



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

July 10, 2012

A. Call to Order and Roll Call

9:03 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:03 AM
Lyle Turpin	District II Supervisor	Present	9:03 AM
Janet Bibby	District III Supervisor	Present	9:03 AM
Kevin Cann	District IV Supervisor	Present	9:03 AM
Jim Allen	District V Supervisor	Present	9:03 AM

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance in memory of those serving in the military and their families.

C. Introductions

None

D. Approval of Consent Agenda (Items designated by "CA")

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

Chair Bibby advised of the items that require a 4/5ths vote and noted a correction in CA1 to show the amount as \$178,173.25 instead of \$178,173.24. Steven W. Dahlem, County Counsel noted additional language added to Section 7(c) of the agreement in CA20 that reads "This allowance may be changed from time to time."

Supervisor Stetson noted his enthusiasm for CA19 and CA20.

All items were approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Sheriff's Office RES-2012-344

Approve Amendment No. 2 with Aramark Correctional Services to Provide Dietary Services to the Mariposa County Adult Detention Facility, Extending the Term of the Agreement to June 30, 2013, and Increasing the Annual Not to Exceed Compensation Amount to \$178,173.24; Authorize the Board of Supervisors Chair to Sign the Amendment.

CA2. Human Services RES-2012-345

Approve an Agreement with Infant/Child Enrichment Services (ICES) for Child Care During Fiscal Year 2012/2013; and Authorize the Board of Supervisors Chair to Sign the Agreement

CA3. Human Services RES-2012-346

Approve a Memorandum of Understanding (MOU) with Madera County Department of Social Services for Child Welfare System Adoption Services, and Authorize the Human Services Director to Sign the Agreement.

CA4. Human Services RES-2012-347

Approve Budget Action for Fiscal Year 2011-12 Increasing Revenue and Appropriations in the Behavioral Health Budget to Recognize Funding from the Small County Emergency Risk Pool and Fund Telepsychiatry Services (\$26,771). 4/5ths Vote Required

CA5. Public Works RES-2012-348

Approve an Agreement with Moore Twining Laboratories, Inc. in the Not-To-Exceed Amount of \$50,000 to Provide Chemical Analysis for Various Facilities Throughout the County, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA6. Human Services RES-2012-349

Approve an Amendment to the Current Drug Medi-Cal (DMC) and Negotiated Net Amount (NNA) Multi-Year Agreement in Effect for Fiscal Years 2010-2011 through 2012-2013, with the State Department of Alcohol and Drug Programs (ADP) for Fiscal Year 2011-2012, and Authorize the Board of Supervisors Chair to Sign the Amendment.

CA7. Human Services RES-2012-350

Approve an Agreement for Telephone Crisis Intervention and Counseling with Crisis Support Services of Alameda County, and Authorize the Board of Supervisors Chair and the Human Services Director to Sign the Agreement

CA8. Public Works RES-2012-351

Approve the Program Agreement for the Dogtown Bridge Replacement and Authorize the Director of Public Works to Sign the Agreement; Approve Budget Action for Fiscal Year 2011-12 Increasing Revenue and Appropriations in the Dogtown Bridge Replacement Fund for This Project (\$250,000) 4/5ths Vote Required

CA9. Administration RES-2012-352

Approve the Mariposa County Schedule of Employee Salaries by Grade and Step

CA10. Library RES-2012-353

Approve the Summer and Fall Library Hours for the Wawona Branch

CA11. Community Services RES-2012-354

Approve Budget Action for Fiscal Year 2011-12 Reducing General Contingency by \$6,500 and Transferring \$1,000 in Funding from the Senior Services Fund to the Senior Nutrition C-1 Fund to Offset the Unanticipated Increase in the Cost of Raw Food. (\$7,500) 4/5ths Vote Required

CA12. Planning RES-2012-355

Approve an Amendment to Professional Services Agreement with Abbott & Kindermann, LLC to Increase the Total Compensation Amount to \$21,498.49 and Authorize the Board of Supervisors Chair to Sign the Amendment

CA13. Planning (ID # 1560)

Appoint Sara Zahn to the Coulterville Planning Advisory Committee for a Term Expiring February 28, 2014

CA14. Public Works RES-2012-356

Authorize the Auditor to Pay Outstanding Invoices Submitted by Condor Earth Technologies, Inc. for Work Performed After the Expiration Date of Their Initial Professional Services Agreement and Prior to the Effective Date of the New Professional Services Agreement (May 4, 2012) in the Amount of \$14,315.99

CA15. Administration RES-2012-357

Approve the Grant Agreement for the Use of Title III Funding from the Secure Rural Schools and Community Self-Determination Act of 2000 for the Continued Funding of the Mariposa County Fire Safe Council from July 1, 2012, through June 30, 2013, in the Amount of \$74,300; Authorize the Board of Supervisors Chair to Sign the Grant Agreement

CA16. Community Services RES-2012-358

Approve the Area 12 Agency on Aging 2012-2013 Agreement for the Senior Meals and Transportation Programs and Authorize Board of Supervisors Chair to Sign the Agreement

CA17. Administration RES-2012-359

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road

CA18. Administration RES-2012-360

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

CA19. Administration RES-2012-361

Approve a One-Year Agreement with the 35-A District Agricultural Association for the California State Mineral and Mining Museum, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA20. Administration RES-2012-362

Approve an Employment Agreement with the Planning Director and Authorize the Board of Supervisors Chair to Sign the Agreement

CA21. Human Services RES-2012-363

Approve an Agreement with the University of California (UC) Davis Extension for Eligibility Services Training, and Authorize the Board of Supervisors Chair to Sign the Agreement

E. Presentations**1. Probation (ID # 1565)**

Proclaim the Week of July 15-21, 2012, as "Probation, Parole & Community Supervision Officers' Week"

(M)Allen, (S)Stetson, proclamation was approved/Ayes: Unanimous.

