



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 3, 2001



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

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Jack Franklin, AKA "Cousin Jack," advised of their proposed music park project. Jeff Green, County Counsel, responded to a question from the Board relative to the status of consideration of purchase of the property below the Pizza Factory and Chocolate Soup – staff is reviewing the possibility of purchasing the property through a tax relief program and more information will be scheduled on a future agenda. Jack Franklin advised of volunteer support for improving the property and urged application for State Park Fund grants.

Introductions

- Chairman Balmain introduced and presented the following with a County name badge: Marita Green, Child Support Services Director, and Bob Lowrimore, Assessor/Recorder.

Board Information:

- Supervisor Pickard advised of a meeting he attended last Tuesday with the Waste Board relative to funding for the co-compost project. He also advised of a meeting he attended with CalTrans, California Transportation Commission, RCRC staff and Public Works staff relative to AB 608 and resolving accounting issues. He advised that the Sequoia Resource and Development Area Agency is meeting on Wednesday in North Fork.

- Supervisor Stewart advised that he attended a YARTS JPA meeting on Monday and that issues are still being raised by Tuolumne County even though they withdrew from the JPA. He noted that at the conclusion of the meeting, the JPA members stated the JPA and YARTS are important to Mariposa, Merced and Mono Counties, and working with the National Park Service to solve transportation problems.

- Greg Iturria, County Administrative Officer, reported on the trip that he and Supervisor Balmain took to Washington, D.C. Chairman Balmain joined other elected officials and National Park Service staff in providing testimony on implementation of the Yosemite Valley Plan before the Subcommittee on National Parks, Recreation and Public Lands. The hearing was well attended and there was a broad range of input. They were also able to meet with legislators and their staffs relative to obtaining federal funding for the co-compost waste management program. Supervisor Balmain commented on the Metro transit system in Washington, D.C.

- Supervisor Stewart further commented on the YARTS meeting and advised that a new contract was awarded to VIA to provide transportation services, and the date of transition is being negotiated. YCS and VIA have promised a smooth transition.

Resolution and Tile Plaque Recognizing L. Pierce Loberg for his Outstanding Service on the Mariposa County Planning Commission (Supervisor Pickard)

BOARD ACTION: (M)Pickard, (S)Reilly, Res. 01-78 was adopted and presented to Pierce Loberg, along with a tile plaque/Ayes: Unanimous.

Approval of Minutes of 2/27/01 Regular Meeting, 3/06/01 Regular Meeting, and 3/13/01 Regular Meeting

BOARD ACTION: Approved, with a clarification made on the minutes for 2/27/01.

Approval of Consent Agenda (See End of Minutes)

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

Dr. Mosher, Public Health Officer;

Request for Variance from Statutory Set Back Distance of 100 Feet Between Well and Septic Leach Field for APN 006-160-020, Noreen Trombley

BOARD ACTION: Discussion was held with Dr. Mosher relative to the request.

(M)Reilly, (S)Parker, Res. 01-82 adopted approving the variance and directing staff to file a CEQA exemption for this project/Ayes: Unanimous.

Dana Hertfelder, Assistant Public Works Director, appeared on behalf of Jim Petropulos, Public Works Director;

A) Presentation by Belinda Green, California Rural Water Waste Management Specialist and Susan Robinson, Principal of Mariposa Elementary on Waste Reduction Education Programs in Mariposa Schools

BOARD ACTION: Belinda Green, Waste Management Specialist, and Connie Rothell, Mariposa Elementary School, introduced the following students from Mariposa Elementary School who gave a presentation on their Red Worm Café project to reduce waste in their school: Katy Fiester, James Burgess, and Tabatha Hancock. It was noted that Lyle Turpin, President of the Farm Bureau, was present and of their support for this project, along with others. Supervisor Parker suggested that arrangements be made for the students to give their presentation to the Integrated Waste Management Board at its meeting in May in Mariposa.

B) Resolution Authorizing Public Works to Purchase a 1998 Chevrolet Full Size Van at the End of the Current Lease on April 7, 2001, for a Total Cost of \$8,559 from Bank of America Leasing; Authorize Public Works to Lease a New Mini-Van with Sliding Side Doors from the Lowest Responsible Bidder

BOARD ACTION: Following discussion with Marty Allan, PWD/Fleet Fiscal Manager, (M)Pickard, (S)Stewart, Res. 01-83 adopted approving the requests. Further discussion was held relative to lease options versus purchases. Matter was continued for the following hearing to be opened.

10:40 a.m. Public hearing to consider General Plan/Zoning Amendment 2000-8, CIM Plan 2000-2 (Churchill) was opened and continued to after the following items.

Further discussion was held relative to purchase and lease of vehicles. Ayes: Unanimous.

10:10 a.m. Recess

10:00 a.m. Eric Toll, Planning Director;

A) PUBLIC HEARING to Consider General Plan/Zoning Amendment 2000-8; CIM Plan 2000-2; Churchill; Applicant

BOARD ACTION: Skip Strathearn, Associate Planner, presented the staff report and he advised that this project is on the Bear Creek Café/campgrounds site. Skip and Sarah Williams, Planning Manager, responded to questions from the Board relative to acoustical noise issues, monitoring and proposed mitigation measures, and whether the monitoring would continue for the life of the project. Staff responded to additional questions relative to the applicant's intended use of the site; conditions for identifying

the boundaries of the property; and location of the project site in relation to neighboring residences and the CalTrans Maintenance Yard and the Post Office.

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

- Dan and Janice Churchill, applicant, advised they are the property owners and their property boundary is about fifty-feet from a cabin. They provided input on the events and activities they plan to hold and on their work to improve the facilities to build a good business for the community and the tourist industry. They stated it is their goal for people to leave with fond memories of the County. They responded to a question from the Board relative to their interior roads and terrain.

- Carol Davis, member of the Midpines Advisory Committee, stated she supports this project. She feels the property has been enhanced and it is consistent with the intent of the Wild and Scenic Designation of Highway 140.

Public portion of the hearing was closed and the Board commenced with deliberations. Further discussion was held relative to the noise monitoring requirements and prohibition of use of amplification equipment, and whether the conditions would be compatible with what is approved in the General Plan Update. Janice Churchill advised of an upcoming church youth group activity of about 200 youth and stated there will be a need for amplification for the speakers, and she further advised that they do not have any intention of having bands playing outdoors. Chairman Balmain asked if there was any other public input. There was none. Board continued with deliberations. Staff suggested a wording change in the conditions to allow for noise levels for this project as defined in the currently effective General Plan. (M)Parker, (S)Reilly, Res. 01-84 adopted approving a Mitigated Negative Declaration for General Plan/Zoning Amendment 2000-8 and Commercial, Industrial, Manufacturing Plan 2000-2, and approving an amendment to the General Plan Land Use Map with recommended findings and conditions; first reading was waived and an Ordinance introduced approving a change in the Official County Zoning Map for this project with the recommended findings; and direction was given to delete the amplification restriction for outdoor events and with the recommended change by staff to allow for noise levels for this project as defined in the current General Plan. Further discussion was held. Ayes: Unanimous. Hearing was closed.

B) Discussion of Possible Moratorium for the Catheys Valley Community Plan Area and Potential Direction to Staff to Prepare an Ordinance and Report for a Public Hearing
BOARD ACTION: Supervisor Stewart requested that this matter be rescheduled for April 17th – Board concurred. Citizens from the community were unable to be present to speak on this matter this date.

Steve Hayes, Visitors' Bureau Director;

A) Request and Recommend that the Board Approve Items Relative to the 5th Annual Heritage Days and Festival and Parade

BOARD ACTION: Discussion was held with Steve Hayes, and he advised of County Counsel's recommendation for the CalTrans encroachment permit to be submitted by a non-profit entity, with the County contributing funding. He further advised that he plans to work with the History Center to handle the permit in the future. Supervisor Parker clarified that this is not a County-sponsored event. (M)Parker, (S)Pickard, Res. 01-85 adopted approving the following for the Heritage Days event: road closure on Jessie Street; use of Miller Road as a staging area; and authorizing the expenditure of Visitors' Bureau funds to pay for the CalTrans encroachment permit to be submitted by a non-profit entity at an estimated cost of \$150 to \$300/Ayes: Unanimous.

B) Approve the Budget Transfer Request from General Fund Contingency to Repair and Add Components and Software to the Visitors' Bureau Macintosh Computer (\$868.00) (4/5ths Vote Required)

BOARD ACTION: Discussion was held concerning the request and possible budget funding sources. (M)Pickard, (S)Reilly, Res. 01-86 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

11:40 a.m. HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA

Cheryle Rutherford-Kelly, Human Services Director

1) Amend the By-Laws for the Housing Authority of the County of Mariposa, Changing the Date of the Annual Meeting from the First Tuesday, to the Third Tuesday of March, and in the Event that Date Falls on a Legal Holiday, the Annual Meeting Shall be Held on the Next Succeeding Regular Board Meeting Day; 2) Select a Chair and Vice Chair for the Housing Authority, Board of Commissioners; 3) Amend the Budget and Requisition to the U.S. Department of Housing Urban Development, for Fiscal Year 2000-2001, Decreasing it by \$78,903 and Authorize the Executive Director's Signature on the Amendment; 4) Acknowledge Receipt of \$6,546 from HUD for Earned Management Fees from the Prior Fiscal Year, and Allocate \$1,000 to Training and \$5,546 to Fixed Assets (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Cheryle Rutherford-Kelly and Blanche Day/HSD-Senior Housing Specialist. (M)Pickard, (S)Balmain, Commissioners Reilly and Stewart were selected to continue as Chair and Vice-Chair respectively/Ayes: Unanimous. (M)Pickard, (S)Balmain, Housing Authority Res. 01-3 adopted amending the By-Laws and the budget and requisition as recommended, and acknowledging receipt of earned management fees and transferring funds as recommended/Ayes: Unanimous.

11:47 a.m. Greg Iturria, County Administrative Officer;

Approve and Authorize the County Administrative Officer to Sign and Submit the Mariposa County Child Support Services Transition Plan to the State Department of Child Support

BOARD ACTION: (M)Parker, (S)Stewart, Res. 01-87 adopted/Ayes: Unanimous.

Approve and Authorize the Chairman of the Board of Supervisors to Sign an Application for Head Start Quality Improvement, and Cost of Living Allowance (COLA) Supplemental Funding in the Amount of \$6,436 (County Administrative Officer)

BOARD ACTION: Following discussion, (M)Reilly, (S)Pickard, Res. 01-88 adopted/Ayes: Reilly, Balmain, Pickard; Noes: Stewart; Abstained: Parker.

CLOSED SESSION Conference with County Labor Negotiator Regarding Deputy Sheriff's Association (DSA) and Sheriff's Management Association (SMA) (County Counsel/Personnel)

BOARD ACTION: Jeff Green, County Counsel, advised that the closed session is not needed this date.

11:52 a.m. Lunch

2:16 p.m. Eric Toll, Planning Director;

General Plan Update: Results of the Planning Fair Comments and How the Information will be Used

BOARD ACTION: Eric Toll advised of the comments that have been received on the General Plan Update, and he advised that he will schedule discussion on the next agenda. He responded to a question from the Board and advised that he will bring back a different approach to the community-planning forum during the Final Budget Hearing process. Supervisor Parker requested that consideration be given to posting the results of the Planning Fairs on the web.

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

CONSENT AGENDA

- CA-1 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Authorize the Signature of the Executive Director on a Personal Services Agreement with Jeanne Holl to Provide Housing Quality Standards Control Inspections (Human Services); Hous. Auth. Res. No. 01-2

- CA-2 Authorize the Human Service Department; 1) to Meet with Other Social Services Agencies in the County in Order to Obtain their Support and Input on the Design of a Homeownership Program for Mariposa County and; 2) Visit with Local Lending Institutions in Order to Determine What Their Response Would be to Such a Program (Human Services); Res. No. 01-79

- CA-3 Resolution Authorizing the Family Support Division of the District Attorney's Office to Purchase a Color LaserJet Printer in the Amount of \$4,233.60 through an Approved State Master Purchase Agreement (CMAS) (Director Family Support); Res. No. 01-80

- CA-4 Waive Second Reading and Adopt Ordinance Amending the Zoning Ordinance Pursuant to Zoning Amendment 2000-9 with the Recommended Findings/Model Homes (Planning Director); Ord. 961

- CA-5 Resolution and Tile Plaque Recognizing Dede Parham on her Retirement from John C. Fremont Hospital (Supervisor Parker); Res. No. 01-81

- CA-6 Authorize the Board of Supervisors to Sign a Letter Congratulating Verily Ludwig on Achieving the Girl Scout Gold Award (Supervisors Balmain and Reilly)

2:46 p.m. Adjournment

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA APRIL 10, 2001

<u>Time</u>	<u>Description</u>
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9:14 a.m.	Meeting Called to Order
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Pledge of Allegiance

Introductions:

- Supervisor Pickard introduced Matthew Ian Conway. (M) Pickard, (S) Reilly, Board waived rules requiring 72-hours notice of the agenda item due to Matthew's availability to be present at the Board meeting. Ayes: Unanimous. (M) Pickard, (S) Stewart, Board voted to present Matthew Ian Conway a Certificate of Recognition and Congratulations on his achievement of Eagle Scout. Ayes: Unanimous. Supervisor Balmain presented Matthew with the Certificate.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda:
Nothing presented

Board Information:

- Greg Iturria, County Administrative Officer, reported on his meeting in Sacramento with the County Administrators' Association. He received an update from the Court Facilities Task Force which recommends that the State assume responsibility for all courthouses in the State. He also received a report from the Attorney General's Office that they will be reviewing the housing element of General Plans that have not been performed in over 10 years. Due to the energy crisis, the State is spending into its' surplus and looking at alternative funding. There is the potential for local relief and current revenues to be cut.

- Supervisor Reilly reported that she attended the CSAC legislation conference – Supervisors' Meeting, Land Use/Transportation/Housing Sub-Committee Meeting, Ag/Natural Resource Sub-Committee Meeting, the Rural Caucus, and the Board of Director Meeting. One of the issues was reimbursement for Animal Control mandates from the State. She also mentioned that the energy crisis foreshadows every discussion.

- Supervisor Pickard advised that he attended the Resource Conservation & Development Area meeting. The next meeting is on May 23, 2001 in Mariposa at 1 p.m.

Resolution Recognizing Cindy Perkins for her Outstanding Services Upon Her Retirement as Superintendent of the Mt. Bullion Youth Conservation Camp (Chairman Balmain)

BOARD ACTION: Postponed until April 17, 2001

Approval of Minutes of 3/20/01 Regular Meeting

BOARD ACTION: Delayed action until later in the day.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Greg Iturria, County Administrative Officer, requested that Item CA-3 be pulled until 4-17-01. (M) Parker, (S) Pickard, the balance of the items were approved/Ayes: Unanimous.

Howard Davies, Assistant Sheriff, appeared on behalf of Pelk Richards, Sheriff;

A) Approve Transfer of Funds in Sheriff's Budget to Purchase Digital Wireless for Computer Communications between the Jail Facility and the Dispatch Facility and Vehicle Organizers (\$18,905)

BOARD ACTION: Discussion was held with Howard Davies, Assistant Sheriff, and Dennis Patrick regarding the need for installing a Wireless system. Dennis mentioned that they are experiencing a loss of communication between the jail and the computer room and this system would eliminate that and it would serve other departments as well. He said that we currently have a 56K line and it is limping along with all the data in the pipeline. Supervisor Parker asked if the use of Fiber Optic had been explored and Dennis said that he had not looked into this but usually the installation cost is prohibitive. Concern was expressed by the Board as to the matter of urgency and looking at this outside of the Budget Process. (M) Parker, (S) Stewart, Res. 01-92 adopted, with direction to staff to look into Fiber Optics and to see if Video Arraignments could be utilized with this system as well/ Ayes: Balmain, Reilly, Parker, Stewart; Noes: Pickard. Howard said they will continue to look into the most cost-effective system and will pull back on this item if they are able to find something cheaper.

B) Resolution Authorizing Chairman to Execute a Lease Agreement with William A. Freeman for an Animal Impound Facility; Authorizing the Hiring of an Additional Animal Control Officer; and Approving Transfer of Funds in the Sheriff/Animal Control Budget for Local Impound Operations (\$7,589)

BOARD ACTION: (M) Pickard, (S) Reilly, Res. 01-91 adopted, with a direction to staff to continue to develop volunteer service and to keep the Board apprised of future permanent site location/ Ayes: Unanimous. Howard said that he was waiting for information from Public Works.

Off –Agenda Item: Howard Davies asked the Board to approve a reduced license fee for animals during the up coming Rabies clinic. There was a discussion on the benefits to the County in having a greater turn out for the clinics and giving us a greater data base by which to vaccinate and identify the number of animals in the county.

BOARD ACTION: (M) Parker, (S) Pickard to waive rules requiring 72-hours notice of the agenda item due to time frame of the Rabies Clinic – Approved/Ayes: Unanimous. (M) Parker, (S) Pickard, Res. 01-90 adopted, to waive the licensing fees during the 2001 Rabies Clinic/Ayes: Unanimous.

10:38 a.m. Recess

10:55 a.m. Eric Toll, Planning Director;
Policy Direction Concerning Changing Mariposa County Code Language to Allow Residential Care Facilities for the Elderly with More Than Six Clients in Residential Zones

BOARD ACTION: Chairman Balmain, at the request of Supervisor Pickard pulled this item and continued it to the April 17, 2001 Agenda.

