the Oldale's residence; prohibiting lighting of the sign outside of the hours of operation of the business (summer – April through September: Monday – Saturday 6:30 a.m. to 10:00 p.m., Sunday 6:30 a.m. to 9:00 p.m.; and winter – October through March: Monday – Saturday 6:30 a.m. to 9:00 p.m., Sunday 6:30 a.m. to 8:00 p.m.) as proposed by the applicant in his letter to the Board, and further directing that should the applicant desire to change the hours of operation that request should be brought to the Planning Department/Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly. Hearing was closed.

Board concurred with directing staff to bring an item back for review and discussion of the Countywide sign ordinance before sending the matter to the Planning Commission for review.

Bud Swift stated he feels this County cannot survive without business and that the County depends on the tourists.

3:41 p.m. Recess

3:57 p.m. Pelk Richards, Sheriff;

PUBLIC HEARING to Determine if the County Can or Cannot Comply with the Longer Animal Holding Periods Required by Section 31108, 31752, 31752.5 and 31754, as Amended or Added by Chapter 752 of the Statutes of 1998 (Senate Bill 1785)

BOARD ACTION: Pelk Richards advised of changes in the legislation. Howard Davies, Assistant Sheriff, provided the staff report and reviewed affects the legislation will have on the County in operations and financially. Staff responded to questions from the Board relative to the findings that meeting the conditions of the legislation at this time is a hardship; status of making changes to comply with the new requirements; status of reimbursement for the costs of the new mandate; and relative to the dog licensing program.

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

Cindy Stein, member of the Animal Legislative Network in California, stated she does not feel the spay and neutering programs are successful, and the new legislation is putting a substantial burden on communities to implement the longer holding period. She noted that other countries have an equation program whereby the number of animal births are limited to a certain ratio of the number of homes. She further advised that most businesses have regulations; however, the pet breeders do not and they escape sales taxes, etc. She asked if one of their representatives could make an appointment to speak with the Board and County Counsel on how to solve this problem. Chair Pickard requested that she leave her business card with the Sheriff for follow-up contact.

Lynne Rosebrock, current contractor for the County's impound facilities, advised that although this legislation has significant financial impacts to the County, it should not have come as a surprise as there was notice of the pending legislation. She expressed concern with potential liability to the contractor and the County in the interim before implementing the new requirements. She stated that, as a contractor, they have requested something in writing from the County relieving them of any liability from the State law for the holding time, but they have not received anything. She asked who is responsible

for the liability if someone looks for an animal that was impounded after the current 72-hour hold period. She advised that she is not opposed to postponement of implementing the new regulations, but they want assurance that they will not be held liable as the contractor. She advised that they have facilities available that they feel could handle the increased needs, and she asked about phasing the changes to be in compliance.

Public portion of the hearing was closed and the Board commenced with deliberations. Howard Davies advised that the financial portion of the new requirements still needs to be addressed, as well as whether the County will qualify for the four, five, or six day hold, and they will work with County Counsel on that. He further advised of their use of the internet with the animal impound program. He advised that they did not move more quickly on implementing changes as it was felt that the State may not reimburse for expenses prior to this time. Staff responded to questions from the Board relative to space and liability issues, and Pelk advised that as of July 12, 1999, the contractor does not have any liability beyond the 72-hour hold period. Pelk Richards further stated they still need to address the problem of owners not being responsible for their animals, and he advised of the formation of an animal task force and their efforts to address problems. Dr. and Lynne Rosebrock responded to a question from the Board relative to the definition of "pocket animals."

Dr. Rosebrock advised that they could comply with the space requirements and expand if they find that is necessary.

Staff responded to an additional question from the Board relative to the process following today's action. (M)Balmain, (S)Reilly, Res. 99-286 adopted finding that the County cannot reasonable comply at this time with the longer animal holding periods based on the findings in the staff report and because of the lack of sufficient affordable facilities/Ayes: Unanimous. Hearing was closed.

4:42 p.m. LOCAL TRANSPORTATION COMMISSION

Mike Edwards, Public Works Director;

Resolution Adopting the 1999-2000 Transportation Planing Overall Work Program; and Authorize the Executive Director of the LTC to Sign the Overall Work Program Agreement

COMMISSION ACTION: Discussion was held with Jim Petropulos, Assistant Public Works Director, and Dave Walker, PWD/Transportation Planner. Commissioner Pickard requested that Wawona be included as a major community area. Commissioner Balmain stated he does not want the Greeley Hill pathway left out of the planning process in regard to the Proposition 116 funds. Dave Walker advised of notice received from CalTrans that approximately \$45,000 will be received from the California Transportation Assistance funding. (M)Balmain, (S)Pickard, LTC Res. 99-14 adopted, with changes as discussed/Ayes: Unanimous.

4:49 p.m. LOCAL TRANSPORTATION COMMISSION

Sarah Williams, Interim Planning Director;

Consideration and Approval of the Following YARTS Continuing Activities:

- Approve the Bus Stop Locations and Shelter Type for Continuing Processing and Construction
- Approve the Staging Area Locations for Continued Study
- Direct Staff to Proceed with the Request for Proposals

COMMISSION ACTION: Jay Pawlek, Senior Planner, provided the staff report. Discussion was held relative to the proposed bus stop locations. Commissioner Pickard stated he would like to support the request he received from the Wawona Property Owners' Association (WAPOA) to withdraw the community center from the bus stop locations, and he stated there are concerns with the store location and congestion. Commissioner Reilly referred to the letter from Mr. and Mrs. Pitts relative to Yosemite

West, and asked that any decision on a Yosemite West stop be deferred. Commissioner Parker referred to a correction on the North Mariposa stop to Miner's Inn entrance.

Input from the public was provided by the following:

Dennis Blessing, Quarter Master for the VFW, advised of their discussions relative to the bus stop and the proposed development to include the Mining and Mineral Museum at the corner of Highway 49 and 140. He advised that Al Handy and Larry Coen were present with him, and that they were working to address concerns with a bus stop and parking and relative to the development. He also advised that they have sent a request from the VFW State Convention to solicit funds to help with the proposed development, and they are taking in funds at the local level. Larry Coen visited the site with the Planning staff and VFW wants to be sure that their signs are included in the project design and remain visible. He stated they support these activities.

Pierce Loberg, President of WAPOA, provided input on the proposed parking stops and some alternatives. He stated he feels that more dialog is needed with staff to develop the sites, and he stated there needs to be consideration to having enough parking space for the vehicles. Commissioner Reilly requested that the existing Midpines bus stops, including the Midpines Post Office be left on the list for now for further discussion. Commissioner Balmain requested that the Highway 132 corridor be included; expressed concern with the expense for ridership and the \$3.00 Park entrance fee; and he requested that the cost of providing service on Highway 132 not be specifically "from Coulterville," but include all points along that route.

5:27 p.m. Commissioner Balmain was excused for the rest of the meeting.

The Commission continued with discussion of the staging areas. Discussion was held relative to the need to resolve community concerns for each area, and to coordinate with the Park Service planning on the locations. Commissioner Parker suggested moving forward with the Highway 140 corridor and having Commissioners Reilly and Pickard work with staff on the other areas and bring those back. Discussion was held relative to proceeding with the request for proposals. Commissioner Pickard stated he does not feel that those who stay in areas located within the Park boundaries and pay the \$20.00 Park entrance fee should also have to pay the \$3.00 portion of the transit fee designated for Park entrance. Commissioner Reilly asked about consideration of naming the proposed bus system.

5:45 p.m. Resolution Authorizing Chairman to Execute a Legal Services Agreement with Thomas Mills, Davis Smothers, and Gary Collings for Indigent Defense Services (County Counsel) (Continued from 9/7/99)

BOARD ACTION: Matter was continued to September 21, 1999.

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: Matter was continued to September 21, 1999.

Board Information and Announcements – none.

FORTHCOMING POLICY

Public Hearing to Consider Adoption of the Draft Mariposa County Job Creation Plan (Planning) (For Action on 9/21/99)

CONSENT AGENDA

- CA-1 Appoint Nanette Wardle to the Mariposa County Emergency Medical Care Committee as Representative for the Mobile Intensive Care Nurse (MICN) Position (Health)
- CA-2 Resolution Authorizing Use of the Mariposa County Courthouse Exterior Grounds, October 20, 1999, 7:00 p.m. to 8:30 p.m. by the Mariposa County Mountain Crisis Services for a Candlelight Ceremony Called "Take Back the Night" (Visitors' Bureau); Res. 99-279
- CA-3 Resolution Amending the Employee Allocation Schedule by Eliminating the Municipal Court Clerk Position and Allocating the Position of Court Clerk III to Superior Court (Personnel); Res. 99-280
- CA-4 Resolution Authorizing the Termination of Agreement with Vargas, Lopez and Company for Services Related to the Countywide Audit for the Fiscal Years 1998-1999, 1999-2000, 2000-2001 and 2001-2002 (Auditor); Res. 99-281

5:48 p.m. Board recessed in memory of Charles Wayne Skelton, Daniel Padgett, and E. E. "Harry" Harris, and continued the meeting to Monday, September 20, 1999, for the Public Hearing on the Final Budget for fiscal year 1999-2000.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA SEPTEMBER 20, 1999

(Continued Meeting from September 14, 1999)



Time Description

9:10 a.m. Meeting called to order, continued from September 14, 1999.