The Proclamation was presented to Pete Judy, Chief Probation Officer.

F. Minutes Approval**2. Tuesday, June 19, 2012****3. Tuesday, June 26, 2012****G. Departmental Presentation**

For Items within the Jurisdiction of the Board and not on Today's Agenda

Peter Rei/Public Works Director advised that an extension from FEMA has been received for the fire stations which gives them to the latter part of March 2013, to complete the projects, and both projects have been awarded to the contractors. He advised that the new transportation bill has been signed. He commented that the Secure Rural Schools Program that has been extended 1 year not only includes Title II and Title III funds but also Title I funds which supports the roads department and will provide Public Works approximately \$150,000 in unanticipated funds. Barbara Carrier/Public Works

Assistant Director - Support Services responded to the Board advising that funds are typically awarded in February, and relative to the Safe Routes to School the first award was approximately \$450,000 and the recent award is approximately \$448,000. Supervisor Cann noted that the Consultant Townsend has assisted to make this grant happen. Peter Rei advised that the new transportation bill collapsed the Safe Routes to School program so it no longer has a separate identity, now they are waiting for information on how the projects will move forward.

Jim Rydingsword/Human Services Director advised that eighteen months ago the Human Services Department was invited to be a participant in a grant proposal by the Chadwick Children's Center in San Diego County. The purpose of the grant is to introduce and train and set up policies and procedures in the Child Welfare Services program called Trauma Based Treatment and Interventions, with Mariposa County being the small county. The grant was not awarded at that time but last week he received a telephone call advising that they are applying again and would like Mariposa County to be the small county again to assist in developing policies and procedures that will hopefully be implemented in all 58 counties at the end of five years. He advised that they are in the process of writing a letter in support of this grant and if the grant application is accepted it will provide \$640,000 a year for five years administered by the Chadwick Children's Center. The other counties included in the process are Orange County and Tulare County.

H. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda (Speakers Limited to Five Minutes)

Eleanor Keuning advised that out of state tourists attended the symphony on July 4th at the Amphitheatre. She thanked everyone for their support in the July 4th fireworks celebration and advised that she heard comments that this one was the best ever. She advised of the Mariposa Playhouse performing "Peter Pan" at the Amphitheatre on August 2nd and 3rd. She advised that the Historic Sites and Records Preservation Commission met on Monday and in the future they plan to come to the Board requesting funding to assist in updating the historic sites and buildings.

Rick Peresan/First Vice-President Mariposa Lions Club advised that the Mariposa Gazette published an article three weeks ago relative to the cancellation of the Labor Day Fair Parade and has had an overwhelming response that has led to more than enough volunteers and therefore has submitted an item to the Board for continued support. He thanked the Mariposa Gazette, the Mountain Democrats, the Clamper's and Troy Foster for arranging and organizing an army of volunteers. The Board thanked Rick Peresan.

Kathy McCorry/Chamber of Commerce Executive Director

advised that the Transient Occupancy Tax was down 24% in June from last year, and down 14% from 2010 numbers. She advised that they are hearing from a lot of the hotels that they have a lot of vacancies. She advised that due to a transportation reallocation grant each merchant downtown has received a decorative hanging flower basket in front of their business for traffic calming. She informed the Board of new programs such as a partnership with the Visitors Bureau and the Mariposa Passport, and other activities planned for the future. She advised that they have over 25 local businesses sign up for the Summer Business Expo next Wednesday from 3 to 7 pm at the fairgrounds. She advised of their Meet and Greet at Inter-County Title co-hosted with Sierra Propane this month. She responded to questions relative to the new trolley advising that Sierra Telephone has provided the trolley and funding is specific to Saturday and Sunday, the trolley has been successful, and that they are hoping to own the trolley in five years.

Ron Iudice/President of the Mineral Museum Association, thanked the Board for continuing to support the Mineral Museum, he is hopeful that the Museum will be open at least until the election comes up. He advised that sales are great and that the Mineral Museum Association is going to continue to support the interpretive position on a month by month basis.

I. Board Information

Supervisor Turpin advised that he attended the Greeley Hill Community Club meeting on July 8th. Friday, July 6th he attended the preparation for the Coulterville Fire Brigade Deep-Pit BBQ event for the following Saturday, he advised that the crowd was down this year, and that he participated in the wheel chair race on Saturday during the event. He advised that he spoke to Public Works relative to passable bridge load limits for fire trucks. He advised of the three recent fires commenting that CalFire requires a 100 foot clearance around structures and feels this is not enough on the downhill sides.

