



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA January 8, 2002



Time Description

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

Introductions

Greg Iturria, County Administrative Officer, advised that Donna Takash was hired to fill the Senior Office Assistant position in the office.

Chairman Balmain;

Presentation of Retirement Resolution and Tile Plaque Recognizing Judge Carlos LaRoche for his Dedicated Service as Superior Court Judge; and

Presentation of Resolution and Tile Plaque Recognizing Steve Hayes for his Dedicated Service as Visitors' Bureau Director

BOARD ACTION: (M)Stewart, (S)Pickard, Res. 02-1 recognizing Judge LaRoche and Res. 02-2 recognizing Steve Hayes were adopted/Ayes: Unanimous. The resolutions and tile plaques were presented to Judge LaRoche and Steve Hayes.

9:20 a.m. Recess

9:43 a.m. Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Pelk Richards, Sheriff, invited Board members to see the presentation of an ambulance from Mercy Ambulance to the Sheriff's Department for use with search and rescue efforts, etc. This will take place at 1:45 p.m. today in the Government Center parking lot.

- Pete Judy, Chief Probation Officer, advised of notice received from the Board of Corrections that the Juvenile Hall cannot operate without staff having 136 hours of training versus 40 hours. He advised that he is reviewing this change and options and he will come back to the Board with a recommendation. Discussion was held relative to the status of the use of the facilities, impacts of this change, and the timeframes to resolve this issue.

- Supervisor Balmain referred to three letters signed by the following individuals, who were present at the Board meeting, and printed in the Tribune: Murrell Boyd, Ruth Sellers, and Yvonne Bennett. He read portions of the letters, which he felt contained serious allegations against Board members and which named him personally. He stated he feels this type of activity is unfounded and is irresponsible on the part of the citizens involved.

Selection of Chairman for 2002; and

Selection of Vice-Chairman for 2002

BOARD ACTION: (M)Pickard, (S)Parker, Supervisor Stewart was selected as Chairman and Supervisor Reilly was selected as Vice-Chair/Ayes: Unanimous.

Presentation of Gavel Plaque to Supervisor Balmain for Serving as Chair for 2001 – Chairman Stewart presented the Gavel Plaque to Supervisor Balmain.

Board Information

- Supervisor Pickard advised that the Air Resources Control Board is planning to hold a workshop in Mariposa on January 16th to discuss new laws that are being considered that would ban outdoor burning (except for vegetation such as brush) and the use of home burn barrels.

- Supervisor Stewart advised that he and Supervisor Parker are working on the Valley Broad Band Task Force relative to internet and high speed communications. He also advised of a forum scheduled at Merced College on January 16th and invited Board members to attend – they will discuss technology in the Central Valley and trade and commerce issues.

Approval of Minutes 12-11-01 and 12-18-01 Regular Meetings

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Reilly pulled item 9 for discussion with the Health Officer later this date. Supervisor Stewart pulled item 2, and he commended staff for preparing the materials for presentation on items 10 and 11. (M)Parker, (S)Balmain, balance of the items were approved/Ayes: Unanimous. Following discussion, (M)Reilly, (S)Parker, item 2 was approved/Ayes: Unanimous.

Jim Petropulos, Public Works Director;

Authorize the Public Works Director to Exceed 10% in Change Orders for the Existing Agreement with PSOMAS for Design of the Yosemite West Wastewater Treatment Facilities Improvements Project Number 93-09

BOARD ACTION: Chairman Stewart advised that this matter was pulled at Public Work’s request.

Greg Iturria, County Administrative Officer;

Review and Approve Recommended Actions Regarding 2001 Reclassification Requests

BOARD ACTION: Greg Iturria presented the staff report. Following discussion, (M)Parker, (S)Balmain, Res. 02-9 was adopted approving the recommended actions/Ayes: Unanimous.

Provide Direction to Staff Regarding the Recruitment Process for the Technical Services Director (County Administrative Officer)

BOARD ACTION: Discussion was held with Greg Iturria, County Administrative Officer. Motion by Balmain to approve the process as recommended, with the interview date to be scheduled for the first week of February, died for lack of a second. Further discussion was held. (M)Parker, (S)Pickard, authorization was given for the County Administrative Officer to form a screening panel to rank the applicants, with the Board to conduct the final interviews of the top applicants on February 4th/Ayes: Unanimous.

Approve Budget Transfer Requests to Pay for Position Advertisements for a Tourism and Economic Development Director (\$2,000), to Cover Unanticipated Garbage Disposal Expense for the Mining & Mineral Museum (\$50), and Unanticipated Membership Increase Expense for the CalTIA Membership (\$100) (Tourism & Economic Development)

BOARD ACTION: Following discussion, (M)Parker, (S)Pickard, Res. 02-10 was adopted/Ayes: Unanimous.

10:29 a.m. Recess

10:46 a.m. Consent Agenda item 9 – Following discussion, (M)Reilly, (S)Parker, item 9 was approved/Ayes: Unanimous.

Dr. Mosher, Public Health Officer;

A) Approve the Children’s Medical Services (CMS) Plan and Budget Justification for Fiscal Year 2001-2002 in the amount of \$22,933 for California Children’s Services (CCS), \$47,289 for

Child Health and Disability Program (CDHP), and \$17, 912 for the Health Care Program for Children in Foster Care and Authorize the Chairman and Health Officer to Sign the State Certification and Approve Budget Action (\$3,300) (4/5th's Vote Required)

BOARD ACTION: Following discussion, (M)Pickard, (S)Balmain, Res. 02-12 was adopted/Ayes: Unanimous.

B) Authorize the Chairman to Sign the Local Lead Agency (LLA) Agreement Between the State of California and Mariposa County for Funding of the Health Education (Prop 99, Tobacco Education) Contract for the Next Three Fiscal Years

BOARD ACTION: Following discussion, (M)Pickard, (S)Reilly, Res. 02-13 was adopted/Ayes: Unanimous.

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

BOARD ACTION: Chairman Stewart announced that the closed session was not necessary this date.

11:03 p.m. Lunch

2:07 p.m. Greg Iturria, County Administrative Officer;

Appeal Hearing of County Administrative Officer's Decision to Deny Unit Modification Request of the Deputy Sheriffs' Association to Move the Sheriffs' Dispatchers and Animal Control Officers from the SEIU Bargaining Unit to the Deputy Sheriffs' Association Bargaining Unit

BOARD ACTION: Greg Iturria presented the staff report – he provided background information, reviewed the written materials in the package, and described the criteria for consideration of the appeal. He advised that Attorney Rick Bolanos was present to assist with providing any interpretation questions of the law, or guidance that may be desired, due to the technical nature of the criteria to be considered by the Board in this hearing.

Appellant's presentation:

Fred Paige, Sheriff's Deputy and President of the Deputy Sheriffs' Association (DSA), stated he believes the Board has all of the information in its package that is pertinent to this hearing. He referred to the County Administrative Officer's last memorandum relative to SB 402 and Government Code Section 3508, and he stated that the DSA is willing to accept non-peace officers into its bargaining unit and they realize that the non-peace officers do not have the same bargaining rights. He stated there are numerous other counties and cities where the DSA has non-peace officers included in their bargaining unit. He commented on the similarities between the deputies and the dispatchers and the animal control officers with the types of work, schedules, work with the public and training that is covered by the Peace Officers Standards and Training Act (POST). He reiterated that the DSA is willing to accept them into their bargaining unit.

A.J. Perez, Sheriff's Dispatcher, stated he does not feel that they are setting any precedence with this request. They have supplied information of other agencies and counties that have peace officers and civilians in the same union. Although the dispatchers do not have peace officer status, he noted that four of the six full-time dispatchers have POST Certificates, they work the same hours as deputies and have contact with the public. He referred to the County Administrative Officer's memorandum of December 20th and reasons for denying the unit modification request and the reference to Government Code Section 3508 and SB 402; and stated he feels that Probation will also elaborate on this. He advised that he feels that Probation will state that it was not their intention that the dispatchers and animal control officers be excluded from the DSA. He stated DSA is willing to accept them into membership, and SEIU is willing to let them leave their Union for representation. He referred to the Board's earlier consideration of hearing this appeal and a question that was raised as to whether there is a mandate that would not allow civilians to be let into DSA; and the County Administrative Officer responded that there was not. He stated he feels that if there are other organizations, such as Merced County and City, who we use for labor negotiation comparisons that

allow their civilian staff to join with their DSA union, he is hoping the Board will consider the same thing for Mariposa County employees.

Mark Millon, Deputy Probation Officer, commented on the letter from the County Administrative Officer where he references the statutory right expressly cited by the County Probation Officers in support of their unit modification petition. He stated he is not sure what that is based on. He advised that he has copies of their petition available if the Board has not seen that information. He stated they included in their petition their right to be represented by a unit, which specifically addresses the needs of peace officers, and there was never any intent to be opposed to the dispatchers or animal control officers becoming a part of the DSA.

Janet Breman, Sheriff's Dispatcher, thanked all units within the Sheriff's Department and the Probation Department and both Unions for their support of their request to change bargaining units. She commented on the letter that was sent with their petition and references to the job duty similarities, and of their contact with the public. She also referenced other communities and counties where the dispatchers are included with the deputy sheriffs' bargaining unit. She stated she feels the change would be beneficial to both the Department as a whole and to the community – this would bring the factions of the Department together. She noted that this is also the will of the people in the group. She asked what would be negative about the change if there is nothing legally preventing it.

Fred Paige advised that the animal control officers were sent out on a call and are unable to be present at the hearing.

Pelk Richards, Sheriff, commented on the similarities of their uniforms. He referred to the issues stated for denying the appeal in the County Administrative Officer's decision, and stated he feels we by-pass, under County policy, the term "broadest, similarity, and generally." He noted the probation officers invoked their rights under Government Code Section 3508, and that did not change anything. He commented on Government Code Section 3508, and stated he did not find anything that prohibits this change. He noted he opposed SB 402; however, the legislation passed, and it is clear in the language, by definition, that this is exclusively for firefighters and law enforcement. This is also backed up in the Code of Civil Procedure 199.3(e) which defines law enforcement, so dispatchers and the animal control officers do not receive the distinction and other rights afforded to law enforcement personnel. He referenced Penal Code Sections starting with 830.1 that also make this distinction clear, along with SB 402. He cited Fair Labor Standards Act Section 622, which states that law enforcement employees who qualify in the language are designated as peace officers, and he referenced 207(k) exemptions as civilian employees and dispatchers. So he does not think there is an issue in the denial of the request. He stated that if the Board is concerned that the employees can come into the DSA unit and automatically become peace officers with retirement, that could only occur with a change in the legislation and it would not make any difference which union the employees were assigned to. He stated he feels the safeguards are already in place and it is not the intent of the legislature to make dispatchers and animal control officers peace officers.

Questions by the Board of the appellants:

Fred Paige responded to questions from the Board relative to his input concerning the peace officers waiving their right to have a bargaining unit that is exclusively comprised of peace officer membership. He advised that as an Association the waiver of this right was voted on and approved.

Presentation on behalf of the County:

Attorney Rick Bolanos stated he was present to provide clarification that may be requested relative the County Administrative Officer's decision on this matter, and to answer questions. He responded to the input provided by the employees on behalf of the appeal, and he stated it is administration's view that the request for unit modification is being brought forward with appropriate and legitimate reason. It is recognized and appreciated that the employees seeking the modification are doing so simply to pursue what they believe to be the most effective means of representation. They have the right to pursue the appeal, and he knows it was brought in good faith, and he knows that the Board will fully consider and evaluate all of the issues that have been submitted. He clarified the following in terms of the County Administrative Officer's position for the Board's review and deliberation, as noted in the response dated December 20th - it is important

to understand that under the law in California, peace officers are afforded special status for labor relations and negotiations. He noted that is not being disputed today. It has been acknowledged by individuals presenting on behalf of the appeal that there are two areas where the law separates peace officers for purposes of labor relations and bargaining. The first deals with Government Code Section 3508, and it does establish the right of peace officers to be members of what is considered exclusively a peace officer unit. That is a unique provision of the California Government Code, the Meyers-Millas-Brown Act. It has been correctly noted that is a right the officers hold and the officers could elect to waive that right. But it is important to recognize that, for purposes of defining the unit, peace officers are viewed uniquely and the officers have the right to assert that right, and they would have the right to assert that right in the future – even should they change their mind. Should they assert that right, as he reads the law, the County would be obligated as a matter of law to modify the unit. He feels that is a consideration the Board should keep in mind. He feels it is correctly noted that the petition that was submitted by the Probation Officers doesn't specifically state that they are requiring that the unit consist solely of peace officers. But they read the petition as asserting the right, as a peace officer, to be represented by an organization that represents exclusively peace officers, as allowed by Government Code Section 3508, which is the reason this is referred to in the decision. He noted the recent change in the law as a result of SB 402, which went into effect January, 2001, entitles peace officers to submit bargaining impasse issues on economic issues to binding arbitration. This is a very significant change in the law, because prior to January 1, 2001, those final decisions were reserved to the Board. SB 402 has been hotly contested and has been challenged in the court, and there appears to be a split by the lower courts as to whether this is constitutional. He does not expect any final resolution of the constitutionality issue for some time. However, in the interim, it must be enforced and peace officers have the right to bring matters to arbitration. Relative to the issue cited in the December 20th decision that by modifying the unit as requested, the dispatchers and animal control officers are not considered peace officers and are not subject to SB 402. The petition has requested that those classifications be made part of the bargaining unit, and he feels it is important to note that there is a distinction between saying part of the bargaining unit and part of the union. There is a distinction in that, when you are part of a unit, which is what the petition is requesting, you have a duty, under State law to meet and confer with that entire unit and the exclusive representative of that unit. While it has been represented that DSA would be prepared to not insist on issues going to arbitration for dispatchers and animal control officers; and accepting that as the case, it would still place the County in a position, for purposes of bargaining, to treat classifications in the same unit differently. It would have some issues come to the Board for resolution and some issues go to an arbitrator for resolution. He stated there can only be one memorandum of understanding for each bargaining unit, and he would anticipate complications and some significant changes on how collective bargaining is approached as a result of having some employees covered by SB402 in one unit and some employees not covered. He stated it is the case that over time, non-sworn officers have been part of an association representing sworn officers in other agencies. But he feels it is important to remember that those configurations of bargaining units took place before SB 402/binding arbitration, was imposed on counties. He feels that over time there may be some change in those units as a result of SB 402. To summarize, he stated he feels the issue of what is the appropriate unit can be debated and there are good faith arguments on both sides. He stated the similarity of work presented in the petition is acknowledged, and he feels that ultimately the reason for denial of the appeal is one the Board should be encouraged to consider – that is the impact the State law issues, in terms of how the State law treats peace officers, could have on labor relations in the County in the future. The overriding objective is to have and to provide for a mechanism for stable and harmonious labor relations. It is the assessment of the Administration that the unit modification, as requested, may not be consistent with that goal. He stated he is available to answer any questions.

Attorney Bolanos responded to questions from the Board relative to the Meyers-Millas-Brown Act and the meet and confer issue and whether that allows for the County to establish a two-tier-type of memorandum of understanding with a bargaining unit to differentiate between sworn deputies that would be covered under SB 402 and non-sworn employees of the Sheriff's

Department. He advised that there is nothing that prohibits that; however, the law contemplates and the standard has always been to have one memorandum of understanding for each bargaining unit. There could be sub-divisions within the memorandum of understanding that apply to different groups of employees. He also noted that the law is so new that issues have not been litigated, and it is not clear as to what happens when you go to impasse should you have peace officers and non-peace officers in one bargaining unit. It has also not been resolved as to the affect of having sworn and non-sworn officers in one unit and whether the non-peace officers have the right to go to binding arbitration. He also responded to a question from the Board as to whether the current statutes distinguishes between probation officers and peace officers in general. The current status of the law is that county probation officers are considered peace officers; and therefore, they are on the same footing for purposes of both of these issues that are being discussed – Government Code 3508/being in one unit exclusive of non peace officers and SB 402/binding arbitration.

Mark Mellon responded to a question from the Board as to whether the probation officers have waived their right to an exclusive peace officer unit. He advised that this change is so new for them, that they have not had an opportunity to formally waive their rights, but he does not see it being a problem.

Attorney Bolanos responded to a question from the Board as to whether it would be important for the probation officers to formally waive their right to an exclusive peace officer unit, and he advised that they could assert their right to an exclusive peace officer unit in the future and the County would be mandated to see to that request.

Sheriff Richards asked to respond to input that was provided. Supervisor Parker questioned whether it is appropriate for an elected official to represent the employees in this type of matter. Sheriff Richards advised that he is advocating for the right versus for the employees, and he feels there is a difference. Sheriff Richards noted that in the Memorandum of Understanding for the SEIU bargaining unit, there is a practice of showing different benefits for different classifications. He further noted that until just recently and since January 1, 2001, there were peace officers in the SEIU bargaining group and nothing has changed – they could have invoked their rights pursuant to Government Code Section 3508 and SB 402 while being under SEIU and nothing has changed.

Mark Mellon stated he supports the input provided by the Sheriff and he feels there is still a peace officer position in the Welfare Department in the SEIU bargaining unit.

Supervisor Pickard asked about the issues relative to tiering within a bargaining unit and what status it would give employees that are not eligible for SB 402. Attorney Bolanos responded after the following input.

Fred Paige responded to a question from the Board relative to the pros and cons of their request, and where this fits with SB 402. Fred noted that if an impasse is reached in labor negotiations, it would not affect the non-sworn employees; and that until the legislation is litigated, it will not be known where this fits with SB 402.