PUBLIC HEARING on Final Budget for Fiscal Year 1999/2000

BOARD ACTION: Janet Hogan/County Administrative Officer, Ken Hawkins/Auditor, Chris Ebie/Assistant Auditor, and Mary Hodson/Administration-Executive Secretary, were present.

Public comment: Supervisor Parker played portions of songs periodically throughout the hearing that were appropriate to particular budgets.

Janet Hogan, County Administrative Officer, presented the staff report and gave an overview of the budget and the hearing process. She advised of changes to the recommended budget, and of new requests received for a beautification/landscaping maintenance project for County facilities and a request received from the Historical Sites and Records Preservation Commission to preserve the records of the County's historic inventory. She thanked Ken Hawkins, Chris Ebie and Mary Hodson for their efforts in preparing the budget. She also thanked the departments; especially the Sheriff for his cooperation and noted they reduced the County cost in their budget; and the Planning Department, Sarah Williams and Sheri Allen who have never prepared a budget before, and did a great job.

The Board reviewed the following budgets:

General Purpose Revenue: Board concurred with the recommended increase in General Purpose Revenue of \$175,000, and with \$34,699 in Capital Improvement Project (CIP) balances for completed projects being added. Board concurred with considering the \$431,410 revenue and expense for the Sund-Pelosso murder trial with the criminal justice budgets.

Board of Supervisors: Discussion was held relative to the following requests: scanner, software, file cabinet, storage shelving, file drawer, and laser printer, outside display case, and bookcases for Board member offices. Discussion was held relative to the budget process and format.

10:15 a.m. Recess

10:30 a.m. Board continued with discussion of its budget. Janet Hogan advised of the adjustment in salary and benefit line items for the Board members in the amount of \$4,748. Board concurred with funding the following requests: scanner/\$575; software/\$350; and laser printer/\$1,600.

Administration: Following discussion, Board concurred with funding \$1,500 for FAX machine replacement.

Auditor: No changes were recommended. Budget was further discussed later this date.

Assessment Appeals: No changes were made.

Fish and Game: Board concurred with reduction in estimated revenue of \$253 to balance the fund.

Auditor: Discussion was held with Ken Hawkins relative to request for additional extra help funding to cover behind an employee on an extended medical leave. Board concurred with adding \$3,650 to the extra help line item. Following discussion, Board concurred with further considering the request for funding for improving the record storage area with the CIP budget.

Treasurer/Tax Collector: Janet Hogan advised of recommended change to add \$1,000 to training and seminars and increasing the investment fee revenue to offset the cost. Board concurred with further considering this budget later in the process and requested additional information on the training costs and the request for the computer(s).

County Clerk: Board concurred with funding \$375 for overtime.

Elections: Janet Hogan advised of recommended change to add \$588 for a scanner and \$3,242 for software to implement the signature scanning system, and with increasing the revenue for election reimbursement to offset the cost. Board concurred with further considering this budget later in the process and requested additional information on the software request.

Assessor/Recorder: Discussion was held with Gary Estep, Assessor/Recorder, relative to the following requests: to increase the funding for historical records and maps preservation, file cabinets, software and training to audit business property accounts, microfiche reader-printer as existing machine can no longer be repaired, and to repair hall tiles and carpet in the Hall of Records. Request for maintenance in the Hall of Records was continued to be considered with the CIP budget. Supervisor Reilly stated she feels long-range plans need to be developed for preserving documents and developing storage facilities for all of the County departments.

(M)Parker, (S)Stewart, Res. 99-287 adopted approving purchase of the microfiche reader-printer prior to adoption of the final budget for FY 1999-2000, finding the existing equipment is broken and can no longer be repaired, and with the cost to be offset by revenue/Ayes: Unanimous.

Board concurred with funding an additional \$10,000 toward record preservation, \$1,000 for file cabinets, and \$6,600 for software.

County Counsel: No changes were made.

Personnel: Board concurred with adding the increased cost of retiree health benefits in the amount of \$3,623.

Law Library: Board concurred with recommendation to reduce Superior Court fee revenue by \$15 to balance the fund.

11:58 a.m. Recess

12:10 p.m. Visitors' Bureau: Janet Hogan advised that the VIA transit service contract line item has been moved to a separate individual budget, and she advised of a request received for \$500 for membership in the Highway 49 Golden Chain Association. Discussion was held with Steve Hayes, Visitors' Bureau Director, and he clarified the

request from the Fair Parade Committee and indicated \$850 was included in the recommended budget. Board concurred with funding of \$850 for the Fair Parade.

Input from the public was provided by the following:

Neil Stonum, President of the Chamber of Commerce, provided input relative to the Chamber's request for a budget of \$101,744.

Jan Mennig, Executive Director of the Chamber of Commerce, provided input relative to the Chamber's budget request.

Discussion relative to the Chamber's request was continued to after the following discussion.

Cathy Collier, Arts Council Executive Director, presented their request for an additional \$3,800.

Following discussion, Board concurred with funding the Chamber of Commerce in the recommended amount of \$97,730; with direction to staff to analyze the revised information that was presented by the Chamber for increased funding, and to bring the matter back for further review during the mid-year budget process. Board concurred with giving direction to staff to review a fee-for-services agreement with the Chamber for visitor center activities.

Following discussion, Board concurred with increasing the funding for the Arts Council by \$1,600 to \$40,000.

Discussion was held relative to the status of the rent funding for the Mining and Mineral Museum. Supervisor Parker advised that the Museum has been transferred from the State Department of Conservation to the State Parks Department, and is assigned to the Millerton District. He noted that the Director may be able to attend the Board meeting on Tuesday and introduce herself. Board concurred with funding \$22,050 for the nine months remaining in this fiscal year.

Supervisor Parker reviewed the request for \$25,000 for funding landscaping maintenance for County-owned property. Supervisor Reilly stated she feels the request should include displays for our visitors to see what is available to see in the County, and she noted that Bishop has some good examples.

Kim Van Meter presented her proposal to establish a film commission program for the County, and requested \$37,500 for the remaining nine months of this fiscal year. Discussion was held concerning the request.

1:28 p.m. Lunch

2:43 p.m. Further discussion was held relative to the rent line item and the rent for Visitors' Bureau space included in the Chamber's budget. Board concurred with deleting \$3,974 budgeted in the rents and leases line item with that amount to be included in the \$97,730 for the Chamber of Commerce. Supervisor Reilly requested that the miscellaneous revenue for the sale of advertising for the Visitors' Bureau brochures be monitored closely. Board concurred with funding \$35,190 for the film commission; \$22,050 for the Mining and Mineral Museum rent; \$25,000 for the landscaping/beautification project, with \$5,000 to be earmarked for the display portion of the project; deleting \$3,000 from communications; deleting \$30,000 from professional services; and with deleting \$10,000 from promotions, with the events portion to remain at \$20,000. Board directed that the film commission and beautification projects be handled by service agreements with the Board, and administered under the Visitors' Bureau, and for staff to proceed with negotiating and preparing the agreements. In the interim of executing an agreement, it was agreed that Kim Van Meter could proceed with issues relative to the film commission that have a time constraint. Janet Hogan advised that they anticipate using the bid process for the maintenance portion of the landscaping project, and the Visitors' Bureau Director can work with companies on the display ad portion. Supervisor Stewart requested that consideration be given to including other County properties in the maintenance program, such as the cemetery.

Chair Pickard called for public comment: none was received.

Local Agency Formation Commission (LAFCO): No changes were made.

Community Development Block Grant (CDBG): Janet Hogan advised of recommendation for an adjustment in the amount of \$64 to balance this budget. Board concurred with continuing this budget until after the Public Hearing to consider the draft Job Creation Plan on September 21, 1999.