Jim Petropulos, Public Works Director;
Authorization for Public Works to Enter into a Contract with Shutt Moen Associates for Engineering Services for Airport Improvement Project #4

BOARD ACTION: (M) Stewart, (S) Reilly, Res. 01-93 adopted, contingent upon approval of the contract by County Counsel, County Administrative Officer and Auditor/Ayes: Unanimous.

Cheryle Rutherford-Kelly, Director of Human Services;
Recommendations for the Board to:

- 1) Accept \$17,004 of Unanticipated Revenue from the Low-Income Home Energy Program (LIHEAP) and Direct the Auditor to Increase the Community Action Programs Budget, Fund 335, by that Amount;
- 2) Allocate an Eligibility Worker II Position to the Community Action Programs Unit and Grant Human Services Authority to Fill the Position;
- 3) Authorize Human Services to Coordinate the Weatherization Portion of the Program with the Public Works Department
- 4) Authorize the Human Services Director to Execute the Low-Income Energy Assistance Program (LIHEAP Agreement (Contract #01-B-5020) in the Amount of \$51,600, Which will Release Money to the County that is Currently Budgeted
- 5) Authorize the Human Services Department to Execute Subsequent Amendments with the State Department of Community Services and Development up to the Amount Negotiated by the Rural Counties (4/5ths Vote Required)

BOARD ACTION: Cheryle Rutherford-Kelly introduced Jeanette Garcia as the new Contract Administrator for Human Services. Discussion was held with Cheryle regarding how the department was currently administering this program. She said that she was utilizing employees from other areas but it is becoming increasingly important to have this position staffed, as there will be an increased number of people to be served with the energy crisis. (M) Pickard, (S) Reilly, Res. 01-94 adopted/Ayes: Unanimous.

Greg Iturria, County Administrative Officer;
Consider and Give Direction to Staff Regarding the Mariposa County Arts Council's Request to Assist with Funding for a Mariposa County Events Center

BOARD ACTION: Greg Iturria, County Administrative Officer, informed the Board that the Old Sear's Building is no longer available for this purpose because it was rented out to someone else. Tobin White introduced Donna Brownell as the new Executive Director of the Mariposa County Arts Council. Discussion continued with Tobin relative to the uses, needs and options available. Tobin pointed out that the Old Sear's Building is being rented on a month-to-month basis, so it may still be an option. He said he was bringing this before the Board now before they had a facility in mind so that the money would be in place, should they have to move quickly. Discussion continued as to whether a temporary facility was the solution or should we concentrate more on finishing the amphitheater and make it a year round facility. The Board asked Tobin to work through the County Administrative Officer and with the Board committee to decide on how to proceed.

Dr. Mosher, Public Health Officer;
Presentation of Strategic Plan for Mariposa County Children and Families First Commission and Informational Update of Commission Activities

BOARD ACTION: Dr. Mosher introduced the whole committee; Supervisor Reilly, Cheryle Rutherford-Kelly, Lee Jorgensen, Phyllis Becker, Amber Chambers. Dr. Mosher gave a presentation and stressed how a child's brain is still forming and growing even after birth and how it important the early years of child development are. He stated

that the committee was looking for an Executive Director. This was just an informational presentation to the Board.

12:00 noon Lunch

2:17 p.m. Eric Toll, Planning Director;

A) General Plan Issues: Mandatory and Optional Issues to be Addressed in the General Plan Update, California General Plan Statutes, and Future Schedule for Board General Plan Actions; and

B) Board Consensus and Direction on the Inclusion of Optional Elements for the Mariposa County General Plan Update

BOARD ACTION: Discussion was held regarding the issues that will go into the General Plan and the Optional Elements – those issues that are of great policy importance. Eric presented a list of approximately 400 items that were issues from the Planning Fairs. He was looking for direction from the Board on each item, as the Board has control over the issues going into the General Plan. There was consensus amongst the Board members to have staff go back and develop an outline and then present it to the Board at a later date.

3:35 p.m. Recess

3:45 p.m. Discussion continued and Eric agreed to come back to the Board with an outline. He commented that the Board had actually given him a lot of direction and he had the information that he needed to develop the outline. He also stated that the General Plan is the “Constitution of the County” and that it helped the County in obtaining grants for future projects. Chairman Balmain recognized several citizens in the audience who wished to address the Board on the General Plan. Irma Delle Tettleton expressed her concern that education did not seem to include Adult education or Pre-school education. Barry Brouillette commented that Human Services should be emphasized and should be considered an “Element.” He noted that many of the 400 items could fall under this category. Bob Allen said that Human Relations/Resources should be addressed and a statement should be made that Human Resources is more important than physical resources. Candy O’Donel-Browne, President of the Mountain Crisis Center, spoke and said that the County needs to be aware that there are practical ways of assisting people with Domestic Violence issues.

As an informational note, Eric stated that Toulumne County participated with the Don Pedro homeowners to discuss some controversial projects in Toulumne County. The Mariposa Planning Department was invited but declined the invitation. Since then, the Planning Department has received numerous phone calls about no notice on the meeting on commercial development in the Don Pedro area. The Planning Department is unaware of the issues that were discussed at this meeting.

Approval of Minutes of 3/20/01 Regular Meeting

BOARD ACTION: Approved

Waive First Reading and Introduce an Ordinance Creating the Department of Child Support Services; Authorize Amendments to the Family Support Division Class Specifications to Reflect the Conversion to Child Support (Personnel/County Counsel)

BOARD ACTION: (M) Parker, (S) Pickard, first reading was waived and an Ordinance introduced and Res. 01-95 adopted/Ayes: Unanimous.

Approve and Authorize the Chairman of the Board of Supervisors to Sign a Letter of Support for Federal Appointment of Mr. William “Bill” Dennison to Any One of the Following Positions Currently Vacant Within the Bush/Cheney Administration:

Undersecretary of Agriculture for Natural Resources and Environment; Deputy Undersecretary of Agriculture for Natural Resources and Environment; or Deputy Assistant Secretary of Interior for Fish, Wildlife, and Parks (Supervisor Balmain)

BOARD ACTION: Discussion was held regarding whether this should be addressed as a Board or individual members should submit letters. (M) Pickard, (S) Stewart, Res. 01-96 adopted/Ayes: Balmain, Stewart, Pickard; Abstain: Parker, Reilly.

Consider a Request from Mariposa Middle School for Financial Support for a Federally Funded “Century 21 After School Grant” in the Amount of \$2,500; and Authorize the County Administrative Officer to Sign the Memorandum of Understanding (County Administrative Officer)

BOARD ACTION: Discussion was held regarding the history of this commitment and if this was an on-going commitment. Greg Iturria, County Administrative Officer stated that this was done 2 years ago but not last year because the school did not receive Federal funding. He also noted that this is an on-going commitment unless 30 days notice is given by the County that they are not going to participate. The Board felt this was a very worthy project but was concerned on tracking this. Jeff Green, County Counsel suggested an amendment to the Memorandum of Understanding, under the terms section B, to include Mariposa County in the annual review and to have this calendered through the County Counsel office. (M) Pickard, (S) Reilly, Res. 01-102 adopted, approving request, with County Counsel’s suggested amendment/Ayes: Unanimous.

Consider and Give Direction to Staff Regarding the Possible Transition of Personnel/Risk Management Responsibilities to County Administration (County Administrative Officer)

BOARD ACTION: Supervisors Parker and Stewart offered to work on these issues with the County Administrative Officer. (M) Parker, (S) Pickard, direction was given for County Administrative Officer to work with Supervisors Parker and Stewart/Ayes: Unanimous.

CLOSED SESSION – Conference with County Labor Negotiator Regarding Deputy Sheriff’s Association (DSA) and Sheriff’s Management Association (SMA) (County Counsel/Personnel)

BOARD ACTION: Cancelled by County Counsel

CONSENT AGENDA

- CA-1 Approve Intrabudget Transfer for the Roads Department (\$8,000) (County Administrative Officer); Res. No. 01-97
- CA-2 Resolution Authorizing the Public Works, Fleet Department to Replace Two Fully Depreciated Administrative/Command Vehicle, Funds Exist in the Vehicle Replacement Account to Meet This Cost (Fire Department); Res. No. 01-98
- CA-3 Resolution Authorizing the Chair to Sign a Personal Services Agreement with Daniel Michael to Provide the Self-Contained Breathing Apparatus Testing and Repairs for Outside Agencies (Fire Department); (Item Continued to April 17, 2001)

- CA-4 Authorize Human Services to Buy Bottled Drinking Water on an Interim Basis for our Building at 5186 Highway 49 North (Human Services); Res. No. 01-99
- CA-5 Resolution to Authorize Chairman to Sign a Short-Term Contract with Betty Massey, LCSW, to Provide Clinical Counseling in Child Welfare Services/CPS (Human Services); Res. No. 01-100
- CA-6 Re-Appoint Lee Jorgensen and Phyllis Becker to the Mariposa County Children and Families First Commission (Public Health); Res. No. 01-101

Greg Iturria, County Administrative Officer, added an informational note that he had a meeting with Bob Smith, Planning Director, for Merced County UC Merced Campus Development. He noted that Bob Smith and the members of the Merced County Board of Supervisors would like to come and give a comprehensive briefing to the Board on the UC Merced Campus plans. Greg said he would follow up with Bob Smith to facilitate the scheduling of this meeting.

4:42 p.m. Adjournment in memory of Jason Magliulo, “Bo” Lovell, Robert D. Owen, Catherine A. Gamble, Anita Bondshu, and Diane Stickles.

Respectfully submitted,
Margie Williams, Clerk of the Board

by: Patricia Moretti
Deputy Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA APRIL 17, 2001



Time Description

9:12 a.m. Meeting Called to Order, with Supervisor Balmain excused.
Pledge of Allegiance

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

Board Information:

- Supervisor Parker advised that he attended the Mountain County Emergency Medical Services Agency meeting on Wednesday and the next meeting will be held in Mariposa.

- Supervisor Pickard advised of the status of state legislation for funding for the co-compost project – it is headed for the Appropriation Committee.

Resolution Recognizing Cindy Perkins for her Outstanding Services Upon Her Retirement as Superintendent of the Mt. Bullion Youth Conservation Camp (Chairman Balmain)

BOARD ACTION: (M)Pickard, (S)Parker, Res. 01-89 adopted and presented to Cindy Perkins/Ayes: Unanimous. Dennis Baker, Mt. Bullion Youth Conservation Camp Superintendent, introduced staff members that were present.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Stewart pulled items 2, 3 and 4 for discussion later this date. (M)Pickard, (S)Reilly, item 1 was approved/Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain.

Jeff Green, County Counsel;

A) Discussion and Possible Action Relative to Purchase of the Milburn Property Below the Pizza Factory

BOARD ACTION: Discussion was held relative to proceeding with the process to purchase the property for community activities/events. Supervisor Parker requested that the County Administrative Officer provide budget information when the matter comes back as to possible funding sources, and that the role and the responsibility of the County in this project be clearly defined when the matter comes back to the Board. Supervisor Reilly suggested that staff work with the community to define what the citizens can do. (M)Parker, (S)Reilly, Board approved directing staff to move forward with the process for purchasing the property. Further discussion was held relative to the timeframes for this project. Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain. Jack Franklin, AKA Cousin Jack, advised that he has a list of people who have volunteered services and materials toward this project.

9:37 a.m. Recess

9:54 a.m. B) Waive First Reading and Introduce Ordinance Amending Section 12.32.030 of Chapter 12.32 of the Mariposa County Code to Prohibit Skate Boarding in the Government Center Area

BOARD ACTION: Discussion was held with Pelk Richards, Sheriff, relative to the proposal, and he advised of a request to include posting of the restriction. Pete Judy,

Chief Probation Officer, responded to a question relative to the number of citations issued thus far for violations. Supervisor Parker requested that the restricted area include the Courthouse area. Supervisor Reilly requested that consideration be given to including some positive action; i.e., locations where skateboarding can occur, if this Ordinance is pursued. Jacque Meriam, Librarian, advised of skate boarding problems that they observe when the Library is open in the evening, and she stated she supports the Ordinance. (M)Pickard, (S)Parker, first reading was waived and an Ordinance introduced as recommended and with the inclusion of the Courthouse area; and direction was given to staff to post the area. Supervisor Parker requested that the posting be left flexible. Ayes: Stewart, Parker, Pickard; Noes: Reilly; Excused: Balmain. Eleanor Keuning advised that she is trying to start a grant writing business and has been working on grant applications to obtain funding for the skatepark project. She suggested that the Board couch this action in terms that it is seeking a permanent solution for a facility, and she noted that she feels the location needs to be convenient. Jim Petropulos, Public Works Director, stated he will bring proposals relative to site options to the Board in May, 2001. Supervisor Parker requested that consideration be given to the vacant lot at the corner of 8th and Jones Streets.

Wain Johnson, Farm Advisor;

Resolution Authorizing the Chairman of the Board to Sign Contract with CDFA for the Integrated Weed Management Plan #00-0593 for Noxious Weed Control/Management and Monitoring in Mariposa County

BOARD ACTION: Matter was pulled to be rescheduled at the Farm Advisor's request.

Jim Petropulos, Director Public Works;

Resolution to Approve and Authorize the Public Works Director to Host a Reception for the California Integrated Waste Management Board at Yosemite National Park on May 22, 2001

BOARD ACTION: Discussion was held with Jim Petropulos and Tom Starling/PWD-Solid Waste Coordinator, and they advised that the Integrated Waste Management Board will hold their meeting at the Tenaya Lodge. Staff will work to schedule the presentation by the Mariposa Elementary School students in the morning and the County's co-compost project in the afternoon, and the reception is planned for the evening. (M)Reilly, (S)Parker, Res. 01-104 adopted approving request and transfer of funds/Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain.

Bob Pickard, Supervisor;

Follow-up Discussion and Request for Direction Relative to the Sierra Nevada Conservancy Working Group's Efforts Relative to Establish a New State Conservancy in the Sierra Nevada Region

BOARD ACTION: Supervisor Pickard advised of a request received to continue this matter for the Working Group to make changes to its documents. He will reschedule the matter in the future.

Eric Toll, Planning Director;

A) Discussion of Possible Moratorium for the Catheys Valley Community Plan Area and Potential Direction to Staff to Prepare an Ordinance and Report for a Public Hearing (Continued from 4/03/01)

BOARD ACTION: Eric Toll advised that the report was widely distributed and a notice was mailed to all of the property owners in the area, and he advised of his review of legal issues with County Counsel relative to a possible moratorium. Supervisor Parker requested that the matter be continued for the full Board to be present.

Input from the public was provided by the following:

Joe Simon stated he agrees with a continuance for the full Board to be present.

Don Starchman, Starchman Law Offices, advised that he is representing the Dinnel's, a neighboring property owner in Catheys Valley. He presented a copy of the original resolution which established the Town Planning Area Advisory Committee in 1994, and he stated the last meeting he attended was in 1997 – he stated he does not understand the urgency of the proposed matter.

Further discussion was held. Supervisor Reilly stated she feels consistency needs to be considered in these matters.

Matter was continued to May 1, 2001.

B) Policy Direction concerning Changing Mariposa County Code Language to Allow Residential Care Facilities for the Elderly with More Than Six Clients in Residential Zones

BOARD ACTION: Matter was continued to the afternoon.

10:48 a.m. LOCAL TRANSPORTATION COMMISSION

Jim Petropulos, Director Public Works;

A) Resolution Adopting a Regional Prioritized Project List for Section 5310 Grant Application

COMMISSION ACTION: Discussion was held with Amy Roberts/PWD-Transportation Planner, and she advised that a public hearing has been scheduled for May 1st to determine if there are any non-profit agencies that wish to provide this service. (M)Parker, (S)Pickard, LTC Res. 01-4 adopted/Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain.

B) Update from Staff on Transportation Activities

COMMISSION ACTION: Amy Roberts/PWD-Transportation Planner, presented an overview of STIP projects that are scheduled and the timelines. Kent Woolsey/PWD-Road Superintendent, provided an update on the status of STIP and RTIP funding; status of maintenance and projects on County roads; use of AB 2829 funding for projects; winter storm damage projects; and the status of the brushing project. Jim Petropulos advised that the budget he submitted includes a request for three additional maintenance workers for the road crews to assist with the large number of projects. Commissioner Parker commented on the letter received from Lushmeadows relative to the fire safe prevention project and he expressed his appreciation. Discussion was held relative to the pending projects. Jim advised that he has a meeting scheduled with CalTrans staff to discuss funding and pending projects. Commissioner Stewart asked that realignment of the "S" turns at the top of Highway 140/Guadalupe Grade be added to the CalTrans project list. Commissioner Pickard asked about improvements to the intersection at Streeter Mountain and Highway 49. Amy advised that a very rough draft of the RTIP is available for review. Jim advised of the status of his discussions with CalTrans relative to making improvements at the intersections at each end of town – he has requested that CalTrans provide a presentation to the Board on this project.

11:52 a.m. Discussion and Direction to Staff Relative to the Purchase of Real Property Contiguous to the Mariposa Cemetery for Purposes of Future Expansion (Space Needs Committee)

BOARD ACTION: Board concurred with recommendation to direct staff to notify the property owners that the County does not have an interest in purchasing the property at this time.

Resolution Rescinding Resolution No. 85-342 and Adopt a Resolution for Procedures for Filing an Affidavit to Demonstrate Proof of Payment of Any Unsecured Tax Levied Against the Mining Claim on Which the Affidavit of Assessment Work is Filed Prior to Recordation with the County Recorder (County Counsel)

BOARD ACTION: Following discussion with Jeff Green, County Counsel, (M)Parker, (S)Reilly, Res. 01-105 adopted/Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain.