Attorney Bolanos commented that the law has not been clarified, but provided a practical impact as a result of SB 402 – when you go into negotiations, you evaluate all of your economic items and you cost those items out and you develop proposals based on the costs of the package to the County, and the bargaining unit does the same thing. The idea that part of the group could go to an arbitrator and part of the group to the Board is going to call on some very unusual techniques in bargaining and could result in different results for each group. As a practical matter, it is going to have an impact. The assessment at the administrative level is that it is better and cleaner to keep the units separate in light of the way the law has defined the impasse process for peace officers. He responded to a question from the Board relative to the difference between the unit and the union, and he advised that the unit is a group of classifications that have been formed as a bargaining group, and any unit can decide which union or organization or association they wish to be their exclusive representative. You can have situations where you have an association represent different units – some sworn and some non-sworn. The significance of the difference is that they are different units, so the impasse process is different.

Janet Breman responded to questions from the Board relative to the pros and cons of their request and what they will gain by the unit modification. She noted they have been trying to change bargaining units for several years. With the requested change, they are hoping to gain better

representation. She stated that they do not feel that SEIU represents their needs for their classification in a satisfactory manner, and they feel they can get better satisfaction with a union that understands law enforcement.

Luciano Beltran, Operating Engineers, advised that they represent DSA, and he commented on Attorney Bolanos' input relative to possible future changes. He noted that the law could change at any time for different units. He stated he feels the law is specific now and states the only employees represented by SB 402 is peace officers. He stated he feels that anyone could appeal anything. He does not feel that a lot could be done if decisions are made on a "what if" basis all of the time. He urged the Board to look at what is allowed currently, because any law can change tomorrow.

Lisa Edelheit, SEIU 535, stated they have no opposition to this modification request. Relative to the pros and cons, she stated they have worked very hard for everyone, including the dispatchers. She stated she feels the Board will have the same decisions for these employees, and that does not have anything to do with representation. She understands the job duty similarities. She also noted that not one dispatcher has chosen to be a member of the Union, and she disagrees that there has been a lack of representation on their part.

Public portion of the hearing was closed.

3:06 p.m. Recess

3:17 p.m. Board commenced with deliberations. (M)Parker, (S)Pickard, Res. 02-14 adopted denying the appeal. Supervisor Parker noted that while there are similarities, he has a concern with fragmenting the bargaining unit based on information with SB 402. He stated he is not opposed to the animal control officers and dispatchers trying to find what they feel would be better or other representation. He suggested that the County might explore with them some other remedy, but he stated he does not believe that DSA is the appropriate remedy at this time. Discussion was held. Supervisor Pickard agreed with looking at other alternatives for representation. Supervisor Reilly stated she appreciates the information that was presented, and she feels there has been a great deal of advocacy for the positions. Supervisor Stewart stated he understands the situation with the animal control officers and feels they are closely related to the deputies, but does not feel this is the mechanism to address the problem. He noted the dispatchers are a key element of law enforcement and the job duties can be stressful when the call volume is high, and he suggested that perhaps salaries could be reviewed. Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly. Supervisor Parker apologized to the Sheriff for asking about his involvement in these matters as an elected official – he stated he knows that Sheriff Richards is a strong advocate for the department and for the employees under his administration. Hearing was closed.

CONSENT AGENDA

- CA-1 Approve the County Exhibits Entry Form for the 2002 California State Fair and Authorize the Chairman to Sign the Form (Tourism & Economic Development); Res. 02-5
- CA-2 Approve Budget Transfer in the Mental Health Budget to Purchase Three Computer Systems for the Children's System of Care (\$3,919) (Human Services); Res. 02-8
- CA-3 Approve Hours of Operation Change for El Portal Library so the Library can be Open After School on Tuesdays (Library); Res. 02-6
- CA-4 Accept the Resignation of Bonnie Ferguson from the Mariposa County Commission on Aging, Representing District II (Supervisor Balmain)

- CA-5 Accept the Resignation of Jeff Hornacek from the Yosemite West Town Planning Advisory Committee (Supervisor Reilly)
- CA-6 Re-Appoint Marty Acree, Martha Lee and Anthony DeStefano to the El Portal Town Planning Advisory Committee (Supervisor Reilly)
- CA-7 Accept and Authorize the Chairman to Sign the Annual Report for the Local Child Care Planning Council (Local Child Care Planning Council); Res. 02-7
- CA-8 Certificate of Recognition for George and Vivian McQuarrie's 60th Wedding Anniversary (Supervisor Stewart)
- CA-9 Authorize the Chairman to Sign a Declaration of Intent for Emergency Medical Services Appropriation (EMSA) Fiscal Year 2001-2002, Authorizing the State to Administer This Program for Reimbursement to Physicians of Unpaid Emergency Care (Public Health); Res. 02-11
- CA-10 Adopt a Resolution Recognizing "Cousin Jack" Franklin as the Chamber of Commerce Businessman of the Year for 2001 (Chamber of Commerce); Res. 02-4
- CA-11 Adopt a Resolution Recognizing Patricia Dorato as the Chamber of Commerce Businesswoman of the Year for 2001 (Chamber of Commerce); Res. 02-3

3:31 p.m. Adjournment in memory of Guy Criswell, "Sweetwater Clyde" Clyde T. Foster, Arlene Eutsler, Herbert Henry, Leonard Harris, Ann Caroline Underhill-Evans, Patsy Louise Stitt, Ada Van Meter, James Ballard and James M. Powers.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA January 15, 2002

Time Description

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

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

- Supervisor Pickard advised of correspondence received from San Joaquin County relative to a decision that the Board of Regents might be making this week regarding the UC Merced campus and the use of a Project Labor Agreement. The proposal would exclude many businesses that surround the campus from bidding on the project. The matter was continued to later this date for consideration and review of a draft letter opposing the use of a Project Labor Agreement.

- Supervisor Balmain advised that he received a telephone call from Steve Allison, contractor, relative to the status of the hauling of cover soil to the landfill from the Bagby area – they plan to finish hauling the ten thousand yards this week and there is still a large amount of material available. He requested that the Board consider allocating additional funding and authorizing additional material to be hauled. He noted the contractor is willing to amend the agreement and MID would like the material removed. The quality of the material is good and there is a continual need at the landfill for cover material. (M)Balmain, (S)Pickard, Board waived rules requiring 72 hours agenda noticing to consider this matter, finding it was not known about at the time the agenda was prepared and it is a matter of timeliness due to the weather as rain will raise the water level to a point where the material will not be accessible/Ayes: Unanimous. Discussion was held concerning the request and possible funding options. Marty Allan, PWD/Fleet-Fiscal Manager, advised of salary savings and of Contingency funding available in the Solid Waste budget. (M)Balmain, (S)Parker, Res. 02-15 adopted authorizing a change order in the contract with Steve Allison for up to another ten thousand yards at the same cost per yard. Motion was amended, agreeable with maker and second, to direct the County Administrative Officer to come back with the financial portion. Greg Iturria, County Administrative Officer, advised that the departments are currently preparing their mid-year budget adjustments and the financial portion could be included in the mid-year report to the Board. Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly.

Board Information

- Greg Iturria, County Administrative Officer, announced that Dennis Hermanson, the new Director of Tourism and Economic Development, will start work this week.

- Supervisor Stewart advised that he plans to attend the “Connecting to Compete” forum relative to e-commerce at Merced College on Wednesday.

Jim Petropulos, Public Works Director;

Authorize the Public Works Director to Execute a Contract for Service and Parts for the Madera County Community Action Agency (MCCAA) for Their Vehicles Based in Mariposa for Use in the Operation of the Headstart Program

BOARD ACTION: Chairman Stewart advised of request to pull this matter for further discussion with Public Works. Mary Allan, PWD/Fleet-Fiscal Manager, advised that continuing the matter will not impact the current status of the program. Matter was pulled.

Cheryle Rutherford-Kelly, Human Services Director;

A) (1) Authorize the Human Services Director to Execute the Low Income Energy Assistance Program (LIHEAP) Agreement 02B-5171; (2) Accept an Advance of \$58,964 in Anticipated Revenue from LIHEAP Agreement 02B-5171; (3) Authorize the Human Services Director to Continue to Coordinate the Weatherization Portion of the Program with the Public Works Department; and (4) Upon Approval of the County Administrative Officer and County Counsel, Authorize the Human Services Director to Execute Subsequent Amendments with the State Department of Community Services and Development up to the Amount Negotiated by the Rural Counties

BOARD ACTION: Cheryle Rutherford-Kelly advised that the exact amount of the advance is not known at this time, and requested that authorization be given to accept an advance up to \$58,964 in anticipated revenue. (M)Pickard, (S)Reilly, Res. 02-16 was adopted as recommended, and with authorization to accept an advance up to \$58,964 in anticipated revenue/Ayes: Unanimous.

B) Authorize the Mental Health Director to Accept \$5,018 in Unanticipated Revenue from the Federal Government Substance Abuse Mental Health Services Association; Authorize the Mental Health Contractor, King View Corporation, to Subcontract with the Mariposa, Amador, Calaveras, and Tuolumne Board for the All Tribes Program in the Amount of \$5,018; Approve Budget Action to Facilitate these Actions (\$5,018) (4/5ths Vote Required)

BOARD ACTION: Following discussion, (M)Pickard, (S)Reilly, Res. 02-17 was adopted/Ayes: Unanimous.

9:32 a.m. MARIPOSA COUNTY PUBLIC FINANCE CORPORATION

Conduct Annual Meeting and Select Officers for 2002 (Clerk of the Board)

BOARD ACTION: (M)Parker, (S)Pickard, the Chair and Vice-Chair for the Board of Supervisors were selected to serve as President and Vice-President respectively/Ayes: Unanimous.

9:33 a.m. Eric Toll, Planning Director;

Waive First Reading, Receive Public Comment and Introduce an Ordinance Adding Chapter 2.50.100, Citizen Advisory Committees, to the Mariposa County Code Establishing Uniform Administrative Procedures

BOARD ACTION: Eric Toll advised of the input received from the citizen committee members and the public, and he reviewed the recommended changes. Discussion was held relative to establishing a common name for the advisory committees; consideration of waiving the town planning area boundary for membership; having a fixed membership number; having the boundaries for the town planning areas in the General Plan Update be the same as the boundaries for the committees; and relative to ex-officio membership and having expertise available to the committees. Supervisor Parker suggested that the matter be continued for Board members to further review and discuss their concerns with staff.

Input from the public was provided by the following:

Tracy Guenthart, member of Catheys Valley Town Planning Area Advisory Committee for many years, provided input and suggested that if a fixed number is established for membership, that consideration be given to selecting alternates that could fill future potential vacancies.

Supervisor Stewart requested that the proposed changes be shared at the town planning advisory committee meetings, particularly the Catheys Valley meeting scheduled for Wednesday.

Accept the "Connecting Mariposa Assessment Report" (County Administrative Officer)

BOARD ACTION: Greg Iturria, County Administrative Officer, reviewed the report and advised of the status of the project. Supervisor Stewart requested that a copy of the report be sent to the phone company(s) in the County that have not been participating in this project so that they will be aware of the status of the project.

Adopt a Resolution Designating that Confidential Employees be Tied to the Mariposa Managerial and Confidential Organization for Benefits and Salaries (County Administrative Officer)

BOARD ACTION: (M)Parker, (S)Pickard, Res. 02-18 was adopted/Ayes: Unanimous.

10:19 a.m. Recess

11:05 a.m. Supervisor Parker;

Discussion and Possible Action on Wilderness Area

BOARD ACTION: Supervisor Parker advised that he requested that this matter be scheduled on the agenda to give the public an opportunity to provide input. Supervisor Pickard advised that a map showing the proposed area being considered for designation as Wilderness is available. He also advised of a meeting held on Monday with Tom Bohigian of Senator Boxer's office, and he reviewed the status of the proposal and the Senator's attempt to establish a Wilderness area that is different from previous areas and that addresses the issues that have been raised.

Chairman Stewart asked for a show of hands of those who wished to speak and requested that comments be held to three to five minutes per person. Input from the public was provided by the following:

Lorna Webb stated she is a resident of the County, an active member of the California State Horsemen's Association and very involved with youth and the 4-H horse and pony project. She stated that today she is representing herself and a group of concerned citizens; and she advised of 530 letters of opposition they have received and faxed to Senator Boxer and Congressman Radanovich. She commented on the action taken by the Economic Development Corporation (EDC) and advised that the EDC does not speak for all of the citizens of the County. She referred to the acreage of federal wilderness land in the State and management by the various federal entities; and the prohibition of logging and commercial activities, and the ban of mechanized equipment and vehicles. She noted that roads are forbidden and she feels these bans will make fire management impossible. She noted that the South Fork of the Merced River, a California Wild Trout Stream and National Wild and Scenic River designated by President Reagan, is located in the proposed wilderness area, and the trails offer remarkable views and an abundance of wildlife. She further advised that her family has enjoyed this area and the County for over ninety years, and family members helped to build many roads. They have also reopened old trails and assisted with maintaining trails in this area, and dedicated volunteers still maintain the trails. She would like to see future generations enjoy this area. She requested that the Board not support the placement of the proposed area in wilderness, and that the Board adopt a resolution of no more wilderness in Mariposa County.

Becky Crafts, Vice-President of the Mariposa Mountain Riders, a concerned citizen, and as a parent of a 4-H project member, stated she feels it is disheartening to see what a small group can start without having public input. She stated she feels that this was hurriedly done to attach this area to another bill, and that the size of the proposed acreage is large and affects a number of people. She requested that the Board adopt a resolution opposing any wilderness in the County. She noted that people in the community have volunteered and will continue to volunteer to keep the trails open. She noted they have eighteen members in the 4-H equine project.

Chuck Machak stated he enjoys the outdoors. He feels that with this wilderness area proposal, users in future generations will be a small group of hikers and campers, and he will not be able to enjoy the area because he will be unable to hike as far. He noted that his wife can't hike and they do not like crowds of people, but enjoy driving in this area. He stated he is opposed to the wilderness area proposal. He also referred to changes and restrictions that occurred in the Mojave Desert after Senator Cranston was successful in getting legislation through – people cannot get to the Kelso Dunes now.

Vere Geary, of the Jerseydale area, stated she does not feel that the federal government has had a good record of taking care of land they manage, and she cited recent fires that have occurred on federally managed lands. She noted the dead and dying timber due to the beetle infestations on federal lands. She referred to the fire in Washington last summer that killed people, and expressed concern with the fire danger in the Jerseydale area and the narrow road accessing the area. She also

expressed concern with the lack of public notice on this issue. She stated she feels their homes and lives are at stake in this matter.

Lee Stetson stated he is generally in favor of a wilderness area for the South Fork area and he feels that the people being impacted by this should have ample input. He feels the suddenness of this proposal needs time for reaction. He feels people are opposed because they feel they will lose something now or down the road. But, he feels that the people who are in favor of this proposal also feel they will lose something. He feels the concerns of both sides are genuine and need to be addressed. He feels we need to listen to each other and respond in respect for each other and in respect of the South Fork area. He urged that time be given to allow all citizens to create a forum for understanding.

Reid Marks stated this area is very brushy and steep and little of the area is used. He feels the problem with creating a small wilderness area like this would be like telling someone to keep a clean house, except for the dining room. He feels this would change how the land can be managed. He noted that the Devils Gulch area has been burned on a control burn to reduce the fire danger and allows for cattle grazing – a control burn would not be allowed in a wilderness area. Based on the size of the proposed area, he feels it should not be made a wilderness area. He feels that the majority of the land is safe because you can not do anything with it.

Ed McConnaughey referred to the Wilderness Reclamation Act, and stated he feels that the property could be purchased under this Act and the public could be kept out permanently.

Evie Wilson stated she does not understand what is happening – the control is increasing. She commented on the Wilderness Act and expressed concern with the fire danger in the area and to the nearby communities. She referred to the situation in Australia where the fires are burning out of control and have burned cities. She asked whether the exceptions proposed by Senator Boxer for this area would be adopted when the vote is taken in Washington, D.C., and whether this would set a precedence for future wilderness designations. She feels the control groups have already set an agenda and each side will push their agenda, and she feels it is up to the local citizens to set limits of this “special interest take-over” of public lands. She requested that the Board adopt a resolution opposing this and any other wilderness proposal that comes before the Board. She feels this proposal will affect lives and property.

Michael Demaso stated he was representing himself, his family, and the Merced Dirt Riders, Inc. He noted they have been dealing with the restrictions of wilderness areas since the early 1970's, and they have compromised many times and each time, more of their rights are taken away. He stated he feels this process needs to be slowed or stopped. He feels that only two percent of the population visits wilderness areas, the rest visit the forests. He feels that more and more groups are affected by the wilderness designations. He urged the Board to adopt a resolution opposing any more wilderness designations in the County and in the State.

Gayle Jones stated he has been involved with wilderness areas and owned pack stations in these areas, and he has watched the wilderness areas continually enlarge. He stated he feels that as administration changes, there are different opinions on management issues. Once a wilderness area is started, he feels it grows like a tumor and the people get to use less and less of the land.

Ralph Mendershausen stated he was representing himself, and stated he feels it is important to realize that we have an opportunity here. He referred to the concern relative to fire issues and stated he feels this discussion could perhaps bring about a fire plan for the area. He referred to the Wild and Scenic designation for the Merced River and the Saxon Creek project that followed. He stated he does not want to see the discussion cut off – he feels this is an opportunity to protect the wilderness that exists. He commented on the mixed messages being received from the Forest Service regarding the use of chain saws in wilderness areas, and he stated it would be good to have a clear understanding of the issues. He stated that because people do not want this, doesn't mean that it is bad for the area. He feels this is an emotional process, and he referred to the original location of the area and changes to the proposed area as a result of the input they received. He stated the wilderness designation does not prohibit fighting fires if there are dangers to the people. He urged the Board to not make a decision at this time.