Planning: Janet Hogan again expressed her thanks to Sarah Williams/Interim Planning Director, and Sheri Allen/Planning-Office Technician, for their work in preparing the Planning budget. Discussion was held with Jeff Green and Sarah Williams relative to request for \$222,500 for professional services with \$12,500 to update the housing element, \$200,000 for starting an overall update of the General Plan, including \$10,000 to obtain a legal analysis of the Plan. It was noted that this process would not slow the Industrial/Commercial zoning process. Discussion was also held relative to the request for funding for software, increased funding for training and seminars, a color printer, and a noise meter. Shari Allen responded to questions relative to the Web site and use of the requested scanner. Discussion was held relative to the request for the laser printer that was recommended in the budget and the color printer that was requested – staff will review whether the two requests can be combined so that one printer can be purchased that will serve all of the needs. Board concurred with funding color printer/\$1,000; software/\$2,700; \$12,500 for Housing Element update; \$200,000 for General Plan update and legal sufficiency analysis, with direction given for the process to begin as soon as possible; with deleting \$15,000 from County Counsel’s budget for legal analysis of Title 17 as County Counsel advised that work could be included in the \$200,000 budgeted for the General Plan update; and with funding an additional \$1,000 in training and seminars.

3:55 p.m. Recess

4:15 p.m. Janet Hogan initiated discussion relative to the request for \$250 received from the Historical Sites and Records Preservation Commission to preserve the records of the County’s historic inventory – this amount will preserve one of the four loose leaf binders. Board concurred with Interim Planning Director’s suggestion that this expense come from the existing office expense line item in the Planning budget.

Building: Discussion was held with John Davis, Building Director. Janet Hogan advised that the Department will make a \$5,000 payment on the loan from the General Fund. Board concurred with the recommended changes to increase office expense to \$3,500; add \$4,000 for modular furniture for the new development services technician; add \$2,500 to the Building Contingency; and reduce the revenue estimate by \$9,776.

Agricultural Commissioner: No changes were made.

Farm Advisor: Wain Johnson, Farm Advisor, was present. No changes were made.

Library: Janet Hogan advised of changes to adjust the budget for the grants in the amount of \$15,300 as an increase in expense and revenue – Board concurred with the adjustments. Janet Hogan advised of request for \$800 for equipment. Discussion was held with Jacque Meriam, Librarian, relative to request for the automated circulation system and options for phasing the implementation of the system. Discussion was held relative to waiting until after the construction of the new library facilities and see if there

is available funding, or to try and coordinate funding with the Friends of the Library. Board concurred with not funding the request at this time.

Head Start: Board concurred with recommended change of \$143,605 in anticipated revenue.

4:58 p.m. Hearing was continued to September 22, 1999, at 9:00 a.m., and the Board adjourned.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA SEPTEMBER 21, 1999



Time Description
9:09 a.m. Meeting Called to Order
Pledge of Allegiance

Introductions

- Chair Pickard introduced Jacqueline Ball, District Superintendent for California State Parks, and advised that the California State Mining and Mineral Exhibit Museum has been transferred from the State Department of Conservation to the State Parks Department. He also noted that the following persons were present: Ed Hardy, consultant and founder of the Foundation for the Mining and Mineral Museum; and Glenn Sutherland, President of the State Mining and Mineral Museum Association.

Ed Hardy advised that the next step is to draft a memorandum of understanding with all of the affected agencies and organizations for the Museum, and he welcomed Jacqueline Ball.

Jacqueline Ball advised of her plans for the Mining and Mineral Museum and of her review of the proposed relocation site at the corner of Highway 49 and 140. She advised of their budget status and changes being made with the transfer of the Museum to the Parks Department.

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

- Chair Pickard presented draft letters relative to pending legislation for the Board to approve. (M)Stewart, (S)Balmain, Board waived rules requiring 72 hours agenda noticing to consider action on the legislation, finding it was not known about at the time the agenda was prepared and it is a matter of timeliness/Ayes: Unanimous. (M)Balmain, (S)Stewart, Board approved sending letters to our legislators supporting SB 161 for reimbursement of the costs for the Sund-Pelosso murder trial, and opposing AB 84 which will strip away the authority of local government to make land use decisions about specific types of retail establishments/Ayes: Unanimous. Following discussion, (M)Stewart, (S)Balmain, Board approved sending a letter to the Governor opposing AB 1363/ establishing health care clinic in schools; AB 537/resulting in schools needing to teach children that homosexuality and bisexuality are natural and normal; and AB 1001, AB 1670, AB 26, AB 103, and SB 75/a series of bills that grant people special privileges and civil rights based on their sexual conduct/Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly. Supervisor Parker requested that the letter be copied to our legislators and RCRC and CSAC.

Approval of Minutes of 9/7/99 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Mike Edwards, Public Works Director;

A) Direct Staff to Complete Design of the Mariposa Creek Parkway Pedestrian/Bikeway Bridge at 5th Street and Connect on the West Side of the Creek to the

Remainder of Phase II (5th to 8th Streets)

BOARD ACTION: Discussion was held. (M)Parker, (S)Stewart, the Board approved the pedestrian bridge to cross Mariposa Creek south of 6th Street as included in the original design/Ayes: Unanimous.

B) Resolution Approving the Application for Grant Funds from the Recreational Trails Program for the Mariposa Creek Parkway Project

BOARD ACTION: Mike Edwards advised of an application they submitted to CalTrans for competitive TEA funds in the amount of \$100,000 for phase three of the Creek parkway project. Dave Walker, PWD/Transportation Planner, provided input relative to the request for application of funds from the Recreational Trail Program. (M)Parker, (S)Stewart, Res. 99-292 adopted/Ayes: Unanimous.

C) Discuss and Provide Direction to Staff Relative to the Gimblin House to Allow the Library Project to Proceed (Continued from 9/14/99)

BOARD ACTION: Mike Edwards advised that the Sierra Artist Gallery withdrew its request, and he presented options for action. He advised that Mr. Larsen has a background in restoration, and that there are citizens who are concerned about moving the building. He further advised that the public hearing will be held on September 28, 1999, for the environmental review for the library project, and there may be input provided at that time relative to the removal of the Gimblin house, and he recommended that final action be postponed until after the hearing.

Input from the public was provided by the following:

Helen Fowler, Chair of the Historical Sites and Records Preservation Commission, advised that she is addressing the Board in an unofficial capacity today as there was discussion after the last Commission meeting on this matter. She advised that in 1994, the Board adopted Ordinance No. 870 which charges the Commission with maintenance of the historic structure list and the Gimblin (Helm) house is on that list and it lies within the Mariposa Historic District. She feels the list is slowly being eroded with the loss of buildings and with the moving of buildings, and this is changing the character of the town. She feels the charm of this house adds to the Courthouse square. She understands the importance of the library project, and urged the Board to maintain the integrity of the Historic District, especially around the Courthouse.

Wilford Von DerAhe stated he was instrumental in 1989 in forming the Historic District and hiring the historians who put the package together. At that time, only one-fifth of the District maintained enough character to be included – 102 buildings were included. Only 63 of the buildings were designated as significant or contributing buildings. In eight years, three of those important buildings have been lost. He feels the cumulative affect will have an impact on the loss of character and importance of the District, and the Courthouse square. He noted that the Gimblin house has the only water tower still in existence in town. The house was built in 1937. He stated he supports a library, but feels it could be sited at another location.

Further discussion was continued for the following hearing to be opened.

10:41 a.m. Public hearing to consider adoption of the draft Mariposa County Job Creation Plan was opened and continued to after the following items.

Further discussion was held relative to the Gimblin house. Mr. Larsen responded to questions from the Board relative to his intent to use the house for residential purposes and his timeframes for completing the project. Matter was continued to September 28, 1999.

10:44 a.m. Recess

11:00 a.m. Janet Hogan, County Administrative Officer;

A) Appoint the Following Individuals as Members of the Mariposa County Children and Families First Commission:

- Patti Reilly/Board of Supervisors Member
- Tom Archer/Human Services Director
- Charles B. Mosher, MD/County Health Officer
- Lee Jorgensen/Chairperson of the County Child Care Planning Council
- Phyllis Becker/Early Childhood Development Educator
- (to be Determined)/School District Representative
- Amber Chambers/Parent

BOARD ACTION: Following discussion, (M)Balmain, (S)Reilly, appointments were approved as recommended/Ayes: Reilly, Balmain, Parker, Pickard; Noes: Stewart.

B) Approval of Joint Powers Agreement Establishing the Yosemite Area Regional Transportation System Authority in Order to Plan, Establish and Manage a Regional Transit System

BOARD ACTION: Jeff Green, County Counsel, stated he and the County Administrative Officer have reviewed the Joint Powers Agreement (JPA) and they feel it covers all of the issues that they were concerned with, and they recommend adoption.

Input from the public was provided by the following:

Erik Bruun stated they are opposed to the concept of YARTS, and therefore, the JPA. He feels it is an external solution to an internal problem. He expressed concern with bus pollution, use of tax dollars, and stated he feels it will not be efficient. He presented information on the proposed busing and environmental concerns with the diesel fuel. He posed several questions relative to funding and Park Service participation, etc.

Louis Aceto commented on the requirement for the Park Service to enter into a Cooperative Agreement within thirty days, and stated he feels this agreement is invalid due to Judge Ishii's ruling that the Park Service cannot proceed with any other project pending completion of the environmental work on the Merced River plan. He expressed concern with legal liability for the County.