Request Authorization to Hire Appraiser Richard Gray to Appraise a Potential Gift to Mariposa County of Real Property at County's Expense (County Counsel)

BOARD ACTION: Discussion was held with Jeff Green, County Counsel. (M)Reilly, (S)Pickard, Res. 01-106 adopted/Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain. Board concurred with the County Administrative Officer bringing back the appraisal cost information on the Consent Agenda.

12 06 p.m. Lunch

2:13 p.m. Supervisor Stewart advised that Carole Beckham was present to discuss concerns relative to the kind of neighborhood/environment we want in context with the General Plan Update process. Carole Beckham presented photographs of a property located off Ben Hur Road with several trailers and storage of junk, etc. She stated she feels the General Plan Update should address how many storage buildings, old cars, trailers, storage containers and mobile homes (even unoccupied mobile homes are used for storage and for storing trash) can be located on a parcel. She noted that they use an easement that runs through this property to access their property. She feels it lessens the value of their property. Supervisor Stewart asked about addressing junkyards in the General Plan Update, and he stated that this subject property is visible from Ben Hur Road. Eric Toll advised that he will review this particular situation.

Policy Direction concerning Changing Mariposa County Code Language to Allow Residential Care Facilities for the Elderly with More Than Six Clients in Residential Zones

BOARD ACTION: Discussion was held with Eric Toll, Planning Director, relative to the State law and County Code on this matter. Supervisor Pickard requested that the Board members be provided with a copy of the applicable code sections, and he advised that he is reviewing this issue with the Area 12 Agency on Aging. Board concurred with further review on this matter and with additional information being brought back.

Eric Toll, Planning Director;

A) General Plan Issues: Mandatory and Optional Issues to be Addressed in the General Plan Update, California General Plan Statutes, and Future Schedule for Board General Plan Actions (Continued from 4/10/01)

BOARD ACTION: Matter was continued to be rescheduled at Eric Toll's request.

B) Preliminary Direction to Staff Regarding Specific Plans to be Incorporated into the 2002 General Plan Update

BOARD ACTION: Discussion was held with Eric Toll relative to options and recommendation. Board concurred with proceeding with option No. 3 at this time – with Specific Plans designed to “vest” development entitlements. In this option, Specific Plans must reflect the intent of the higher level document: General Plan, Town Plan, Community Plan, or Special Plan.

Input from the public was provided by the following:

- Barry Brouillette stated he is satisfied with option No. 3, and he asked if this would eliminate flexibility for Park Service housing along the Highway 140 corridor.
- Steve Fortner stated he is confused by the range of options being discussed. He sees the Board agreeing with the need for industry; but when it comes down to location, he feels that things fall apart.

C) Discussion of the Approach on Guiding Principles

BOARD ACTION: Discussion was held and Eric Toll advised that he will schedule this matter for further review in May.

D) Reconsideration of Amended Language on Model Home Ordinance ZA-2000-9 (No Folder)

BOARD ACTION: Matter was continued to April 24, 2001, for the full Board to be present.

Consent Agenda item 2 – Discussion was held with Eric Toll, Planning Director, relative to processing ordinances. Supervisor Stewart requested that more information be provided when ordinances are scheduled for second reading and adoption. Consent Agenda item 3 – Supervisor Reilly initiated discussion relative to the funding source recommended for this item. Greg Iturria, County Administrative Officer, advised that the Board could make it a practice to fund unanticipated purchases from General Fund Contingency or from within the budget as a policy. Consent Agenda item 4 – Supervisor Stewart advised that his questions have been answered. (M)Pickard, (S)Reilly, items 2, 3 and 4 were approved/Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain. Further discussion was held relative to monitoring items for placement on the Consent Agenda – Greg Iturria advised that he is preparing a staff report relative to the agenda setting process for the Board’s consideration and this issue could be further considered at that time.

3:55 p.m. CLOSED SESSION

A) Conference with County Labor Negotiator Regarding Deputy Sheriff’s Association (DSA) and Sheriff’s Management Association (SMA) (County Counsel/Personnel)

B) Anticipated Litigation (County Counsel)

BOARD ACTION: Jeff Green, County Counsel, advised that a closed session is not necessary for labor negotiations this week. (M)Parker, (S)Reilly, closed session was held relative to anticipated litigation/Ayes: Reilly, Stewart, Parker, Pickard; Excused: Balmain. At the conclusion of the closed session, the Board adjourned.

Direction was given to staff as a result of the closed session relative to anticipated litigation.

CONSENT AGENDA

- CA-1 Accept the Completion of the Mariposa Town Sidewalks on County Roads (PW 92-38) and to Release Any Funds Held as Retention to the Contractor (Public Works); Res. 01-103
- CA-2 Waive Second Reading and Adopt an Ordinance Approving a Change in the Official County Zoning Map (Changing the Zoning on APN 008-410-010 from Mountain Home to Resort Commercial) with the Recommended Findings; Churchill, Applicant (Planning); Ord. 962
- CA-3 Approve Transfer of \$1750.00 from General Plan Update to Fixed Assets Computer Equipment for a New Computer (Planning); Res. 01-107

CA-4 Resolution Authorizing the Chair to Sign a Personal Services Agreement with Daniel Michael to Provide the Self-Contained Breathing Apparatus Testing and Repairs for Outside Agencies (Fire Department); Res. 01-108

5:04 p.m. Adjournment in memory of Lillian Coolidge.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA APRIL 24, 2001

9:18 a.m. Meeting Called to Order, with Supervisor Reilly excused to arrive later this morning.

Pledge of Allegiance
Introductions

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

- Blaine Shultz, Fire Chief, advised of an off-agenda request to approve a grant application to the Federal Emergency Management Agency to rebuild and purchase self contained breathing apparatus and to purchase air bottles. He also advised that he has been asked to assist in the grant application review process. (M)Pickard, (S)Stewart, Board waived rules requiring 72 hours agenda noticing to consider this request, finding it was not known about at the time the agenda was prepared and the deadline to submit the grant is prior to the next meeting/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Following discussion, (M)Pickard, (S)Stewart, Res. 01-109 adopted approving the grant application as requested, with direction for the matching funds to be identified in the FY 2001-02 budget/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

- Blaine Shultz presented a draft letter of response to Yosemite National Park's proposed updated Fire Plan, and he advised that the deadline to submit a response is April 30th. Board concurred with Chairman Balmain sending a letter of response, including comments that Board members may have.

Approval of Minutes 4/3/01 Regular Meeting

BOARD ACTION: Continued to May 1st for approval.

Board Information:

- Supervisor Stewart advised that he attended the California Prayer Breakfast event.
- Supervisor Pickard advised that he attended the RCRC meeting – discussion was held relative to the energy and natural resources issues and the appeal filed on behalf of rural counties on the Sierra Nevada Framework.

9:37 a.m. Supervisor Reilly was present.

- Supervisor Pickard advised of the status of legislation on the STIP program.
- Supervisor Balmain advised of his meeting with CalTrans relative to improving the intersection at Hidalgo and Highway 132.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Greg Iturria, County Administrative Officer, pulled item 1. He advised that the Space Needs Committee met on Monday to discuss this item. The Committee is recommending a contract term of one year, with four, one-year extensions versus the five-year agreement, and the Fairgrounds is agreeable with this change. Jerry Freeman/PWD-County Surveyor, responded to questions from the Board relative to item 3. Discussion was held relative to item 4. (M)Parker, (S)Pickard, all items were approved, including the recommended change for the term of the contract for item 1/Ayes: Unanimous.

Wain Johnson, Farm Advisor;
Authorize the Chairman of the Board to Sign the Contract with CDFA for the Integrated Weed Management Plan #00-0539 for Noxious Weed Control/Management and Monitoring; and the Personal Services Agreements with Ann Mendershausen, John Hardaway and Custom Weed Control after County Counsel Reviews; and Appropriating Unanticipated Revenue (\$29,160) (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Wain Johnson. Jeff Green, County Counsel, advised of additional minor changes to the agreements. (M)Parker, (S)Pickard, Res. 01-115 adopted approving the agreements, with changes as recommended by County Counsel, and the budget action/Ayes: Unanimous.

Greg Iturria, County Administrative Officer;
Review and Approve Recommended Actions Regarding 2000 Reclassification Requests as Listed in the Staff Report

BOARD ACTION: Matter was continued to May 8, 2001.

9:59 a.m. Recess

10:12 a.m. Mrs. Peterson stated the last time she spoke to the Board relative to the bridge that was constructed in front of her house, she was very angry. She commended Jim Petropulos/Public Works Director, and Dana Hertfelder/Assistant Public Works Director, for the way they deal with people. She stated she is ready to sign the documents relative to the bridge, except for further litigation that does not involve the County, and she requested that a plaque be placed on the bridge in memory of her late husband, Gordon Peterson.

Eric Toll, Planning Director;

A) PUBLIC HEARING: (1) Waive First Reading and Introduce an Ordinance Amending the Zoning Ordinance Pursuant to Zoning Amendment 2001-1 with Recommended Findings. The Amendment, as Recommended by the Planning Commission, Would, in General, Prohibit the Placement of Mobile Homes on Property in the County if Manufactured Prior to January 1, 1976, Unless They Can Meet Certain Standards, and Would Allow Legal Non-Conforming Mobiles to be Relocated on the Parcel on Which it is Located but not to Another Parcel in the County (2) Adopt a Notice of Exemption for ZA 2001-1

BOARD ACTION: Eric Toll presented the staff report, advised of changes recommended by County Counsel and the Planning Commission, and he advised that the recommended amendment does not affect mobile home parks. Staff responded to questions from the Board relative to non-conforming mobile homes and whether a free-standing roof structure could be built over the mobile; relative to being able to do physical alterations and additions; relative to the difference between a modular home and a mobile home; California law requirements; whether a mobile home that does not meet the storage standards could be left on a parcel and not used; and relative to the impact this amendment may have on the residents of the County.

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

Betty Lou Moffett referred to her letter she submitted to the Board. She responded to a question from the Board clarifying her concern with the proposed amendment and how it would affect her ability to sell or move her mobile home. Eric Toll advised that from his review of this particular situation, the subject mobile home is conforming and could be moved.

Cheryl Oliver stated she does not understand the proposal. She asked what will happen to citizens who have a 1960's mobile home and are unable to afford to have it removed in the future. She also asked if the property is sold, what the new owners will

have to do with the mobile home. Staff advised that the property can be sold and the mobile home could be moved to another location on the same parcel.

Jessie Scott asked if there is a cut-off on the age of mobile homes that determines whether they can be moved or sold. Staff advised that the basic age is January 1, 1976; however, mobile homes manufactured prior to that date that meet the 1976 standards can be certified. The proposed amendment would not affect existing mobile homes unless the owner wants to move or alter the structure. Jessie asked about being able to move a non-conforming mobile home to another parcel owned by a family member. Supervisor Parker requested that this issue be clarified.

Betty Lou Moffett asked if a person owned two separate parcels, whether a non-conforming mobile home could be moved to the other parcel.

Public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to clarification of the changes; whether mobile homes could be stored on parcels; whether standards could be met for using mobile homes for storage; whether the State has a restriction for moving non-conforming mobile homes to a separate parcel. Board concurred with directing the Planning Director to work with the Building Department Director relative to requirements for bringing a non-conforming mobile home up to code; with bringing back more information on existing non-conforming mobile homes and those that pay DMV license fees and property taxes; and information on how other counties deal with these issues. Hearing was continued to May 8, 2001, at 10:00 a.m.

B) PUBLIC HEARING: Waive First Reading and Introduce an Ordinance Amending the Zoning Ordinance Pursuant to Zoning Amendment 2001-2. The Amendment Would Amend Section 17.108.130 of Title 17 to Permit Septic Tanks and Underground Partially In-Ground Components of Individual On-Site Sewage Disposal Systems to be Located within Structure Setback Areas

Note: This Hearing Has Been Cancelled

BOARD ACTION: It was noted that the hearing has been cancelled. Discussion was held relative to the process for withdrawing an item once the process has begun. Greg Iturria, County Administrative Officer, suggested that this issue could be considered with the item on the agenda setting process on May 1st.

11:50 a.m. Recess

12:01 p.m. Steve Hayes, Director Visitor's Bureau;
Direction to Staff Regarding Options for Administering Mariposa County Visitor's Centers

BOARD ACTION: Discussion was held relative to the process for considering this matter. Board concurred with having the County Administrative Officer work with the Clerk of the Board to schedule a workshop with the Chamber of Commerce and Visitors' Bureau and the Economic Development Corporation. Greg Iturria, County Administrative Officer advised that he will meet with the Chamber and that he will work with staff on how to facilitate the workshop. He will also review options for extending the contract with the Chamber pending further direction on administering the visitors' centers.

12:24 p.m. Lunch

2:12 p.m. Eric Toll, Planning Director;

A) General Plan Update: (A) Continuation of Items Not Completed on April 10 and 17. (B) Board Comments on "Top Level" Outline. (C) Discussion of Ongoing Schedule and Upcoming Work Sessions

BOARD ACTION: Discussion was held with Eric Toll. He advised of the status of the process and timelines for the General Plan Update. Discussion was held relative to the environmental work for the update and for subsequent projects. Eric advised that he will come back to the Board for direction on prioritizing the handling of the community plans – he feels that staff can handle working on four plans concurrently with the General Plan Update. Supervisor Parker requested that written information be provided on the proposed process. Eric advised that he plans to schedule further discussion of these issues on May 8th.

B) Reconsideration of Amended Language on Model Home Ordinance ZA-2000-9 (No Folder) (Continued from 4-17-01)

BOARD ACTION: Supervisor Balmain initiated discussion relative to reconsidering the inclusion of wording in Exhibit “A” to the Ordinance that the office be approved by the California Department of Real Estate. (M)Pickard, (S)Reilly, direction was given to staff to delete reference to the requirement that the office be approved by the State and to bring the Ordinance back for adoption/Ayes: Unanimous.

2:58 p.m. Recess

3:09 p.m. Discussion and Possible Action Relative to the California Public Utilities Commission Authorizing PG&E to Suspend its Rule 20(a) Funding Program for Undergrounding of Utilities (County Counsel)

BOARD ACTION: Discussion was held with Jeff Green, County Counsel, relative to this issue. Supervisor Pickard advised of his previous request to Public Works to begin a countywide evaluation for future underground projects. Board concurred with preliminarily exploring this matter with the following agencies to obtain more information before taking a formal action: Supervisor Pickard to work with RCRC, Supervisor Stewart to work with CSAC and SJVSA, and County Counsel to continue to monitor this matter through the County Counsels’ Association. Greg Iturria, County Administrative Officer, advised he will review the status of payment of franchise fees and possessory interest taxes.

LAKE DON PEDRO COMMUNITY SERVICE AREA 1M

Approve and Adopt a Resolution Declaring the Board’s Intent to Lease Grazing Property Located in the Lake Don Pedro 1m Area (County Counsel)

BOARD ACTION: Supervisor Balmain requested that the matter be pulled. He will work with Public Works to explore the possible sale of this property and bring back additional information.

Waive Second Reading and Adopt an Ordinance Creating the Department of Child Support Services; Authorize Amendments to the Family Support Division Class Specifications to Reflect the Conversion to Child Support Services (County Counsel)

BOARD ACTION: (M)Parker, (S)Stewart, second reading was waived and Ordinance 963 was adopted/Ayes: Unanimous.

CLOSED SESSION: Conference with County Labor Negotiator and Deputy Sheriff’s Association (DSA) and Sheriff’s Management Association (SMA) (Interim Personnel Director)

BOARD ACTION: Jeff Green, County Counsel, advised that the closed session is not needed.

CONSENT AGENDA

- CA-1 Authorize Chairman to Execute the Attached Rental Agreement Between the 35-A District Agricultural Association and Mariposa County for the Purpose of Leasing the Campbell Building Located at the Mariposa County Fairgrounds (County Counsel); Res. 01-110, with change in the term of the contract.
- CA-2 Approve the Mariposa County Pioneer Wagon Train Event as a County Activity that Will be Held June 7-9, 2001 and Authorize the Chairman to Execute Related Agreements (County Counsel); Res. 01-111
- CA-3 Approve a Resolution of Intent to Accept an Irrevocable and Perpetual Offer of Dedication of Public Road and/or Public Utility Easement Right of Way to the County of Mariposa on the Re-aligned Portion of Sierra Pines Drive; and Approve a Resolution to Abandon a Portion of Said Sierra Pines Drive (Public Works); Res. 01-112 and Res. 01-116
- CA-4 Authorize Petty Cash Fund of \$50.00 for Assessor's Office. (Assessor/Recorder); Res. 01-113
- CA-5 Approve and Authorize Don Z. Phillips, Tax Collector to Sell at Public Auction, Tax-Defaulted Property Subject to the Power to Sell, Per Revenue and Taxation, Chapter 7, Part 6, Division 1 at Sale Scheduled for August 24, 2001; Res. 01-114
- CA-6 Accept the Resignations of Caitlyn Lee-Roney and Terri Nishimura from the El Portal Planning Committee (Supervisor Reilly)
- CA-7 Accept the Resignation of Janelle Shannon from the Coulterville Community Planning Advisory Committee (Supervisor Balmain)
- CA-8 Accept the Resignation of Sam Hays from the Historic Sites & Records Preservation Commission (Supervisor Reilly)
- CA-9 Accept the Resignation of Orin Crosby from the Midpines Community Advisory Committee, Reappoint Helen Fowler and Don Fox to the Midpines Community Advisory Committee, and Appoint Roy Navik and Jerry Progner to the Midpines Community Advisory Committee (Supervisor Reilly)
- CA-10 Re-appoint Brian Brouhard to the Regional Advisory Committee (RAC) of the Mountain Valley EMS Agency (Public Health)
- CA-11 Appoint Ernest A. Laszio, Jr. to the Historic Sites and Records Preservation Commission as the Alternate, At-Large Member (Supervisor Parker)
- CA-12 Appoint Eleanor Keunig to the Historic Sites and Records Preservation Commission as an At-Large Member (Supervisor Pickard)
- CA-13 Appoint Ruth Sellers to the Historic Sites and Records Preservation Commission, as Alternate Representing the Butterfly Garden Club (Supervisor Balmain)

CA-14 Appoint Ollie Slane to the Historic Sites and Records Preservation Commission, as Alternate Representing the Northern Mariposa County History Center (Supervisor Balmain)

3:23p.m. Adjournment in memory of Eldon Shatswell.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA MAY 1, 2001

<u>Time</u>	<u>Description</u>
9:12 a.m.	Meeting Called to Order Pledge of Allegiance Introductions

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Mary Williams, Community Services Director, advised that the new Activan/accessible medical van was received.