Barry Brouillette stated he is a proponent of the South Fork being designated as wilderness – this is a predisposition he has had and will continue to have. However, he noted the proposed map

designating the wilderness area is being influenced by the dialog of the issues being raised, such as fire, recreational use, and traditional uses such as gathering fire wood. He stated he does not deny or begrudge the sentiments of the people that are opposed to this. He asked that the process be slowed and he noted that people have been working on this proposal for a long time, and he feels there needs to be an opportunity to get all of the facts on the table. He also noted that the EDC is only speaking for their group with the action they took.

Frank Long stated he feels the pseudo environmentalists are after us again, and he does not feel that we can compromise with them – they have nothing to offer. He stated he feels the wilderness area has produced a lot of timber and those revenues go to the County and schools – timber sales have been cut back because of lawsuits from people like the proponents of this proposal and the revenues have been reduced. He noted that Sugar Pine timber is produced in this area and it is the finest softwood in the world. He feels people forget the source of the products and our resources. He stated he feels that wise use of our resources will not occur if this is designated as wilderness. He stated he feels it is a sick forest, and that healthy forests are in private hands under private management. He referred to the potential dangers, including fire. He stated he feels there is no reason to not allow timber sales and grazing to occur in this area. He asked what purpose the wilderness designation will serve, and he noted it won't eliminate the snakes and heat.

Stan Rothfuss, Mariposa Fish and Game President, stated the Fish and Game strongly opposes this proposal. He noted that other recreational resources do not exist in the County for our children. He stated he strongly opposes this proposal and urged the Board to oppose it.

Dick Kunstman, Midpines resident, stated he is in favor of a wilderness designation at this time. He stated he feels there is a lot of misinformation as to what the designation will accomplish and allow. He stated the use of 4-wheel drives and other uses would still be allowed on the existing roads, the wilderness boundary is separate from the roads. The only impact would be in leaving the road and traveling cross-country, and that can be stopped under the present laws. This has not been enforced, but it is considered trespass to leave a forest road. He feels the issue of fire danger is being exaggerated because the boundaries will have to be adjusted to conform to the Sierra Nevada Amendment Plan, which sets up buffer zones around communities. He commented on his review of the Briceburg fire data – it started with a lightening strike and they bulldozed the roads necessary to contain the fire and additional roads when the fire escaped original containment lines. He stated they will still be able to do that in a designated wilderness area. They will have to obtain authorization, but it will be granted. He commented on the issues with the Yellowstone National Park fire and he noted it started with nineteen separate lightening strikes that occurred within a short period of time. He advised that in the Sierra Nevada Eco System Report to Congress, there is a careful analysis of what to expect in these types of situations, and it is almost impossible to fight these fires successfully due to the lack of resources.

Stanley Bissmeyer stated he is a previous resident of the County and worked for CYA. He commented on his experiences as a crew counselor and time spent in the South Fork area building trails. He referred to large fires that have occurred in the County and of the possibility of lightening strikes occurring simultaneously. He stated he feels this designation will prevent vehicles, timber harvest and cattle grazing activities in the area. He stated he feels government does not manage its land; and that funds do not get returned to replant and maintain the tree plantation in these areas. He stated he is concerned with the future.

Richard Shelton, Catheys Valley resident and member of the Will Riskit Bicycle Club, stated they enjoy this area and others. They would like to be able to continue enjoying this area with the bicycles. He referred to his work in this area during the Briceburg fire, and he noted that he saw bulldozers going places that he could not climb. He feels that without the support of bulldozers, the fire could not have been contained. There were places the air support could not reach. He noted that after the fire, the bulldozers came back and reconditioned/restored the forest area. He stated that without these resources, he would not enter this area.

Lyle Turpin thanked the audience for its input and stated he feels that this issue is more than emotional, that people have done research. He noted that our public lands are multi-purpose and when we begin limiting those uses, our tax dollars are still supporting the land and they can't be used by everyone. He noted that one-half of the land in our County is under public ownership, and

he feels that anytime additional land is added, there is a burden put back on our citizens. He also stated he feels that this gets to be a law enforcement issue. In regard to the fire danger issues, he advised that the volunteers who serve on the strike teams have seen the lack of a timely response for equipment to be authorized on fires and watched thousands of acres being lost. He noted that the search and rescue uses motorized vehicles and expressed concern with the safety impacts if this is designated wilderness. He asked why this proposal was not addressed at the time the Sierra Nevada Framework was being done. He also noted that following the events of September 11th, that we need to be sure that we can access our natural resources. He referred to the use of the terms "try" and "possible", and stated he feels that "if it's not broke, let's not fix it."

Mary Darlene Theodore commented on Ralph Mendershausen's suggestion that the Board not take any action at this time, when he and Barry Brouillette used the power of the EDC to take action to support this proposal. She presented 103 signed requests to the Board that were received this morning, requesting that the Board adopt a resolution of "no more wilderness in Mariposa County." She stated she feels the citizens are looking to the Board to speak for them versus the EDC and the Chamber of Commerce.

Tina Andoline of the Wilderness Coalition, commented on their membership and the background of this proposal. The Coalition reviewed how many acres were available in the State for designation as wilderness, and they worked for three years reviewing maps. Over 100 volunteers were sent into the field to look at the eligible sites. When they finished with their survey work, they realized that ninety acres a day were being lost that previously qualified because they had roads constructed or were being logged. They began working with their council members on this proposed site about two years ago, and the map has changed a lot due to the input they have received, especially in regard to the fire issues. She stated fires can be fought in the wilderness area and have been, and it is the law that equipment can be used to protect lives and property. She referred to the exceptions that Senator Boxer is proposing for this area and the concerns the citizens have expressed. She stated the areas are created so that people can access them in the state they are today. She urged the Board to continue taking comments and to keep the dialog going.

Dennis Buck stated he is a business owner and a member of the County Fire Department. He referred to the fire issues and comments about buffer zones, and stated he does not feel a buffer zone will work – that you will need to be able to use bulldozers to control fires and protect the neighboring communities. He referred to the Briceburg fire and stated he lives here to enjoy the mountains and the historic areas. He stated he has not been to a wilderness area where he is allowed to hunt and drive, and that will affect those who are unable to walk. He urged the Board to "shoot this proposal in the foot and let it hobble out." He referred to the dying pine trees as a result of the beetles and now the oak tree disease, and he feels this area will be impacted. He stated he likes being able to gather fire wood with a permit, and that would not be allowed with the wilderness designation. He further stated that he does not understand how the Chamber of Commerce took action to support this proposal, as he does not feel that it is good for business.

Supervisor Balmain stated he feels sufficient input has been provided for the Board to be able to take action. Chairman Stewart advised that he had already recognized the following person to provide input.

Colette Wear, a Will Riskit Bicycle Club member and speaking as a concerned citizen, stated she likes to hike and bike. She noted that the proponents are asking that those with concerns take their time and work the issues out; however, the EDC has already urged Senator Boxer to move forward on this proposal. She expressed concern with deleting trails and the use of roads and with being able to continue to continue bicycling in the area. She stated she does not feel the tourist trade will be improved with this proposal; for the most part, the tourists do not hike in these areas. She stated she would prefer to drive part way in to the area and then begin her hike, and she likes to bicycle on the trails. She stated she feels the area is being used efficiently, and one person's misuse should not impact others. She stated she enjoys the freedom to use our land and does not feel the public land should be taken away from the public.

(M)Balmain, (S)Pickard, Res. 02-19 adopted opposing any more wilderness area designation in Mariposa County, with direction for this action to be sent to our federal and state legislative representatives. Further discussion was held. Supervisor Pickard stated he would like to see our

legislators look at this issue from the public side and the maintenance that is required. Supervisor Reilly stated she understands that a great number of her constituents are fiercely opposed and have raised serious concern; however, she will not support a motion to support or oppose the wilderness designation as she does not feel the discussion is finished. She stated she wants to take this opportunity to discuss the process and get public input – she believes that the best government is local government and the best input comes from the local level. She stated she feels there has been an increased strategy to go past the Board and get support, and she hopes we can commit to obtaining local input on items and have the Board involved in the preliminary stages, and that ideas can be discussed and points of views shared on issues. She also stated she feels that federal funding needs to be pursued to address the fire safety issues. Supervisor Parker stated he supports the motion; however, he agrees that the Board should have been involved more in the preliminary consideration of this matter and other issues that come up. He further noted that the EDC letterhead and the Chamber of Commerce use Mariposa County in their headings, and the citizens relate that to the County and the Board of Supervisors. He questioned why the designation is necessary if the issues can be resolved. He referred to his visits to Death Valley and the changes that occurred when the designation changed from a monument to a park. Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly.

12:58 p.m. Lunch

2:04 p.m. Board reconvened with Supervisors Parker and Pickard excused for the following motion. All Board members were present for the closed sessions.

Greg Iturria, County Administrative Officer;

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

BOARD ACTION: Closed session was not held for this matter.

Jeff Green, County Counsel;

CLOSED SESSION: Anticipated Litigation; Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9; 1 Case to be Discussed; and

Greg Iturria, County Administrative Officer;

CLOSED SESSION: Public Employee Performance Evaluation; All Department Heads

BOARD ACTION: Jeff Green advised that there are two cases of anticipated litigation to be discussed, and clarified that the public employee performance evaluation is for review of appointed department heads only and does not include elected officials. (M)Balmain, (S)Reilly, closed session was held for the two cases of anticipated litigation and for the evaluation of appointed department heads, with all Board members present/Ayes: Reilly, Balmain, Stewart; Excused: Parker, Pickard.

4:30 p.m. Board reconvened with Supervisor Reilly excused.

Supervisor Pickard initiated discussion relative to the Project Labor Agreement for the UC Merced campus. (M)Pickard, (S)Balmain, Board waived rules requiring 72 hours agenda noticing to consider this matter, finding it was not known about at the time the agenda was prepared and it is a matter of timeliness as the UC Regents may make a decision this week/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. (M)Pickard, (S)Balmain, Res. 02-20 adopted approving the letter for the Chairman's signature opposing the use of a Project Labor Agreement for the UC Merced campus/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Chairman Stewart announced that direction was given to staff as a result of the closed session issues.

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

4:36 p.m. Adjournment in memory of Don Duffield, Alvin Nuss and Brenda Ann Morris.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA January 22, 2002



Time Description

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

Matthew Williams, Catheys Valley Elementary School student, led in the Pledge of Allegiance

Introductions

- Chairman Stewart introduced Dennis Hermanson, the new Director of Tourism and Economic Development.

Board Information – none.

Chairman Stewart:

Presentation of a Certificate of Recognition to Matthew Williams for Being Named a Finalist for his Essay in the National Geographic for Kids “Our Town” Essay Contest

BOARD ACTION: (M)Reilly, (S)Parker, Certificate of Recognition was approved and presented to Matthew Williams/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard. Matthew read his essay about life in Catheys Valley. Supervisor Reilly commented on the test scores for our schools, and being proud of our students.

Approval of Minutes 1/08/02 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

9:21 a.m. Recess

9:29 a.m. Public Presentations: For Non-Timed Agenda Items and for Items Not on the Agenda

- Ruth Sellers responded to the comments Supervisor Balmain made on January 8, 2002, relative to a letter she wrote to the editor that was published in the Tribune. She stated she feels that Supervisor Balmain misquoted her and she requested an apology, and she presented information on maintenance for Greeley Hill Road. Supervisor Balmain responded to her allegations. Ruth Sellers continued with input relative to the handling of the redistricting issue.

- Yvonne Bennett responded to the comments Supervisor Balmain made on January 8, 2002, relative to a letter she wrote to the editor that was published in the Tribune, and she stated that she did not make or imply any allegation of wrongdoing by Board member(s). She commented on her efforts to obtain information from the County, and presented documents, which she feels supports her letter. She also stated she feels that Supervisor Balmain owes her an apology. Supervisor Balmain responded after the following item.

Approve a Three-Year Memorandum of Understanding (MOU) with the Service Employees International Union, Local 535 (SEIU) Effective November 1, 2001 (Personnel)

BOARD ACTION: Jeff Green, County Counsel/Interim Personnel Director, provided input. Debra Rockwood, SEIU representative, stated this was her first opportunity to negotiate for County

employees and with Rick Bolanos, and she feels it was very positive and supports the MOU. (M)Reilly, (S)Parker, Res. 02-24 was adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Supervisor Balmain stated he takes his job as a County Supervisor very seriously and he works hard and feels he does a good job. He stated he will not respond to requests for information that are made in letters to the editor; the requests need to be made directly to him.

Cheryle Rutherford-Kelly, Human Services Director;

A) (1) Authorize the Human Services Director to Execute the 2002 Community Services Block Grant (CSBG) Agreement 02F-4204; (2) Accept an Advance of \$40,000 in Anticipated Revenue from CSBG Agreement 02F-4204; and (3) Upon Approval of the County Administrative Officer and County Counsel, Authorize the Human Services Director to Execute Subsequent Amendments with the State Department of Community Services and Development up to the Amount Negotiated by the Rural Counties

BOARD ACTION: Following discussion, (M)Reilly, (S)Balmain, Res. 02-25 was adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

B) (1) Authorize the Human Services Director to Submit a Planning and Technical Assistance (P/TA) Community Development Block Grant (CDBG) for a Countywide Housing Conditions Survey, Housing Needs Assessment, and Development Feasibility Study; (2) Authorize the Human Services Director to Utilize Community Services Block Grant (CSBG) Leveraging Dollars Which have been Budgeted for Such Purpose to Pay for the Staff Time Necessary to Prepare the Grant; (3) Authorize the Planning Department to Utilize the Expertise of Parsons, Harland, Bartholomew & Associates, Inc., Our Current General Plan Contractor, to Assist with the Application and to Make Recommendations for Program Implementation

BOARD ACTION: Discussion was held with Cheryle Rutherford-Kelly relative to the housing survey and coordination with Planning. Cheryle advised that she will bring the request for proposals to the Board for approval if the grant is awarded. (M)Balmain, (S)Reilly, Res. 02-26 was adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Jim Petropulos, Public Works Director;

A) Approve an Application for Grant Funds from the Sierra Nevada Cascade Grant Program for the Merced River Trail in Cooperation with the Bureau of Land Management

BOARD ACTION: Discussion was held with Rich Begley/PWD-Deputy Director Parks and Recreation, and Gwen Foster/PWD-Engineer, relative to this proposal and the status of the Merced River Trail project and maintenance. Discussion was also held relative to the possibility of using these funds for repairing damaged areas of the trail. (M)Balmain, (S)Reilly, Res. 02-27 was adopted approving the application, with direction that the funds be used to extend the trail and to make repairs to the extent possible/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Adopt a Resolution Certifying the Industrial Disability Retirement of Anne Means Effective February 1, 2002 (County Counsel)

BOARD ACTION: (M)Parker, (S)Reilly, Res. 02-28 was adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Approve the Proposed Class Specification of Deputy Director of Social Services with the Salary at Range 295 (\$4,104 - \$4,989) (Personnel)

BOARD ACTION: Following discussion, (M)Reilly, (S)Balmain, Res. 02-29 was adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

10:18 a.m. Recess

10:37 a.m. B) Presentation on the Mariposa Town Highway Pedestrian Facility PW 95-42 and Discussion of CalTrans Delegated Maintenance Agreement

BOARD ACTION: Jim Petropulos advised that maps are posted showing the engineered design for the sidewalks in Mariposa, and that Roger Stephens, Engineer, is present to respond to questions. He also advised that they are still waiting to obtain a draft agreement from CalTrans for maintenance of the sidewalks and he will bring that to the Board when it is received. Gwen Foster/PWD-Engineer, described the project in more detail and advised that CalTrans will still monitor the placement of signs on the sidewalks. Discussion was held. Supervisor Parker requested that Gwen stay in contact with the affected property owners relative to the status of the project, and he suggested that there be an agreement whereby property owners would know what is allowable and what to expect with the maintenance on the sidewalks. Supervisor Stewart asked about the status of the Jessie Street loop; and he was advised that it is a part of the overall project, but does not involve CalTrans.

10:52 a.m. LOCAL TRANSPORTATION COMMISSION

Jim Petropulos, Public Works Director;

Update from CalTrans Staff on the Following: Highway 49/140 North and South Intersections, Smith Road and Darrah Road

COMMISSION ACTION: Jim Petropulos advised that staff from CalTrans was present to discuss the following projects. Jane Perez, CalTrans/Senior Transportation Planner, advised that Dana Cowell would be present shortly; and she introduced Mark Orr/CalTrans-Chief of Traffic Safety and Roberto Banda/CalTrans-Senior Transportation Engineer.

Highway 49/140 North Intersection:

Mark Orr advised of their review of the accidents and traffic volume for the Highway 49/140 North intersection. He advised of their recommendation that traffic signal lights be installed at the intersection, and of options being considered for the interim. Discussion was held relative to the intersection and elevation and driveway impacts, and potential impacts with the relocation of the Mining and Mineral Museum to this area. Commissioner Parker suggested that CalTrans hold town meetings to hear from the citizens their thoughts on this proposal before proceeding. He asked whether consideration has been given to other options such as signage and speed bumps to slow traffic. It was noted that we have been able to say that no traffic signal lights exist in this rural County, and this project will change that.

Roberto Banda gave presented more detailed information on the proposed project. He responded to Commissioner Stewart's question relative to the wiring that was done at the intersection; and he advised that loop detectors were installed and they are currently being used for traffic counts, but can be used with the signal light project. Roberto advised that they are proposing a traffic signal with pedestrian crossing push buttons and traffic detectors for the light changes. They plan to stripe the existing driveways to the 49'er Supermarket mall and Yosemite Bank areas to keep those entrances clear. They plan to install flashing beacons on Highway 140 to warn traffic of the signal light at the intersection, and install a guard rail on the curve coming down Highway 140 into town. He advised that no right-of-way acquisition is required and the environmental documents are expected to be completed in March with no impacts, and the construction will require lane closure. The estimated construction cost is \$350,000, and they plan to have the project completed by July 2003.