Barbara Taylor referred to County Counsel's memo to the Board and the California Government Code, Section 6547, and expressed concern with the authority and conditions contained in the Code section. In regard to the JPA, she stated she does not feel that the boundary is contiguous for Mono County as required by the JPA; she feels the gateway communities of five counties should be changed to three counties to represent those that are still in the YARTS process; and she feels reference to Highway 41 should be changed to Wawona Road. She also stated she feels the Cooperative Agreement should be changed to reflect three versus five counties. She referred to her letter to the Board, and she stated she feels the Code section should be attached to the agreement. She urged the Board to vote against the JPA.

Ron Young, Fish Camp resident, stated he feels the JPA is putting the citizens of the County in hock, and the law prevents that. He read his letter to the Board into the record, and stated he feels the Board should not approve the JPA.

Discussion was held relative to the issues raised. Jeff Green stated he feels the input from the public referencing the Code section is mis-stated – it only gives authority to issue bonds if that is specifically approved by each party to the agreement. Supervisor Balmain expressed concern that Highway 132 is not included, with the wording in the Statement of Purpose; and with the allocation of costs upon dissolution of the JPA. Supervisor Pickard stated he does not see any reason for a full JPA for the demonstration project.

(M)Stewart, (S)Reilly, Res. 99-293 adopted approving the JPA with the following changes: section 1.D - delete "five" and add Highway 132 and 41 corridor; section 2.B – delete this section; and section 2.E – add "...that do not degrade the visitor experience or the natural resources in the region."/Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Pickard.

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

Public hearing relative to the draft Mariposa County Job Creation Plan was continued to after lunch.

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) (Continued from 9/14/99)

BOARD ACTION: Matter was continued to October 5, 1999.

Resolution Authorizing Chairman to Execute a Legal Services Agreement with David Smothers and Gary Collings for Indigent Defense Services (County Counsel) (Continued from 9/14/99)

BOARD ACTION: Discussion was held with Jeff Green, County Counsel, and he advised that Mr. Mills would not be able to participate in the contract; however, attorneys Smothers and Collings are prepared to sign the contract. He further advised that \$5,000 of the contract amount will be held for other counsel costs, with prior approval to be given by the Superior Court judges.

John Barker, Barker and Associates, stated they supported the County going out to bid for legal services and each time they have been the lowest bidder, but they have never been interviewed or considered by the County for the contract. He advised that their references have not been contacted, either. He stated they are the largest provider of service and contract with five other counties. He feels their contract would provide services at a lower cost, and he asked why they are not being considered. He requested that the County go back to bid, and he stated that he feels the recommended contract is costing the County another \$40,000.

Matter was continued to after lunch.

12:25 p.m. Lunch

2:07 p.m. Further discussion was held relative to the legal services agreement.

(M)Parker, (S)Balmain, Res. 99-294 adopted approving the agreement with Attorneys Smothers and Collings for indigent defense services/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

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

PUBLIC HEARING to Consider Adoption of the Draft Mariposa County Job Creation Plan (Continued from Policy on 9/14/99)

BOARD ACTION: Jay Pawlek, Senior Planner, presented the staff report. Staff responded to questions from the Board relative to formal recognition of the Economic Development Corporation (EDC) as the economic development organization and the current designation of Planning Department; whether any additional funding will be available; and creation of the Film Commission and this structure. Candy O'Donel-Browne, EDC Executive Director, provided input relative to the creation of a Film Commission and her contact with the State Film Commission and the need for a permit process and ordinance to clearly outline the process for the film industry. Staff responded to questions from the Board relative to existing processes for this type of activity. Janet Hogan, County Administrative Officer, stated she would like to work with Jay Pawlek

and Candy O'Donel-Browne on the language relative to the financial impact to the County resulting from the Highway 140 improvement project. Candy O'Donel-Browne responded to questions from the Board relative to the survey results from the outlying areas of the County.

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

Neil Stonum advised that the Chamber of Commerce supports this plan.

Public portion of the hearing was closed and the Board commenced with deliberations. Candy O'Donel-Browne responded to questions from the Board relative to establishment of a business assistance center and future funding sources for operation of the center.

(M)Stewart, (S)Parker, Res. 99-295 adopted:

- 1) adopting the draft Mariposa County Job Creation Plan, with direction to staff to work on the language relative to financial impacts to the County resulting from the Highway 140 project;
- 2) directing staff to send the Plan to the Trade and Commerce Agency; and
- 3) directing staff to proceed with the steps necessary to implement creation of a Business Assistance Center under the name and supervision of the Economic Development Corporation of Mariposa County, with direction to County Counsel to work on the service agreement/Ayes: Balmain, Stewart, Parker, Pickard;
Excused: Reilly.

Board Information and Announcements:

- Supervisor Balmain advised that the large control burn for the Coulterville area has been delayed again for a week.
- Supervisor Pickard advised that he, Supervisor Parker, County Administrative Officer, County Counsel, and Ed Hardy met with Jacqueline Ball during lunch and discussed positive steps for the Mining and Mineral Museum.

CONSENT AGENDA

- CA-1 Resolution Extending the Date of Establishment of the Voter-Approved Debt Rate to October 3rd Pursuant to Government Code Section 29100 and Establishing the Tax Rate on the Yosemite High School Bond for the Secured Property Tax Roll of 1999-2000 (Auditor); Res. 99-288
- CA-2 Appoint Jim Dulcich, Chief of Mariposa Public Utility District (MPUD) to the Emergency Medical Care Committee (EMCC) (Health)
- CA-3 Resolution Authorizing the Health Officer to Sign Memorandum of Understanding with Area 12 Agency on Aging for Preventative Health Care for Senior Citizens (Health); Res. 99-289
- CA-4 Appoint Harriet Engleman to Represent the Mariposa County Library as the Public Representative to the San Joaquin Valley Library System Advisory Board (SJVLS) (Library)
- CA-5 Resolution Approving a Winter Schedule, September-June of Library Hours at the El Portal Library in El Portal as Follows:
 - Monday – 5:30p.m. to 8:00 p.m.
 - Tuesday – 12:30 p.m. to 3:30 p.m. and 5:30 p.m. to 8:00 p.m.
 - Wednesday – 5:30 p.m. to 8:00 p.m. (Library); Res. 99-290

CA-6 Resolution Authorizing the Sheriff's Office and the District Attorney's Office to Occupy the Rock House (Formerly the Building and Planning Department Offices) (Sheriff); Res. 99-291

2:54 p.m. Board recessed in memory of Angus C. Bullis and continued the meeting to Wednesday, September 22, 1999 for the Public Hearing on the Final Budget for fiscal year 1999-2000.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA SEPTEMBER 22, 1999

(Continued Meeting from September 21, 1999)



Time Description

9:07 a.m. Meeting called to order, continued from September 21, 1999.

Supervisor Stewart requested that Board members join him during the morning recess for a photograph to be taken at the County Jail for a presentation at the upcoming San Joaquin Valley Supervisors Association's conference.

Continued Public Hearing on Final Budget for Fiscal Year 1999/2000 (Continued from September 20, 1999)

BOARD ACTION: Janet Hogan/County Administrative Officer, Ken Hawkins/Auditor, Chris Ebie/Assistant Auditor, and Mary Hodson/Administration-Executive Secretary, were present.

Public comment: Supervisor Parker played portions of songs periodically throughout the hearing that were appropriate to particular budgets.

Janet Hogan, County Administrative Officer, reviewed the budget hearing schedule and gave a re-cap of the actions taken on September 20, 1999.

The Board reviewed the following budgets:

Treasurer/Tax Collector/Elections: Janet Hogan explained the request for the additional funding for software and clarified that the request is for one computer to replace an existing mainframe terminal. Board concurred with funding \$3,830 for elections equipment and software offset by a revenue increase of \$3,830. Janet Hogan recommended an increase in investment fee revenue in the amount of \$1,000 and \$3,100 increased revenue to offset eligible expenses including an increase in training and the request for the computer – requests were continued for further consideration later in the hearing process.

Health: Discussion was held with Dr. Mosher, Health Officer, relative to the request for funding for an incubator. Janet Hogan advised that the requested and recommended positions are covered by revenue. Board concurred with adding the two requested positions and with funding \$2,000 for the incubator.

Air Pollution: Janet Hogan advised of a change in the budget for last year to offset a portion of the Health Officer's salary.

Veterans' Services: Discussion was held with Mary Williams, Community Services Director. Board concurred with salary adjustment for extra help position as recently negotiated with SEIU (\$767).

Senior Services: Discussion was held with Mary Williams. Janet Hogan commented on the success of the changes on the Northside with the meal program changing to a restaurant program and of the changes in the transit services. Discussion was held relative to the status of rental of facilities on the Northside, and Supervisor Balmain advised that they are still working on those issues. Board concurred with change

recommended by the County Administrative Officer to balance the fund, and with a change in the General Fund contribution to increase the Senior Services contribution in the Interfund Transfer budget by \$513.