Supervisor Allen advised that he attended the Mental Health Board meeting

that they have moved on the six-year plan that will return to the Board then will go to the State for approval and come back to the Board. He noted that Meghan Kehoe was elected Chair and Jeremy Briese was elected Vice-Chair to the Mental Health Board. He attended the Community Corrections Partnership AB109 meeting and that the Day Reporting Center is moving forward and will be located at what used to be the Mariposa Mall behind Proflame. He participated in a telephone interview on July 2nd with Sierra National Forest regarding a survey on the Sierra side, he provided input including but not limited to fuel loads. He plans to attend the fire station meeting on Thursday and advised that the work has begun on the Fish Camp site. He plans to attend a meeting at Public Works in regards to the Wawona Services District

budget on Monday. He thanked Public Works for the chip sealing on Indian Peak. He advised that he was in attendance during the San Diego fifteen second fireworks show.

Supervisor Stetson advised that he met with Yosemite National Park representative, Cass Hardy, who is in charge of the celebration events planned for 2014 to 2016. He plans to attend the El Portal Advisory Committee tonight. Thursday he plans to attend a Gateway Partners meeting in Yosemite National Park, the YARTS meeting on Monday via video conference in Merced, and the Midpines Planning Advisory Committee on Thursday.

Supervisor Cann thanked Eleanor Keuning and Kiwanis for making the fireworks show happen. He commented that relative to the Wawona Services District, after working with this system he agrees that it is a terrible system but is better than all the other systems used over the past twenty years. He noted that the Safe Routes to School Grant program has been phenomenal and the community will benefit for a hundred years. Caltrans will be briefing us on the Americans with Disabilities Act (ADA) studies in the Historic District in a few weeks. He advised that on June 28th he testified on Senate Bill 3640 introduced by Congressman Radanovich in 2009 and again by Congressman Denham in 2011, and he is planning to hold a town hall type meeting on Thursday July 19th from 6 to 8 PM on this issue. The bill authorizes the Park Service to begin the public process of what would and wouldn't work here relative to administrative services and visitor services with a goal of relieving the backups at the entrance stations. He advised that there is no ability to expand the road at Arch Rock. He did the Zip Line with his daughter last Friday. Saturday night the Hospital Foundation had their first summer event at the Casto Winery and it appears that they raised more money than the Black and White Ball. Tomorrow he plans to meet with the contractor who is working on the Catholic Church and the Pizza Factory.

Supervisor Bibby thanked the Mariposa County School District and Public Works staff for their support on the Safe Routes to School grants. She advised that she had a meeting with Rick Peresan, Technical Services Director, relative to mapping internet service which opens doors for funding, as well as lobbying for services such as 911 capabilities. She advised that on the July 17th Board agenda there will be an Amphitheatre use presentation by the Mariposa Playhouse to show what they can do with the Amphitheatre and proposing to meet with Public Works on the details of a use agreement. She advised she met with the Wagon Train group on July 9th relative to organization of the historical event. She advised that she plans to attend Mother Lode Job Training on July 16th in which they are working on a Community Block Grant that is vital to keeping the organization up and running. She wished Supervisor Stetson a Happy Birthday.

J. Regular Agenda Items

4. Board of Supervisors RES-2012-364**Approve a Letter Opposing Senate Bill 1221 that Would Prohibit the Use of Dogs to Hunt or Pursue a Bear or Bobcat, and Authorize the Board of Supervisors Chair to Sign the Letter**

Supervisor Turpin provided details on the issue, noting that there are sixteen letters opposing SB 1221 from adjoining counties. He commented that the Department of Fish and Game has done a tremendous job in managing game in Mariposa County. He read a portion of a letter from Madera County opposing SB1221, specifically noting that hunting with dogs is regulated by Fish and Game, and suggested that this issue be taken out of an emotional perspective. Supervisor Bibby noted that a revised draft letter was provided this morning with language that now reads "prohibit any time use of dogs," and not just hounds.

Input was provided by the following:

Joe Duncan of Tuolumne County advised that twenty-four counties in the state have been contacted with the request to oppose SB 1221. He advised that this bill was sponsored by Senator Ted Lieu of Los Angeles, and conveyed that this bill will not have an effect on Southern California but will affect rural counties and Northern California. He stated that according to his calculations, Mariposa County alone could lose up to \$200,000 in revenue, in part from bear tags and non-resident hunters coming to Mariposa. He informed the Board that Assembly Member Olson and Senator Berryhill both oppose this bill. He feels this is an infringement on our civil rights, and will allow the shooting of any dog without the process of a civil suit. He requested that the Mariposa County Board of Supervisors oppose SB 1221.

Supervisor Turpin expressed concern that the people that sponsor and support this bill do not know the importance of the Fish and Game management of wildlife relative to the impact of bears and other wildlife on the lives of rural residents if this bill passes.

Joe Duncan advised that Fish and Game will lose \$880,000 from the state and that it will become necessary for them to hire more employees to deal with the increased population of wildlife if this bill passes.