9:14 a.m. Board recessed to look at the new van.

9:23 a.m. Approval of Minutes 4/3/01 and 4/10/01 Regular Meeting
BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Reilly pulled item 4 for a separate vote. Supervisor Pickard clarified that there is funding available for the rental increase for item 5. (M)Pickard, (S)Stewart, balance of items were approved/Ayes: Unanimous. (M)Parker, (S)Stewart, item 4 was approved/Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly.

Board Information

- Supervisor Reilly advised that she attended the annual Merced Area River Canyon Committee meeting, and that it looks like we will have a shorter rafting season.
- Supervisor Pickard advised of the status of AB1400, co-compost project funding legislation, and he noted alternative funding ideas are being discussed due to the energy crisis.
- Supervisor Stewart advised he attended the San Joaquin Valley Supervisors Association meeting in Stockton. He also advised of the receipt of a letter from Tuolumne County & Cities Area Planning Council opposing the funding of activities pertinent to the operation of diesel buses for the YARTS program or transportation system. He noted that Tuolumne County is actively opposing this issue and he plans to attend the California Transportation Commission meeting on Wednesday at which time transportation funding will be discussed.
- Greg Iturria, County Administrative Officer, advised that the County may still have an opportunity to participate in the Regional Broadband Task Force – several counties are working on a planning project. He advised of information received from PG&E relative to their payment of property and franchise taxes prior to filing for bankruptcy, and of their petition to the court to be able to pay the balance of the taxes.
- Supervisor Pickard advised that he asked RCRC to schedule an item for its next meeting relative to PG&E's decision to suspend the Rule 20 (a) funds for underground projects.
- Supervisor Reilly advised that she plans to attend the Great Valley Workshop in Sacramento next week, and she can follow-up on these issues. She also advised that the Air Resources Board will hold a workshop for elected officials and a topic for discussion will be cleaner fuels.
- Supervisor Parker initiated discussion relative to the letter received from Tuolumne County & Cities Area Planning Council and stated he was not aware of formal action

being taken by Tuolumne County. He noted his concern with a neighboring County including Mariposa in their letter of opposition. Supervisor Stewart noted that Tuolumne County recently purchased five-large diesel buses and have designated a parking area. He noted that steps are being taken to clean the diesel fuel and that alternative fuels are not feasible at this time in our counties. Supervisor Stewart further noted that Tuolumne County accepts its share of the transportation funds. Supervisor Balmain noted that the letter was not signed, and that he has been advised of campaign efforts by a Tuolumne County Supervisor to have the Highway 132/Smith Station sign removed.

Eric Toll, Planning Director;

A) Proposed Amended Language to Chapter 8.28, Public Assemblages, of Title 8, County Health and Safety Code

BOARD ACTION: Discussion was held. Jeff Green, County Counsel, advised that it is not necessary to hold a public hearing to adopt the amended language. (M)Pickard, (S)Stewart, first reading was waived and an Ordinance introduced amending Chapter 8.28 relative to public assemblages. Further discussion was held relative to the amendment and adoption process. Ayes: Unanimous.

B) Discussion of Possible Moratorium for the Catheys Valley Community Plan Area and Potential Direction to Staff to Prepare an Ordinance and Report for a Public Hearing (Continued from 4-17-01)

BOARD ACTION: Discussion was held relative to consideration of a moratorium for the Catheys Valley community plan area. Supervisor Balmain stated he would like to further review the elimination of town plans and the creation of focused area plans. Matter was continued for the following hearing to be opened.

10:03 a.m. Public hearing to determine whether there are non-profit agencies readily available to meet the transportation needs of the elderly and disabled persons in compliance with capital grant process was opened and continued to after the following items.

Further discussion was held relative to consideration of a moratorium for the Catheys Valley community plan area, including processes and timeframes for completing a town plan in relation to the timeframes for the General Plan Update.

Input from the public was provided by the following:

- Tracy Guenthart stated they are asking for a stop to all large projects until the General Plan Update is adopted so that they will have conforming uses. She stated the residents are not singling out the Vallecito project with the request.

- Mario Marchetti stated he has a lot of problems with this process. He was not included in the survey and he lives just outside of the proposed boundary. He feels the survey should have included neighboring property owners. He further stated that most of the residents do not want development or the Vallecito project. Since their proposed Specific Plan was not accepted, they are requesting a moratorium to allow time to work out the General Plan/town plan process, and then developers could submit their plans.

- Don Starchman, Starchman Law Offices, noted the Vallecito project is a large project and the residents want to preclude the Board from taking action on it. He stated he agrees with Supervisor Reilly that the Vallecito project could be proposed for anywhere in the County, but it happens to be close to the Catheys Valley town planning area. He feels that to go forward with a moratorium would be discriminatory because it would single out the Vallecito project. He further noted that he does not represent the developer and he has not seen the proposed project. He referred to correspondence between County Counsel and Don Worley, and he stated he feels there will be an

opportunity for everyone to be heard during the processing of the Vallecito project. He noted that the Board has made decisions on large projects in the past. He stated he represents Ron and Linda Dinnel who own 200 acres in the area, which they purchased many years ago as an investment for their future. He stated he feels a moratorium would take away their property rights for the next two years, and it would be a taking without compensation. He feels there are safeguards with the residential zoning and the use permit process, and higher uses must come to the Board and be addressed. He referred to the establishment of the Town Planning Advisory Committee and inactivity over the last few years.

- Mitch Boze stated he takes exception to the statement that the residents are singling out the Vallecito project – he does not feel that the people in Catheys Valley have changed their opinion in the last few years and they will take exception to every large project.

- Candy O'Donel-Browne, Economic Development Corporation Executive Director, stated she is deeply concerned with the skepticism she is hearing and she would like to see all of the parties get together and try to iron out the issues. She stated she is concerned about Catheys Valley in general and in keeping the ranching activity. She noted that there are three large developments being considered in the County and there is opposition to all of them, and she feels that everyone is watching what is happening with this project.

- Joe Simon stated he has been a resident of Catheys Valley for twenty years and he was a member of the Town Planning Advisory Committee. He stated he does not feel that Steve Fortner is cooperating with the Committee, and he does not feel that the new gas station cooperated with requests of the residents for the project. He stated he feels the residents have property rights as well, not just the developers. From his previous experiences, he understands that sometimes a developer purchases land for a project and things do not work out. He stated the commute for residents in the area does not differ from that of the urban areas.

- Gloria Palmer, long time resident of Catheys Valley and member of the Town Planning Advisory Committee, stated she agrees with Joe Simon's comments. She noted that County staff was present to advise them at their TPA meetings, and she felt the Committee was doing what the residents wanted.

- Steve Fortner stated he is trying to be a resident of Catheys Valley and move his family here. He presented a map showing land under Williamson Act contracts, the town planning area, and rural residential zoning. He noted there is a considerable amount of land left for housing development and he is proposing a commercial center for the residents. He stated he is trying to provide a project that will allow residents to live and work within the community. He commented on the Jones and Stokes report relative to character issues. He feels the previous Planning Director gave bad advice to the Committee, and he referred to the unsuccessful efforts of the open window period application process. He stated he does not feel that the proposed boundary takes into consideration the underlying land. He stated he feels that agriculture provides less than one percent of the total jobs in the County, and his project will provide additional jobs. He referred to the Planning Commission's consideration of this issue.

- Cathie Ragghianti, cattle rancher in the area, referred to the history of development and zoning in the area. She noted the residents have not been silent as to their wishes for the area. She stated she feels that Attorney Starchman has a purpose for being present and speaking to this issue. She commented on their efforts with the Specific Plan process and she noted that the ranching and logging operations bring funding back to the County, and the jobs that go with those operations are more than just at the ranches. She commented on Steve Fortner's wishes to be a resident, and she stated she does not feel that a moratorium is singling out his development.

- Lou Cordero, resident of the area, stated he and his wife moved to Catheys Valley without employment; however, they both have jobs now. He commented on the

development that has occurred since he left the Morgan Hill area and stated he does not want to see that happen in the Catheys Valley area.

- Joe Simon asked the Board to consider sending out another survey to the residents.

- Janet Bibby, resident of Catheys Valley, commented on the consistency of their plan with the General Plan. She noted that the Vallecito project involves 345 acres and that is a huge project for the County. It would change the character of the community, and it will impact all services no matter where it is located in the County. She feels there were similar issues with the Las Mariposas project. She feels people have moved to Catheys Valley because they like the way it is – it is a unique and special area and should not be compromised for tourism and revenue.

11:16 a.m. Recess

11:36 a.m. Discussion was held relative to the issues that were raised and timeframes for processing the Vallecito project in relation to the General Plan Update and the community plan process and adoption. (M)Parker, (S)Stewart, direction was given to Planning staff to meet with County Counsel and bring back as soon as possible issues relating to fast-tracking a plan for Catheys Valley and time elements for any proposed major development for the area. Supervisor Reilly requested that the information that comes back to the Board include specifics on moving forward with the planning process as quickly as possible. Ayes: Reilly, Balmain, Stewart, Parker; Abstained: Pickard.

12:12 p.m. Lunch

2:12 p.m. Jim Petropulos, Public Works, Director;
Authorize Public Works to Award the Bid for Roadside Herbicide Spraying to the Lowest Responsible Bidder and Authorize the Public Works Director to Execute the Contract

BOARD ACTION: (M)Pickard, (S)Parker, Res. 01-121 adopted/Ayes: Unanimous.

2:14 p.m. LOCAL TRANSPORTATION COMMISSION

Jim Petropulos, Director Public Works;

PUBLIC HEARING to Determine Whether there are Non-profit Agencies Readily Available to Meet the Transportation Needs of the Elderly and Disabled Persons in Compliance with Capital Grant Process

COMMISSION ACTION: Amy Roberts/PWD-Transportation Planner, presented the staff report and responded to questions from the Board relative to funding source for the matching funds and relative to this program in relation to meeting unmet needs. Public portion of the hearing was opened. There was no public input. Public portion was closed and the Commission commenced with deliberations. (M)Balmain, (S)Pickard, the following resolutions were adopted: 1) LTC Res. 01-5/finding there are no non-profit agencies readily available to meet the transportation needs in compliance with this grant; 2) LTC Res. 01-6/authorizing the Executive Director to sign documents relating to this application; and 3) LTC Res. 01-7/certifying that the projects recommended for funding are consistent with the Local Area's Regional Transportation Plan/Ayes: Unanimous. Jim Petropulos advised that he will bring a contract back to the Commission if the grant is awarded.

2:21 p.m. Discuss the Agenda Setting Process and Direct County Administrative Officer to Review the Current Agenda Setting Process and the Role of the County Administrative Officer, and Return to the Board with a Recommendation (County Administrative Officer)

BOARD ACTION: Discussion was held with Greg Iturria, County Administrative Officer, relative to the agenda setting process and his role, review and recommendation on the agenda items, handling policy items, timeframes for distribution of the agenda packages, processing intrabudget transfers, scheduling of items on the agenda, and acceptance of late items and additional materials. Board members requested that the pages be numbered for each item and that the items be paper-clipped versus stapled. Greg advised that he could work with departments on the preparation of agenda items to have more complete information and packages. Discussion was also held relative to the level of detail to be provided in the minutes. It was noted that if items are continued, they need to be continued for two weeks, if possible, due to the agenda processing timeframes. Board concurred with the County Administrative Officer coming back with a recommendation based on this discussion.

Approve the Negotiated Memoranda of Understanding Between Mariposa County and the Sheriff's Management Association and Deputy Sheriff's Association Effective 10/01/00 and Authorize Auditor to Transfer Appropriations to Each Affected Budget Unit to Implement the Provisions of the Agreements. Further, Adopt a Resolution of Intention to Approve an Amendment to the CalPERS Contract Which Will Provide a 3% @50 Formula and One-Year Final Compensation at Retirement (County Counsel)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 01-122 adopted. Jeff Green, County Counsel, advised they used an effective date of June 1st for the change in the deferred compensation benefits, and if that is not okay with the bargaining units, he will bring the matter back for an amendment. Ayes: Unanimous.

Adopt a Resolution Authorizing the Chairman to Sign an Agreement with Yosemite Area Regional Transportation System (YARTS) Joint Powers Authority (JPA) to Continue to Provide Transit Services (County Counsel)

BOARD ACTION: Following discussion, (M)Stewart, (S)Pickard, Res. 01-123 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Not Voting: Reilly. Supervisor Stewart advised of a CalTrans grant to assist with the YARTS program and funding for Merced County Association of Governments for the GIS system.

3:44 p.m. CLOSED SESSION Regarding Public Employee Performance Evaluation for Visitors' Bureau Director (County Administrative Officer)

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

5:34 p.m. Board reconvened in open session with direction given to staff as a result of closed session.

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

CONSENT AGENDA

- CA-1 Request Approval of Intrabudget Transfer in the Fleet Budget for Utility Expense (\$6,000) (Public Works); Res. No. 01-117
- CA-2 Approve Intrabudget Transfer for Administration (\$868) and Board of Supervisors (\$868) (County Administrative Officer); Res. No. 01-118

- CA-3 Authorize Transfer of Unused Excess Incentive Trust Funds from Capital Improvement Project Fund to Child Support Excess Incentive Fund (\$42,499) (Family Support); Res. No. 01-119
- CA-4 Waive Second Reading and Adopt Ordinance Amending Section 12.32.030 of Chapter 12.32 of the Mariposa County Code to Prohibit Skate Boarding in the Government Center and Courthouse Area (County Counsel); Ord. 964
- CA-5 Approve the Fairgrounds Rental Increase for the Senior Exposition and Health Fair on May 11, 2001 to Cover Both Building A and B Due to the Increase of Providers and Attendance (Community Services); Res. No. 01-120
- CA-6 Accept the Resignations of Ron Hamann and Martha Acevedo from the Alcohol and Drug Advisory Board and Appoint Yolanda Cheley to the Alcohol and Drug Advisory Board (Supervisors Reilly and Parker)

5:35 p.m. Adjournment in memory of Earl Bolton and Pat Fielding.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA MAY 8, 2001

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

Introductions

Dave Paris, the new CHP Lieutenant, introduced himself.

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Jim Petropulos, Public Works Director, advised of their realignment work on Carter Curve on Triangle Road.

Board Information

- Supervisor Balmain advised that the Board will need to discuss its agenda for May 22nd later today once more information is known relative to the California Integrated Waste Management Board's agenda.
- Supervisor Stewart advised that he attended the YARTS JPA meeting on Monday and they are moving forward with an amended contract for summer services, and they have a five-year agreement with VIA to provide services. The Planning Department will review the staging/parking project for Midpines.
- Supervisor Reilly advised that she will attend the Youth Council meeting scheduled for this evening. She also advised that there have been a couple of meetings relative to the amphitheater project and they are trying to have the facilities ready for minimal activity this summer. She noted that Tony Radanovich and the Sixth Street Cinema was awarded a grant to present a Shakespeare series in the park this summer, and the Visitors' Bureau is working to show films in the park.

Jan Hamilton, Chair, Mariposa County Fire Safe Council, and Blaine Shultz, Fire Chief; Proclamation for "Wildfire Awareness Week" – May 13 through May 19, 2001

BOARD ACTION: (M)Stewart, (S)Pickard, proclamation was approved and presented to Jan Hamilton; Hal Nolan on behalf of the Fire Department; and Roger Maybee and Stan Craig on behalf of the California Department of Forestry and Fire Protection/Ayes: Unanimous.

Tile Plaque Recognizing Becky Crafts for Her Outstanding Service as Interim Assessor-Recorder (Chairman Balmain)

BOARD ACTION: (M)Stewart, (S)Parker, plaque was presented to Becky Crafts/Ayes: Unanimous.

Approval of Minutes of 4/17/01 and 4/24/01 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Jacque Meriam, County Librarian;

Approve Intrabudget Transfer for the Library (\$7,080)

BOARD ACTION: Discussion was held with Jacque Meriam. (M)Pickard, (S)Parker, Res. 01-128 adopted. Supervisor Stewart requested that further consideration be given to funding the expenses for the Librarian to attend Library Conference. Ayes: Unanimous.

The item from Human Services relative to the Incentive Plan was continued to later this date.

Jim Petropulos, Public Works Director;

A) Discussion of Possible Future Rate Increases for Hangar and Ground Leases at the Mariposa/Yosemite Airport

BOARD ACTION: Discussion was held, and Jim Petropulos advised that he is looking at coming back to the Board in July with proposed rate increases. He advised of plans to construct twelve additional hangars and of contact with the Forest Service relative to their request to use the Airport facilities. Supervisor Stewart noted the Experimental Aircraft Association has a fly-in scheduled for May 19th.