Senior Nutrition: Discussion was held with Mary Williams. Janet Hogan advised of a reduction of \$3,961 to the General Fund costs for this budget – Board concurred with the change. Supervisor Pickard advised that they are reviewing the possibility of expanding the restaurant meal program in the County.

Transit: Janet Hogan advised of a change to increase the extra help with the cost to be offset by revenue. Discussion was held with Mary Williams relative to request to pave an area at the Senior Center and to add security fencing. Supervisor Reilly requested that the Sheriff be contacted to do everything they can to help with the security issues. Supervisor Parker suggested that consideration be given to parking the vehicles at another facility to help address the security issue. Board concurred with not funding the project at this time, with \$43,200 to go back to the Transportation Fund.

Mental Health: Tom Archer, Human Services Director, was present. No changes were made.

Social Services – Administration: Discussion was held with Tom Archer relative to request for adding a new position for assistant director. Board concurred with adding the position, with no increase in County cost.

Conservator: No changes were made.

Social Services – Programs; Community Family Services; Housing and Community Development; Housing Administration; Housing Authority – Voucher; Housing Authority – Certificate; and Community Services Block Grant (CSBG): Board approved changes as submitted by the Department and to balance the funds.

10:10 a.m. Recess

10:22 a.m. Fire: Discussion was held with Blaine Shultz, Fire Chief, relative to requests for funding for an assistant chief position; equipment and fixed assets – breathing apparatus and test station, computer, pagers, fire hose, and handi-talkies; and for the Ponderosa Basin Fire Station. Board concurred with funding \$64,000 - \$32,500 for breathing apparatus, \$6,500 for test station, \$25,000 for pagers, fire hose and handi-talkies. Further discussion of the Ponderosa Basin Fire Station to be held with the CIP budget.

Juvenile Hall: Discussion was held with Gail Neal, Interim Probation Officer. No changes were made.

Probation: Discussion was held with Gail Neal. Janet Hogan advised that a modification to the budget for the mini-grant for the Drug Court Program will be presented in the future. No changes were made.

Grand Jury: No changes were made.

Indigent Defense: Janet Hogan advised of a change to move \$5,000 from the contract line item to a separate line item for investigation/special counsel with all expenditures to be approved by the Judges. She advised that the costs for the Sund/Pelosso murder trial are estimated for this budget for this fiscal year to be \$68,400/attorneys; and

\$29,170/support for attorneys. The costs will be offset by increasing the General Fund revenue by \$431,000 for the total cost in the various budgets. She also advised of the legislation to provide for reimbursement of the costs for Mariposa and Tuolumne counties. Board concurred with giving direction to the County Administrative Officer and the Auditor to allocate those costs and revenue where appropriate in the various budgets.

11:34 a.m. Lunch

1:40 p.m. Public comment: none was received.

District Attorney/Family Support: Christine Johnson, District Attorney, and Marita Green, Supervising Family Support Officer, were present for discussion. Janet Hogan advised of a budget change for the moving of the office and for extra help to fill behind a clerical vacancy. Board concurred with the changes, \$17,400 increase in revenue and expenses.

District Attorney/Criminal: Discussion was held with Christine Johnson and Janet Bibby, DA/Paralegal. Janet Hogan advised of a change in the SLESF accounting. Board concurred with adjustments in the grant funds, resulting in an \$1,134 additional cost to the General Fund. Supervisor Parker requested information on the actual expenditures for the jury and witness expenses this last fiscal year. Board concurred with adding \$3,000 to the jury and witness line item. Discussion was held relative to the requested positions and changes. Janet Hogan advised that \$284,868 is included in this budget for the positions and office equipment expenses associated with the Sund/Pelosso matter. Christine Johnson advised that the Sund/Pelosso budget does not include any law and motion matters or trial costs for this coming fiscal year. Board concurred with adding the expenses for the Sund/Pelosso matter, as reimbursable by the State, with staff to further review the reimbursement procedure. Supervisor Parker clarified that the positions added for the special murder trial are temporary for the prosecution of the case. Christine Johnson advised that she is working with Tuolumne County and the Attorney General's Office to assemble a group of attorneys to handle this special case. Supervisor Parker requested that the Board be kept fully informed on this matter. Christine Johnson and Janet Hogan thanked Janet Bibby for her efforts with preparing this budget, especially the portion for the special case. Discussion was held relative to request to promote a deputy district attorney to an assistant district attorney position and request for an investigator position. Board concurred with funding request for the investigator position for the Sund/Pelosso case.

District Attorney/Victim-Witness: Christine Johnson and Bill Flaherty/Victim-Witness Coordinator, were present. There were no changes.

Supervisor Reilly expressed appreciation to the offices for their assistance with community needs this year.

2:29 p.m. Recess

2:46 p.m. Boating Safety: Pelk Richards, Sheriff, and Jim Allen, Assistant Sheriff, were present for discussion. Pelk Richards advised that the State is not ready to commit to funding for the additional sergeant position, so they are withdrawing their request, and he will present a budget change sheet for the County Administrative Officer to review with the Board.

Jail: Discussion was held with Pelk Richards, Susan Patterson, Jail Lieutenant, and Jim Allen. Janet Hogan advised of changes in the SLEFS. Board concurred with reducing the medical line item to \$125,000 and with continuing with the policy that funds cannot be transferred from the medical line item; and Board concurred with providing direction to staff to work on a maintenance program for the facilities.

Sheriff/Coroner: Janet Hogan advised of changes for the new grant for the Safe Kids campaign project – Board concurred with change of \$6,600. Board concurred with salary equity adjustment for the animal control officers as previously negotiated with SEIU in the amount of \$3,650. Board concurred with funding investigation costs position in the amount of \$48,972 for the Sund/Pelosso case subject to reimbursement. Board concurred with reducing overtime which was offset by grant dollars that are no longer available by \$5,000, and with funding the request for a voice stress analyzer in the amount of \$2,574. Pelk Richards thanked the County Administrative Officer for her work with the department in preparing the budget, and he advised that he will not pursue his request for additional positions at this time due to other needs in the County.

Supplemental Law Enforcement: Discussion was held with Pelk Richards and Jim Allen. Janet Hogan advised of corrections to the budget in the total amount of \$31,265 to correct FY 1998-99 County's match and to provide a County match for FY 1999-00 for the COPS Universal Grant – Board concurred with the changes through the Interfund and corresponding corrections in Fund 327.

Janet Hogan also advised of a name change from the SLEFS fund for the COPS Universal Grant.

Fund 329/SLEF: Janet Hogan advised of the establishment of this fund and the transfer of \$49,004 to track State grant dollars – Board concurred with the change, with no net affect on the General Fund.

3:42 p.m. Hearing and meeting was continued to September 23, 1999, at 9:00 a.m.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA SEPTEMBER 23, 1999

(Continued Meeting from September 22, 1999)



Time Description

9:08 a.m. Meeting called to order, continued from September 22, 1999.

Continued Public Hearing on Final Budget for Fiscal Year 1999/2000 (Continued from September 22, 1999)

BOARD ACTION: Janet Hogan/County Administrative Officer, Ken Hawkins/Auditor, Chris Ebie/Assistant Auditor, and Mary Hodson/Administration-Executive Secretary, were present.

Public comment: Supervisor Parker played portions of songs periodically throughout the hearing that were appropriate to particular budgets.

Janet Hogan, County Administrative Officer, gave a re-cap of the actions taken thus far. She advised of the adjustment in the Boating Safety budget in the amount of \$26,971 in appropriation and revenue for the deletion of the sergeant. Board concurred with this change.

The Board reviewed the following Public Works budgets with Mike Edwards, Public Works Director, and Marty Allan, PWD/Fleet-Fiscal Manager:

Facilities Maintenance: Discussion was held relative to request for a Maintenance Worker II and Foreman positions. Janet Hogan advised of adjustment to the budget: \$8,225 increased appropriation and \$2,080 in reduced revenue. Board concurred with funding \$10,000 for emergency electrical repairs to the History Center. Clif Price, PWD/Facility Maintenance Manager, provided input on the budget for the Coulterville Community Club. Supervisor Reilly asked about the status of maintenance for the Midpines parking lot. Supervisor Parker asked about the status of acquiring the parking lot from Maccarone's, and he noted that the encroachment for Lushmeadows Fire Station needs maintenance. Board concurred with increasing funding for parking lot repairs by \$12,550. Discussion was held relative to the status of improvements at Woodland Park. Mike Edwards requested that if the Maintenance Worker II position is not funded, that \$6,750 for Sheriff facilities and \$4,250 for Fire Station maintenance be added to the budget. Discussion was held relative to the request for maintenance at the Hall of Records – ceiling tile and carpet. Mike Edwards reviewed the list of requests that were not recommended by the County Administrative Officer, including equipment requests. He advised that they will try to repair the roof for the Sheriff's dispatch center this fall. Further discussion of the requested equipment was held later this date.