Dana Cowell advised that they have safety-related issues that need to be resolved, and they will hold public workshops as a part of their efforts on this project.

Mark Orr advised that they are looking at installing stop signs this spring in the interim of the signal light construction.

Dana Cowell advised that he feels the best way to resolve the situation at the intersection is with signal lights, and he advised that they will work with staff to make them as blended as possible, and they will consider the Mining and Mineral Museum project in determining how the intersection will operate.

Smith Road/Highway 140 Intersection:

Mark Orr advised that they finished the investigation of the intersection, and they need to do a detailed cost estimate for the left-turn project. He noted the cost estimate will be close to the limits for qualifying for safety funding. Commissioner Stewart stated he would like to see the study results for this project.

Darrah Road/Highway 49 South Intersection:

Mark Orr provided a status report on the proposal for a left-turn pocket for eastbound traffic. He noted that this project started as an operational improvement several years ago; and now due to the increase in the accident rate, they plan to fund this under the safety program as a major project and it needs to be programmed into the SHOP cycle. It is estimated that this is a four-year program and right-of-way issues and environmental issues need to be reviewed. He advised that this project will also involve widening the box culvert at the creek. Commissioner Parker expressed concern with the changes and timeframes, and he commented on the history of this project and advised that the County previously budgeted funds to assist with the project. He requested a commitment from CalTrans relative to the cost and timeframes for this project. Mark advised that the estimated cost is 1.1 million dollars and CalTrans will cover that, and he does not have a clear schedule other than the four-year SHOP cycle.

Dana Cowell advised that CalTrans will provide information in writing on this project to the Commission.

Highway 49/140 South Intersection:

Dana Cowell advised that they have a feasibility study from the traffic investigation.

Ram Narayan/CalTrans-Project Manager, commented on improvements being considered for the future and alternatives.

Dana Cowell advised that they will need a contribution from the County for this project. Commissioner Reilly asked about signage, and was advised that signs will be installed in conjunction with the sign for the North intersection.

Streeter Mountain/Highway 49 South Intersection:

Mark Orr and Dana Cowell advised this intersection is under investigation, and they will keep the Commission advised of the status.

12:08 p.m. Recess

12:20 p.m. Discuss and Provide Direction to Staff Regarding the Solicitation, Selection and Funding of Qualified Projects with Monies Received from the Secure Rural Schools and Community Self-Determination Act of 2000 (H.R. 2389) (County Administrative Officer)

BOARD ACTION: Greg Iturria, County Administrative Officer, advised that \$91,428 has been received and that distribution of the funds could be considered with the budget process. He advised that Supervisor Balmain invited John Swanson, USFS Groveland District Ranger, for this matter. Supervisor Balmain advised of the meetings that he and Greg Iturria attended on this matter, and that he feels the Bower Cave bridge project would be appropriate for this funding.

John Swanson provided input on the proposed bridge project for Bower Cave. He advised that they have access to \$40,000 to \$60,000 to replace the bridge; however, they need about \$20,000 to complete the planning/design/environmental work portion of the project.

Discussion was held relative to the timeframes for the bridge project; requirements for a Resource Advisory Committee; noticing requirements; and the process for funding projects. Supervisor Reilly commented on the interest in fire prevention and projects for those communities that border the Forest Service. Supervisor Parker suggested that funds be allocated for the bridge project; and that Supervisors Balmain and Reilly work with the County Administrative Officer to develop a criteria for dealing with future funding. Further discussion was held relative to the public noticing requirements. Supervisor Reilly suggested that an item be scheduled on the agenda to consider the request for funding for the Bower Cave bridge project; and that a process be developed for considering other requests. The Board concurred with directing staff to bring back an item to allocate funding for the Bower Cave bridge project and a process for considering other requests.

Greg Iturria, County Administrative Officer, advised that they are putting together a screening committee to review the applications for the Technical Services Director position, and he reminded the Board that interviews are scheduled for February 4, 2002.

1:01 p.m. CLOSED SESSION: Regarding Conference with County Labor Negotiator Relative to Service Employees International Union (County Administrative Officer)

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

1:24 p.m. Board finished with closed session.

CONSENT AGENDA

- CA-1 **HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA**
Approve the Human Services Director to Submit a Grant Application to the Children and Families First Commission for \$5,500 of Proposition 10 Money for Rental Deposit Assistance (Human Services); Hous. Auth. Res. 02-1
- CA-2 Approve Budget Action Transferring \$83 from In-County Services to Computers in the Transportation Planning Budget (Public Works); Res. 02-21
- CA-3 Accept a Donation from the Hornitos Patrons Club in the Amount of \$3,000 to Help Cover the Cost of Electrical Improvements for the Stagg Hall in Hornitos and to Appropriate Same to the Electrical Program in the Facilities Budget (4/5th's Vote Required) (Public Works); Res. 02-22
- CA-4 Approve Budget Action to Create Separate Account for Yosemite View Application Transactions (\$9,000) (4/5ths Vote Required) (Planning); Res. 02-23
- CA-5 Re-appoint Florence Egger to the Coulterville Community Planning Advisory Committee (Supervisor Balmain)

1:24 p.m. Meeting was continued to Monday, February 4, 2002, at 9:00 a.m. for a closed session to interview candidates for the Technical Services Director position.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA
February 4, 2002



(Meeting Continued from January 22, 2002)

9:06 a.m. Continued meeting from January 22, 2002, was called to order with Supervisor Reilly excused due to illness, and Supervisor Balmain arrived for the closed session.

(M)Parker, (S)Pickard, closed session was held to interview candidates for the Technical Services Director position/Ayes: Stewart, Parker, Pickard; Excused: Reilly, Balmain.

Chairman Stewart announced that direction was given to staff on January 22, 2002, as a result of the closed session held that date.

9:14 a.m. Board convened in closed session.

11:25 a.m. Lunch

1:33 p.m. Board reconvened in closed session.

3:57 p.m. Board reconvened in open session. Chairman Stewart announced that direction was given to staff as a result of the closed session.

3:58 p.m. Adjournment

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA February 5, 2002

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

Chairman Stewart;

Presentation of Resolution and Tile Plaque Recognizing Ann Means for her Dedicated Service as Deputy Sheriff

BOARD ACTION: (M)Parker, (S)Pickard, Res. 02-30 was adopted and presented to Ann Means, along with the tile plaque/Ayes: Unanimous.

9:17 a.m. Recess

9:26 a.m. Approve a Three-Percent Equity Adjustment for the Class Specification Sheriff Dispatcher and Authorize the Auditor to Make Any Necessary Budget Adjustments (County Administrative Officer)

BOARD ACTION: Jeff Green, County Counsel, advised that the bargaining unit wants to comment on this matter and requested that it be continued to February 12, 2002. The Board concurred with the continuance.

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

- Park Yonker commented on his experience with the District Attorney's Office, and he requested an investigation relative to his concerns. He also requested information on the amount and accounting of federal funding earmarked for veterans for this County. He requested that the Board schedule these matters on its agenda. Supervisor Reilly noted that the veterans' funding issues were previously reviewed at the request of the Board, and she requested that the information be shared with Mr. Yonker. In regard to the concerns with the District Attorney, she noted that is an elected position and the complaints are not appropriate for the County to address. Chairman Stewart suggested that Mr. Yonker discuss his concerns relative to the funding for veterans with the Veterans Service Officer.

- Leota Striplin advised that they will begin taking orders shortly for Daffodil Days, and that she is hoping to dedicate this fundraising effort for the American Cancer Society to Jim Eutsler and the late Arlene Eutsler in recognition of their efforts with this event.

- Park Yonker referenced a letter he received from Senator Dianne Feinstein that suggested that he bring the matter concerning the District Attorney to the Board of Supervisors.

- Pelk Richards, Sheriff, provided an update on their activities relative to homeland security and he presented the new neighborhood watch signs.

Board Information

- Supervisor Balmain advised that he plans to attend the Sierra Cascade Logging Conference later this week.

- Supervisor Stewart advised that he attended a CSAC meeting in Sacramento, and it looks like they have dropped their sales tax increase effort.

Approval of Minutes 1-15-02 Regular Meeting

BOARD ACTION: Approve.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Item 2 was withdrawn at the request of the Librarian. (M)Reilly, (S)Parker, the balance of the items were approved/Ayes: Unanimous. Supervisor Parker noted that item 1/the donation of the ambulance from Mercy Ambulance, is very much appreciated.

Dana Jones, Mining and Mineral Museum Director;
Museum Presentation Requested by the Board of Supervisors

BOARD ACTION: Dana Jones gave a presentation on the plans for relocating the Museum to Highway 140 and Jones Street, and relative to the proposed facilities and programs. She reviewed the accomplishments since the Museum was transferred to the Department of Parks and Recreation from the Department of Conservation.

Ed Hardy, Fund for the Preservation of the Mining and Mineral Museum, thanked the Board for continuing to support the Museum. He noted that Pat Dorato/Treasurer for the Foundation, and Joan Gloor/donated land for the facilities, were present. He advised of the status of their fundraising efforts, and he advised that they are hoping to obtain funding from Proposition 40/an upcoming ballot measure to support State Parks. He advised that the following persons are assisting with the relocation project: Bob Borchard/environmental concerns; Bruce Eckerson/legal work; Sue Overstreet/grant writing; Wayne Forsythe/sign making; and Dennis Blessing and Bill Yaley/representing the VFW for their part of the new facility. He stated that, as a Trustee for the UC Merced, they are working closely to maximize the potential use of the Museum with the University, and he is hoping that any teaching at the Museum can be shared around the world through the worldwide web.

Board members thanked Dana and Ed for the information, and everyone who has been involved. Supervisor Reilly requested that the Board be kept informed relative to the status of the project.

10:02 a.m. Recess

10:16 a.m. Supervisor Balmain;

Discuss and Give Direction to Staff Regarding the Crystal Covered Monument Located on the Courthouse Grounds and Displaying of Donation of a Large Crystal

BOARD ACTION: Supervisor Balmain advised of the donation of a crystal to the County for the Courthouse monument to replace the one that was stolen. He advised that the donor wishes to remain anonymous. He advised of his meeting with the Gem and Mineral Club, and of their recommendation that this crystal be placed in the Library in an exhibit case that will allow the youth to touch it. The Club offered to replace the crystals on the Courthouse monument that have been stolen and vandalized.

Jacque Meriam, Librarian, stated she supports the recommendation.

Ted English, Gem and Mineral Club President, stated the Club agrees with displaying the crystal so that the youth can touch it, and he commented on their offer to replace the crystals on the monument.

Chairman Stewart noted that Tracy Guenthart has also offered to donate a crystal for the Courthouse monument.

(M)Balmain, (S)Parker, Res. 02-32 was adopted accepting the donation of the crystal to be located at the main branch of the Mariposa Library, under the protection of the Librarian; with direction for Public Works to work with the Gem and Mineral Club and to secure an exhibit case for displaying the crystal, and to repair the monument/Ayes: Unanimous.

Gail Neal, Deputy Chief Probation Officer, appeared on behalf of Pete Judy, Chief Probation Officer;

Approve Budget Action Authorizing the Use of \$17,322 of General Contingency Funds for Required Training of Juvenile Hall Staff; Authorize the Department to Have Employees Who Receive the 136-Hour Training to Sign a Personal Service Contract that They Will Reimburse the

County for the Cost of the Training Should the Employee Not Fulfill One Year of Service Following the Completion of Training (4/5th's Vote Required); and Authorize the Chairman to Execute Agreement for Juvenile Custody Between the County of Mariposa and the County of San Benito (County Counsel)

BOARD ACTION: Discussion was held with Gail Neal relative to the request. (M)Parker, (S)Reilly, Res. 02-33 was adopted. Further discussion was held. Supervisor Reilly requested that the feasibility of employing full-time staff in the future be reviewed. Motion was amended, agreeable with maker and second, to include adoption of Res. 02-34 authorizing Chairman to sign the agreement with San Benito County. Supervisor Balmain requested that the training expense be reviewed to see if it qualifies for reimbursement as a State mandate – County Administrative Officer will review. Pelk Richards, Sheriff, advised that if they have any unexpended training funds from the grant they share with Probation, they would be willing to transfer those funds to offset these costs. Ayes: Unanimous.

Cheryle Rutherford-Kelly, Human Services Director;
Authorize the Human Services Director to Sign the Contract with the State Department of Mental Health to Receive Funds for the Delivery of Community Mental Health Services, Including Managed Care, for Mariposa County

BOARD ACTION: (M)Balmain, (S)Pickard, Res. 02-35 was adopted/Ayes: Unanimous.

Jim Petropulos, Public Works Director;

A) Authorize the Public Works Director to Execute an Agreement for Preliminary Design Services for the New Human Services Facility and Approve the Budget Action (\$13,215) (4/5th's Vote Required)

BOARD ACTION: Discussion was held with Jim Petropulos and Fred Solomon/project manager. (M)Parker, (S)Balmain, Res. 02-36 was adopted/Ayes: Unanimous.

B) Direction to Staff Regarding the Recent Bid Results for the History Museum Vault Project

BOARD ACTION: Discussion was held with Jim Petropulos and Fred Solomon/project manager, relative to the bid results and options utilizing value engineering. Supervisor Pickard advised of his discussion with Supervisor Parker relative to possible funding options for covering the shortfall with this project; and he suggested that \$100,000 be taken from the animal control shelter project, as it is not anticipated that the entire budgeted amount will be needed for the remodel of the shelter at this time. Supervisor Reilly requested that efforts be continued to locate other funding sources, and she suggested that the State Librarian be contacted for support of this project.

Pelk Richards, Sheriff, stated he supports the suggestion relative to the funding, and he stated he would like to further review the funding for the animal control shelter with Jim Petropulos and Fred Solomon.

Further discussion was held relative to the fieldstone veneer around the base of the structure, and whether that portion could be deferred and whether there are other options that would meet code requirements. Jeff Green, County Counsel, advised that he does not feel that authority can be given to defer this without input from the Planning Department, as this is a requirement of the County's ordinance. Fred Solomon reviewed the recommended base bid and value engineering areas of cost reduction. Discussion was held relative to possible funding options for the shortfall. Greg Iturria, County Administrative Officer, responded to questions and advised of the status of the General Fund Contingency. (M)Parker, (S)Pickard, Res. 02-37 was adopted awarded the bid to Tech Four Construction in the amount of \$360,500; directing that value engineering be used wherever possible, and that the shelving be included in the project at this time, along with the fieldstone veneer; approving budget action to transfer \$100,000 from the animal control shelter project to this project; and approving budget action to transfer \$25,000 from General Fund Contingency to this project. Supervisor Stewart advised that a letter was received by the Board with an opposing view on this project, and he feels that the concerns expressed have been answered by Don Weston and the comments made during this discussion relative to the value of the vault to the entire County to preserve history. Ayes: Unanimous. Don Weston, President for the Board of Directors for the

History Center, commented on the staffing at the History Center, and referred to the letter he distributed commending staff for their assistance with research. He also advised of upcoming fundraising efforts and activities, including a display at the State Fair.

C) Approve Plans and Specifications and Authorize the Public Works Director to Advertise, Award and Execute a Contract with the Lowest Responsible Bidder for the County Animal Control Shelter

BOARD ACTION: (M)Parker, (S)Pickard, Res. 02-38 was adopted. Fred Solomon/project manager, advised of the inclusion of an alternative to eliminate the portion of the shed roofing that does not cover any cages. Following input from Jeff Green, County Counsel, the motion was amended, agreeable with maker and second, to include direction for permission to be obtained from the landlord for the recommended alterations/Ayes: Unanimous.

D) Approve Van Ness Ranch Subdivision, (Final Map) Application No. 7-1-96, as Per Mariposa County Code, Title 16.20.232

BOARD ACTION: Discussion was held with Jim Petropulos and Jerry Freeman/PWD-Surveyor, relative to the lot size of the subdivision, the status of road construction/improvements, the timeframes for processing this application, and the status of the Public Report. (M)Pickard, (S)Parker, Res. 02-39 was adopted/Ayes: Unanimous.

Approve Appointed Officials' Salaries and Authorize the Auditor to Make Any Necessary Budget Adjustments (County Administrative Officer)

BOARD ACTION: (M)Pickard, (S)Parker, Res. 02-40 was adopted/Ayes: Unanimous.

Provide Direction to Staff Regarding Salary Adjustments for Elected Department Heads (Excluding the Board of Supervisors) and Authorize the Auditor to Make Necessary Budget Adjustments if Applicable (County Administrative Officer)

BOARD ACTION: Supervisor Parker suggested that Supervisors Stewart and Reilly serve as a subcommittee to study this issue and bring back a recommendation to the Board. The Board concurred with this recommendation.

Approve the Proposed Class Specifications of Administrative Assistant/Sheriff-Coroner Office and Setting the Salary Range at 184 (\$2,363 - \$2,878) (Personnel)

BOARD ACTION: Discussion was held, and Jeff Green, Interim Personnel Director, advised that the salary range should be at 190 to reflect the recent negotiations with the bargaining unit. (M)Reilly, (S)Parker, Res. 02-41 was adopted with the salary range at 190/Ayes: Unanimous.

Supervisor Parker asked about having a butterfly added to the mural in the Board Chambers. Jeff Green, County Counsel, advised that the artist has indicated that he is willing to make this change at no charge.

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

CONSENT AGENDA

CA-1 Accept the Donation of a Ford Ambulance from Mercy Ambulance to the Mariposa County Sheriff Search and Rescue (Sheriff); Res. 02-31

CA-2 Accept a Public Library Staff Education Grant from the California State Library – Library Services and Technology Act (LSTA) for the Mariposa County Library and

Approve Budget Action (\$3,500) (4/5th's Vote Required)(Library); Matter was withdrawn at the request of the Librarian.