Supervisor Stetson questioned who wrote the letter to Assembly Member Fuentes and requested clarification relative to the bill's effect on Federal and State hunting dogs.

Joe Duncan responded to Supervisor Stetson clarifying that the Federal and State agencies will be allowed to use dogs for nuisance wildlife but the impact will be additional cost to taxpayers in hiring more state hunters. He commented that this bill suggests hunting with dogs is inhumane when in fact using hunting dogs for scientific study has proven to be a more humane way of dealing with wildlife as opposed to injury to wildlife and having to euthanize them as a result of the injuries.

Supervisor Allen commented that this sounds like this bill was going after those hound hunters that are not kind to their dogs.

Jacqueline Seastrom, hunting dog owner, feels that the bear problems will be out of control if this bill passes, and that this is our heritage, if they take bear hunting away then they will eventually take deer hunting away.

Dennis Seastrom commented on the increased bear population since he began working in the woods 37 years ago, and expressed concern that his grandchildren will not be able to hunt as he has.

Marilyn Saunders expressed concern relative to the Board taking a position on a cultural issue.

Eleanor Kuening expressed concern that not only this bill but others as well, are being sponsored by people from other areas not familiar with rural communities and do not research the full impact before forming an opinion.

Veronica Johnson commented that bear hunting with dogs is a tradition, and urged the Board to oppose SB 1221.

Deana Lessley urged the Board to oppose SB 1221. She feels it is necessary to continue to manage the wildlife instead of the wildlife managing us, and that this is a way of life and puts food on the table. She would like her children to have the right to hunt.

Merlin Jones, addressed Supervisor Allen's comments relative to the treatment of hunting dogs, and shared a story of a bear in his backyard, he strongly opposes SB 1221.

Cathy Duncan reported statistics on the bear sheet relative to bear population in regards to habitat near population. She responded to comments relative to dogs being left for weeks at a time, explaining how her son handles a dog that doesn't return during a hunting trip and commented that there will always be irresponsible hunting dog owners. She informed the Board of the Department of Fish and Game statistics relative to citations to specific game hunters.

Discussion was held. Supervisor Stetson stated that he feels there are other ways to keep bears away and feels that not enough information has been provided and cannot support this request today.

(M)Turpin, (S) Allen, Res. 12-364 was adopted approving the letter opposing Senate Bill 1221 that would prohibit the use of dogs to hunt or pursue a bear or bobcat, and authorizing the Board of Supervisors Chair to sign the letter/Ayes: Turpin, Bibby, Cann, Allen. Noes: Stetson.

Under discussion, direction was given to provide a copy of the minutes with the letter.

RESULT: ADOPTED [4 TO 1]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Lyle Turpin, Janet Bibby, Kevin Cann, Jim Allen

NAYS: Lee Stetson

K. Items removed from Consent Agenda

None

L. 11:15 AM - Lunch

M. 2:03 PM Reconvene

5. Planning RES-2012-365

Public Hearing for Approval of General Plan Amendment No. 2012-025, Zoning Amendment No. 2011-192 and Conditional Use Permit No. 2011-193. the General Plan Amendment Adds General Forest as a Consistent Zone in the Residential Land Use Classification of the General Plan. the Zoning Amendment Changes the Property from Mountain Home to General Forest. the Conditional Use Permit Proposes a Guest Ranch on the 5.40 Acre Parcel. Adopt a Resolution, with Recommended Findings, Determining that Mariposa County Adopts a Negative Declaration and Files a Notice of Determination for the Project; Adopts General Plan Amendments No. 2012-025 Amending the Text of the Mariposa County General Plan; and Approves Conditional Use Permit No. 2011-193, with the Recommended Findings and Conditions. (The Next Item is to Waive the First Reading and Introduce an Ordinance Amending the Mariposa County Zoning Map Pursuant to Zoning Amendment No. 2011-192.) Alexandra North & Steve McCorkle, Project Applicants. Property Located at 7567 Hamilton Station Loop in the Buck Meadows Area Also Known as APN 004-010-009. (Continued Public Hearing (Deliberation Phase) from June 19, 2012)

Chair Bibby clarified that this item is continued from June 19, 2012 for Board deliberations only.

Discussion was held relative to a correction to the date in the formal resolution to reflect July 10, 2012. (M)Turpin, (S)Allen, Res. 12-365 was adopted as stated with correction to the date of adoption of formal resolution/Ayes: Unanimous.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

6. Planning (ID # 1463)

Waive the First Reading and Introduce an Ordinance Amending the Mariposa County Zoning Map Pursuant to Zoning Amendment No. 2011-192. Alexandra North & Steve McCorkle, Project Applicants. Property Located at 7567 Hamilton Station Loop in the Buck Meadows Area Also Known as APN 004-010-009 (Continued Public Hearing (Deliberation Phase) from June 19, 2012)

Chair Bibby clarified that this item is continued from June 19, 2012 for Board deliberations only.

Discussion was held relative to changing the date in the formal resolution.

(M)Turpin, (S)Allen, the first reading was waived and the Ordinance introduced amending the Mariposa County Zoning Map pursuant to Zoning Amendment No. 2011-192. Supervisor Turpin read the title of the Ordinance into the record. Ayes: Unanimous.