Surveyor/Engineer: Board concurred with increase of \$533 for maintenance of equipment. Request for increase in professional services was not funded.

10:14 a.m. Recess

10:32 a.m. Facilities Maintenance: Further discussion was held relative to the requested funding for equipment and vehicle maintenance. Board concurred with funding \$17,500 for the following items: \$6,000/riding mower; \$3,500 for picnic tables and compressor; and an additional \$8,000 for County vehicle expense.

PWD/Administration: Janet Hogan advised that funding for the special project coordinator position was moved from the Road budget to this budget. Board concurred with funding \$10,000 for contribution to the Joe Howard bridge project; with increasing revenue by \$16,920, and with funding an additional \$2,500 for office expense. Mike Edwards also requested that the training and seminar line item be increased to offset some of the \$7,000 that was deleted.

Airport Operations: Following discussion, Board concurred with funding \$4,787 for maintenance of the building; \$1,200 for overtime; and \$250 for vacuum and hose reel. Mike Edwards withdrew the request for the picnic tables and for additional funds for training. Clif Price clarified that the maintenance in the Facilities budget is for groundwater monitoring, and some repairs, etc. Supervisor Pickard requested that all Airport maintenance items be included in one budget. Ken Hawkins clarified that departments can not transfer to travel line items without Board approval; however, they can transfer from the travel line items. Supervisor Balmain requested that the Board's subcommittee be kept informed of actions taken to increase the fuel costs to the customers. Board concurred with moving \$4,500 from the Facilities Maintenance budget for Airport maintenance to this budget.

Airport Capital Improvement Plan: Board concurred with recommended fund balancing changes in the amount of \$12,647 for Airport projects; \$1,308 for hangar project; and \$24 for fuel system. Supervisor Parker asked if people that bring in their own fuel for their planes is a safety issue that needs to be addressed.

Special Aviation: No changes were made.

Parks and Recreation: Discussion was held relative to the funding requests. Board concurred with funding \$5,000 total for the maintenance of the Don Pedro trail system, with \$1,000 in revenue from the Don Pedro 1M budget to offset the cost. Rich Begley/PWD Deputy Director-Parks and Recreation, provided input on the request for tables for the County facilities. Board concurred with funding \$3,123 for tables – 4 each at Midpines and Hornitos parks and 6 for the Government Center, of which 3 could go to Greeley Hill. Discussion was held relative to the replacement of playground equipment to meet new State mandates – matter was continued for further consideration with the CIP budget. Supervisor Parker requested that equipment not be removed until it has been identified to be replaced.

The Public Hearing on the Final Budget was continued to after lunch and the following hearings.

12:16 p.m. Lunch

1:36 p.m. PUBLIC HEARING to Consider Fees Proposed with Implementation of Mariposa County Final Budget for Coulterville County Service Area for Water, Wawona Garbage Collection, and Encroachment Permits (Public Works)

BOARD ACTION: The request for encroachment permit fees was continued to be considered with the following hearing. Mike Edwards, Public Works Director, provided the staff report. 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)Balmain, (S)Parker, Res. 99-296 adopted reaffirming the fees for Coulterville County Service Area for water and for Wawona garbage collection/Ayes: Unanimous. Hearing was closed.

PUBLIC HEARING to Consider Adding a Twenty Dollar Encroachment Permit Administrative Fee for the Building Department Handling of any Encroachment Permits and to Delete the Current Encroachment Permit Fee from the Building Department Fee Schedule (Building)

BOARD ACTION: Mike Edwards, Public Works Director, provided the staff report for the encroachment permit fees for County roads and roads served by zones of benefit. He advised that they are recommending a new fee for renewal of permits in the amount of \$25 and increasing the fee for the original permit which will be valid for one year to \$120. He responded to a question from the Board relative to what is required for a renewal.

John Davis, Building Director, provided the staff report for their request to add a \$20 encroachment permit administrative fee for the Building Department's handling of any encroachment permits, and to delete the current permit fee from their fee schedule with the transfer of the encroachment permits to Public Works.

Mike Edwards clarified that if the encroachment permit is not part of a building permit application, then application would be made directly to Public Works and a Building Department fee would not apply.

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

Mark Long asked where the fee increases will stop. He referred to previous increases and stated he feels that the property taxes people pay should cover the cost for some of the services.

Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to questions from the Board relative to the services provided by the Resource Conservation District for grading and how that works with the permit fees; actual cost incurred by Public Works for their portion of the fees; and relative to the possibility of consolidating inspection trips to cut the costs. (M)Parker, (S)Balmain, Res. 99-297 adopted denying the request for the additional \$20 fee for the Building Department; approving the \$25 permit renewal fee for Public Works; and approving the transfer of the \$120 permit fee from Building to Public Works/Ayes: Unanimous. Supervisor Balmain asked for clarification of the language in the fee schedule for the Building Department. Board concurred with clarifying that valuations per square foot include reference to the UBC, and with changing zero to 50 cubic yards for the minimum before a grading permit is required. Supervisor Balmain stated he feels that the building permit renewal fee of 50% is too high. Hearing was closed.

2:17 p.m. Recess

2:32 p.m. Continued hearing on Final Budget for fiscal year 1999-2000.

Darrah Schoolhouse Renovation Project: Mike Edwards introduced the request for funding received from the Kiwanis.

Input from the public was provided by the following:

Helen Kwalwasser and Sue Young, representing the Kiwanis, presented their request for a grant in the amount of \$26,390 to renovate the school building, and advised that they plan to ask for an extension of five-years to the agreement with the County.

Discussion was held. Jeff Green, County Counsel, advised that the Public Contract Law needs to be followed – he advised that the Board could grant funds as long as the Kiwanis own the building, as they do now, and it is not reasonably anticipated that the building will come back into ownership with the County. He suggested that if the Board approves the grant, that it is with the understanding that the project will be completed by March 2000, and Kiwanis should come back with a request for extension to the agreement if they cannot meet that time frame. Helen Kwalwasser advised that the Kiwanis agrees with this suggestion.

Board concurred with funding \$26,500 for this project, with the suggestion made by County Counsel and agreed to by the Kiwanis.

History Center Vault Project: Don Weston, representing the History Center, presented their request for funding to help build a vault to store and protect historical records. He advised of applications he has made for funding to help with this project. Discussion was held relative making this project a cooperative effort to help resolve some of the County's needs. Don Weston advised that they could take the old County records that are in the Government Center and Courthouse vaults, including the Gazettes.

Gary Estep, Assessor-Recorder, stated he is agreeable with having a cooperative vault, and he would like to see something that would allow for growth.

Further discussion was held. Supervisor Stewart suggested the National Park Service vault in El Portal be viewed for ideas. Board concurred with funding \$50,000, which will allow the design process to begin, and with the understanding that the History Center will continue to pursue grant funding for the project. The Board directed that this issue be brought back for a full discussion at a later date.

3:08 p.m. Recess

3:30 p.m. Cemetery: Supervisor Stewart initiated discussion concerning maintenance of the cemeteries, the need to identify space for a new cemetery, and the letter received from Ted Hogan relative to the offer of a water system for the Mariposa cemetery. Mike Edwards advised that Public Works will bring this issue to the Board for discussion. Rich Begley advised that the budgeted funds are used for the weed spraying contract for three cemeteries and for garbage pickup. Board concurred with the Board's subcommittee (Supervisors Balmain and Parker) reviewing these issues, the possibility of using the \$40,000 previously set aside for land acquisition, and to come back to the Board with recommendations for maintenance.

Discussion was held relative to various projects and priorities for funding, and relative to making a contribution to the Road Fund. Rich Begley provided input relative to replacement of the playground equipment at the County parks, and advised that the Hornitos Patrons Club has \$2,000 to help with the park in Hornitos. Supervisor Balmain requested that the Board members walk through the Hall of Records during the recess to see the maintenance that is being requested. Discussion was held relative to the request for funding for the Ponderosa Basin Fire Station, needs at other stations, and the need to have an overall plan for maintaining facilities.

4:19 p.m. Recess

4:53 p.m. Following further discussion, the Board concurred with funding the following: \$30,000/History Center electrical work; \$8,070/Accrued Benefits Designation; \$30,000/playground equipment replacement - \$25,000 for Coulterville and \$5,000 for Hornitos; \$30,000/recreation facilities master planning; \$56,800/Road Fund contribution, and Supervisor Parker requested that this contribution not become part of next year's baseline; \$44,000/Ponderosa Basin Fire Station; \$25,000/network position in Data Processing; \$20,000/Maintenance Foreman position in Public Works, with direction to staff to return with more information before the position is actually filled; with increasing the on-going revenue from \$175,000 to \$275,000; and with reducing the Contingency by \$43,036.