B) Approve the Yosemite Area Regional Transportation System (YARTS), Joint Powers Agreement (JPA) Amendment

BOARD ACTION: Following discussion, (M)Stewart, (S)Parker, Res. 01-129 adopted/Ayes: Unanimous.

C) Authorize Public Works to Solicit Bids and Award to Lowest Responsible Bidders: One New 1-Ton 4 Wheel Drive Cab and Chassis for Animal Control and One New 1-Ton Full Size Passenger Van with Slip-In 9 Passenger Prisoner Carrier for the Sheriff's Department (\$50,000)

BOARD ACTION: Discussion was held with Marty Allan/PWD-Fleet Fiscal Manager, and Howard Davies, Assistant Sheriff. Action was continued for the following hearing to be opened.

10:00 a.m. Public Hearing to consider amending the Zoning Ordinance relative to mobile homes was opened and continued to after the following matters.

Following further discussion relative to the purchase of vehicles, (M)Pickard, (S)Reilly, Res. 01-130 adopted/Ayes: Unanimous.

D) Authorize Public Works to Declare the List of Vehicles "Declared Surplus" and Sell Seven of the Old Patrol Units to Restored Emergency Vehicles (REV) and Sell Balance of Vehicles through the Auction Process

BOARD ACTION: Following discussion with Marty Allan/PWD-Fleet Fiscal Manager, and Howard Davies, Assistant Sheriff, (M)Pickard, (S)Stewart, Res. 01-131 adopted/Ayes: Unanimous.

10:12 a.m. Recess

10:29 a.m. Eric Toll, Planning Director;

PUBLIC HEARING: (1) Waive First Reading and Introduce an Ordinance Amending the Zoning Ordinance Pursuant to Zoning Amendment 2001-1 with Recommended Findings. The Amendment, as Recommended by the Planning Commission, Would, in General, Prohibit the Placement of Mobile Homes on Property in the County if Manufactured Prior to January 1, 1976, Unless They Can Meet Certain Standards, and Would Allow Legal Non-Conforming Mobiles to be Relocated on the Parcel on Which it

is Located but not to Another Parcel in the County (2) Adopt a Notice of Exemption for ZA 2001-1 (Continued from April 14, 2001)

BOARD ACTION: Eric Toll presented the staff report, and he advised that California law does not allow for mobile homes to be used for storage; and that legally existing mobile homes are okay. He advised of code requirements for mobile homes that do not meet HUD standards. Jeff Green, County Counsel, advised of his concern that the restriction to move pre-1976 mobile homes from outside of the County, and to allow them to be moved within the County, violates the equal protection clause of the Constitution. Staff responded to questions from the Board relative to the proposed changes and the Board's previous discussion and direction.

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

- Janet Bibby stated she owns a mobile home and asked why mobile home parks are exempt. She also asked about conditions for a Ramada, and the ability to move a mobile home from one parcel to another and code requirements that would need to be met. Eric Toll responded that mobile parks are regulated by State requirements, and that currently mobile homes have to be brought up to standard if they are relocated pursuant to the Uniform Building Code.

Public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to State code requirements for moving an existing conforming mobile home; authority of the County to regulate mobile homes; what is driving the amendments as a County issue; and relative to addressing health and safety issues of mobile homes that do not meet HUD standards. (M)Parker, (S)Stewart, direction was given to staff to not make any changes. Supervisor Reilly requested that the Building Department review the codes and bring back suggestions for applying the laws to address the situations that exist. Ayes: Balmain, Stewart, Parker; Noes: Reilly, Pickard. Hearing was closed.

Supervisor Reilly initiated discussion relative to addressing issues where changes are being proposed, like the mobile home amendments, and being able to get good, accurate information out to the public.

11:19 a.m. Recess

11:34 a.m. Cheryle Rutherford-Kelly, Human Services Director;

1) Review and Approve the Incentive Plan; 2) Authorize the Department to Utilize the Incentive Money Awarded to this County for the Purpose Described in the Plan in the Amount Not to Exceed \$134,629; 3) Authorize the Department to Work with the California State Department of Social Services to Utilize Unspent Money as Rollover in the Next Fiscal Year; 4) Authorize Two Social Worker IV Allocations and Fill These Two Positions; 5) Authorize the Department to Underfill the Social Work Position if Necessary; and 6) Authorize the Purchase of Two New Vehicles; and Transfer Unanticipated Incentive Revenues (\$58,201) (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Cheryle Rutherford-Kelly relative to the requested actions. Supervisor Parker asked about the status of space and reorganization issues for the department. (M)Parker, (S)Pickard, Res. 01-132 adopted approving the request, with the exception of filling the positions; direction was given to not fill the positions until further action is taken by the Board/Ayes: Unanimous.

Chairman Balmain initiated discussion relative to the Board's May 22nd meeting and attendance at the California Integrated Waste Management Board (CIWMB) meeting, and coordination with other events being held in the County. He urged all Board members to attend the CIWMB meeting. Board members concurred that only one or two members would participate/conduct business at the CIWMB meeting. Discussion was held relative to the County's presentation at the CIWMB meeting, and consideration of

welcoming remarks by the Chairman, comments by Supervisor Pickard on the co-compost project, presentation by the Mariposa Elementary School students on the Red Worm Café, and presentation by Public Works on the co-compost project. Supervisor Reilly encouraged the Board members to attend the tour of the YCS recycling facilities. It was noted that the reception in Yosemite on Tuesday evening is a social event. Supervisor Parker requested that a County tile plaque be presented to the CIWMB recognizing the significance of the Board holding its meeting in Mariposa County. Board concurred with having the County Administrative Officer working with Public Works on the County's presentation at the meeting. Action to cancel the Board's meeting for May 22nd will be scheduled on May 15th.

12:08 p.m. Lunch

2:08 p.m. Eric Toll, Planning Director;
Authorize the Planning Director to Sign a Contract with Selected Consulting Firm to Prepare an Environmental Impact Report for the Hazel Green Ranch Resort Project
BOARD ACTION: Chairman Balmain advised that this matter was pulled from the agenda.

Greg Iturria, County Administrative Officer;
Review and Approve Recommended Actions Regarding 2000 Reclassification Requests as Listed in the Staff Report
BOARD ACTION: Discussion was held with Greg Iturria relative to the requests and his recommendations.

Input was provided by the following:

Lisa Edelheit, SEIU Local 535, discussed the reclassification process and her concerns. She advised that they agree with the recommendation to approve the reclassification request for the office assistant II position in the Family Support Division to a legal secretary. She provided input and urged the Board to approve the following reclassification requests: property mapper in the Assessor's Office; accounting technician in the Family Support Division; two account clerks in Public Works; accounting technician in the Treasurer's Division; and account clerk in the County Clerk's Division.

Eddie Ellis, property mapper in the Assessor's Office, stated he has worked in this position for sixteen years and there has been no change in the job description for 26 years. He advised of changes with automation.

Marjorie Wass, Assistant Treasurer/Tax Collector, advised that Don Phillips, Treasurer/Tax Collector, was unable to be present. However, he is in full support of the two requests for reclassification in his office. She advised that she is also representing the employee for the reclassification request to change an account clerk to an election clerk. She agrees with the need to update the job classifications for the County. She presented job descriptions for the positions and their justification for the reclassifications.

Shannon DeLouiz, Accounting Technician II in the Tax Collector's Office, presented a copy of the letter the Auditor wrote supporting her request for a reclassification. She advised that after her discussion with the Union, it was determined to use the reclassification process.

Kathy Binon, Accounting Technician I in the Child Support Services Office, commented on the changes in the position over the last eight years – separation from the District Attorney Department, preparation of County and State budgets and reports.

Mona Wass, Account Clerk III in the Public Works Department, advised of changes in workload for her position since 1992 – all of the districts were added for tracking the billings, handling disconnect notices, meter reading, processing cash statements, and doing timecards for the department.

Discussion was held by the Board concerning the input and relative to conducting a comprehensive review of the job classifications. Greg Iturria advised there are three options for a study: 1) rewrite and broaden the job descriptions; 2) in addition, review compensation based on level of responsibility and knowledge required for each position; and 3) in addition, conduct market equity research.

Lisa Edelheit presented additional information relative to the job duties and the narrowly defined job descriptions.

Becky Crafts, Supervising Appraiser and President of MCMCO, commented on the inconsistency in changes in the job classifications, and stated she agrees with the need for a comprehensive study.

Lisa Edelheit stated she feels there is a significant amount of work being done out of classification and urged more consideration before taking action to approve the recommendations.

(M)Pickard, (S)Parker, Res. 01-133 adopted approving recommended actions regarding 2000 reclassification requests as listed in the staff report. Further discussion was held. Supervisor Reilly stated she would like more information concerning this matter. Supervisor Parker withdrew his second. Motion was seconded by Supervisor Stewart. Discussion was held relative to requests by employees that are not represented by the Union and how to address those issues. Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly. Supervisor Parker suggested that more detailed information on the requests be made available to the Board members. He also asked about the responsibility of the department head in the case of the reclassification request in the County Clerk's Office for issuing licenses, etc. Marjorie Wass commented that they feel this particular employee is performing the duties of another job description. Supervisor Parker commented on additional information that is provided to the Board at the last minute, and he stated he would prefer to receive the information in advance for review.

CONSENT AGENDA

- CA-1 Resolution Recognizing John Robbins on His Retirement as California Department of Forestry Assistant Chief (Chairman Balmain); Res. 01-124
- CA-2 Approve Intrabudget Transfer for District Attorney Family Support (\$766) (County Administrative Officer); Res. 01-125
- CA-3 Approve an Increase in Summer Hours for the Bassett Memorial Library in Wawona (County Library); Res. 01-126
- CA-4 Approve the Change of Hours of Operation for the El Portal Library (County Library); Res. 01-127

3:58 p.m. Adjournment in memory of Ronald Duffin, Doris Gimblin and Cecil Cheney.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA MAY 15, 2001



Time Description

9:11 a.m. Meeting Called to Order, with Supervisor Parker excused due to illness.

Chrissy Carlson/Vice-President, Allyce Chappell/Public Relations Officer, and Melissa Montoya/Special Events Coordinator, of the Mariposa County High School Associated Student Body led in the Pledge of Allegiance.

Introductions – none.

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

- Chrissy Carlson, Allyce Chappell and Melissa Montoya advised of their plans to put on a senior citizen prom at the Senior Activity Center on May 30th, with a theme of “Blue Hawaii.”

- Jim Petropulos, Public Works Director, advised that the realignment work is complete on the Carter curve on Triangle Road and the final paving will be done later this summer. He also advised that preparation work for Hirsch Road improvements will begin on Monday, with completion by a contractor later this summer.

- Supervisor Reilly advised of an orientation tour scheduled for next week as a cooperative effort between the Park Service and the local businesses to provide information about visitor activities in the Park.

- Chairman Balmain advised that the Sheriff has an off-agenda request to present later this morning, and he reminded Board members that they are scheduled to serve lunch at the Senior Activity Center today.

Board Information

- Supervisor Stewart advised that he attended the Broadband Task Force meeting on Monday, and they are working on getting an assessment of the County’s communication systems.

- Supervisor Pickard advised that he plans to attend the RCRC meeting on Wednesday and Thursday, and discussion will include PG&E Rule 20 (a) funding and the recent Public Utility Commission’s tentative decision; and the CUPA program. He is meeting with the Energy Commission and pursuing funding for the co-compost project. He advised that AB 1400, co-compost funding, is set for the Appropriations Committee for Wednesday and is recommended for the suspense file because of the amount of funding required. He further advised that the Sequoia Resource Conservation Development Area Board meeting will be held on May 23rd, and that he would like feedback on the draft by-laws that he circulated prior to the meeting.

- Greg Iturria, County Administrative Officer, provided additional information relative to the Great Valley Center and the Broadband Task Force project, and he advised that the Task Force is requesting the name of a contact person to attend meetings. He advised that he could serve as the contact and may ask the Technical Services Director to get involved. The County’s share of cost is being calculated to determine what it would cost for the County to be a full partner, and he will bring that information back to the Board for further direction. He further advised of a letter from the State Board of Equalization relative to the valuation of PG&E property. Discussion was held, and Supervisor Pickard suggested providing input relative to the County’s concern with the current PG&E bankruptcy proceedings. Board concurred with having Greg prepare a letter to send to the State. Greg advised of his meeting with several counties and State representatives on Friday relative to transition of the Child Support

Services. A Solid Waste Committee meeting is being scheduled to prepare for the presentation to the California Integrated Waste Management Board. A County Administrative Officers' meeting is scheduled for Friday in Sacramento to review the Governor's budget revision.

- Supervisor Reilly advised that she attended the Great Valley Conference last week and the Air Quality Transportation Workshop.

Resolution Recognizing the Week of May 13 – 19, 2001 as “National Police Memorial Week” and “Law Enforcement Appreciation Week”

BOARD ACTION: (M)Pickard, (S)Reilly, Res. 01-137 adopted and presentation was made later this morning at the ceremony at the Courthouse/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Approval of Minutes 5/01/01 Regular Meeting

BOARD ACTION: Approval was continued to June 5, 2001.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Jeff Green, County Counsel, pulled item 4 for separate action. (M)Pickard, (S)Stewart, balance of items were approved/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker. Following discussion, (M)Pickard, (S)Stewart, item 4 was approved with the condition that before the program is instituted for any individual driver, that the Department of Motor Vehicles check is done and approved/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Jim Petropulos, Public Works Director;

Approve and Ratify a Contract for Services Performed by Rain-For-Rent at Yosemite West (\$63,361.87)

BOARD ACTION: Following discussion, (M)Stewart, (S)Reilly, Res. 01-142 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Eric Toll, Planning Director;

A) Authorize the Planning Director to Sign a Contract with Selected Consulting Firm to Prepare an Environmental Impact Report for the Hazel Green Ranch Report

BOARD ACTION: Following discussion, (M)Stewart, (S)Pickard, Res. 01-143 adopted approving the recommended action, subject to approval of the contract by the developer, County Counsel and the County Administrative Officer, and upon receipt of funds to cover the costs of the report/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

B) Waive Second Reading and Adopt an Ordinance Amending Sections 8.28.030 and 8.28.032 of Chapter 8.28, Public Assemblages, of Title 8, County Health and Safety Code to Allow Consideration of Public Assemblages of over 2500 People Through the Conditional Use Permit Process

BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, second reading was waived and Ordinance No. 965 was adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Adopt a Resolution to Cancel the Board's Regularly Scheduled Meeting for May 22, 2001 (County Administration)

BOARD ACTION: (M)Pickard, (S)Stewart, Res. 01-144 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

9:55 a.m. Recess to attend the Police Memorial Week Ceremony at the Courthouse.

10:00 a.m. Pelk Richards, Sheriff;
Police Memorial Week Ceremony was held at the Courthouse

10:36 a.m. Board reconvened at the Government Center.

Pelk Richards, Sheriff, presented a request, as an off-agenda item, to replace the air conditioning units at the Sheriff's Administration facilities. (M)Stewart, (S)Pickard, Board waived rules requiring 72 hours agenda noticing to consider this request, finding it was not known about at the time the agenda was prepared and it is a matter of timeliness due to the summer weather and the Board is not scheduled to meet again until June 5th/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker. Discussion was held relative to the request. Greg Iturria, County Administrative Officer, advised he could work with the Department on reviewing a possible upgrade to the units for energy efficiency. (M)Stewart, (S)Pickard, Res. 01-145 adopted waiving the formal bid process and authorizing the Sheriff to replace the air conditioning system at the Administration building and transferring funds (\$5,987), as requested/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Supervisor Reilly initiated discussion relative to overall energy conservation measures in the County, and she stated she would like to see the County serve as a model. Pelk Richards, Sheriff, advised he would be willing to call another local energy committee meeting, and involve the Chamber to reach the business community. He also advised of a meeting with the Governor and Office of Emergency Services relative to these issues. Greg Iturria, County Administrative Officer, advised that he has received samples of energy conservation policies adopted by other counties and he will forward those to the Sheriff for the committee meeting. Supervisor Balmain and Greg Iturria commented on the battery back up lighting in the Government Center.

Pelk Richards, Sheriff, advised of his recent staffing shortages due to employee transfers and injuries.

Cheryle Rutherford-Kelly, Human Services Director;
Authorize the Auditor to Accept \$50,000 of State Money Allocated to this County;
Approve \$35,000 of That Money for the Purchase of Live Scan Equipment and \$15,000 for the First Year's Maintenance Contract and Training Costs; Waive the Formal Bid Process and Authorize the Purchase of the Equipment from One of the State's Certified Vendors; Authorize the Department, after Review by County Counsel to Enter into a One Year Maintenance Contract (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Cheryle Rutherford-Kelly. (M)Pickard, (S)Stewart, Res. 01-146 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Authorize the District Attorney's Office to Overfill the Legal Secretary Position in the Family Support Division as the Incumbent Legal Secretary Will be Retiring on July 6, 2001 and Transfer Funds (\$2,217) (Interim Personnel/County Counsel

BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, Res. 01-147 adopted/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

Authorize the Chairman to Sign a Letter Supporting the "Essential Government Facilities Rate Cap" to be Included in the March 27, 2001, Rate Surcharge that the California Public Utilities Commission is About to Implement (County Administration)

BOARD ACTION: Discussion was held. No action was taken.

11:17 a.m. Greg Iturria, County Administrative Officer

CLOSED SESSION: Regarding Public Employee Performance Evaluation for County Administrative Officer

BOARD ACTION: (M)Pickard, (S)Reilly, closed session was held/Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker.

11:47 a.m. Board recessed to serve lunch at the Senior Center, and closed session was continued to later this afternoon.