- CA-3 Re-appoint Jim Loeser to the Coulterville Community Planning Advisory Committee (Supervisor Balmain)
- CA-4 Re-appoint Denise Ludington, Roxann Mulvey, Ron Skelton, and Veronika Gerger to the El Portal Town Planning Advisory Committee (Supervisor Reilly)
- CA-5 Accept the Resignation of Helen Fowler and Ray Navik from the Midpines Town Planning Advisory Committee (Supervisor Reilly)
- CA-6 Appoint Catherine (Pinky) Collamer to El Portal Town Planning Advisory Committee (Supervisor Reilly)
- CA-7 Re-appoint Robert Mason, Janet Bibby, Joe Simon, Mary Ann Visher, Judie Huffman, Jim Eppler, and Tracy Guenthart to the Catheys Valley Town Planning Advisory Committee; and Appoint Ken Davis and Louis (Lou) Cordero to the Catheys Valley Town Planning Advisory Committee (Supervisor Stewart)

11:39 a.m. Adjournment in memory of Patricia Jane Ratzlaff, Robert “Bob” Pierce, Richard Short, Leona Burke, Danny Dixon, Arlene Wenk, Robert Posey, Bryttani Marsh, and Charlotte Boyle.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS



CONFORMED AGENDA February 12, 2002

Time Description

9:07 a.m. Meeting Called to Order with Supervisor Reilly excused due to illness.

Pledge of Allegiance
Introductions

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

Board Information

- Supervisor Balmain advised that he attended the 53rd Annual Sierra Cascade Logging Conference and Equipment Show on Thursday and Friday – he noted that the morale of the industry is downbeat and he feels this industry is in extreme trouble.
- Supervisor Pickard advised that he plans to attend the RCRC meeting in Sacramento on Wednesday and Thursday – topics will include the Sierra Nevada Framework and the burn barrel issue. He noted that the Forest Service has selected alternative number 8 for the Sierra Nevada Framework, and that will further hamper the timber industry.
- Supervisor Parker advised that he plans to attend the Mountain Valley Emergency Medical Services Agency meeting on Wednesday in Amador County.
- Supervisor Stewart advised of the meeting he attended concerning e-commerce, connectivity, and infrastructure for Mariposa and surrounding counties.
- Supervisor Balmain advised that he will pick up shelving material on Wednesday that was donated by Sierra Forest Products for the Red Cloud Library branch.
- Supervisor Stewart commented on the burn barrel issue and advised of his discussion with Assemblyman Cogdill relative to a possible exemption for small counties, and he asked whether that is being pursued. Supervisor Pickard commented on the workshop that was held in Mariposa in January and the idea that exemptions be based on density. He advised that the Air Resources Board has a website with a density map and he will try to make that available.
- Greg Iturria, County Administrative Officer, advised that the groundbreaking for the UC Merced construction is scheduled for May 2, 2002, and he will share information as it becomes available.

Chairman Stewart;

Presentation of Resolution and Tile Plaque Recognizing Dennis Patrick for his Service to Mariposa County as Technical Services Director

BOARD ACTION: (M)Balmain, (S)Pickard, Res. 02-42 was adopted and presented to Dennis Patrick, along with a tile plaque/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Approve a Three-Percent Equity Adjustment for the Class Specification Sheriff Dispatcher and Authorize the Auditor to Make Any Necessary Budget Adjustments (County Administrative Officer) (Continued from 02-05-02)

BOARD ACTION: (M)Parker, (S)Pickard, Res. 02-43 was adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Approval of Minutes 01-22-02 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

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

9:27 a.m. LOCAL TRANSPORTATION COMMISSION

Jim Petropulos, Public Works Director;

Discuss and Give Direction to Staff Regarding the Position, if any the Board Would Like to Take in Regard to Proposition 42, Which Will Dedicate the Existing Sales Tax on Gasoline to Transportation Projects

COMMISSION ACTION: Discussion was held with Jim Petropulos relative to Proposition 42, and he recommended that the Commission support this ballot measure. Commissioner Parker asked what affect the Proposition would have on the County's maintenance of effort for funding transportation projects. (M)Stewart, (S)Pickard, LTC Res. 02-1 was adopted supporting Proposition 42/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

9:50 a.m. Jim Petropulos, Public Works Director;

Authorize the Public Works Director to Award a Bid for the Tractor and Trailer to the Lowest Responsible Bidder and to Issue Purchase Orders for the Not-To-Exceed Amounts of \$81,888 and \$49,932 to Sacramento Kenworth and Murray Trailers Respectively

BOARD ACTION: Discussion was held with Jim Petropulos, and he advised there may be more cost savings on the purchase of the tractor. (M)Parker, (S)Balmain, Res. 02-46 was adopted approving the recommended action/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Jim Petropulos thanked Supervisor Balmain for his assistance with this matter.

9:56 a.m. Recess

10:11 a.m. Eric Toll, Planning Director;

A) PUBLIC HEARING: Adopt a Notice of Exemption and Approve the General Plan/Zoning Amendment 2001-6; Mabel L. Cree, Applicant

BOARD ACTION: Jean Clark, Planner, presented the staff report and responded to questions from the Board relative to the parcels surrounding the subject parcel. The public portion of the hearing was opened. There was no public input. The public portion was closed and the Board commenced with deliberations. (M)Pickard, (S)Parker, Res. 02-47 was adopted adopting Notice of Exemption and approving General Plan/Zoning Amendment No. 2001-6/Cree, applicant, based upon the findings as set forth in Planning Commission Resolution No. 2001-24; and reading was waived and Ordinance 969 was enacted approving a change in the Official County Zoning Map, as recommended/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Hearing was closed.

B) Status Report on the General Plan

BOARD ACTION: Eric Toll provided a status report and reviewed the Planning Commission's proposal for Plan Areas and Rural Plans. He reviewed the proposed Rural Economic land use classification and three sub-classifications for Resort Commercial, Recreation Commercial, and Rural Commercial. Discussion was held relative to the proposals. Eric advised of the status of the timeframes for the Update, and he advised that he will reschedule the March 12th joint meeting with the Planning Commission for a workshop so that the full Board can be present. He also noted that the Planning Commission is meeting every Friday on the General Plan Update.

11:09 a.m. Recess

11:21 a.m. Greg Iturria, County Administrative Officer;
Receive the Fiscal Year 2001-2002 Mid-Year Budget Report and Approve Recommended Budget Actions (4/5th Vote Required)

BOARD ACTION: Greg Iturria presented the Mid-year Budget Report, and he advised of requests from the Library that have policy considerations and he advised that members of the Friends of the Library were present to provide input. He further advised of an adjustment to the recommended budget actions to delete the request for education incentive funding for the Library as the employee who planned to take classes changed her mind.

Discussion was held with Jacque Meriam, Librarian, relative to the request for funding extra help hours for additional coverage and to open the library another day and relative to request to replace computers. She advised that the State will provide the Public Library Fund revenue. Discussion was held relative to the maintenance of effort requirements for this budget in future years if additional funding is provided; relative to replacing computers that were donated and originally grant funded; and relative to the Friends of the Library's change in plans for replacing the computers.

Input from the public was provided by the following:

E.O. Lewis, on behalf of the Friends of the Library, commented on their support for the library and relative to the change in plans for funding the replacement of the computers.

Discussion was held relative to the requests. It was noted that the computer replacement issue affects other departments. Supervisor Balmain commented on a request he received from citizens on the Northside for computer classes. (M)Pickard, (S)Parker, Res. 02-48 was adopted approving the recommended budget actions with the adjustment for the education incentive funding for the Library. Motion was amended by the second, agreeable with the maker, to include direction for the Librarian and County Administrative Officer to further review the extra help funding request for additional coverage, and not the extra day; and with further reviewing the replacement of computers that were donated and originally grant funded with the new Technical Services Director/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

12:08 p.m. Lunch

1:35 p.m. Approve the Revised Class Specification of Network Administrator (Personnel)

BOARD ACTION: Following discussion with Jeff Green, Interim Personnel Director, (M)Parker, (S)Balmain, Res. 02-49 was adopted. Further discussion was held with Greg Iturria, County Administrative Officer, relative to placing this position with the department versus with the Technical Services Department. Greg advised that the position should work in conjunction with the Technical Services Department; and if any conflicts arise, the position could be combined in the future. Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Review and Approve the Request for Proposal to Provide a Classification and Internal Salary Study for the County of Mariposa (County Administrative Officer)

BOARD ACTION: Greg Iturria, County Administrative Officer, reviewed the recommendation. Following discussion, (M)Pickard, (S)Stewart (who passed the gavel), Res. 02-50 was adopted/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Adopt a Resolution Establishing a Public Hearing Date to Inform the Public of the County's Intention to Purchase Unimproved Real Property (County Counsel)

BOARD ACTION: Following discussion with Jeff Green, County Counsel, (M)Parker, (S)Pickard, Res. 02-51 was adopted with a hearing date of March 19, 2002/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

Chairman Stewart initiated discussion relative to the March 12, 2002, Board meeting as two Board members do not plan to be present. Direction was given for staff to prepare an agenda item to consider canceling this meeting.

CLOSED SESSION: Public Employee Appointment: Technical Services Director (County Administrative Officer) (Continued from 02-04-02)

BOARD ACTION: Staff advised that this closed session was not necessary.

1:53 p.m. CLOSED SESSION: Public Employee Performance Evaluation: County Administrative Officer (County Administrative Officer); and

CLOSED SESSION: 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)Balmain, closed sessions were held/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly. Jeff Green, County Counsel, advised that the Board may want to invite the Planning Director for a portion of the closed session.

3:47 p.m. Board reconvened in open session. Chairman Stewart announced that direction was given to staff as a result of the closed session matters.

CONSENT AGENDA

CA-1 Authorize the Mariposa County Library to Apply for a Proposition 10-Mariposa County Children and Families First Grant (Library); Res. 02-44

CA-2 Authorize the Mental Health Director, in Conjunction with the Mariposa County Unified School District to Apply for a Grant in the Amount of \$150,000 from Proposition 10 for Outreach and Treatment for Children Zero to Five Years Old (Human Services); Res. 02-45

3:48 p.m. Adjournment in memory of Nick Cook and Henry Tiner.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA February 19, 2002



Time Description

9:04 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

Chairman Stewart;
Presentation of Resolution and Tile Plaque Recognizing Pete Judy for his Service to Mariposa County as Chief Probation Officer

BOARD ACTION: (M)Parker, (S)Balmain, Res. 02-52 was adopted and presented to Pete Judy, along with a tile plaque/Ayes: Unanimous.

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

- Lowell Young advised that the Kiwanis will have a request on the next agenda for a grant application to the Office of Historic Preservation for the Darrah School renovation project.

9:18 a.m. Recess

9:33 a.m. Board Information

- Greg Iturria, County Administrative Officer, advised of the UC Merced Interagency Coordinating meeting held last week; and he advised that a "red team" meeting is scheduled for February 27th in Sacramento between the Governor's and UC Merced's top staff. They would like to have a representative from the County present, and he asked if a Board member could attend. Supervisor Balmain stated he felt the County should express its support for the project at the meeting, but also its concerns relative to impacts to the County and relative to LaPaloma Road.

Approval of Minutes 02-04-02 (Continued Meeting from 1-22-02) and 02-05-02 Regular Meetings
BOARD ACTION: Approved, with correction on minutes for 02-05-02.

Approval of Consent Agenda (See End of Minutes)

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

Supervisor Pickard;

Discuss and Give Direction to Staff Regarding Burn Barrels

BOARD ACTION: Supervisor Pickard initiated discussion relative to the State Air Resources Board's proposal to ban backyard burning of residential waste and eliminate the use of burn barrels. The importance of the education component was noted. Supervisor Balmain stated he feels the draft letter should be sterner. (M)Pickard, (S)Reilly, Air Pollution Control District Res. 02-1 was adopted approving the letter to be sent to the State Air Resources Board urging that the County's rural nature be considered for an exemption for the sparsely populated areas; and requesting that a vigorous program of education be provided regarding the hazards of backyard burning of any products other than pure paper and cardboard. Dr. Mosher, County Health Officer, provided input relative to this issue. Ayes: Reilly, Stewart, Parker, Pickard; Noes: Balmain.

Supervisor Pickard and Pelk Richards, Sheriff;
Discussion and Information Regarding Roadside/Litter Clean-up (No Folder)

BOARD ACTION: Pelk Richards introduced Chris Todd and advised that she has thoughts on expanding the program that she would like to share. Discussion was continued for the following hearing to be opened.

10:04 a.m. Public hearing concerning the submission of the Community Services Block Grant (CSBG) Planning and Technical Assistance (P/TA) Application to conduct the countywide housing conditions survey and housing needs assessment was opened and continued to after the following discussion.

Discussion was held with Pelk Richards relative to consideration of establishing a County roadside/litter clean-up program. Pelk advised that there would need to be coordination with Public Works to pick up the bags, and with County Counsel relative to the liability issues.

Chris Todd advised that she has spoken with business people who are interested in this program; requested that the rules requiring that trash be covered while being transported be enforced, and she suggested that perhaps an incentive could be offered by discounting the disposal fee if the load is properly covered; and she suggested that an educational program relative to litter be started at the elementary schools. She further suggested that a committee be formed to work on the details of these programs. She also noted she spoke with Lee Gamble of CalTrans relative to the possibility of installing signs advising of the penalty for littering.

Supervisor Pickard suggested that the Board proclaim "Earth Day/Week" to bring awareness to these issues. He suggested that the service organizations and clubs be contacted to help clean-up Mariposa as a part of the program. He stated he would like to bring back a more comprehensive package for consideration by the Board. The Board concurred with having more information come back.

Chris Todd noted that April 22nd is Earth Day, and people should be thinking about community awareness and pride in relation to the litter issues.

Pelk Richards stated he would be willing to form an informal committee and work with Supervisor Pickard on these issues.

10:20 a.m. Cheryle Rutherford-Kelly, Human Services Director;
PUBLIC HEARING: (1) Conduct a Public Hearing, as Required by the State Department of Housing and Community Development, Regarding the Submission of the Community Services Block Grant (CSBG) Planning and Technical Assistance (P/TA) Application to Conduct the Countywide Housing Conditions Survey and Housing Needs Assessment; and (2) Approve the Community Development Block Grant (CDBG) Planning and Technical Assistance (P/TA) Application Requesting the Maximum Award of \$35,000 to Conduct the Countywide Housing Conditions Survey and Housing Needs Assessment

BOARD ACTION: Cheryle Rutherford-Kelly presented the staff report, and she advised that the Department held a hearing on this matter on February 6, 2002.

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

Candy O'Donel-Browne stated she feels that we know that we have a housing problem, but have not been able to quantify it. She also commented on impacts with the housing changes in Yosemite and with the UC Merced project. She stated she supports this study.

Public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to the administration of the grant and timeframes for the project. (M)Pickard, (S)Balmain, Res. 02-54 was adopted/Ayes: Unanimous. Hearing was closed.

Jim Petropulos, Public Works Director;

A) Approve the Budget Action to Transfer Funds from Facilities Maintenance to the Hall of

Records Remodel to Enable Public Works to Remodel the Upstairs Hall of Records Restrooms to American Disabilities Act (ADA) Standards (\$11,000) (4/5th's Vote Required)

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 02-55 was adopted/Ayes: Unanimous.

B) Authorize the Public Works Director to Allow HerSchy Environmental to Drill Three (3) Additional Groundwater Monitoring Wells at the Public Works Facility, Located at 4639 Ben Hur Rd., as Directed by the California Regional Water Quality Control Board, Central Valley Region

BOARD ACTION: Dana Hertfelder, Assistant Public Works Director, advised that Warren Gross, Associate Engineering Geologist with the California Regional Water Quality Control Board, was present to respond to questions. He also requested approval for future wells as directed by the Regional Water Quality Control Board.

Mr. Gross responded to questions from the Board and explained the difference between extraction and monitoring wells, and relative to expanding the monitoring site for this matter.

(M)Parker, (S)Reilly, Res. 02-56 was adopted approving the request, including authorization for Public Works to move forward with this project as required by the Regional Water Quality Control Board/Ayes: Unanimous.

C) Authorize the Public Works Director to Issue a Public Notice that the County is Seeking to Acquire a Parcel of Land for the Development of a Regional Recreational Complex; and Under the Direction of the Space Needs Committee, Evaluate Candidate Sites Including Layout Studies and Appraisals in Order to Make a Recommendation for Purchase of a Site to the Board of Supervisors

BOARD ACTION: Discussion was held with Jim Petropulos and Fred Solomon relative to this matter. Fred advised of their preliminary review of a parcel offered for sale by the First Baptist Church, near the Hospital; and he advised that this action will solicit other sites for review. He also advised that the Parks and Recreation Commission reviewed this matter and recommended approval. Supervisor Reilly requested that the Board and Commission be kept informed of the status of this project, and she noted that the timelines are important. Supervisor Balmain asked about coordination of this project with the schools; and he commented on the water and electricity requirements, and the terrain of the parcel near the Hospital. Greg Iturria, County Administrative Officer, advised that he and the Planning Director have another meeting scheduled with the School Superintendent to coordinate a joint meeting between the Boards. (M)Reilly, (S)Pickard, Res. 02-57 was adopted approving the recommendation/Ayes: Unanimous.

10:56 a.m. Recess

11:10 a.m. Greg Iturria, County Administrative Officer;

Review and Approve the Policy and Procedures for Acceptance of Objects to be Placed on County Property

BOARD ACTION: Discussion was held relative to the draft policy and procedures. Supervisor Parker stated he would like to see Parks and Recreation included in the review. Supervisor Pickard stated he would like to give others an opportunity to provide input before action is taken, and that this be coordinated with the General Plan Update process. Supervisor Parker suggested that this be accepted as a draft and circulated to other departments and be made available to the public for input. Supervisor Reilly asked whether the review committee would be a formal committee. Discussion was held relative to the types of objects and whether this policy would apply to capital improvement type projects, and consideration of having two separate policies. Supervisor Stewart asked about including financial assurance that a project will be completed. Supervisor Parker suggested that the scope of this policy be narrowed for artwork, with other issues to be reviewed in the future. Board concurred with circulating the draft policy and with bringing it back after receiving input.