Local Transportation Fund: Janet Hogan advised of various adjustments: reduce the contribution to Transit by \$14,387 and increase the contribution to Roads by \$34,537; reduce the contribution for Transportation Planning and increase the contribution to Road

by \$15,889; further reduce the contribution to Transit and increase the contribution to Roads by \$43,200. Board concurred with these changes and modified its previous action to reduce the \$56,800 General Fund contribution to the Road Fund to \$31,800 and increase the General Fund Contingency by \$25,000.

State Transit Assistance: Janet Hogan advised that this budget is for the funds from the State for the Community Services' program, and that there is a \$7,724 balancing change with a \$7,721 adjustment in revenue – Board concurred with the changes.

Transportation Planning: Board concurred with the balancing changes as recommended.

Pedestrian Bikeway: Board concurred with the balancing changes as recommended. Supervisor Stewart asked about the possibility of using these funds to equestrian trails in Don Pedro, and was advised that they are generally used for capital expenses and not for maintenance.

Road Fund: Discussion was held with Janet Hogan and Mike Edwards relative to the Incline Road flood repair project and status of reimbursement by FEMA. Discussion was held relative to the possibility of setting up an account for these types of projects – County Administrative Officer to further review. Discussion was held relative to the cost of the interest to the Road Fund for the County to front the cost for this project, and the status of reimbursement by FEMA for the other 1997 flood projects. Further discussion was held later in the hearing process.

Solid Waste: Janet Hogan advised of changes to increase the appropriation to cover the cost of the waste characterization study, modify the hauling contract, increasing Solid Waste Contingency; and decreasing the household hazardous waste account to balance the fund. Board concurred with the changes. Mike Edwards advised that he hopes to be able to schedule the co-compost/solid waste workshop with the Board before the end of the calendar year. He noted that expenses are exceeding revenues at this point and that will need to be reviewed with the Board. Tom Starling/PWD-Solid Waste Coordinator, commented on the grant received under the Environmental Services JPA for household hazardous waste.

Fleet: Janet Hogan advised of balancing changes in the amount of \$103,935 in increased expenditures, and that she recommended funding the requested equipment mechanic position. Discussion was held with Mike Edwards relative to changes in the size of the fleet. Board concurred with the balancing and budget changes and with funding the position as recommended.

Solid Waste: Mike Edwards advised of the status of the premium and coverage for pollution liability coverage at the landfill. He advised that there was a miscommunication with RCRC and the insurance carrier and the quoted amount does not include other County facilities. Janet Hogan advised that additional coverage is not available and is not required. Supervisor Parker requested that the matter be scheduled for further consideration on a regular agenda.

6:17 p.m. Recess

6:33 p.m. Following further discussion, Board concurred with Public Works paying the invoice for the premium for the pollution liability coverage at the landfill, and requested that information be distributed to the Board members on this matter.

Vehicle Replacement and Heavy Equipment Replacement: Janet Hogan advised of budget changes that are requested by Public Works. Kent Woolsey/PWD-Road Superintendent, provided input on the heavy equipment requests. Board concurred with the changes as requested. Discussion was held relative to changes in the fuel requirements for fleets, and Mike Edwards advised that the County is not required to meet the requirements at this time.

VIA Services: No changes were made.

Water Agency: Mike Edwards advised of the receipt of a request from RCRC for the County to contribute \$18,000 to the CALFED Bay-Delta Program water issues – Board concurred with not funding this request this year, and the \$4,000 budgeted will stay in the Water Agency Fund. Janet Hogan advised of a budget change to reflect the incorrect budgeting of a loan repayment that was paid-off last year; balancing changes to give Water Agency Contingency a zero balance, and reducing special departmental to \$28,254 and moving the \$4,000 that was budgeted for the water issues.

Yosemite West Maintenance: Janet Hogan advised of changes to reduce \$30,000 from the requested increase to the General Reserve and increase equipment maintenance for the recent equipment failure in the water system, and she advised of changes to balance the fund. Board concurred with the changes.

Capital Improvement Projects (CIP): Janet Hogan advised of a change in the name of Fund 521 from Mormon Bar Fire Station to Bridgeport Fire Station. She further advised that Fund 567 was established for the District Attorney/Family Support office remodel at the Lind house and those funds have been transferred, along with a request to transfer an additional \$43,048, for construction related activity, for their move to the Mariposa Family Medicine facilities. She advised of a balancing change in the funds. Board concurred with the changes.

Coulterville Lighting; Coulterville Service Area; Don Pedro Service Area 1M; Don Pedro Sewer Zone 1; Hornitos Lighting; Mariposa Lighting; Mariposa Parking; Mariposa Pines Sewer: Board concurred with the budgets as recommended.

Supervisor Reilly asked about the detail information for the CIP budget, and advised that she will review this information with the County Administrative Officer at a later time.

Chair Pickard requested that Friday be a casual dress day for the Board meeting.

7:06 p.m. Hearing and meeting was continued to September 24, 1999, at 10:00 a.m.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA SEPTEMBER 24, 1999

(Continued Meeting from September 23, 1999)



<u>Time</u>	<u>Description</u>
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10:24 a.m.	Meeting called to order, continued from September 23, 1999.
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Continued Public Hearing on Final Budget for Fiscal Year 1999/2000 (Continued from September 23, 1999)

BOARD ACTION: Janet Hogan/County Administrative Officer, Ken Hawkins/Auditor, Chris Ebie/Assistant Auditor, and Mary Hodson/Administration-Executive Secretary, were present.

Public comment: Supervisor Parker played portions of songs periodically throughout the hearing that were appropriate to particular budgets.

The following budgets were reviewed:

Data Processing: Janet Hogan advised that there may be a need to have an overtime line item – salary savings could be moved if necessary for overtime that is incurred prior to filling the new approved position.

Insurance: Janet Hogan advised that approval of this budget establishes \$650,000 for the Workers Compensation Set-aside and \$600,000 for the General Liability Set-aside. No changes were made.

Janet Hogan, County Administrative Officer, gave a re-cap of the actions taken thus far. She advised of the status of actions taken on the requested positions. Marty Allan/PWD-Fleet Fiscal Manager, responded to questions relative to the Account Clerk III position requested in the Road budget. Board concurred with tentative approval of the Account Clerk III position, with direction to staff to bring the matter back before the position is filled. Board concurred with not increasing the 60% permanent position in the Library as requested. Janet Hogan advised that no changes were made in the amount of the General Fund General Reserve.

Further discussion was held relative to the Incline Road flood repair project – Board concurred with the funds being accounted for separately within the Road budget for this project.

Board concurred that the funds set aside for the recreation master planning and the landscape/beautification project not be expended until the Board approves a spending plan for these projects.

Board concurred with the following:

- authorization for the Auditor to make minor adjustments, that do not involve policy changes, to achieve overall balancing of all funds;
- authorization for the Auditor to make changes necessary to balance Interfund budget transactions; and if there is any amount of consequence to change or policy issues, the request is to come back to the Board; and

- direction for the County Administrative Officer to report back on any changes that are made.

Janet Hogan initiated discussion relative to the hiring freeze for MCMCO and Sheriff's Management Association and recommended that it be lifted. Board members asked that they be kept informed of upcoming vacancies and the status of the recruitment process for employees in these bargaining units. (M)Parker, (S)Balmain, Res. 99-298 adopted waiving the hiring freeze for the senior engineer position in Public Works which was recently vacated by Dave Tucker, and authorizing the recruitment process to begin to fill the position; and with direction to staff to bring the issue of the hiring freeze back as a separate agenda item/Ayes: Unanimous.

Further discussion was held relative to the Incline Road flood repair project and the request by the Auditor for renovation of their record storage area. Ken Hawkins advised that the request is for the basement area in the Hall of Records. Marty Allan noted that \$10,000 was requested in the CIP budget for the renovation of the record storage area; however, it was not recommended. Discussion was held relative to the possible future relocation of the Auditor's office – Ken Hawkins noted that they made a request for the "stone building"/old Planning Department offices, when that space becomes available. Board concurred with transferring \$10,000 from General Fund Contingency for the renovation of the record storage area in the Hall of Records basement.

11:25 a.m. Recess

11:37 a.m. Further discussion was held relative to the costs for the Incline Road flood repair project. Marty Allan provided input on the bids that were received. Supervisor Parker expressed concern with the impact the County fronting the funding for this project will have on road maintenance projects. Discussion was held relative to options for handling the funding and the interest, possibly from the Zone of Benefit Revolving Loan Fund or the General Fund General Reserve. Marty Allan was asked to research whether FEMA reimbursement has to be deposited to the Road Fund. Staff to research whether the interest for fronting the cost for the project can be charged to FEMA. Board concurred with giving direction for the establishment of a separate fund to account for the Incline Road project, and with authorizing the Auditor to process the necessary changes in the budget, and to pursue reimbursement of the interest costs for the project.