1:34 p.m. Board reconvened in closed session.

3:04 p.m. Recess

3:36 p.m. Board reconvened in open session and Chairman Balmain announced that direction was given to staff as a result of closed session.

Chairman Balmain initiated discussion relative to attendance at the California Integrated Waste Management Board meeting and other events scheduled for May 22nd.

CONSENT AGENDA

- CA-1 Appoint Ollie Slane to the Coulterville Community Planning Advisory Committee (Supervisor Balmain)
- CA-2 Approve Intrabudget Transfer from Juvenile Hall Support and Care to Juvenile Hall Extra Help (\$14,000), Juvenile Hall Office Expense (\$450) and Juvenile Hall Communications (\$260) (Probation); Res. 01-138
- CA-3 Authorize the Director of Child Support Services to Sign a Fairtime Rental Agreement for Space to be Used for Public Awareness Activities During the Up-Coming County Fair (District Attorney/Family Support); Res. 01-139
- CA-4 Authorize Contractors Who Transport Children and/or Their Families, to do so in a County Car (Human Services); Res. 01-141, with direction for DMV check
- CA-5 Approve Resolutions for Pat Sischo, from Wawona, Dwain and Dorothy Keller, from Coulterville and The Memory Makers Band for Their Volunteer Service in 2001 (Community Services); Res. 01-134, 01-135, and 01-136
- CA-6 Approve Budget Transfer for Purchase of Equipment Under \$1,000 for the Computer Upgrade Project in Public Works Department (\$860) (Data Processing); Res. 01-140

3:42 p.m. Adjournment in memory of Emillio Pistoresi.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA

June 5, 2001

<u>Time</u>	<u>Description</u>
<u>9:15 a.m.</u>	Meeting Called to Order Pledge of Allegiance

Introductions – Supervisor Stewart introduced Rebecca Grace Hunt, his granddaughter, and his daughter and son-in-law - Elizabeth and Robert Hunt.

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

- Pete Judy, Chief Probation Officer, advised of information he received relative to additional funding being available from the Jail Removal Grant for Juvenile Hall; however, applications need to be submitted by next Monday. (M)Parker, (S)Stewart, Board waived rules requiring 72 hours agenda noticing to consider this request, finding it was not known at the time the agenda was prepared and it is a matter of timeliness/Ayes: Unanimous. Discussion was held. (M)Parker, (S)Stewart, Res. 01-148 adopted authorizing submission of the grant application. Supervisor Pickard requested that more specific information on the grant request be provided to the Board. Ayes: Unanimous.

- Becky Crafts, Director of Mariposa County Wagon Train, thanked the Board for its continued support and invited Board members to attend the event this weekend.

Board Information

- Supervisor Pickard advised that AB 1400, the co-compost funding legislation, was moved from the Suspense File to the Assembly, and the amount was reduced to \$900,000. He advised that AB 608, relative to CalTrans accounting of funding, was moved from the Suspense File, and it is still a consent bill. He further advised that he was selected Chairman at the May 22nd meeting of the Yosemite-Sequoia Resource Conservation Development Area Board – they are working on their by-laws and recruitment for a coordinator. He further advised that the California Integrated Waste Management Board meeting and reception went very well; and the Mariposa Elementary School students gave a great presentation on their Red Worm Café project.

- Supervisor Parker advised of receipt of a letter from the Tenaya Lodge, and stated he would like to discuss the letter later this date.

Ruth Sellers, President of the Butterfly Garden Club and Grace Stewart, on behalf of Noma Moore, President of Cathey's Valley Garden Club;

Proclamation for "National Garden Week" – June 3 through June 9, 2001

BOARD ACTION: (M)Stewart, (S)Parker, proclamation was approved and presented to Ruth Sellers and Grace Stewart and members of the Garden Clubs/Ayes: Unanimous.

Approval of Minutes 5/01/01, 5/08/01, and 5/15/01 Regular Meetings

BOARD ACTION: Minutes were approved, with correction to reflect PG&E Rule 20 (a) funding versus Rule 28.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain pulled item 1. Greg Iturria, County Administrative Officer, pulled items 6, 15, 17, and 18. Supervisor Stewart pulled item 5.

(M)Stewart, (S)Pickard, balance of items were approved/Ayes: Unanimous.

Supervisor Balmain initiated discussion relative to item 1, and his concern with adding another program when the current programs are not being kept up. Rich Begley, PWD/Deputy Director Parks and Recreation, provided input relative to the status of the mobile recreation program. (M)Pickard, (S)Stewart, item 1 was approved. Further discussion was held and Rich Begley advised of the status of opening the swimming pools for the summer. Ayes: Reilly, Stewart, Parker, Pickard; Noes: Balmain.

Supervisor Parker initiated discussion relative to the status of the amphitheater project and whether it would be ready for the summer film festival – he requested that Rich Begley and the Public Works Director meet with him on this matter.

Supervisor Stewart initiated discussion relative to item 5. Steve Hayes, Visitors' Bureau Director, provided input on his request for the budget transfer. (M)Reilly, (S)Parker, Res. 01-156 adopted approving item 5/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Pickard.

Greg Iturria initiated discussion relative to item 6. Discussion was continued for the following hearing to be opened.

10:00 a.m. Public hearing to consider unmet transit needs was opened and continued to after the following items.

Further discussion was held relative to consent agenda item 6 and whether certificate of appreciation should be considered versus a resolution. Supervisor Parker suggested that the County Administrative Officer work with the Visitors' Bureau Director on this matter. Supervisor Reilly suggested that a policy be developed for recognition awards that could be used to provide guidance in the future.

Greg Iturria initiated discussion relative to item 15. Jacque Meriam, Librarian, provided input relative to the grant request. (M)Pickard, (S)Reilly, item 15 was approved, subject to review and approval of the grant application by the County Administrative Officer; and with direction for discussion of the future of the literacy program to be scheduled for Board discussion/Ayes: Unanimous.

Items 17 and 18 were continued to later this date.

Jacque Meriam, County Librarian;
Accept Soroptimist International of Mariposa Donation to the Library to Purchase Books (\$250.00) (4/5ths Vote Required)

BOARD ACTION: (M)Parker, (S)Pickard, Res. 01-158 adopted/Ayes: Unanimous.

Mary Williams, Community Services Director;
Direction to Staff on How to Proceed, Given the Reduction in Federal and State Funding for Fiscal Year 01-02 (-\$56,000) through Area 12 Agency on Aging

BOARD ACTION: Supervisor Pickard advised of the status of funding for the Area 12 Agency on Aging programs, and he recommended that the Interstate Funding Formula be used to reduce the proposed shortfall to the County. Discussion was held relative to the recommendation and alternatives relative to reducing programs. Supervisor Pickard advised that this matter was also discussed with the Human Services Director at the Community Action Agency meeting on Monday, and they may be able to pursue some funding. He also advised that the Federal Budget contains a proposed increase in funding. Supervisor Parker suggested that the Area 12 Agency on Aging be contacted to see if there are any reserves or contingency funds that could be used to offset the shortfall. Board concurred with the recommendation.

Public Works items were continued to later this date.

10:54 a.m. LOCAL TRANSPORTATION COMMISSION

Jim Petropulos, Public Works Director;

PUBLIC HEARING: Determine if There are Transit Needs Within the Community That are Not Being Met, But That are Reasonable to Meet for Fiscal Year 2001/2002

COMMISSION ACTION: Jim Petropulos and Amy Roberts/PWD-Transportation Planner, presented the staff report.

Input from the public was provided by the following:

Candy O'Donel-Browne, Economic Development Corporation Executive Director and member of the Workforce Investment Board, stated she feels the bus system is not being used to the best advantage between Mariposa and Yosemite, and she supports a survey to determine the needs. She stated she also feels the centralized phone number where all transit information could be accessed is a wonderful idea.

Georgene Tarbox, representing the Employment Development Department and a member of the Workforce Investment Board and Social Services Transportation Commission, stated public transportation is needed for employees. She stated she supports the survey and the centralized phone number.

Debbie Brown, Manager of Labor Relations for Yosemite Concession Services, stated she was speaking on behalf of Lisa Abbott. She stated they have jobs and need transportation for people to be able to take the jobs. She noted the housing in the Park is limited and that leaves employees traveling long distances. She stated they appreciate the YARTS system and it is helping with the transportation needs. But, she stated they need more runs and later runs to accommodate the shifts that the employees work. She supports the survey and the centralized phone number.

Lisa Edelheit, Workforce Investment Board member and member of the Local One-Stop Advisory Committee, stated transportation is always an issue for employees working in the Park. She stated she feels another component is to have transportation for youth to be able to come and work in the Park. She stated she supports the survey and the centralized phone number.

Brenda Ostrom stated she is a County resident and works in the Park. She noted that she began her employment in the Park with complete dependency on the transit system. Later she obtained an automobile from her grandmother. That left her grandmother transit dependent. Following a subsequent accident, which left her with a broken neck, she has become dependent on the transit system again to keep her job. She advised of scheduling problems that she has encountered with the YARTS system. She stated she agrees with doing the survey and with the centralized phone number.

Debbie Brown explained the shift system they use and the scheduling conflicts with the YARTS program. She stated they will recruit more employees from areas where transportation is available.

Barbara Brown, Green Thumb Program representative for Mariposa and Merced Counties and a member of the One-Stop Advisory Committee, commented on transportation needs. She stated she supports the survey and the centralized phone number.

Gwen Nitta, Job Connection, noted the need for transportation for employment and educational programs. She stated she supports the survey and the centralized phone number. She also suggested that brochures/marketing program information be available for the transportation program.

Amy Roberts provided input on the transportation survey performed by Calaveras County to coordinate services and schedules. She stated she feels that could apply here, as well.

Public portion of the hearing was closed and the Commission commenced with deliberations. Commissioner Stewart stated he feels there needs to be a better coordination of all of the transportation programs in the County, and better coordination

of the scheduling with the Yosemite Concession Services work shifts. He also suggested that information be added to the bus stop signs indicating the times of the scheduled stops; that future consideration be given to a trolley car system to provide public transportation in town from the Bug Hostel in Midpines to the State Mining and Mineral Exhibit, and perhaps to the Airport; and that the schedules be prepared in a format that is easier to understand. Commissioner Reilly thanked those that have worked on the transportation needs in the County. Staff responded to questions from the Commission as to whether a similar survey has been conducted in the County in the past; and cost and funding of the proposed survey. Commission concurred with directing staff to bring back more detailed information on the tasks, administration and costs for a demonstration program for the survey and the centralized phone number; to look at all transportation programs in the County and the feasibility of coordinating and adjusting the schedules; review whether any grant funding is available for these programs; obtain information on the cost-effectiveness of the programs; determine what information is to be obtained from the survey and whether the schedules can be adjusted; and to obtain cost information for printing schedules and brochures relative to the transit programs and schedules. Information on the trolley transit system to be brought back in the future. Hearing was continued to June 19, 2001, at 10:00 a.m. Commissioner Balmain requested that transit needs to and from the Airport also be addressed.

11:54 a.m. Lunch

2:16 p.m. Eric Toll, Planning Director;

A) PUBLIC HEARING: Approve a Negative Declaration and Enact Amendments to Chapter 17.144 of the Mariposa County Code (Zoning Enforcement), Enforcement to Establish Guiding Principle, Reduce Penalty to an Infraction, Amend the Investigation and Appeal Process, and Approve the Planning Department Administrative Procedures

BOARD ACTION: Eric Toll presented the staff report, and he responded to questions from the Board relative to the appeal procedures; and relative to handling violations with our current procedures. Supervisor Parker presented suggested changes to the ordinance, and he requested that it be clarified that the Planning and Building are two separate departments. Eric Toll advised of other recommended wording changes and corrections in the documents.

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

Leroy Radanovich, Chairman of the Planning Commission, commented on the Commission's review of these changes, and he suggested that the wording be changed to reflect that the Director should "initiate" whether a violation exists versus "find."

Ken Melton stated he concurs with Leroy Radanovich's comments, and he provided input relative to the amendments.

Harry Hagin, Yosemite West resident, commented on the amendments and stated he would like to see the zoning and transient rental violations in Yosemite West corrected and the rules enforced – he does not feel the current rules work.

Michael Manahan, resident of Yosemite West and member of the Yosemite West Community Planning Advisory Committee, cited a quote that without enforcement and adequate and fair penalties, there can be no zoning laws. He urged adoption of the change to increase enforcement levels and improve the procedures.

Carol Meisner, Cozy Bear Cottages in Yosemite West, asked whether any revenue from fines for violations would go back to the area where they were generated. Greg Iturria, County Administrative Officer, advised there is a prescribed distribution of fees and fines imposed by the Court system, and that those imposed by the County go to the General Fund to offset County costs for enforcement. Supervisor Reilly asked Ms. Meisner if she felt it would be good to credit the revenue to the area where generated.

Bart Brown presented questions relative to technical aspects of the amendment concerning enforcement and public nuisances. He stated he is concerned with the

lowering of the penalty by removing the imprisonment, as there may be a violator that has no funds. He also asked about the provision of five days to conform to the County Code when there is an immediate threat to public health and safety. He asked for clarification of appealing a Planning Commission's decision to the Board. He commented on his experience with enforcement issues in the County.

Public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to a question from the Board relative to clarification of expectation of enforcement. Eric Toll and Jeff Green, County Counsel, reviewed the proposed changes to the ordinance and Administrative Procedures. Staff responded to an additional question from the Board relative to clarification of the ordinance process for this amendment. Supervisor Balmain advised of typographical corrections. Hearing was continued in the deliberation phase to June 19, 2001, at 2:00 p.m. for the changes to be incorporated into the text.

3:26 p.m. Recess

3:40 p.m. B) General Plan Workshop: Review and Give General Direction to Staff Related to the Guiding Principles for the General Plan Update

BOARD ACTION: Discussion was held relative to scheduling General Plan Update issues – Board concurred with the following schedule:

Wednesday, June 27, 2001, from 9:00 a.m. to 12 noon;

Monday, July 9, 2001, from 9:00 a.m. to 12 noon;

Monday, July 23, 2001, from 9:00 a.m. to 12 noon; and

Tuesday, August 7, 2001, from 9:00 a.m. to 12 noon, if needed.

Board concurred with scheduling a joint meeting with the Planning Commission on Tuesday, July 17, 2001, at 2:00 p.m.

Eric Toll invited the Board members to attend the next Planning Commission meeting, and he advised that circulation will be discussed. He asked about distribution of the notes from the Commission meetings.

Jim Petropulos, Public Works Director;

A) Approve a Resolution Authorizing the Public Works Director on Behalf of the Yosemite West Maintenance District, to Purchase a New Trackless Model MT5 Snow Blower with a Used Pronovost P862TRC Snow Blower Attachment on a Single Source Contract from Snoquip of Sacramento

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 01-159 adopted waiving the formal bid process and authorizing purchase of the snow blower as requested/Ayes: Unanimous.

B) Authorize the Public Works Director to Enter into a Personal Service Agreement for Solid Waste Consulting Services with Thomas J. Starling d/b/a Eagle Solid Waste Consulting

BOARD ACTION: Discussion was held. Board members requested that the recruitment process to fill the Solid Waste Coordinator position be expedited due to the pending co-compost project. (M)Reilly, (S)Pickard, Res. 01-160 adopted approving the agreement with change to allow for thirty days notice of termination on the part of the County, and to allow for adjustment of the compensation accordingly/Ayes: Unanimous.

Consent Agenda item 17 – Greg Iturria, County Administrative Officer, advised that the Fire Chief is out of town; however, he feels there needs to be an explanation of the funding request. Following discussion, (M)Parker, (S)Reilly, item 17 was approved due to timeliness with the current fiscal year ending June 30th; and with direction to the County Administrative Officer to further review the details of the request with the Fire Chief and to bring back the issue as an advisory matter, if necessary/Ayes: Unanimous.

Consent Agenda item 18 – Greg Iturria advised that the County match for the grant is not obligated at this point, and he advised that the Arts Council has been requested to make a correction to the application to reflect the source of the County's contribution of funding. (M)Parker, (S)Reilly, item 18 was approved/Ayes: Unanimous.

Discuss and Approve a Welcome Letter from the Board of Supervisors that will be Posted on the Mariposa County Film Commission Web Site (County Administrative Officer)

BOARD ACTION: Discussion was held. (M)Reilly, (S)Pickard, letter was approved. Supervisor Parker requested that information be included as to where to contact the Film Commissioner – motion was amended, agreeable with maker and second, to include this information/Ayes: Unanimous.

Authorize the Chairman to Sign a Memorandum of Understanding Regarding the Continued Use of the Mariposa County Head Start Copy Machine by the Madera County Community Action Agency for the Mariposa Head Start Program (County Administrative Officer)

BOARD ACTION: Following discussion, (M)Reilly, (S)Stewart, Res. 01-163 adopted/Ayes: Unanimous.

Waive Readings and Adopt Ordinance Amending the Contract with the California Public Employees' Retirement System (PERS) Board of Administration Effective July 1, 2001, Which Will Provide a 3% @50 Formula and One Year Final Compensation at Retirement for the Deputy Sheriffs' Association and Sheriffs' Management Association (Interim Personnel/County Counsel)

BOARD ACTION: Jeff Green, County Counsel, advised of a language change requested by PERS in the contract. (M)Reilly, (S)Stewart, readings were waived and Ordinance 966 was adopted with the change/Ayes: Unanimous.