Input was provided by the following:

Susan Crain stated she feels it is important to having guidelines, and she likes the idea of putting the draft out for comments.

Eric Toll, Planning, Director;

Discuss and Give Direction to Staff Regarding the Amortization Provision of the 1991 Sign Code and Review of Options for Implementation of the Enacted Provisions

BOARD ACTION: Discussion was held with Eric Toll. Supervisor Parker advised that he and Supervisor Stewart have been working on the possibility of creating a Mariposa task force to address this and other issues for the town of Mariposa; however, the sign issue is a countywide issue. He also suggested that this be considered with the General Plan Update process.

Input was provided by the following:

Diane Fritz stated she would like to be a part of the task force.

Eric Toll advised that Dennis Hermanson, Director of Tourism/Economic Development, is taking the lead on the task force, and he will work with him relative to the sign issues.

Tentatively Approve the Use of Title III Funding from the Secure Rural Schools and Community Self-Determination Act of 2000 for the Planning Phase of the Construction of the Jordan Creek Bridge; Authorize Staff to Publish a Description of the Proposed Project in the Publication of Local Record (County Administrative Officer)

BOARD ACTION: Discussion was held with Greg Iturria, County Administrative Officer. Supervisor Parker asked about assurances that the bridge will be constructed if funding is committed for the planning phase. Supervisor Balmain suggested that perhaps language could be added to an agreement with the Forest Service that is being worked on. The Board concurred with proceeding as recommended.

Approve the Proposed Class Specifications and Designations of Deputy Director of Behavioral Health and Set the Salary Range at 305 (\$4,314 - \$5,243) (Personnel)

BOARD ACTION: (M)Pickard, (S)Balmain, Res. 02-58 was adopted/Ayes: Unanimous.

CONSENT AGENDA

- CA-1 Authorize the Health Officer to Prepare a Grant Application to the Mariposa County Children and Families First Commission (Prop 10) for a Collaborative Project with the Women, Infant, and Children's Project (WIC) to Provide Increased Access to Services for Mariposa Women and Children (Health); Res. 02-53
- CA-2 Appoint Peter Regla to the Yosemite West Maintenance District Advisory Committee (Supervisor Reilly)

11:54 a.m. Adjournment in memory of Ruby Lange and Delores Moulton.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA February 26, 2002



Time Description

9:11 a.m. Meeting Called to Order, with Supervisor Pickard excused on County business.

Pledge of Allegiance

Introductions – Chairman Stewart introduced Rick Peresan, the new Technical Services Director.

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

Board Information

- Supervisor Stewart advised that a public meeting for the YARTS staging areas will be held on March 26th from 4:00 to 6:00 p.m. in Mariposa. He also advised that he plans to attend the UC Merced Red Team meeting in Sacramento on Wednesday.

Approval of Minutes 02-12-02 Regular Meeting

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain asked about the dates for item 1, and it was clarified that the National Library Week is April 14 to 20, 2002. (M)Balmain, (S)Reilly, all items were approved/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Supervisor Pickard;

Adopt a Resolution Authorizing the County of Mariposa to be the Applicant for a Grant Application to the Office of Historic Preservation (OHP) in the Amount of \$55,000 to Complete the Buckingham Mountain/Darrah School

BOARD ACTION: Greg Iturria, County Administrative Officer, provided input on behalf of Supervisor Pickard.

Lowell Young, President of Kiwanis, presented their request for the County to be the applicant for this grant application.

Discussion was held relative to the request and meeting the conditions of the grant. Jeff Green, County Counsel, responded to questions from the Board. (M)Parker, (S)Reilly, Res. 02-62 adopted authorizing the County to be the applicant, with authorization given to the Tourism and Economic Development Director to submit the application and to review the requirements of the grant; and if there are any concerns, he is to bring those back to the Board for further direction/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Jim Petropulos, Public Works Director;

B) Presentation by the Public Works Staff on the Status of the Don Pedro Wastewater Treatment Facility Project

BOARD ACTION: Discussion was held with Dana Hertfelder, Assistant Public Works Director, relative to the status of the progress of the project. He provided input relative to potential options to expand the existing facility to meet full build-out conditions. He advised that Deerwood Corporation has asked about the possibility of including their 80 lots in the assessment for the treatment facility. Discussion was held relative to the status of the Community Services District taking over the facility. Supervisor Balmain commented on the history of loans and grants for this project.

Input from the public was provided by the following:

Tom Porter, President of Deerwood Corporation, advised that they own 86 lots within the sewer district, and he advised that they would endorse and participate in an assessment district that would upgrade the plant to service the lots in the district.

9:48 a.m. Recess due to testing of the alarm system in the Government Center.

9:59 a.m. Further discussion was held relative to the Don Pedro Sewer Zone #1 update. (M)Balmain, (S)Reilly, direction was given to Public Works to explore the feasibility of a build-out of the existing plant. Discussion was held relative to the status of the budget for this project and being able to move forward in a timely manner. Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

A) Approve the Plans and Specifications for the Yosemite West Wastewater Treatment Facility Upgrades (Project Number PW 93-09) and Authorize the Public Works Director to Advertise the Project

BOARD ACTION: Discussion was held with Dana Hertfelder. Supervisor Reilly noted the tight timeframe for this project. (M)Reilly, (S)Balmain, Res. 02-63 was adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

C) Workshop on Setting Fleet Usage and Replacement Rates for County Vehicles and Equipment for Fiscal Year 2002-2003

BOARD ACTION: Greg Iturria, County Administrative Officer, advised that the rates will be included with the budget instructions to be distributed to departments next week. He also advised that staff is working on a more sophisticated accounting system.

Marty Allan, PWD/Fleet-Fiscal Manager, gave a presentation on the methodology used to set the rates for maintenance and replacement of the vehicles. He advised that they are not proposing an overall increase at this time – some will decrease, some will stay the same, and some will have an increase. Discussion was held relative to the presentation and replacement of vehicles.

Cathi Boze, Deputy Agricultural Commissioner, referred to her contracts with the State that result in a reimbursement of the mileage at a rate lower than that charged by Public Works. Marty Allan advised that with the new vehicle being purchased for the department, their rates may decrease.

Discussion was held relative to the increase in the size of the fleet with the addition of new vehicles.

Approve Incentive Pay for Employees Who Obtain Required Certifications Tied to Certain Classifications (Personnel)

BOARD ACTION: Discussion was held with Jeff Green, Interim Personnel Officer.

Debra Rockwood, SEIU Field Representative, stated she feels many classifications were discussed during negotiations, and it was the Union's understanding that the County would establish a list of eligible certificates by contacting the department heads, and that a discussion would be held as to which certificates warranted this benefit. She also stated that she feels it was never discussed that a combination of certificates would be required to receive the incentive pay. She stated she would like to see the process continued for consideration of other positions.

Discussion was held, and it was noted that some classifications have mandatory certificate requirements. Jim Petropulos, Public Works Director, responded to questions from the Board relative to positions that would be affected within the department. Supervisor Parker asked if the incentive pay would be discontinued if an employee no longer performs the function requiring a certificate. Jeff Green advised that they are willing to discuss other positions. (M)Parker, (S)Balmain, Res. 02-66 was adopted approving the recommended action/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

11:45 a.m. Eric Toll, Planning Director;

Discussion and Direction to Staff Regarding an Ordinance Amending the Mariposa County Code, Adding 2.50.100, Planning Advisory Committees

BOARD ACTION: Discussion was held with Eric Toll relative to the changes to the draft ordinance. Jeff Green, County Counsel, advised that a public hearing is not required for this matter. The matter is to be brought back for action. Eric advised that he will try to schedule action on March 26th.

Steve Fortner advised that he has comments on the proposed changes and he will submit a letter for the Board's consideration.

11:58 a.m. Lunch

1:35 p.m. Consider Canceling the Regularly Scheduled Board Meeting for March 12, 2002 (Clerk of the Board)

BOARD ACTION: (M)Balmain, (S)Reilly, Res. 02-64 was adopted canceling the March 12th meeting/Ayes: Reilly, Balmain, Parker; Noes: Stewart; Excused: Pickard.

Review the Fiscal Year 2002-2003 Proposed Budget Schedule and Budget Policies (County Administrative Officer)

BOARD ACTION: Discussion was held with Greg Iturria, County Administrative Officer. Supervisor Reilly asked whether capital improvement projects should be solicited given the number of projects currently in progress. Supervisors Stewart and Reilly stated they would like to have some narrative information provided with the budget numbers. Board concurred with the proposed schedule and policies.

Approve an Industrial Disability Retirement for Richard Gomes, Effective February 1, 2002 (Personnel)

BOARD ACTION: Following discussion with Jeff Green, Interim Personnel Officer, (M)Parker, (S)Balmain, Res. 02-65 was adopted/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

Eric Toll, Planning Director;

PUBLIC HEARING: Consider Appeal No. 2001-1; an Appeal of the Planning Director's Notice of Violation Regarding the Density on a Parcel in Yosemite West; Mark Chapman, Property Owner and Appellant

NOTE: This Hearing is to be Continued at the Request of the Appellant.

BOARD ACTION: Hearing was continued to April 9, 2002, at 2:00 p.m.

1:47 p.m. **CLOSED SESSION:** Public Employee Performance Evaluation: County Administrative Officer and Public Works Director (County Administrative Officer)

BOARD ACTION: (M)Balmain, (S)Reilly, closed session was held with the Public Works Director to be present for a portion of the session; and with the Board to adjourn at the conclusion of the closed session/Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

CONSENT AGENDA

- CA-1 Approve the National Library Week and Amnesty for Fines from April 14, 2002 to April 20, 2002 (County Librarian); Res. 02-59
- CA-2 Review and Approve the Mental Health Board Annual Report (Human Services); Res. 02-60
- CA-3 Approve Budget Action to Increase Communications, Training & Seminars and Private Vehicle and Reduce Equipment Maintenance (\$500) (Elections); Res. 02-61

- CA-4 Approve a Certificate Recognizing and Congratulating Cleo Adelsbach on His 95th Birthday (Supervisor Stewart)
- CA-5 Approve a Certificate Recognizing and Congratulating Hollis and Lois Moseley on Their 70th Wedding Anniversary (Supervisor Stewart)

3:49 p.m. Adjournment in memory of Fred Marshall Smith, George Leo Carter, Uzziel Hawksworth, and Rosella Jacobs.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA March 19, 2002



Time Description

9:07 a.m. Meeting Called to Order

Pledge of Allegiance
Introductions

Chairman Stewart;

Presentation of Letter of Congratulations to Jennifer Rios on her Winning the 13th Annual Merced and Mariposa County Spelling Bee

BOARD ACTION; (M)Pickard, (S)Parker, letter of congratulations was presented to Jennifer Rios/Ayes: Unanimous.

Chairman Stewart advised of an off-agenda request to proclaim "National Agricultural Week." (M)Parker, (S)Pickard, 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. (M)Pickard, (S)Parker, Board proclaimed March 17 – 23rd as "National Agricultural Week" and presented the Proclamation to Lyle Turpin, President of the Mariposa Farm Bureau/Ayes: Unanimous. Lyle thanked the Board for its support relative to agricultural issues, and he presented the Board and staff with a fruit basket in appreciation.

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

- Murrell Boyd advised that he sent a letter to the California State Attorney General's Office requesting an investigation by that office into allegations that two County Supervisors inappropriately used road equipment and labor for paving. Supervisor Parker commented on the allegations and asked what his plan for response is if the allegations are not proven.

Board Information

- Supervisor Reilly reported on the Children and Families First Commission meeting held on Monday, and she advised that they awarded the first of the community grants and that she was selected to service as Chair of the Commission for the remainder of her term.

- Supervisor Balmain advised that he and Supervisor Reilly attended a meeting with the Fire Safe Council, Resource Conservation District, the Fire Chief, and the Farm Bureau President relative to HR2389 funds and Title III funds and possible projects. They will gather more information and bring back recommendations. Supervisor Reilly noted the community fire prevention projects are at the top of the list.

- Supervisor Pickard reported on his trip to Washington, D.C., the last week of February, 2002, and the meetings he attended – he represented the State on the Noxious Weed Coalition. His report was continued for the following hearing to be opened.

9:31 a.m. Public Hearing to consider the purchase of unimproved real property located at 4th Street and Highway 140 in Mariposa was opened and continued to after the following matters.

Supervisor Pickard continued with this report on his trip to Washington, D.C. He advised that he represented RCRC relative to discussions on the Sierra Nevada Framework; and he advised of discussions relative to SB 2070, the water supply availability and safety bond.

- Supervisor Stewart reported on the meeting he attended at the former Castle Air Force Base relative to high speed technology and connectivity.
- Greg Iturria, County Administrative Officer, advised that he has submitted his resignation, effective May 31, 2002, to relocate to Chico as a Deputy Administrative Officer for Butte County. He commended the Board members for their community interest and commitment and for their integrity and high level of personal ethics.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: (M)Reilly, (S)Pickard, item 8 was approved/Ayes: Unanimous. Balance of the items were continued to later this date.

Jeff Green, County Counsel;

PUBLIC HEARING: Discuss the Board of Supervisors' Intention to Consummate the Purchase of Unimproved Real Property Located at 4th Street and Highway 140 in Mariposa and Consider the Adoption of a Negative Declaration and a DeMinimis Finding

BOARD ACTION: Jeff Green presented the staff report.

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

Tom Stark stated he supports this purchase and the recommendation to use the site for a music and arts park. He referred to the historical significance of the music and arts culture being a part of communities.

Paul Chapman stated he feels that \$200,000 is a ridiculous amount of funding for a small piece of land; he feels this funding could be better spent at the existing park. He also stated he feels we should feel lucky to be a way station on the way to a destination (i.e., Yosemite National Park). He stated he feels that this land does not have access or parking.

Susan Crain thanked the Board for considering this purchase, and she stated she feels it will enhance the arts and culture of the County for the residents and the visitors.

Chris Hutcheson, representing the Arts Council, stated she supports this project. She stated she agrees with the comments made earlier during the National Agricultural Week proclamation relative to the need for agriculture, and she also feels that the town areas need space for public use. She also noted that this project ties in with the Creek Parkway.

Gail Spilos, Real Estate Broker, stated she represents the principal in this transaction. She stated she feels the value issue is difficult to address, and she noted there are very few undeveloped parcels in town. She stated she supports this project.

The public portion of the hearing was closed and the Board commenced with deliberations. Greg Iturria, County Administrative Officer, requested that approval of this purchase include authorization for the escrow closing costs to be paid from Fund 501/account for the improvements for this project. Discussion was continued for the following hearing to be opened.

10:00 a.m. Public hearing to consider Appeal No. 2002-1 was opened and continued to after the following matters.

Further discussion was held relative to the purchase of real property for the arts park. (M)Parker, (S)Reilly, Res. 02-68 was adopted approving the purchase in the amount of \$200,000, with the terms and conditions contained in Mariposa County Resolution No. 02-51; adopting a Negative Declaration and a DeMinimis finding; authorizing the Chairman to execute the escrow documents; directing the Auditor to draw a warrant for the purchase; and authorizing the escrow closing costs to be paid from Fund 501/Ayes: Unanimous. The hearing was closed.

Supervisor Reilly commented on the wonderful success of the 15th Annual Storytelling Festival, and she thanked the community for efforts with this activity.

Dick Clark, Methodist Church;

Discuss Offer by the Methodist Church to Donate its Community Hall Building to Mariposa County

BOARD ACTION: Dick Clark presented the Church's request to donate the building to the County, and he read County's Counsel memorandum from the Space Needs Committee meeting. Pastor Campbell, Methodist Church, advised that the Church is trying to address its space needs and he advised that they plan to replace the Parish Hall with a two-story structure. He referred to the history of the construction and use of the Hall, and of their desire to see the hall preserved. He also noted the need for public meeting space in town.

Discussion was held relative to this matter and the timelines for the Church's project.

Dick Clark asked about the costs and process for relocating the building for a private individual versus for the County. Jeff Green, County Counsel, advised that the process would depend on the use proposed for the building and whether it would be used by the public. He also noted that the County would be obligated to pay prevailing wage to renovate the building. Dick Clark further noted that the Lion's Club looked at the building as they originally constructed the building; however, it is too small for their needs.

Supervisor Parker stated he is not interested in having the County take the structure, but he is interested in seeing it saved; and he suggested that if an individual or organization comes forward to relocate the building, that the Board revisit the matter to see if there is any way the County could help with saving the building – perhaps with the fees or moving. The Board concurred with this suggestion. Supervisor Pickard suggested that the groups that use the Hall for meetings contact Parks and Recreation for other facilities that may be available.

10:36 a.m. Recess

10:56 a.m. Eric Toll, Planning Director;

PUBLIC HEARING: Consider Appeal No. 2002-1; an Appeal of the Planning Commission Denial of a Lot Line Adjustment 636; Calvin and Shirley Gile, Appellants

BOARD ACTION: Eric Toll advised that additional information was received after the Planning Commission's consideration of this matter. He advised that the Board could hear this matter and initiate a zone change for the lot line adjustment, or refer the matter back to the Planning Commission to review the new information. Jeff Green, County Counsel, responded to questions from the Board relative to options for considering this matter given the additional information that was received. Eric Toll advised that, based on the additional information, staff recommends approval. Eric responded to questions from the Board relative to the timeframes for processing this matter if it considered by the Board and if it is referred back to the Commission; whether there would be any problems with processing this matter if the golf course sells in the interim; and relative to costs for processing this matter.