Community Development Block Grant (CDBG): Janet Hogan advised that there is funding in this budget for implementation of the CalWORKs Plan.

Supervisor Reilly initiated discussion relative to budget monitoring. Board concurred with having the County Administrative Officer, Auditor, and Board subcommittee review the budget monitoring process with the idea that a memorandum be sent to departments advising that there is an expectation that departments monitor their budgets by line item on a monthly basis; and with directing the Auditor to cease issuing warrants if there is insufficient funds within a line item.

Janet Hogan advised that formal adoption of the Final Budget for FY 1999-2000 is scheduled for September 28, 1999.

12:26 p.m. Recess

12:33 p.m. Board members thanked staff for their efforts with the budget process.

12:40 p.m. Adjournment.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA SEPTEMBER 28, 1999



<u>Time</u>	<u>Description</u>
9:08 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.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain advised of a typographical error on item 4 that is being fixed by Public Works. (M)Reilly, (S) Balmain, all items were approved/Ayes: Unanimous.

Janet Hogan, County Administrative Officer, appeared on behalf of Jeffrey G. Green, County Counsel;

Resolution Authorizing the Chairman to Execute an Agreement with Jack and Tamara Andrews for the Structure Located Along Blackberry Creek Road

BOARD ACTION: Discussion was held and Janet Hogan advised of the correction of a typographical error. (M)Reilly, (S)Parker, Res. 99-303 adopted/Ayes: Unanimous.

Pelk Richards, Sheriff;

Resolution Authorizing the Chairman of the Board to Sign a Lease Purchase Agreement with Sierra Telephone Company to Furnish Enhanced 911 Equipment and Maintenance for the Equipment for a Period of Five Years

BOARD ACTION: Pelk Richards introduced Linda Burton, 9-1-1 Coordinator for Sierra Telephone, and she gave a presentation on the enhanced system. Discussion was held relative to the system and the contract documents. Supervisor Balmain expressed concern with the contract language and warranty disclaimers in the maintenance agreement. (M)Parker, (S)Stewart, Res. 99-304 adopted/Ayes: Unanimous.

Resolution Adopting the Fiscal Year 1998-1999 Final Budget (County Administrative Officer)

BOARD ACTION: Following discussion, (M)Reilly, (S)Parker, Res. 99-305 adopted/Ayes: Unanimous.

Board Information and Announcements

- Supervisor Balmain advised that he is working with Congressman Radanovich's office to arrange for a Sierra Conservation Framework meeting for October 16, 1999, and he is hoping it can be located in the County. He will keep the Board informed.
- Supervisor Pickard advised that he plans to attend the Merced College Foundation reception at the Brook Lake Ranch on Sunday. He also plans to attend the RCRC Conference next week.
- Supervisor Balmain advised that he plans to attend the Bio-diversity Council meeting next week.
- Janet Hogan, County Administrative Officer, advised that staff has been in contact with the Governor's Office relative to legislation to reimburse the County for the Sund/Pelosso case. She received a call from Marita Green/DA-Family Support and was advised that the Governor signed the legislation making changes in the

child-support collection system – additional information concerning the changes will be sent to the Board, and a discussion will be scheduled in the future.

- Supervisor Stewart advised that the Park Service is looking at possibly October 22, 1999, for a signing ceremony for the Cooperative Agreement with the YARTS JPA. He also advised that the San Joaquin Valley Supervisors Association's Conference will be held that week.

9:52 a.m. Public Hearing to consider adoption of a mitigated Negative Declaration for the Mariposa County Library project was opened and continued to after the following matters.

9:53 a.m. Recess

10:17 a.m. Mike Edwards, Public Works Director;

C) Resolution Adopting the Update of 1988 Improvement Standards

BOARD ACTION: Matter was continued to October 12, 1999. Ken Melton advised that he has discussed the issues he raised in his letter and most have been resolved.

B) Presentation of Certificate of Achievement from the California Integrated Waste Management Board

BOARD ACTION: Mike Edwards presented the Board with the letter and Certificate received from the California Integrated Waste Management Board for reaching the State's 1995 25% waste reduction mandate. Supervisor Parker commended Mike Edwards and his staff for their efforts to achieve this goal.

10:29 a.m. Recess

10:44 a.m. A) PUBLIC HEARING to Consider Adoption of a Mitigated Negative Declaration for the Mariposa County Library

BOARD ACTION: Chair Pickard advised of the hearing process and advised that discussion would be held relative to the Gimblin house. Mike Edwards presented the staff report and he reviewed the mitigation measures for the Gimblin (Helm) house. He recommended an amendment to the mitigation measures relative to the relocation of the Helm house, as there are very few locations available within the Mariposa Town Planning Area Historic Design Review Overlay District, to include relocation within the Mariposa Town Planning Area and to be protected consistent with the Mariposa Historic Design Review Overlay standards. He advised of letters received from the State Historic Preservation Office relative to their concerns about relocation of the Helm house and cumulative impacts. He advised that Sarah Williams, Interim Planning Director, and Jay Pawlek, Senior Planner, were available to respond to questions. Staff responded to a question from the Board relative to the process for moving a house that is included on the Historic Register in regard to notifying the State Historic Preservation Office.

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

Wilford Von Der Ahe stated he laments the loss of this building, but he understands the overall consideration for the library project. He suggested that if the Master Plan was in place twenty years ago for a library on this site, then that was prior to the formation of the Historic District which occurred eight years ago. He further suggested that perhaps now is the time to rededicate and make a commitment to truly preserving the historic buildings and character of the remaining district. He suggested that he could come back with a request for financial assistance to restore the historic character, such as reinstalling wooden sidewalks in a portion of downtown; and that instruction could be given to staff to work with people in the District and make concessions for keeping the historic character. He requested that the design of the library be kept in scale, in terms of the size of the building, and that the building fit into the character of the area as best as it can.

Public portion of the hearing was closed and Board commenced with deliberations. Sarah Williams recommended the following wording be added to the amended mitigation measures: "...based on the finding that this provides the same level of protection to the structure as the original mitigation measure." (M)Parker, (S)Balmain, Res. 99-306 adopted approving the mitigated Negative Declaration, with the changes as recommended by staff, for purposes of constructing the Mariposa County Library/Ayes: Unanimous. Hearing was closed.

D) Discuss and Provide Direction to Staff Relative to the Gimblin House to Allow the Library Project to Proceed (Continued from 9/21/99)

BOARD ACTION: Mike Edwards advised of updated information on the cost estimate for moving the structure and of the letter, with attachment, received from Mr. Larsen relative to his intention of placing the house on his property on Jones Street. He recommended that the Board award the bid to Wade Larsen, with the condition that he remove any encumbrances from his property in order that the Helm (Gimblin) house can be moved from the library site prior to the end of October; and if that does not occur, that the Board provide direction to staff to be prepared to move the house to County-owned property behind the Probation Department until a permanent home can be located within the Mariposa Town Planning Area. Discussion was held, and Mike Edwards advised that he will come back to the Board if there is a delay in moving the house to the Larsen property. (M)Parker, (S)Stewart, Res. 99-307 adopted awarded the bid of the Helm (Gimblin) house to Wade Larsen as outlined in his purchase agreement; with direction that Mr. Larsen pay for site preparation, and move the house as soon as possible so that there is no delay in the library project; and with further direction for County Counsel to explore whether there can be an agreement to move the house to the Larsen property and require that it remain there until the property is free of any encumbrances/Ayes: Unanimous.

CONSENT AGENDA

- CA-1 Accept the Resignation of Rick Stephens from the Wawona Town Planning Advisory Committee (Supervisor Pickard)
- CA-2 Appoint Kathleen Pfeiffer, Dick Hayes, John Amos, Bob Hudson, and Ray Jeske to the Building Advisory and Appeals Board (Building)
- CA-3 Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No. C99-8 in the Amount of \$517.98 (County Counsel); Res. 99-299
- CA-4 Resolution Approving and Authorizing the Environmental Services Joint Powers Authority of the Regional Council of Rural Counties to Apply for a Local Government Used Oil Opportunity Grant, Fifth Cycle, and to Implement all of the Terms of the Grant from the California Integrated Waste Management Board (Public Works); Res. 99-300
- CA-5 Resolution Approving Negotiated Equity Adjustments for Various Classifications as Agreed with Services Employees International Union Local 535 Effective July 1, 1999 (Administration); Res. 99-301
- CA-6 Resolution Approving Modification to Head Start Supplemental Funding Application Approved June 22, 1999 (Administration); Res. 99-302

11:25 a.m. Adjournment in memory of Glenn C. Hendricks, Columbus Helton and Van Knerr.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board