RESULT: INTRODUCED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

7. Planning RES-2012-366

Public Hearing to Consider General Plan/Zoning Amendment No. 2011-068 Concerning Amendments to Title 17, Zoning and the Mariposa Town Planning Area Town Plan Regarding State Mandated Housing Element Programs. Adopt a Resolution with the Recommended Findings, Finding that the Project is Exempt from the California Environmental Quality Act, Directing Staff to File a Notice of Exemption for the Project, and Approving General Plan/Zoning Amendment No. 2011-068. (The Next Item is to Waive the First Reading and Introduce an Ordinance Amending Chapters 17.66, 17.108, 17.148, 17.320 17.324, 17.334 and 17.336 of the Mariposa County Code.) (Continued Public Hearing (Deliberation Phase) from June 19, 2012)

Chair Bibby clarified this item is continued from June 19, 2012 for Board deliberations only.

Discussion was held relative to changing the date in the formal resolution to reflect July 10, 2012. (M)Stetson, (S)Cann, Res. 12-366 was adopted as stated with correction to the date of adoption of formal resolution/Ayes: Unanimous.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

8. Planning (ID # 1452)

Waive the First Reading and Introduce an Ordinance Amending Chapters 17.66, 17.108, 17.148, 17.320, 17.324, 17.334 and 17.336 of the Mariposa County Code for GP/ZA No. 2011-068, Mariposa Town Planning Area Town Plan Regarding State Mandated Housing Element Programs (Continued Public Hearing (Deliberation Phase) from June 19, 2012)

Chair Bibby clarified that this item is continued from June 19, 2012 for Board deliberations only.

Discussion was held relative to changing the date in the formal resolution.

(M)Allen, (S)Turpin, the first reading was waived and the Ordinance introduced amending Chapters 17.66, 17.108, 17.148, 17.320, 17.324, 17.334 and 17.336 of the Mariposa County Code for GP/ZA No. 2011-068, Mariposa Town Planning Area Town Plan regarding State mandated Housing Element Programs. Chair Bibby read the title of the Ordinance into the record. Ayes: Unanimous.

9. Planning (ID # 1578)

Continued Public Hearing to Consider Adoption of a Resolution with Findings, Certifying the Final Supplemental Environmental Impact Report (FSEIR), Approving the Mitigation Monitoring and Reporting Program (MMRP) and Approving the Catheys Valley Community Plan (June 2012 Version), General Plan Amendment No. 2008-063 (Continued from June 19, 2012)

Staff report was given by Sarah Williams/Planning Director; and she reviewed the history of the plan relative to Board questions, concerns and input, and as a result the Board directed that three amendments to the text of the plan be made and direction was given to staff to return to the Board with final documents to enable action on the Catheys Valley Plan today. She advised that since the Final Supplemental Environmental Impact Report (FSEIR) was prepared two letters have been received, one from Tim Miller of Miller Planning and Design Group, LLC, and one from Christopher Campbell, of Baker Manock & Jensen, both were provided to the Board this morning. She recommended the Board take public input on the new information provided today.

Andy Hauge/Hauge Brueck Associates, provided input on the letters received this morning informing the Board that the letter from Miller Planning and Design Group, LLC primarily deals with procedural issues in the FSEIR suggesting that the list of references including citations and locations, is necessary in the environmental document; that within the 3rd paragraph and the first 3 sentences is an acknowledgement that Appendix G to the FSEIR in fact complies with CEQA and meets the requirements. He noted that the letter also suggests that the notice of availability be reissued and the FSEIR comment period be restarted in order for persons to evaluate Appendix G. He advised that after reviewing CEQA guidelines for recirculation, staff recommends that the FSEIR not be re-circulated and that the FSEIR is ready to be certified. He advised that Appendix G is information only and does not change the conclusion of the document. The document did include the required references, and the FSEIR included the location of the General Plan and documents used, and Appendix G does include the location of all documents referenced in the FSEIR. The letter from Baker Manock & Jensen is primarily dealing with policies regarding the use of community water and waste water systems. The FSEIR addresses these issues through the original General Plan EIR, and further, the FSEIR cites Dave Conway extensively where he explained and responded to the various questions from the Planning Commission and comments on water quality and sewage systems in Mariposa County. Andy Hauge clarified that the plan does not ban community systems for existing parcels of land; the plan requires that new subdivisions have onsite septic and water systems. His recommendation is that the FSEIR in its present form is adequate and should be certified.

Andy Hauge responded to questions of the Board relative to water and sewage systems advising that new subdivisions in Catheys Valley will require onsite septic and water systems and that the plan then relies on the General Plan for any other activity and that the General Plan allows community systems and therefore community systems would be allowed on existing parcels of land. He then provided the history of the intention of parcels being able to handle onsite water and sewer, and if the systems failed a community or shared system could resolve health issues. Sarah Williams responded to the Board advising that there were conversations during the Catheys Valley Plan discussions, relative to concerns if smaller parcels with existing systems fail, in regards to if there is a provision in the plan that prohibited any kind of community or shared systems, what would those home owners do. She advised that clarifying text was put into the Catheys Valley Plan to ensure there were other options. Sarah Williams responded to questions of the Board relative to existing subdivisions experiencing a failing system, and maintaining the rural character of Catheys Valley. Discussion was held relative to the ability to connect to a water system, and on organizing systems.