Discussion and Staff Direction Regarding Increasing Board of Supervisors' Salaries from One-Quarter to One-Third of the Superior Court Judge's Salary (Supervisor Balmain)

BOARD ACTION: Supervisor Balmain presented his recommendation for the increase. Following discussion, (M)Pickard, (S)Parker, direction was given to staff to bring back an ordinance to increase the Board of Supervisors' salaries to one-third of the Superior Court Judge's salary/Ayes: Reilly, Balmain, Parker, Pickard; Noes: Stewart.

Discussion and Direction to Staff Regarding and Opportunity to Participate in the Great Valley Center's Infrastructure Assessment Grant Program (County Administrative Officer)

BOARD ACTION: Discussion was held. (M)Stewart, (S)Reilly, Res. 01-164 adopted approving participation and appropriating funds for this program/Ayes: Unanimous.

CLOSED SESSION: Regarding Public Employee Performance Evaluation for County Administrative Officer (Continued from May 15, 2001) (County Administrative Officer)

BOARD ACTION: Matter was continued to June 19, 2001.

CLOSED SESSION: Regarding Anticipated Litigation – Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9. One Case to be Discussed (County Counsel)

BOARD ACTION: (M)Parker, (S)Pickard, closed session was held after the following items/Ayes: Unanimous.

Supervisor Reilly initiated discussion relative to the July 3rd meeting and the July 4th holiday. Staff was requested to prepare an agenda item for further consideration of this matter.

Supervisor Parker advised that he received additional information relative to the letter from Tenaya Lodge that he referenced earlier this date, and he advised that he will request that the matter be scheduled on a future agenda.

5:06 p.m. Board convened in closed session.

5:24 p.m. Board reconvened in open session with direction given to staff as a result of the closed session.

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

CONSENT AGENDA

- CA-1 Approve Bids for a Mobile Recreation Trailer and Authorize the Public Works Director to Execute an Agreement with the Lowest Responsible Bidder (Public Works); Res. 01-155
- CA-2 Authorize Public Works to Advertise and Award a Contract to the Lowest Responsible Bidder for Fuel for the County's Fleet (Public Works); Res. 01-149
- CA-3 Authorize the District Attorney to Submit a Grant Application to the Office of Criminal Justice Planning for the Mariposa County District Attorney Statutory Rape Vertical Prosecution Program for the 2001/2002 Grant Year and Authorize the District Attorney to Sign the Grant Award Agreement (\$50,000) (District Attorney); Res. 01-150
- CA-4 Approve Two Tile Plaques to be Presented to the First Mariposan Who Completes the 60-miler and the 100-miler in the Annual Mariposa "Run for the Gold" Endurance Ride (Chairman Balmain)
- CA-5 Approve the Visitors' Bureau Budget Transfer Request for Communication Expenses and Repairs to the Macintosh Computer (\$3,816) (Visitors' Bureau); Res. 01-156
- CA-6 Approve a Resolution Honoring Jan Doets on His Retirement and Lifelong Contributions to Tourism in the Yosemite Region (Visitors Bureau); Direction was given for the County Administrative Officer work with the Visitors' Bureau Director on this matter.
- CA-7 Re-appoint Joyce Koller, Lawrence Williams, William Krause, Mary Jane Ehrman, Pat May, Frank M. Yost, Jr., Edward Mee, Ralph Harder, and Tony Christianson to the Wawona Town Planning Advisory Committee (Supervisor Pickard)
- CA-8 Re-appoint Donn Harter and Robert Taylor to the Fish Camp Community Planning Advisory Council (Supervisor Pickard)

- CA-9 Accept the Resignation of Paul Ratchford from Fish Camp Community Advisory Council (Supervisor Pickard)
- CA-10 Appoint Jonathon Farrington to the Fish Camp Community Planning Advisory Council (Supervisor Pickard)
- CA-11 Approve Transfer of \$1,500 from Fixed Assets to Lease Equipment within Tax Collector's Budget (Tax Collector); Res. 01-151
- CA-12 Approve Intrabudget Transfers for Human Services (\$8,500), Facilities Maintenance (\$3,825) and Roads (\$1,452) (County Administrative Officer); Res. 01-152
- CA-13 Authorize the Chairman to Sign a Letter of Support of Assembly Member Cogdill's Authored Legislation ACA 10 Which Will Incrementally Eliminate the Educational Revenue Augmentation Fund (ERAF) Shift (County Administrative Officer); Res. 01-153
- CA-14 Appoint Don Pucilowski to the Assessment Appeals Board Representing Supervisorial District II (Supervisor Balmain)
- CA-15 Authorize Mariposa County Library to Apply for a Library Services and Technology Act (LSTA) Grant to Provide a Demonstration Literacy Project for Mariposa County (County Library); Res. 01-157, with direction
- CA-16 Approve Budget Transfer to Reflect Actual Revenue and Expenditures (Planning) (4/5ths Vote Required); Res. 01-154
- CA-17 Authorize Transfer of Funds Within the Fire Department Budget and Accept a \$30,000 Increase in Office of Traffic Safety Grant for Rescue Equipment (4/5ths Vote Required)(Fire Chief); Res. 01-161, with direction
- CA-18 Approve a Resolution Authorizing the Execution of a Grant Contract with the California Arts Council (Arts Council); Res. 01-162

5:25 p.m. Adjournment in memory of Chelsie Lynn Stephens, June Wass, Tom Balmain, Carl Carpenter, Glenn "Pat" Michael, Anita M. Preston Leonard, and Charles Boomer.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 12, 2001



Time Description
9:12 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda
- Kent Woolsey, PWD-Road Superintendent, advised of the status of road maintenance projects and the weed-spraying program. Supervisor Parker asked about the removal of weeds on Meadow Lane.

Board Information

- Supervisor Parker advised that he plans to attend the Mountain-Valley Emergency Medical Services Agency meeting on Wednesday in Alpine County.
- Supervisor Pickard advised that he plans to attend the Area 12 Agency on Aging meeting at the Senior Center on Thursday and the Community Action Agency meeting on Wednesday. He also advised that AB1400/co-compost funding, and AB608/CalTrans accounting legislation passed the Assembly with no opposition.
- Supervisor Balmain advised that he and Supervisor Pickard are working hard to keep the Brown Bag and Senior Harvest programs in place.
- Supervisor Stewart advised that the YARTS schedules are being revised to provide a better service. He also showed photographs at the recent fly-in at the Airport.
- Greg Iturria, County Administrative Officer, advised that he and the Administrative Analyst will be meeting with departments throughout the month preparing for the FY 2001-02 budget.
- Supervisor Balmain advised of a telephone call he received from Supervisor Thornton, Tuolumne County, relative to his comments on the Local Transportation Commission and YARTS – Supervisor Thornton advised him that he plans to provide input under public presentations on a future agenda.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain pulled item 1 for discussion with County Counsel after the following item. (M)Pickard, (S)Reilly, balance of the items were approved/Ayes: Unanimous.

Ken Hawkins, Auditor;

Report on Mariposa Superior Court Judges Compensation in Effect as of January 1, 2001

BOARD ACTION: Ken Hawkins presented the salary information for the Superior Court Judges.

Consent Agenda item 1 – Following discussion, (M)Parker, (S)Pickard, item 1 was approved/Ayes: Unanimous.

9:25 a.m. LOCAL TRANSPORTATION COMMISSION

Jim Petropulos, Public Works Director;

A) Adopt a Resolution Allocating State Transit Assistance (STA) Funds for the 2000-01 Fiscal Year

COMMISSION ACTION: Discussion was held relative to the language used in the resolution concerning operator compliance with the eligibility requirements of the Public Utilities Code for this and the following Commission item. (M)Balmain, (S)Pickard, LTC Res. 01-8 adopted, with request for County Counsel to provide an explanation of what the section means concerning operator compliance. It was suggested that perhaps the explanation could be included in the resolutions, or an example could be included, with a copy to be provided to the Commission members. Ayes: Unanimous.

B) Adopt a Resolution Allocating Transportation Development Act (TDA) Funds for the 2000-01 Fiscal Year

COMMISSION ACTION: (M)Parker, (S)Pickard, LTC Res. 01-9 adopted/Ayes: Unanimous.

9:34 a.m. Jim Petropulos, Public Works Director;

A) Authorize the Public Works Director to Advertise and Award the Contract for the Carleton Road, Triangle Road, and Hirsch Road Paving Project (Project No. PW 00-36), to the Lowest Responsible Bidder Subject to County Counsel and the County Administrative Officer's Review and Approval

BOARD ACTION: Following discussion, (M)Pickard, (S)Parker, Res. 01-168 adopted/Ayes: Unanimous.

B) Authorize the Public Works Director to Exceed the 10% Limited for Change Orders for the Mariposa Creek Parkway Project, Phase II

BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, Res. 01-169 adopted. Supervisor Parker asked about improvements to the temporary parking area across from the project. Ayes: Unanimous.

C) Approve Intrabudget Transfers to Cover Year-End Expenses in Fleet Operations (\$53,200)

BOARD ACTION: Discussion was held with Jim Petropulos, Dana Hertfelder/Assistant Public Works Director; Marty Allan/PWD-Fleet Fiscal Manager, and Joe Halencak/PWD-Interim Equipment Mechanic Supervisor, relative to the request. Jim Petropulos advised that he would like to have a rate structure study performed this summer. Matter was continued for the following hearing to be opened.

10:00 a.m. Public Hearing for expansion of boat storage units at Lake Shore Ranch was opened and continued to after the following matter.

Following further discussion relative to the Intrabudget transfer request for fleet operations, (M)Reilly, (S)Stewart, Res. 01-170 adopted/Ayes: Unanimous.

10:10 a.m. Recess

10:26 a.m. Sarah Williams, Planning Manager, appeared on behalf of Eric Toll, Planning Director;

PUBLIC HEARING: Adopt a Negative Declaration and Approve Commercial-Industrial-Manufacturing (CIM) Plan #2000-01 with Findings and Conditions of Approval as Recommended by the Planning Commission on April 20, 2001 (Expansion of Boat Storage Units at Lake Shore Ranch, Richard Doscher, Applicant)

BOARD ACTION: Steve Engfer, Planner, presented the staff report. Sarah Williams and Steve Engfer responded to questions from the Board relative to the landscaping requirements, recommendation concerning fire hydrants, and open space requirements.

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

Richard Doscher, applicant, advised that he currently has a waiting list for boat storage units. He also advised of his landscaping efforts and his work to keep the area clean. He noted that they are asking for approval of 75-units; however, they will only build a few at a time.

Public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board as to how long the CIM plans are good and relative to allowable extensions. (M)Parker, (S)Stewart, Res. 01-171 adopted approving a Negative Declaration and approving CIM Plan No. 2000-01, with findings and conditions of approval as recommended by the Planning Commission/Ayes: Unanimous. Hearing was closed.

10:40 a.m. CLOSED SESSION: Regarding Anticipated Litigation – Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9 One Case to be Discussed (County Counsel)

BOARD ACTION: (M)Pickard, (S)Parker, closed session was held with the Planning Director present/Ayes: Unanimous.

12:01 p.m. Lunch

2:11 p.m. Board reconvened and Chairman Balmain announced that direction was given to staff as a result of the closed session.

Jim Petropulos, Public Works Director;

Approve the Recommended Engineering Solution for the Yosemite West Wastewater Treatment and Disposal Facility, Authorize the Public Works Director to Complete the Bid Documents for This Project, and Authorize the Public Works Director to Complete the Assessment Engineering for Compliance with Proposition 218

BOARD ACTION: Supervisor Reilly acknowledged and thanked the members of the Yosemite West community and Maintenance Advisory Committee and Public Works staff for their efforts on this matter. Jim Petropulos presented the staff report and recommended proceeding with the option to modify and/or expand the existing treatment site and dispose of the effluent by drip irrigation; that the engineer be authorized to continue with designing the system; and that the assessment engineer be authorized to proceed with the Proposition 218 process.

Michael Skenfield, Biological/Wetland Consultant, gave a presentation on the recommended drip system, and responded to questions from the Board.

Discussion was held relative to the recommendation. Dana Hertfelder, Assistant Public Works Director, presented a sample of the pipe used in the drip irrigation method.

Input from the public was provided by the following:

Neil Meisner, resident of Yosemite West, expressed concern with the flow capacity of the proposed system.

Staff advised that the system would be designed to handle the build-out capacity of Yosemite West, and they plan to maintain the existing system.

Tim Miller, planning consultant working with the Yosemite Associates, advised that he has been attending the Yosemite West Planning Advisory Committee meetings as he was not aware of the Yosemite West Maintenance District Advisory Committee. He suggested that consideration be given when designing the system of future uses of the area and the zoning, and perhaps future expansion. He advised that the owners he represents are willing to continue to work with the County and explore options for expansion.

Carol Meisner thanked Public Works and Supervisor Reilly for their efforts on this matter. She asked about the Proposition 218 process and whether the votes are public. Jeff Green, County Counsel, advised that the Board's adopted policy states the votes are confidential.

Don Pitts, resident of Yosemite West and member of the Maintenance District Advisory Committee, stated the Committee supports the recommendation. He commented on the sewage flow at build-out of the District, and he asked how much the grass areas would transpire versus the forested areas with the drip irrigation.

(M)Reilly, (S)Pickard, Res. 01-172 adopted directing Public Works to move forward with the engineering design and bid process based on the recommended drip irrigation system, and to begin the work on the assessment engineering required for compliance with Proposition 218. Discussion was held relative to the status of funding for this project. Greg Iturria, County Administrative Officer, advised that this will be further discussed during budget preparations for the next fiscal year. Jim Petropulos advised that additional funding will be needed in the next fiscal year to complete the direction given today. Supervisor Stewart thanked Public Works for meeting with Board members to share information on this project. Ayes: Unanimous.

CONSENT AGENDA

- CA-1 Approve the Extension and Augmentation of the Office of Criminal Justice Planning (OCJP) Anti-Drug Abuse (ADA) Enforcement Program Grant, Concerning the Mariposa County Task Force for the Period of July 1, 2001 through June 30, 2002 (Probation); Res. 01-167
- CA-2 Approve Intrabudget Transfer for Public Works – Roads Department (\$1,500) (County Administrative Officer); Res. 01-165
- CA-3 Approve Intrabudget Transfer for Data Processing (\$4,300) (Data Processing); Res. 01-166

3:17 p.m. Adjournment in memory of Reverend Paul Hansen, Wesley R. Garlock, Ernest Eutsler, Jr., Theresa Burress, Glenn Moss, Bea Weiss, and Claude V. Ludwig.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 19, 2001



Time Description
9:16 a.m. Meeting Called to Order

Introduction

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

- Yvonne Bennett asked to be able to speak when the Board considers its salary issue scheduled for the Attention agenda this date. Board concurred with discussing this matter after the presentation of the Certificate of Appreciation this morning.

- Kent Woolsey, PWD/Road Superintendent, provided a status report on the road maintenance projects. They are almost finished with the paving project in Ponderosa Basin, and the paving project in Lushmeadows is scheduled for July 9, 10 and 11th.

Board Information was continued to later this date.

Pelk Richards, Sheriff:

Presentation of Certificate of Appreciation to Deputy Kathy Rumfelt for the Last Six Years of Service as the Mariposa County's *D.A.R.E.* Officer

BOARD ACTION: (M)Parker, (S)Pickard, Certificate was approved and presented to Deputy Rumfelt/Ayes: Unanimous.

9:25 a.m. Recess

9:27 a.m. Supervisor Balmain;

Waive First Reading and Introduce Ordinance Amending Section 2.60.010 of Chapter 2.60 of the Mariposa County Code Adjusting the Board of Supervisor's Annual Rate of Compensation from 25% to 33 1/3% of the Mariposa County Superior Court Judge's Rate of Pay

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

Yvonne Bennett read a letter from Joan Tune expressing concern with the ordinance process and the proposed salary increase. Yvonne expressed her concerns with the proposed increase.

Ruth Sellers stated she feels there are many things in the County that need financial resources, and she feels the Board should give careful consideration to addressing these needs versus increasing its salary.

Lucille Apcar stated she retired here and provides volunteer community service. She noted the senior citizens do not receive pay increases like what is proposed, and she expressed concern with the proposed increase.

Linda Gast asked questions relative to the proposed increase and comparison with other rural counties and relative to the workload of the Board members. Chairman Balmain responded to the questions.

Doyle Correia stated he feels we are a "representative constitutional republic, not a democracy." He asked for a copy of the original action that tied the Board's salary to the Superior Court Judge's rate of pay. He stated he feels the Board only has one choice if it listens to the constituency.

Nadine White stated she is a sixth generation County resident. She stated she did not realize that being a Board member is a full time job and she feels the proposed increase is too much.

Bob Spiers asked how much the County pays for benefits for the Board members. Greg Iturria, County Administrative Officer, responded to the question, and Supervisor Reilly noted that the benefit package is the same for other County employees.

Yvonne Bennett asked about reimbursement of mileage and travel costs.

Discussion was held relative to the proposal and the input that was received. Further discussion was continued for the following hearing to be opened.

10:01 a.m. Local Transportation Commission – Public hearing to consider unmet transit needs was opened and continued to after the following matters.

Further discussion was held relative to the proposed increase in compensation for the Board of Supervisors. (M)Parker, (S)Balmain (who passed the gavel to the Vice-Chairman), first reading was waived and an ordinance introduced to adjust the rate of compensation for the Board members. Jeff Green, County Counsel, advised of a correction to the ordinance to reflect 60 versus 30 days for it to become effective. Further discussion was held. Ayes: Balmain, Parker; Noes: Reilly, Stewart, Pickard. Motion failed.

10:16 a.m. Recess

10:25 a.m. Board reconvened. Nadean Peterson advised that she had heart surgery a week ago and commented on the stress she has been under and threatening phone calls she has received relative to the bridge in front of her house.