The public portion of the hearing was opened, and input was provided by the following:

Kalvin Gile, appellant, stated he does not have a problem with the timeframes, and he is okay with having this go back to the Commission.

The public portion of the hearing was closed. (M)Parker, (S)Balmain, Res. 02-69 was adopted referring this matter back to the Planning Commission for consideration of the new information. Discussion was held by the Board relative to the location of the lot line adjustment in relation to the golf course. Ayes: Unanimous. The hearing was closed.

Chairman Stewart advised that the matter scheduled at 1:30 p.m. today to approve a resolution requesting the establishment of a formal collaborative process between Mariposa County and the National Park Service relative to County/National Park interrelated planning issues including but not limited to land use planning, has been pulled to be rescheduled.

Chairman Stewart announced that direction was given to staff as a result of the closed session held on February 26, 2002.

Approval of Minutes 02-19-02 and 02-26-02 Regular Meetings

BOARD ACTION: Approved.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Balmain pulled item 1 for discussion. Supervisor Parker pulled item 7 to ask a question. Supervisor Reilly pulled item 2 to ask a question. (M)Pickard, (S)Parker, balance of the items were approved (item 8 was approved earlier this date). Following discussion, motion was amended by maker, agreeable with second, to include the approval of items 7 and 2/Ayes: Unanimous. Item 1 was continued to later this date.

Cheryle Rutherford-Kelly, Human Services Director;

Authorize the Human Services Director to (1) Enter a Contract with Redwood Community Action Agency (RCAA) to Provide Energy Education to Low Income Energy Assistance Program (LIHEAP) Applicants; (2) Authorize the Human Services Director to Execute the Contract; (3) Approve Budget Action Appropriating \$2,500 in Unanticipated Revenue (4/5th's Vote Required); and (4) Authorize the Human Services Director to Purchase Computer Equipment for Community Action with Funding Generated by the Contract

BOARD ACTION: Discussion was held with Cheryle Rutherford-Kelly. (M)Pickard, (S)Balmain, Res. 02-75 was adopted/Ayes: Unanimous.

Cheryle Rutherford-Kelly, Human Services Director, advised that she received notice that the Housing and Technical Assistance grant application was funded.

Mary Williams, Community Service Director;

A) Approve an Increase in Estimated Revenue from Area 12 Agency on Aging and Appropriations for the Senior Nutrition Programs (\$970) (\$1,069) (\$5,619) (4/5th's Vote Required); and

B) Approve the Budget Action to Correct Account to Cover Split Differential for Northside Driver (\$1,840)

BOARD ACTION: Following discussion with Mary Williams, (M)Pickard, (S)Reilly, Res. 02-76 was adopted approving budget action for the Senior Nutrition Programs, and Res. 02-77 was adopted approving budget action for the Northside driver/Ayes: Unanimous.

Blaine Shultz, Fire Chief;

Authorize the Fire Chief to Submit a Grant Application to the Federal Emergency Management Agency, Assistance to Firefighters Grant Program Requiring a 10 Percent Match of County Funds or \$44,600 if Awarded

BOARD ACTION: Discussion was held with Blaine Shultz. He advised that the match would need to be considered for the next fiscal year's budget if the grant is awarded. (M)Pickard, (S)Reilly, Res. 02-78 was adopted/Ayes: Unanimous. Further discussion was held relative to the status of filling the Deputy Fire Chief position and testing of the breathing apparatus equipment.

Jacque Meriam, County Librarian;

Approve a Written Agreement Between a Person/Group Wishing to Display Art in the El Portal Library and/or the Red Cloud Library

BOARD ACTION: Following discussion with Jacque Meriam, (M)Reilly, (S)Balmain, Res. 02-79 was adopted/Ayes: Unanimous.

Chairman Stewart initiated discussion relative to the rest of the agenda schedule for the day. It was agreed to meet during lunch for the closed session matters.

CLOSED SESSION: Conference with County Labor Negotiator Regarding the Sheriffs Management Association/Probation Officers Sub-Unit (County Administrative Officer)

BOARD ACTION: Jeff Green, County Counsel, advised that it is not necessary to hold this closed session this date, and he advised that it is scheduled on the agenda for March 21st.

Authorize the Use of \$3,725 from the Computer Replacement Fund to Purchase a New Laptop Computer for the District V Supervisor in the Amount of \$1,628, a New Personal Computer for the Planning Manager in the Amount of \$1,590, and Two Copies of the Office 2000 Professional Version Software in the Amount of \$507 (County Administrative Officer)

BOARD ACTION: Discussion was held with Greg Iturria, County Administrative Officer, relative to the request. Supervisor Reilly requested that the Computer Replacement Fund not be used for this request as the Board's liaison committee is still working on these issues. (M)Reilly, (S)Parker, Res. 02-80 was adopted approving the purchase of the computers from the General Fund Contingency/Ayes: Unanimous.

Consent Agenda item 1 – Supervisor Balmain initiated discussion relative to his concerns pertaining to the YARTS program and concerns he has received from his constituents. Discussion was held relative to funding for the buses – private versus public, coordination with the Park Service, consideration of options for providing transportation service, and relative to reviewing the goals for the County. Supervisor Stewart noted that the Cooperative Agreement expires on May 18th, and he suggested that the Board hold a meeting to further discuss these issues. (M)Pickard, (S)Reilly, Res. 02-81 was adopted supporting the grant application of the YARTS JPA/Ayes: Unanimous.

Waive First Reading and Introduce an Ordinance Repealing Sections 12.04.010, 12.04.020, and 12.04.050 of Chapter 12.04, Entitled “County Roads” of the Mariposa County Code (County Counsel)

BOARD ACTION: (M)Parker, (S)Pickard, first reading was waived and the Ordinance was introduced. Supervisor Reilly requested that action be held for further review. Motion was held in abeyance until later this date.

12:14 p.m. CLOSED SESSION: Public Employee Performance Evaluation; County Administrative Officer (Continued from 02-26-02) (County Administrative Officer); and CLOSED SESSION: Anticipated Litigation; Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9; 1 Case to be Discussed (County Counsel)

BOARD ACTION: (M)Reilly, (S)Balmain, closed sessions were held/Ayes: Unanimous.

12:35 p.m. Recess

1:00 p.m. Board reconvened in closed session.

2:12 p.m. Board reconvened in open session. Chairman Stewart announced that direction was given to staff as a result of the anticipated litigation matter, and that the public employee performance evaluation for the County Administrative Officer was continued to March 21, 2002, at 10:30 a.m.

Chairman Stewart advised that the following items were pulled from the agenda:

- (1) Approve the Proposed Class Specification and Designation of Personnel Officer/Risk Manager and Set the Salary Range at 268 (\$3,588 - \$4,362); Authorize the Allocation of the Position in the Personnel Budget Unit Effective July 1, 2002; (2) Adopt a Resolution Designating the Personnel Officer/Risk Manager as a Confidential Employee and Overtime Exempt (County Administrative Officer)

- Approve the Proposed Class Specification and Designation of Fiscal Officer and Set the Salary Range at 255 (\$3,264-\$4,088 Monthly); and Approve the Revised Class Specification and Designation of Staff Analyst and Change the Title to Administrative Analyst and Adjust the Salary from Range 206 (\$2,636 - \$3,204 monthly) to Range 235 (\$3,045 - \$3,701 Monthly) (Personnel)

The vote was taken on the motion that was held abeyance earlier this date to introduce an Ordinance repealing Sections 12.04.010, 12.04.020, and 12.04.050 of Chapter 12.04, entitled “County Roads” of the Mariposa County Code – Ayes: Unanimous.

Jim Petropulos, Public Works Director;

D) Discussion Relative to the Arts Park Project; and Authorize a Personal Services Agreement with Fred Solomon for Pre-Construction and Construction Services Regarding this Project

BOARD ACTION: Discussion was held relative to the project and the use of volunteers. Jack Franklin, aka "Cousin Jack" advised of an offer of services from a contractor to assist with the rock work, and he suggested that the CYA crews be included in this so they could learn this skill. Following further discussion, (M)Parker, (S)Reilly, Res. 02-82 was adopted/Ayes: Unanimous.

E) Status Report from Public Works Staff on the Mariposa Amphitheater Project; and Authorize the Public Works Director to Execute an Agreement for Additional Design Work for the Next Phase of the Project

BOARD ACTION: Discussion was held with Jim Petropulos and Fred Solomon relative to the increased cost estimates for this project and phasing the project. Jeff Green, County Counsel, advised that the original estimates were based on Rotary completing the project with volunteer labor; and subsequently, it was learned that it was planned to contract out the work. That makes the project a public works project and requires prevailing wages, and increases the costs.

2:44 p.m. Recess

2:58 p.m. Further discussion was held relative to the amphitheater project. (M)Parker, (S)Pickard, Res. 02-83 was adopted. Eleanor Keuning urged the Board to reconsider the location of the skatepark project as she is concerned with its location in relation to the amphitheater. Barry Brouillette asked the Board to consider prioritizing projects so that one can be finished versus having several in progress. Ayes: Unanimous.

F) Authorize the Budget Action Reducing Don Pedro Service Area 1M Contingency to Obtain an Appraisal for County Owned Land for Parcels: APN 01-030-001 (Mariposa County), APN 71-120-011 (Tuolumne County) and an Unassigned 25 Plus or Minus Acres in Tuolumne County (\$2,250) (4/5th's Vote Required)

BOARD ACTION: Discussion was held with Jim Petropulos. Supervisor Balmain advised of his discussions with the 1-M Advisory Committee and with his constituents concerning this matter. Jerry Freeman, PWD-Surveyor, provided input relative to the location of the parcel in relation to the Mariposa and Tuolumne County boundary. Jeff Green, County Counsel, responded to questions relative to potential legal issues. (M)Parker, (S)Balmain, Res. 02-84 was adopted/Ayes: Unanimous.

Jim Petropulos, Public Works Director, introduced Matt Freeman, a new engineer for the Department.

A) Approve the Plans and Specifications for the Coulterville Pool Deck Replacement and Authorize the Public Works Department to Advertise the Project and Award the Contract to the Lowest Responsible Bidder

BOARD ACTION: (M)Reilly, (S)Balmain, Res. 02-85 was adopted/Ayes: Unanimous.

B) Approve the Plans and Specifications for the Mariposa Ball Park Restroom Replacement and Authorize the Public Works Department to Advertise the Project and Award the Contract to the Lowest Responsible Bidder

BOARD ACTION: Discussion was held. Rich Begley, PWD/Deputy Director of Parks and Recreation, responded to a question from the Board relative to the status of renewing the agreement with the School District for the ball fields. (M)Pickard, (S)Parker, Res. 02-86 was adopted approving the project, contingent upon approval of the lease agreement with the School District/Ayes: Unanimous.

C) Approve the Specifications for Purchasing the Light Poles, Foundations, Fixtures and Appurtenances for the Ball Field Lighting Projects for the Mariposa, Catheys Valley and the Woodland Ball Fields; and Authorize the Public Works Director to Advertise and Award the Contract to the Lowest Responsible Bidder

BOARD ACTION: (M)Parker, (S)Pickard, Res. 02-87 was adopted approving the requested action. Supervisor Reilly initiated discussion relative to the status of the environmental review process and lighting issues. Dana Hertfelder, Assistant Public Works Director, advised that the plans have been forwarded to Planning for review. Jim Petropulos advised of options to go to bid for the Mariposa project and then the other two projects after Planning has finished their review. Further discussion was held. Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly. Jeff Green, County Counsel, requested that since the environmental review is not complete, that it be made clear in the bid specifications that the projects for Catheys Valley and Woodland ball fields may or may not be awarded.

3:46 p.m. LOCAL TRANSPORTATION COMMISSION

Jim Petropulos, Public Works Director;

A) Award the Agreement to Mark Wall Associates in the Amount of \$24,750 for a Transit Marketing Plan as Part of the Overall Work Program

COMMISSION ACTION: Following discussion, (M)Pickard, (S)Stewart, LTC Res. 02-2 was adopted/Ayes: Unanimous.

B) Approve the Allocation of Transportation Development Act (TDA) Funds for the 2001-02 Fiscal Year

COMMISSION ACTION: Discussion was held with Jim Petropulos, and he advised of CalTrans' review of an appeal that was filed that could affect the \$85,624 for County streets and roads. Chair Reilly advised of a correction to the resolution relative to the transit system funding to delete the fair shuttle contribution pursuant to the direction given during the final budget hearings. (M)Parker, (S)Pickard, LTC Res. 02-3 was adopted/Ayes: Unanimous.

3:56 p.m. Supervisor Balmain was excused, and the Board reconvened.

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

CONSENT AGENDA

- CA-1 Adopt a Resolution Supporting the Grant Application of the Yosemite Area Regional Transportation System (YARTS) Joint Powers Authority (Supervisor Stewart); Res. 02-81
- CA-2 Approve a Tile Plaque to be Presented to Sierra Forest Products for their Generous Donation of Pine for the Shelving at the Red Cloud Library Branch (Supervisor Balmain)
- CA-3 Adopt a Resolution Authorizing the Execution of a Grant Contract with the California Arts Council (Mariposa County Arts Council); Res. 02-70
- CA-4 Authorize the Chair to Sign an Order of the Board to Reject Claim No. C02-1 in the Amount of \$300 (County Counsel); Res. 02-71
- CA-5 Approve the Budget Action to Accept an Increase in Estimated Revenue and

Appropriations to Reflect Donation from the Mariposa County Museum and History Center for a Portion of Construction Costs for Historical Records Vault Construction (\$62,000) (4/5th's Vote Required) (Auditor); Res. 02-72

- CA-6 Approve the Budget Action and Authorize the Sheriff to Purchase a Zenith LXG-120 LCD Projector for the Sheriff's Department (\$5,300) (4/5th's Vote Required) (Sheriff); Res. 02-73
- CA-7 Authorize Public Works Employees to Donate Accrued Time-Off to a Co-Worker (Public Works); Res. 02-74
- CA-8 Approve the Budget Action of \$2,600 for Computer Equipment; and Authorize the Purchase of Laptop Computer as Fixed Asset for Grand Jury (Court); Res. 02-67
- CA-9 Appoint Marty Livingston to Represent District I on the Parks and Recreation Commission (Supervisor Reilly)
- CA-10 Re-Appoint Wayne Parrish to the Assessment Appeals Board, Representing District V (Supervisor Pickard)
- CA-11 Re-Appoint E.O. Lewis to the Assessment Appeals Board, Representing District III (Supervisor Stewart)
- CA-12 Re-Appoint William T. Yaley to the Assessment Appeals Board, Representing District IV (Supervisor Parker)
- CA-13 Re-Appoint George F. Heiss to the Assessment Appeals Board, Representing District I (Supervisor Reilly)
- CA-14 Accept the Resignation of Frank M. Yost, Jr., Pat May and William Krause from the Wawona Town Planning Advisory Committee; Re-Appoint Joyce Macormac, Lawrence Williams, Mary Jane Ehrman, Edward Mee, Ralph Harder and Tony Christianson to the Wawona Town Planning Advisory Committee (Supervisor Pickard)

3:57 p.m. Meeting was continued to Thursday, March 21, 2002, at 10:30 a.m., and recessed in memory of Stephen Schall, Donald F. Odgers, Louise Chivers, Enock Lee Schultz, Harold Weaver, Harold "Mike" Hoag, Patricia Law, Renee Eckert Walsh, and Jean Iturria.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA

MARCH 21, 2002

(Meeting Continued from 03-19-02)



Time Description

10:40 a.m. Board convened in continued closed session, from March 19, 2002, for public performance evaluation for the County Administrative Officer, with Mary Hodson, Administration/Staff Analyst, present for a portion of the session.

12:09 p.m. Lunch

1:37 p.m. CLOSED SESSION: Conference with County Labor Negotiator Relative to the Sheriffs Management Association/Probation Officers Sub-Unit (County Administrative Officer)

BOARD ACTION: Closed session was held with Rick Bolanos, labor negotiator, present.

2:15 p.m. Recess

3:00 p.m. Joint Meeting of the Mariposa County Board of Supervisors and the Board of Trustees Called to Order

Chairman Stewart announced that direction was given to staff as a result of the closed session matters this date.

Nancy McConnell, President of the Mariposa County Unified School District Board of Trustees, called their meeting to order, with Joel Simmons excused. She asked the following Board members and staff to introduce themselves: Kevin Kelly, Donna Ross, Bob Bartholomew, Dr. Patrick Holland/Superintendent, and Val Fall/Clerk and Director of Personnel.

Chairman Stewart introduced himself and asked the following Board members and staff to introduce themselves: Patti Reilly, Doug Balmain, Garry Parker, Bob Pickard, Jeff Green/County Counsel, Eric Toll/Planning Director, and Margie Williams/Clerk of the Board.

Eric Toll, Planning Director;

A) Presentation on the Benefits of Joint Planning;

B) Discussion of Joint Planning Options and Opportunities; Direction to Staff from each Board;

C) Discussion and Direction to Affected Staff Regarding the Mariposa County Regional Recreation Facility ("Field of Dreams") and Joint School-County Involvement; and

D) Discussion and Direction to Affected Staff Regarding the Bridgeport School and Fire Station Site

BOARD ACTION: Eric Toll presented information on planning, demographics and projected population increases.

Bob Bartholomew commented on the School District's past efforts for a bond measure for school construction; and he stated they have found that a high school is better served if kept within the MPUD service area. He suggested that the location needs of the schools be reviewed with the General Plan Update. He also mentioned that a possible alternative for the District would be to build a new middle school and move the Mariposa Elementary to the Middle School site.

Nancy McConnell noted the community's involvement in the High School, and the importance of its location in the town of Mariposa. She also noted the high costs the District faces for special

education services that are required for youth that are placed in group homes, and requested that consideration be given when approving the location of these types of facilities. Eric Toll advised that a group home that houses five or fewer youth does not require the County's approval.