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

Lou Ann Sakaki, Catheys Valley resident, read from her notes pointing out that they bought their property with the idea of property rights including drinking their own untreated water and feels that with more development and demand for water it will mean less water for all and possible contamination without the proposed water system. She feels that the geography of Catheys Valley will only support so much development before problems begin to exist with private water systems.

Jim Fortner commented relative to concerns of the community on a community water system stating that a community water system would be only within the boundary of a proposed subdivision and individual parcels surrounding the subdivision would not be required to become part of a community system and addressed the concern of a private water system being compromised, noting that because of the rock structure below, other wells probably do not have the same aquifer that he would be dealing with. Chair Bibby clarified that Jim Fortner is only speaking of his own subdivision and not the overall policy for all areas.

Rita Kidd speaking for Rita and Tony Kidd, Catheys Valley residents, referred to a hydrology study done by the County in 1999/2000 that showed there would not be enough water from the wells that they tested to produce enough water for anything other than the phase one plan. She feels that they are being asked to set policy based on one request for a subdivision and commented that we are talking about Catheys Valley now and not the development interests. She recommended that the Board move forward with this FSEIR, certify it and adopt the Catheys Valley Community Plan and then let the development interests come back in on their own dime and begin the required process just as Whispering Oaks did.

John Brady, representing MERG, feels that it is a key point that we are talking about all of Catheys Valley and not just one particular development. He advised that any precedent set here in the Catheys Valley Community Plan can be applied in the future to anywhere in the County. Water is a resource we have to be very careful with and asked the Board to take this into consideration today as they make a decision.

Don Starchman, Starchman and Bryant Law Offices, on behalf of the Fortner family, requests that testimony not be given by the Board, that when we have discussion it should be discussion of what has already been presented by the public and staff and that this is not the time for testimony to be presented by Board members. He stated the policy has already been set by the General Plan and is in place for the entire County, there is no need for additional work. He expressed concern relative to the Catheys Valley Community Plan and community systems. He advised there are only two parcels left large enough to do subdivisions and one already has an approved

map, and feels this is an attack on the Fortners, it is something that is being set forth to try and make their project impossible, they have the water tank in place and any hydrology studies will have to be done at the subdivision level. He advised that they want to ability to come to the Board and present them with the best possible solution and let them at that point make the decision.

Anita Starchman Bryant, Starchman and Bryant Law Offices, representing the Eugene and Dolores Fortner Trust, commented that with regard to community water systems, she feels that the FSEIR still fails to respond to the comments of Baker Manock & Jenson made on behalf of the Fortner's that a community water system is superior to individual wells, in an area with known contaminate nitrate problems. She feels that these comments contain a serious health issue and received no response while emphasis was given to the testimony of Mariposa County Director of Environmental Health, David Conway; he never addressed the comment on prohibition on community water systems in his statements. She noted sections of the comment letter provided by Baker Manock & Jenson and stated the responses were only on community sewage systems. She doesn't feel the Board can certify the final FSEIR when it has not adequately addressed the prohibition on community water in the FSEIR and response to comments. During these hearings Mr. Conway has not been asked to provide his opinion on whether community systems could be preferential in certain circumstances such as commercial development. She advised that during pre-application meetings for the Fortner development, Mr. Conway stated that for commercial development individual septic's are not preferred. She requested that the Board adopt the plan without the current restrictions on construction and use of community water systems and waste water systems.

Tim Miller, commented on his letter saying that this is the third time he has raised the issue of having an adequate environmental document, not only do the references need to be identified, but also the location of where they are available for the public to view. The FSEIR contained thirty-one references in which fifteen had a site identified of where the document could be viewed, sixteen others did not, he noted some of the documents that he felt were not available at the time the Draft SEIR was released. He spoke of the addendum which included only four of the sixteen document locations. He advised that in his opinion the Draft SEIR was inadequate when it was released because the public didn't have the ability to find the additional documents and review them prior to the public comment period and it is not resolved in the FSEIR for consideration today and feels the FSEIR requires recirculation.

Christopher Campbell of Baker Manock & Jensen, representing the Fortner's, noted that on the development side they are not disagreeing with the technical problems or requesting re-circulation or further extension on the time spent on this project. They feel this FSEIR does not support this prohibition on community water and sewer, and noted responses

by staff. He suggested deleting this and if not then re-circulation should be required. He noted that he didn't find anything that Dave Conway said that was quoted in the response comments to disagree with the points they are making. Christopher Campbell stated that Mr. Conway emphasized that there are many systems and they have to look at the details of each location before deciding on the best system to use. Christopher Campbell discussed mutual water companies as mutual agreements among people who own certain property and are maintained through CC&R's.

The public portion of the hearing was closed.

Staff responded to questions from the Board relative to an applicant's options regarding subdivisions having adequate water and sewage disposal; and a developer's option to apply for an amendment to the Catheys Valley Community Plan to allow for a community system for a subdivision on their property. Staff advised that the Fortners would have to apply for the subdivision and an amendment to the Catheys Valley Community Plan, and provided an example of a previous project that underwent this process in Fish Camp.