10:28 a.m. LOCAL TRANSPORTATION COMMISSION

Jim Petropulos, Public Works Director;

PUBLIC HEARING: Determine if There are Transit Needs Within the Community That are Not Being Met, But That are Reasonable to Meet for Fiscal Year 2001/2002

(Continued from June 5, 2001)

COMMISSION ACTION: Chair Reilly advised that this is a continuation of the public hearing. Jim Petropulos advised that additional public input is anticipated.

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

Jerrie Rizziano advised of the taxi service business she has opened, and she requested assistance with funding for the insurance. She responded to questions from the Commission relative to her meeting with the Social Services Transportation Advisory Committee, relative to her hours of operation, and licensing requirements.

Donald Rowe advised that he has a degree in transportation and volunteered his services to the County to assist with transportation issues.

Public portion of the hearing was closed and the Commission commenced with deliberations. Jim Petropulos and Amy Roberts/PWD-Transportation Planner, responded to questions from the Commission relative to the request for support for the taxi service and this service being able to augment the dial-a-ride service; and costs for the centralized phone system, transit study and taxi service. Staff advised that they could bring back options and more specific information relative to the request for the taxi service. Jeff Green, County Counsel, responded to questions from the Commission relative to the request from the taxi service. Staff responded to additional questions from the Commission relative to the previous transit study and whether there would be any liability incurred by the County if it supports the request for the taxi service. Commission concurred with continuing the hearing to July 17, 2001, at 10:30 a.m. for the deliberation phase, with direction to staff to draft a resolution to address three unmet transit needs: centralized phone system, transit study and taxi service; and with further direction given for detailed information to be brought back on the taxi service.

Amy Roberts advised that trolley cars will be in town this afternoon and the Commissioners are invited to view them.

Chair Reilly introduced Marty Nielson from Yosemite National Park and advised that he works on transportation issues. Marty provided input relative to his role with the Park Service to coordinate a variety of transportation issues.

11:20 a.m. Board reconvened and recessed.

11:34 a.m. Board reconvened with Supervisor Reilly arriving at 11:39 a.m.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: (M)Parker, (S)Stewart, all items were approved/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Ken Hawkins, Auditor;

Authorize Auditor to Make a Request to the State of California for Continued Advance Payments for Sund-Pelosso Homicide Prosecution Costs

BOARD ACTION: Matter was continued to June 26, 2001, for current information to be obtained.

Supervisor Stewart;

Discuss and Possible Action Regarding Funding for a Roads Maintenance Construction Supervisor and Two Roads Maintenance Worker II Positions in the Road Fund Effective July 1, 2001; and Authorize the Public Works Director to Hire and Fill these Positions Effective July 1, 2001

BOARD ACTION: (M)Parker, (S)Pickard, Res. 01-179 adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Jim Petropulos, Public Works Director;

A) Review and Give Direction to Staff for Site Selection for the Skate Park

BOARD ACTION: Discussion was held. (M)Parker, (S)Reilly, Board selected option No. 6 at the Mariposa Park as recommended as the designated site for the skate park, and direction was given to staff to return with more information relative to costs and timeframes for completion of the project. Supervisor Balmain advised of his meeting with Deane Swickard, Bureau of Land Management, and the possible availability of BLM land if needed by the County. Ayes: Unanimous.

B) Authorize the Public Works Director to Sell the Used 1998 Dura Patcher Unit, Model 81DJ to the County of San Bernadino for the Purchase Price of \$22,000 F.O.B. Mariposa

BOARD ACTION: Discussion was held with Jim Petropulos, Kent Woolsey/PWD-Road Superintendent, and Marty Allan/PWD-Fleet Fiscal Manager, relative to the request. (M)Stewart, (S)Pickard, Res. 01-180 adopted/Ayes: Unanimous.

C) Authorize the Public Works Director to Purchase Software Upgrade for the Siteminder 24-Hour Cardlock Fueling System at the Mariposa-Yosemite Airport; and Transferring Funds (\$1,480)

BOARD ACTION: Following discussion with Jim Petropulos and Marty Allan, (M)Stewart, (S)Pickard, Res. 01-181 adopted/Ayes: Unanimous.

D) Authorize the Public Works Director to Advertise and Award an Open Blanket Purchase Order to the Lowest Responsible Bidder for Aviation Fuel. Bid Opening is Set for Thursday, July 12, 2001 at 2:00 p.m. at the Public Works Office

BOARD ACTION: Discussion was held with Jim Petropulos and Marty Allan. Supervisor Balmain stated he does not want to see any more regulations than necessary and he requested that the fuel prices be kept as low as possible. (M)Reilly, (S)Stewart, Res. 01-182 adopted/Ayes: Unanimous.

Supervisor Balmain asked Jim Petropulos about the status of the opening of the swimming pool in Coulterville and posting of the hours – Jim will look into this.

Authorize the Chairman to Sign a Letter Transferring Ownership and Title of All Fixed Assets Purchased with Head Start to the Madera County Community Action Agency Effective July 1, 2001; Authorize the Chairman to Sign the Certificate of Title on the Two Vehicles Listed on Exhibit A (County Administrative Officer)

BOARD ACTION: (M)Parker, (S)Pickard, Res. 01-183 adopted/Ayes: Unanimous.

Discuss and Direct Staff Relative to Canceling the Regularly Scheduled Meeting for July 3, 2001 (Supervisor Stewart)

BOARD ACTION: (M)Stewart, (S)Pickard, Res. 01-184 adopted canceling the meeting/Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker.

Discuss and Give Direction to Staff Concerning the Request from the California State Association of Counties (CSAC) Relative to Scheduling a Board Meeting on November 27, 2001 (Clerk of the Board)

BOARD ACTION: Discussion was held. Board concurred with further considering this request in October when more information is known relative to the Board's meeting schedule.

11:54 a.m. CLOSED SESSION: Regarding Public Employee Performance Evaluation for County Administrative Officer (Continued from June 5, 2001) (County Administrative Officer)

BOARD ACTION: (M)Parker, (S)Stewart, to hold a closed session/Ayes: Reilly, Balmain, Stewart, Parker; Noes: Pickard.

12:04 p.m. Lunch

2:06 p.m. Board reconvened with closed session continued to later this date.

Eric Toll, Planning Director;

PUBLIC HEARING (Deliberation Phase): Final Action by the Board to Approve a Negative Declaration; (2) Adopt an Ordinance Amending (2)Chapter 17.144 of the Mariposa County Code, Enforcement to Change the Penalty for Enforcement from a Misdemeanor to an Infraction; Identifying the Zoning Enforcement Officer as the Planning Director; Requiring Board Approval of Enforcement Administrative Procedures; and Establishing a System for Investigation, Appeal and Resolution of Enforcement Matters; and (3) Approve Planning Director's Administrative Guidelines (Continued from 6-5-01)

BOARD ACTION: Supervisor Reilly requested that the hearing be continued. Board concurred and the hearing was continued to July 10, 2001, at 2:00 p.m.

Supervisor Pickard advised of an off agenda item relative to the PG&E Rule 20(a) funding for undergrounding of electrical cables. He advised of the status of RCRC's Motion to Intervene. Board concurred with Supervisor Pickard supporting RCRC on this matter.

Board Information:

- Supervisor Pickard advised of the Noxious Weed Oversight Committee Hearing held on Friday relative to the distribution of SB 1740 funds, and he advised that AB 1400 is set for the Senate Environmental Quality Committee on July 2nd. He also advised of an upcoming meeting with the Energy Commission.

Supervisor Parker initiated discussion and asked if there was interest on the part of the Board to clarify the record in regard to the proposal to increase the rate of compensation for the Board members or to discuss other options. Supervisor Reilly stated she feels the comments provided during the discussion earlier this date should help set the record straight.

2:27 p.m. Board reconvened in continued closed session.

3:31 p.m. Board reconvened in open session. Chairman Balmain advised that direction was given to staff as a result of the closed session.

CONSENT AGENDA

- CA-1 Authorize the Chairman of the Board of Supervisors to Sign Agreement Number 02-73-06-0260-RA: the Annual Work Plan and Reimbursable Budget Plan for FY 2001/2002 with USDA/APHIS/WS (Wildlife Services) (Agriculture Commissioner); Res. 01-173
- CA-2 Approve the Budget Transfer Within the Sheriff's Jail Budget (\$14,500) (Sheriff); Res. 01-174
- CA-3 Approve the Intrabudget Transfer Within the Sheriff's Boating Safety Budget (\$1,940) (Sheriff); Res. 01-175
- CA-4 Approve the Intrabudget Transfer for Planning Department (\$1,086) and the Intrabudget Transfer for the Board of Supervisors (\$450)(County Administrative Officer); Res. 01-176
- CA-5 Approve the 2000-2001 Adjusted Budget as Mariposa County's Operating Budget and Extend Contracting Authority Granted to Department Heads by Resolution #99-305 from July 1, 2001 until Adoption of the FY 2001-2002 Final Budget (County Administrative Officer); Res. 01-177
- CA-6 Authorize Increasing Revenue and Appropriations in the District Attorney/Family Support Division Budget Unit to Reflect Costs and Revenue Associated with the Transition of the Family Support Division to the New Department of Child Support Services (\$10,964) (4/5 ths Vote Required)(Family Support); Res. 01-178

3:32 p.m. Adjournment in memory of Elvera Alcorn, Paul Trabucco Westfall and Robert Coolidge, Sr.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 26, 2001



Time Description
9:07 a.m. Meeting Called to Order

Introductions

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

Board Information:

- Supervisor Stewart stated it is a pleasure for him to serve on this Board. He cited Proverbs 27:2 relative to praise, and he advised of the recent Lion's Club recognition of Supervisor Parker as "citizen of the year."

Supervisor Balmain;

Resolution Recognizing Birty Perce for Her Outstanding Services Upon Her Retirement from the Mariposa Counseling Center (Chairman Balmain)

BOARD ACTION: (M)Pickard, (S)Parker, Res. 01-185 was adopted and presented to Birty Perce/Ayes: Unanimous. Jeff Gorski, Kings View-Mariposa Counseling Center, thanked Birty for her services and presented her with flowers from the staff.

Approval of Minutes 6/05/01 and 6/12/01 Regular Meetings

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

Ken Hawkins, Auditor;

A) Budget Action to Approve an Increase in Appropriations for Certain General Fund Departments Who Have Experienced Unforeseen Costs Due to Vacation and Sick Leave Payoffs for Terminating Employees (\$52,490) (4/5ths Vote Required)

BOARD ACTION: Supervisor Balmain asked Ken if he could look into a recent news article relative to Fresno County and retirement issues. Following discussion, (M)Parker, (S)Stewart, Res. 01-188 adopted/Ayes: Unanimous.

B) Authorize Auditor to Make a Request to the State of California for Continued Advance Payments for Sund-Pelosso Homicide Prosecution Costs

BOARD ACTION: Discussion was held relative to the request and tracking expenses and the County's portion. (M)Pickard, (S)Parker, Res. 01-189 adopted/Ayes: Unanimous.

Blaine Shultz, Fire Chief;

Accept Unanticipated Revenue from the Office of Traffic Safety; the Original Amount Requested Was \$30,000 and the Correct Amount is \$34,457 (4/5ths Vote Required)

BOARD ACTION: Blaine was not present. (M)Stewart, (S)Pickard, Res. 01-190 adopted/Ayes: Unanimous.

Cheryle Rutherford-Kelly, Human Service Director;

A) Authorize the Calaveras-Mariposa Community Action Agency to Purchase a Lap Top Computer and a Personal Computer with Unspent Community Services Block Grant (CSBG) 2000 Funding Available for Discretionary Expenditures and Transfer Funds (\$5,115) (4/5ths Vote Required)

BOARD ACTION: Discussion was held and it was noted that the requested transfer is for \$4,230. (M)Reilly, (S)Stewart, Res. 01-191 adopted/Ayes: Unanimous.

B) Accept \$26,504 of Unanticipated Revenue from the California Low-Income Home Energy Assistance Program (CAL LIHEAP), Phase One, Agreement Number 01X-6021; Direct the Auditor to Increase the Community Action Programs Budget, Fund 335, by \$26,504; Authorize the Human Services Department to Coordinate the Weatherization Portion of the Program with the Public Works Department; and Authorize the Human Services Director to Execute This Agreement and Subsequent Amendments with the State Department of Community Services and Development (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Pickard, (S)Stewart, Res. 01-192 adopted/Ayes: Unanimous.

Authorize the Chairman to Sign an Agreement with the Mariposa County Chamber of Commerce for the Operation of the Mariposa Visitor Center and the Coulterville Visitor Center (County Administration)

BOARD ACTION: Discussion was held and Greg Iturria, County Administrative Officer, advised that this agreement is also being presented to the Chamber of Commerce for approval. (M)Pickard, (S)Stewart, Res. 01-193 adopted/Ayes: Unanimous.

9:44 a.m. Recess

10:06 a.m. Dr. Mosher, Public Health Director;
Authorize the Chairman to Send a Letter to the California Environmental Protection Agency Regarding Mariposa County's Intent to Apply to Become a Certified Unified Program Agency

BOARD ACTION: Discussion was held with Dr. Mosher relative to the recommendations and options. (M)Reilly, (S)Stewart, direction was given for the County to apply to become a CUPA; to take the State's funding, but to request that the funding be provided "up front" before we begin the application process and not as a reimbursement; that the funding be ongoing as a condition for continued participation with the program; and that the State surcharges be "reasonable." Further discussion was held relative to the program and using stronger language in the letter relative to the State continuing to maintain funding for this program. Supervisor Reilly withdrew her motion. (M)Pickard, (S)Stewart, the same motion was restated and Res. 01-194 was adopted, with direction for a change in the draft letter to reflect that continued State funding in subsequent years and setting of State surcharge fees at reasonable levels is considered essential for this County to continue implementation of local CUPA programs. Supervisor Parker requested that a copy of the Board's action be sent with the letter reflecting the vote on this matter. Ayes: Reilly, Stewart, Pickard; Noes: Balmain, Parker.

10:39 a.m. Chairman Balmain advised that action taken as a result of the following closed session would be announced at the continued meeting on June 27, 2001, and that the Board would recess following the closed session.

CLOSED SESSION: Regarding Public Employee Performance Evaluation for the Planning Director (County Administrative Officer)

BOARD ACTION: (M)Parker, (S)Reilly, closed session held with Planning Director to be present for a portion of the session/Ayes: Unanimous.

11:46 a.m. Meeting was recessed.

CONSENT AGENDA

- CA-1 Approve a Budget Transfer in Veterans Budget from Services to Cover Salary and Benefits for the Remaining Year (\$610) (Community Services); Res. 01-186
- CA-2 Appointments to the Mariposa County Commission on Aging: Appoint Ann Cullison to Represent District V, Barbara Kerns and Linda Pribyl Representing District IV, and Dorothy Denys Representing a Member-at-Large; and Accept the Resignation of Jim Allen Representing District V (Community Services)
- CA-3 Approve Intrabudget Transfer for Indigent Defense (\$15,000) (County Administrative Officer); Res. 01-187

11:46 a.m. Meeting was continued to June 27, 2001, at 9:00 a.m. for discussion on the General Plan Update.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA JUNE 27, 2001



Time Description

9:12 a.m. Board met in continued session from June 26, 2001.

Chairman Balmain announced that direction was given to staff as a result of the closed session that was held on June 26, 2001.

Eric Toll, Planning Director;

General Plan Workshop: Review and Give General Direction to Staff Related to the Guiding Principles for the General Plan Update

BOARD ACTION: Eric Toll advised that staff is looking for a consent position from the Board on each of the issues raised relative to the General Plan Update. The Planning Commission will review how the issues will be implemented, and information will come back to the Board for approval. He suggested that a list be kept of issues that will involve lengthy discussion for future consideration. Discussion was held.

Supervisor Balmain suggested that there be a focus on rural issues.

Supervisor Stewart asked about the difference between agriculture and agribusiness.

Board concurred with addressing sprawl, with direction to staff to bring back information on options for addressing this issue, including commercial and residential uses.

Board concurred with addressing adequate provisions for the existing and projected needs of all economic segments of the community, with the inclusion of jobs in this issue.

Supervisor Balmain requested that staff provide pros and cons on each issue when this is brought back to the Board.

Discussion was held relative to combining the issues of adequate sites for housing and affordable housing.

Discussion was held relative to grouping the agriculture issues together. Eric suggested preparing a matrix for the next meeting that would group the issues under proposed elements of the General Plan. Issues would be addressed in all elements that are pertinent. Supervisor Stewart suggested reviewing the list of issues and removing those that the Board does not have an interest in pursuing. Supervisor Parker requested a copy of the statutory requirements for the General Plan. Board concurred with Eric's suggestion. Supervisor Parker suggested that the Board review one element topic at a time.

Discussion was held relative to the issues of alternative fuels and routes being included in the Update; and having staff review issues such as alternative routes to determine if this relates to the YARTS schedule or circulation issues.

10:17 a.m. Recess

10:39 a.m. Input from the public was provided by the following:

Barry Brouillette commented on the writing of the General Plan and options for format. He noted that he has difficulty in correlating the various pieces of information in the current Plan, and he suggested that in preparing the Update that usefulness and understandability be kept in mind.

Further discussion was held. Supervisor Stewart suggested that during preparation of the Update that unintended consequences be avoided.

Eric Toll advised that he will meet with the Board's liaison committee on the draft matrix prior to the next discussion of this issue on July 9th.

11:02 a.m. Board recessed the meeting in memory of Roy L. Adkins, Sr., and continued the meeting to Monday, July 9, 2001, at 9:00 a.m. for further discussion of the General Plan Update guiding principles.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board