Bob Bartholomew commented on the placement of foster children from the valley in Mariposa, and he noted the funding does not come with them for the educational costs. This results in additional costs for the District. Supervisor Parker suggested that staff and the Planning Commission explore these issues in the Update process.

Supervisor Parker asked about the status of the Bridgeport Fire Station site.

Bob Bartholomew stated he felt that it was agreed in the early 1990's that the Bridgeport property owned by the District is not large enough for a elementary school. There was consideration of possibly relocating the District offices to this site and allowing the existing administrative facilities to be used as classrooms.

Dr. Holland commented on his meeting with Supervisor Stewart and discussion of possible expansion to neighboring land; and subsequent to that meeting, he advised that he received information that the neighboring land was sold. He stated he is willing to continue meeting and discussing this matter.

Supervisor Stewart commented on the division of the property by a creek, and suggested that recreational uses be considered. He also suggested that there be coordination between the School and Public Works on transportation issues.

Supervisor Reilly commented on the efforts to meet infrastructure needs in Yosemite West, and she asked what the District plans are for the property it owns in this area.

Bob Bartholomew stated he feels it would almost be fiscally impossible to construct a school and house teachers in Yosemite West.

Donna Ross suggested that during the planning process and given the projected population increases, that consideration be given to setting aside areas for schools and perhaps assistance with developing those schools.

Eric Toll advised that subdivision projects are referred to the District for review, and that it would be unlikely to receive a large subdivision application.

Donna Ross advised that their developer impact fees do not generate enough revenue to build schools.

Supervisor Pickard asked if there is any mechanism available to assist with funding for construction of schools.

Nancy McConnell advised that they will request their staff to work on these issues. She also commented on the quality of life and the need to find places for the youth versus having them hang out in town and at the Library.

Bob Bartholomew noted that with the growth in Midpines, they are having to bus some of those students to Woodland. He referred to a situation in Crows Landing where a land owner kept dividing his land, staying just under the level requiring special conditions; and he suggested that we try to eliminate this from occurring in Mariposa. He also commented on projected student population data they have received, which reflects a decrease.

Nancy McConnell commented on changes in school population with the consideration of moving housing from Yosemite to El Portal or Mariposa.

Kevin Kelly commented on the issue of moving housing from Yosemite and stated he feels El Portal is at its maximum for housing.

Supervisor Reilly stated she feels these issues point out how important the General Plan process is.

Supervisor Stewart stated he feels the issue of affordable housing for the County further complicates this issue. He stated he feels everyone should be working together to solve these problems.

Nancy McConnell stated she feels this is the first step to working together on these issues.

Supervisor Stewart initiated discussion relative to the regional recreation/sports facility and the possibility of joint School-County involvement. He advised that Supervisor Balmain toured a school site where the school and the community coordinated this project.

Supervisor Balmain commented on his tour of a site in Delhi with Donna Ross to look at a recreational complex.

Supervisor Reilly advised that the Board of Supervisors set aside some funding and referred this project to the Parks and Recreation Commission for review. She advised that this planning phase is the appropriate time to provide ideas or thoughts for joint planning. She also noted that consideration may be given to locating the facility on more than one site given the topography and availability of land.

Nancy McConnell advised that Rock Carlson has been representing the District at meetings on this project, and she will request a report from him for the School Board. She noted that they have a need for facilities and they do have an interest in this project. However, with their funding constraints, they may only be able to be a renter for using the facility.

Input from the public was provided by the following:

Linda Fipps stated she is a High School teacher and has been working on this project. She asked how the school and county collaborated on the Delhi project. Supervisor Balmain commented that it was a different situation. Donna Ross provided additional input, advising that the school got a bond and the State furnished the rest of the funding, and it was a school project.

Bob Bartholomew commented on a situation in Clovis in 1992, whereby legislation was passed that provided funding from the State, and the county and school each contributed one-quarter of the costs. He suggested that perhaps something like that could be tried for this project.

Supervisor Reilly commented on the recent Park Bond funding measure on the ballot.

Supervisor Stewart asked about the status of the skate park project. Jim Petropulos, Public Works Director, advised that the engineering is done and Planning is reviewing the project, and they plan to begin construction this summer. Jim also advised that they have advertised for sites for the recreation complex and have received interest for five possible sites thus far. He also commented on the ball field lighting projects for Mariposa, Catheys Valley and Woodland, and the bathroom project for Mariposa; however, he noted the lease agreement still needs to be finalized with the School District.

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

Jeff Harsha stated he has been working on the steering committee for the field of dreams. He stated they are finding that they will not be able to locate everything they want on a 40-acre site. They will need to locate some facilities elsewhere, and he suggested that perhaps there could be coordination with the School Board on these issues to keep the facilities centrally located.

Supervisor Balmain advised of his discussion with the Bureau of Land Management District Manager, and of their willingness to donate property – he suggested that perhaps a sale or exchange of such a parcel could be coordinated with this project.

E) Closing Comments from Board Members

BOARD ACTION: Supervisor Stewart stated he would like to see the Bridgeport Fire Station move forward. He stated he feels this was an important meeting and that the two Boards should continue to meet and share ideas for facilities and projects. Supervisor Pickard suggested there could be coordination with State legislation. Nancy McConnell thanked the Board of Supervisors for meeting with the School Board, and she stated she agrees that the two Boards should try to meet again.

Nancy McConnell recessed the School Board meeting and continued it to 4:30 p.m. for its regular agenda.

4:11 p.m. Adjournment of the Board of Supervisors.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board



MARIPOSA COUNTY BOARD OF SUPERVISORS

CONFORMED AGENDA March 26, 2002



Time Description

9:10 a.m. Meeting Called to Order
Pledge of Allegiance
Introductions

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

Board Information

- Supervisor Balmain reported on the Bio-Diversity Council meeting he attended in Yuma, and the opportunity they had to observe the restoration of the riparian habitat along the Colorado River. He also noted that water issues were discussed.
- Supervisor Pickard provided input on RCRC's involvement in legislation that would increase the baseline usage for electricity for rural residences that rely on wells for their water.
- Supervisor Reilly reported on the Mother Lode Workforce Investment Board of Directors meeting to be held on Thursday to hire a new director.
- Supervisor Stewart commented on water issues that the State is facing and the water needs in Southern California. He also reported on meetings relative to the high speed internet communication, and advised that services are improving in the County.

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: (M)Reilly, (S)Balmain, item one was approved/Ayes: Unanimous.

Joe Brundage, Coulterville Community Club;

Approve the North County Youth Group's Trip to Great America on April 3, 2002 as a County Activity in Recognition for Their Service to Their Community (Supervisor Balmain)

BOARD ACTION: Supervisor Balmain commended Joe Brundage for his work with the youth in Coulterville in diverting their energy into positive activities in the community. He also commented on the youth activities on the Northside and requested that the Board approve the April 3rd activity as a County sponsored event.

Mary Williams, Community Services Director, advised that they have provided transportation for previous youth activities with Board approval. She advised that she could provide a driver for this event from the Transit Program.

Discussion was held concerning the request. (M)Balmain, (S)Pickard, Res. 02-88 was adopted approving the request for the North County Youth Group's trip to Great America on April 3, 2002. Joe Brundage clarified that the request is for April 3rd only. Supervisor Balmain advised that County Counsel reviewed the request, and action would need to be taken by the Board to make it a County activity. Supervisor Reilly commented on the general policy to deal with these situations on a case-by-case basis and suggested that this policy be clarified and reviewed to see how it could be applied to other types of activities.

Rich Begley, PWD-Deputy Director of Parks and Recreation, provided input relative to the vandalism problems in Coulterville and Joe's work with the youth to alleviate these problems.

Joe Brundage commended the Sheriff's Department and Parks and Recreation and Community Services for their assistance with this matter.

Ayes: Unanimous.

9:35 a.m. THE HOUSING AUTHORITY OF THE COUNTY OF MARIPOSA

Cheryle Rutherford-Kelly, Human Services Director;

(1) Select a Chair and Vice Chair for the Housing Authority, Board of Commissioners; (2) Adopt the Annual Plan for the Housing Authority of the County of Mariposa, Effective 04/01/02, and Approve Its Submission to HUD; (3) Authorize the Signature of the Human Services Director on the Annual Estimate of Total Required Contributions (Budget and Requisition) and Required Certifications, for the Fiscal Year Ending June 30, 2003

COMMISSION ACTION: (M)Parker, (S)Balmain, Commissioners Reilly and Stewart were selected to continue to serve as Chair and Vice Chair respectively/Ayes: Unanimous. Discussion was held with Cheryle Rutherford-Kelly relative to the Annual Plan, and she advised of a change requested by Commissioner Balmain to add language clarifying that a contract would be terminated in those cases where a landlord does not bring a unit up to health and safety standards. Commissioner Reilly requested that reference to this language also be added to the termination section of the Plan. (M)Balmain, (S)Stewart, Hous. Auth. Res. 02-2 was adopted approving the Annual Plan with the changes requested, and approving the Annual Estimate of Total Required Contributions and Certifications/Ayes: Unanimous.

9:38 a.m. Marty Allan, PWD/Fleet-Fiscal Manager, appeared on behalf of Jim Petropulos, Public Works Director;

Approve the Budget Action to Transfer Funds (\$92,643) to Cover Higher Activity in Road Projects than Originally Planned in the Budget Process

BOARD ACTION: Discussion was held with Marty Allan relative to the request. Kent Woolsey, PWD/Road Superintendent, provided input relative to the increased activities as a result of the mild winter. It was clarified that the \$92,643 is a portion of the reimbursement from FEMA for the 1997 disaster repairs, and that the balance of approximately \$50,000 is being held pending further consideration. Discussion was held relative to the status of the weed-spraying program. (M)Pickard, (S)Reilly, Res. 02-89 was adopted approving the budget action. Further discussion was held concerning the request and the General Fund contribution to the Road Fund.

9:58 a.m. Recess

10:08 a.m. Further discussion was held concerning the road project activities. Ayes: Reilly, Balmain, Stewart, Pickard; Noes: Parker. Supervisor Parker requested that departments bring budget requests to the Board prior to making expenditures.

Eric Toll, Planning Director;

Waive First Reading and Introduce an Ordinance Proposing to Add 2.50.100 to the Mariposa County Code, Planning Advisory Committees

BOARD ACTION: Discussion was held with Eric Toll, and he advised that he feels the concerns that have been expressed have been addressed. He advised of a fax received from Stephens Planning Group, and he stated he feels that the issues they raised are not pertinent to the Ordinance. Supervisor Balmain noted a typographical error in the Ordinance. (M)Pickard, (S)Reilly, first reading was waived and the Ordinance introduced/Ayes: Unanimous.

Waive Second Reading and Adopt an Ordinance Repealing Sections 12.04.010, 12.04.020, and 12.04.050 of Chapter 12.04 entitled "County Roads" of the County Code (Continued from 03-19-02) (County Counsel); and

Waive First Reading and Introduce an Ordinance Amending Section 2.44.020 of Chapter 2.44 entitled "Board of Law Library Trustees" of the County Code (County Counsel)

BOARD ACTION: (M)Parker, (S)Pickard, second reading was waived and Ordinance No. 970 was adopted amending the County Code relative to "County Roads", and first reading was waived and an Ordinance introduced amending the County Code relative to "Board of Law Library Trustees"/Ayes: Unanimous.

Supervisor Stewart advised that a workshop is scheduled at 4:00 p.m. at the Best Western Conference Room relative to the Environmental Report for the YARTS staging areas.

10:27 a.m. CLOSED SESSION: Public Employee Performance Evaluation; County Administrative Officer (Continued from 03-21-02) (County Administrative Officer)

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

11:55 a.m. Lunch

2:03 p.m. The Board reconvened and Chairman Stewart announced that direction was given to staff as a result of the closed session.

Eric Toll, Planning Director;
Joint Meeting of the Board of Supervisors and the Planning Commission for a General Plan Workshop

BOARD ACTION: The Board met in joint session with the Planning Commission with all Commissioners present.

Eric Toll reviewed the status of the timeframes for the General Plan Update and the history of the process thus far. He gave a presentation of the fundamental direction of the General Plan related to the Economy component. He reviewed information on the projected population growth for the County.

Discussion was held relative to the planning process and plans to hold more planning fairs.

Input from the public was provided by the following:

- Mary Ann Johnston stated she moved here about a year ago and loves the area. She asked about planning for affordable housing and rentals. Supervisor Reilly commented on the need to consider a mix of housing, to include younger professional people as well. Eric Toll clarified that “affordable” does not mean “low income.”

- Trudy Williams asked how the results of the Human Services Department’s housing grant survey will be incorporated with this Update. Eric Toll advised that the housing needs assessment will be folded into the Housing Element of the General Plan.

Eric Toll advised that he will bring back more information on plans to hold planning fairs in mid-May. In April, the staff will work with the consultant to start writing the Update, and they plan to have the document to the printer later in June.

- Judy Shimer Bunt asked about the process of getting this information out to the public. She also stated she felt a sit-down presentation for those attending the planning fairs to get an overview would be helpful to the participants prior to visiting the individual booths.

- Cameron Burley asked if reaching housing “build out” in about twenty years would put a crimp in affordability. Eric Toll advised that could happen unless there are improvements in sewage disposal systems for the poor soil areas and in water availability.

- Gene Mickel asked whether the real estate community has been involved in this process. He stated they would be happy to participate, and he referred to his real estate experience in Hawaii.

2:58 p.m. Recess

3:15 p.m. Eric Toll initiated discussion relative to Economic Development policy direction. Commissioner Rudzik advised that the Commission is looking for direction relative to thresholds for homes businesses and expansion. Discussion was held relative to Rural Home Industry and Rural Home Enterprise issues, and the need to have locations where these businesses can locate when they grow. Commissioner Radanovich stated he feels it was the County’s intent to begin to zone property for light industry use when these uses were discussed, and that has not occurred. He also noted that previously home saw mills were an issue and were an example of Rural Home Industry. He feels home enterprise is the back bone for the private economy of the County. He referred to the “right to farm” action previously taken by the Board to protect the agricultural economy. He also referred to the growth of the government’s economy and stated he feels it is time

for the private economy to grow. He referred to infrastructure projects that will be important to the economy of the County such as the vault at the History Center and the amphitheater. He also commented on planning for UC Merced. Commissioner Rudzik suggested that the Commission review and recommend thresholds for the issues discussed and present them to the Board for consideration.

- Barry Brouillette commented on the history of Rural Home Industry and his work on these issues with the original committee. He stated at that time (twenty years ago), he felt people should be allowed to come here, but not disrupt our lifestyle. Now, he feels the intentions were good; however, we need to address the issues and provide alternative sites and preserve the part of our lifestyle that we can.

Commissioner Radanovich asked how the Board would feel about the County creating a light industrial park. Supervisor Stewart asked about getting a clear definition of Rural Home Industry, Rural Home Enterprise and home business. Supervisor Pickard commented on looking at the Airport area for future industrial park growth. Supervisor Balmain further commented on this issue and stated he feels the Airport would be an appropriate area. He also stated he feels we need to be business friendly and do something with our zoning. Further discussion was held. Commissioner Colliver commented on the Commission's review of these issues, and of the need to designate land use for these kinds of activities and to zone property. He also noted that monitoring and enforcement would be important elements to consider. Commissioner Crain stated the history is important to understand why things were done; however, she hopes everyone will keep in mind that sometimes changes are needed to keep the character and lifestyle that we want. Discussion was held relative to allowing for growth of home businesses. Supervisor Parker stated he feels we need to be careful that the government is not putting these uses out of business when they reach the thresholds and cannot afford to go bigger and relocate.

Commissioner Radanovich initiated discussion relative to possible subdivision policy changes – that subdivisions should occur along roads that are already maintained; relative to road standards and maintenance for internal roads; and relative to water issues. He suggested the wells be drilled during escrow, and that unused wells be capped. He also suggested that consideration be given to creating subdivisions with parcels of varying sizes to accommodate water and sewer needs.

Eric Toll thanked Dennis Hermanson/Tourism and Economic Development Director, and staff from the consulting firms for assisting with putting together the power point presentation.

Commissioner Turpin commented on the importance of handling the water issues.

Additional input from the public was provided by the following:

- Tiffany Newberry asked that the Board and Commission consider mixed-use areas. She noted they came here because they could have a family business and be together during the day, and she feels that other families may want to have their business and residence in the same area.

- Candy O'Donel-Browne referred to the discussion of saving businesses as they grow and finding an area for development, and she stated she agrees with the idea of having mixed-use areas so people could still live near their business.

- Ken Melton commented on the issue of defining rural lifestyle; and stated he feels that with the changes over the years, it should be defined for purposes of this Update.

- Barry Brouillette stated he feels there has been a shift in the debate from rural lifestyle to quality of life.

- A member of the audience asked who is responsible for drawing the conceptual land use map. Eric Toll advised that he worked with staff to draw the map.

- Cathie Ragghianti asked who determined which areas would be designated for agricultural uses, etc., on the conceptual map. Eric Toll clarified that the map is a very draft concept, and it is not site specific. She also asked if the Planning Commission has studied the map.

Commissioner Radanovich asked if the Board is ready to consider some changes to the subdivision policy of the County. Discussion was held. The Board concurred with the Commission drafting a proposal of what they are thinking for the Board's consideration. Eric Toll noted that only about 180,000 acres of land remains that could be subdivided in the County.

Commissioner Colliver stated he feels we need to remember that no one issue in the Plan sits in isolation of another. All elements need to be considered with each issue.

Chairman Stewart thanked the Commissioners and the citizens for their attendance and input.

4:32 p.m. The Commission adjourned its meeting.

CONSENT AGENDA

CA-1 Appoint Marjorie Wass and John Davis to the Deferred Compensation Committee (Auditor)

4:33 p.m. Adjournment in memory of Byron Walker.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board