Christopher Campbell expressed concern relative to the expense and time involving an EIR.

Steve Saunders commented that he didn't hear a response regarding Don Starchman's comment that the policy has already been set by the General Plan. Steve Dahlem, County Counsel, advised that this is not new information and cannot be allowed at this time.

Clarification of process:

Staff and County Counsel responded to questions from the Board relative to needing or not needing to re-circulate the FSEIR. Staff responded to questions from the Board relative to what is procedural and what is requested in the action.

The public portion of the hearing was re-opened for procedural questions only. None were provided.

The public portion of the hearing was closed.

Deliberation:

Supervisor Stetson advised that he would entertain adopting this plan. Supervisor Turpin suggested adding the language "the potential" to section 5-25, page 942, to read - prohibits the creation of a community system that abates "the potential" of a public health problem. Supervisor Cann advised that he will not vote for a plan that ignores basic health and safety and brought up comments made by the Regional Director of the Central Valley Water Quality Control Board where "he admonished us to remove this prohibition" and cited existing systems which have failed. Supervisor Cann advised that he believes at minimum the plan has to have the ability for someone to have water and sewage systems. Supervisor Allen commented that Catheys Valley residents

said they did not want a community system and he respects the community and what they want and feels that going with this plan is the appropriate action today for the community. Supervisor Bibby advised that she did not support this version of the plan or the rewriting of the plan, and stands by that today and she has come to this decision in part based on what the community wants and not based on specific projects.

(M)Stetson, (S)Allen, approved the recommended action as requested/Ayes: Stetson, Allen. Oppose: Cann, Bibby, Turpin. Motioned failed. (M)Cann, (S)Turpin, amend the Catheys Valley Community Plan to allow the ability for subdivisions to use community water systems and the ability of stated commercial parcels to be able to use commercial type and community water and sewer to deal with commercial parcels. Motion amended by the maker to include if the FSEIR does not need to be re-circulated. Under discussion Supervisor Cann responded to questions of Supervisor Stetson/Ayes: Stetson, Turpin, Cann, Allen. Oppose: Bibby. The Public Hearing was closed.

4:13 PM: Recess

4:24 PM: Reconvene

10. Planning RES-2012-367

Public Hearing to Consider Adoption of a Resolution with Findings, Adopting “Criteria for Transfers of Lands Within the Agriculture/Working Landscape Land Use Designation” Pursuant to Mariposa County General Plan Goal 10-2, Policy 10-2A, and Implementation Measure 10-2A(4) and Amending General Plan Appendix D; General Plan Amendment No. 2012-100. The County of Mariposa is the Project Proponent

Staff report was given by Sarah Williams, Planning Director; and she provided the history of this project and advised that if approved by the Board today the criteria becomes effective immediately. She explained how this can be used by an applicant, the goal, implementation measure, and policy, and the three tiers within the matrix included in the packet and advised that there is a website that can be accessed where the Land Capability Classification for each parcel can be evaluated. She responded to questions from the Board relative to the tier process, the application process, distance to supplies for the agricultural business, conditions of roads, and land swapping. She provided an example of a project that would necessitate review from the Agriculture Advisory Committee. She explained the process that the Agricultural Advisory Committee used to develop the criteria to implement the General Plan. She recommended that the Board not apply this process to a project or anything that they may have in their mind at this time, and reminded the Board that in 2006 the decision was made that this is an appropriate goal, policy, and implementation measure.

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

John Brady/MERG, expressed concern relative to the locations of land to be swapped and feels the location should be well defined and therefore in that the language of "similar" or "equivalent," "similar" should be taken out, it's not defined enough. He advised that the Agricultural Advisory Committee made the recommendation to use the language "equivalent" and asked that the Board consider this language. He responded to questions from the Board relative to the definition of equivalent properties.

Cathie Pierce advised that the Agricultural Advisory Committee and people in the agricultural industry wanted the language "equivalent" and Starchman Bryant Law Offices requested the language "similar." She explained why it is important to have the language of "equivalent" relative to the necessity of water supply to an agricultural operation. She requested that the Board put the language "equivalent" back and feels that if good agricultural land is swapped for similar land and it's not equivalent, then eventually the County will see a lot of substandard agricultural land and that land will be sold because it is not prime enough land for any carrying capacity for a commercial ranch. She advised that this is supposed to be for the benefit of agriculture and not for the benefit of people that want to swap their land. Cathie Pierce responded to questions from the Board advising that she does not recall discussing going beyond tier two, and that relative to location of the agricultural land, the more this type of land is pushed away from main roads the threat of cattle theft increases which is becoming a problem. Additional problems could occur due to stress on the animals having to be travel on rough roads, and the threat of fire.

Don Starchman/Starchman Bryant Law Offices, responded to comments from Cathie Pierce advising that one of the reasons for changing the language of "at least equal" is that it is not possible to have equal properties. Each property is unique. He advised that Starchman and Bryant Law Offices are willing to see this go forward and be adopted as presented by the Planning Commission, they are not in agreement but do not plan on opposing what is being proposed. He feels that tier one, two, & three should all be looked at when considering the swap of real estate, and that this already exists in the General Plan and just needs to be implemented. Don Starchman responded to questions from the Board relative to the importance of knowing the benefits when selecting a piece of property, and he supports using all three tiers for the benefit of agriculture and not stopping at tier two.

Linda Meyers, Agricultural Advisory Committee member and rancher, advised that she would like to see the language "equivalent" used in this General Plan amendment and expressed concern relative to the need for

water; she feels this may be coming from development pressure and could be an issue in the future if not used properly. She informed the Board that she would prefer not answering questions relative to the tier process at this time because she has not had a chance to review the changes that were made. She expressed concern relative to the diverse opinions on the description and physical appearance of agricultural land.

Anita Starchman Bryant/Starchman & Bryant Law Offices, expressed concern relative to the matrix in that you are unable to look at the entire picture of what is occurring on the ground, and feels there was a lot of weight given to tier two. She advised that at the Planning Commission hearing Starchman & Bryant Law Offices requested that the point system be removed and consideration be made to review all of the factors to allow a discretionary decision to be made. She advised that they had a problem with the language "equivalent," stating that the language is too tight the way it was written and that this is why they requested language that was similar to "equivalent," and that "similar" is what the Planning Commission came up with. She read from minutes of an October 2006 General Plan meeting relative to the requested implementation measure for a land exchange policy that includes no net loss and the quality of agriculture lands, advising that at that time the Board concurred with this recommendation. Supervisor Bibby recalled the discussion in 2006 and thanked Anita Starchman Bryant for reminding her that the language "equivalent" was important to her.

Public portion of the hearing was closed:

Deliberation:

Clarification was made relative to the action requested.

(M)Turpin, (S)Allen, Res. 12-367 was adopted approving the recommend action as requested and read into the record by Steven W. Dahlem, County Counsel. Under discussion Supervisor Bibby expressed concern relative to problems that could occur in the future. Ayes: Stetson, Turpin, Cann, Allen. Oppose: Bibby.

RESULT: ADOPTED [4 TO 1]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen

NAYS: Janet Bibby

N. Adjournment

The Board adjourned at 5:44 p.m. in memory of Ron E. Rhoan.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

By: TRACY GAUTHIER
Deputy Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

July 17, 2012

A. Call to Order and Roll Call

9:01 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:01 AM
Lyle Turpin	District II Supervisor	Present	9:01 AM
Janet Bibby	District III Supervisor	Present	9:01 AM
Kevin Cann	District IV Supervisor	Present	9:01 AM
Jim Allen	District V Supervisor	Present	9:01 AM

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for all of the men and women in the Military and their families, as well as for the recent loss of life of a road construction worker.

C. Introductions

None

D. Approval of Consent Agenda (Items designated by "CA")

All items were approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Victim Witness RES-2012-368

Approve the 2012-2013 District Attorney's Office Victim/Witness Program Grant Administered through the State of California Emergency Management Agency in the Amount of \$85,195

CA2. Human Services RES-2012-369

Approve an Agreement with Value Options, Inc. (VO) for Administration of Mental Health Counseling Services for Foster Children Placed Out of County in an Amount Not to Exceed \$20,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA3. Administration RES-2012-370

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

CA4. Administration RES-2012-371

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road

CA5. Technical Services RES-2012-372

Ratify the Donation of Library Personal Computers (PC's) to Mariposa Unified School District

CA6. Administration RES-2012-373

Approve Amendment Number Two to the Cooperative Agreement with the National Park Service Increasing the Financial Assistance Amount by \$11,250; Authorize the Board of Supervisors Chair to Sign the Amendment; Approve Budget Action for Fiscal Year 2011-12 Increasing Revenue and Appropriations in the Administration Budget (\$11,250) 4/5ths Vote Required

CA7. Fire RES-2012-374

Authorize the Fire Chief to Apply for Two Federal Emergency Management Agency (FEMA)-Assistance to Firefighters Grant (AFG) Program Grants

CA8. Human Services RES-2012-375

Authorize the Human Services Department to Fill a Vacant Mental Health Assistant I Position on a Limited Term Basis in the Behavioral Health and Recovery Services (BHRS) Budget, Effective August 16, 2012

CA9. Human Services (ID # 1583)

Accept the Resignations of Joe Borges and Monica Nelson from First 5 of Mariposa County, and Appoint Jennifer McCollum and Jared Pierce to First 5 of Mariposa County for Terms Expiring July 17, 2015

CA10. Personnel/Risk Management RES-2012-376

Approve a Three-Year Agreement with Tristar Risk Management Services for the Administration of the County's Workers' Compensation Claims; Authorize the Board of Supervisors Chair to Sign the Agreement

CA11. Agricultural Commissioner RES-2012-377

Approve Nursery Inspection Cooperative Agreement No. 12-0261-SA for FY 2012/2013 with the California Department of Food and Agriculture (CDFA), and Authorize the Board of Supervisors Chair to Sign the Agreement

CA12. Community Services RES-2012-378

Approve an Agreement with Coulter Cafe to Provide Services for the Area 12 Agency on Aging (A12AA) Title III C-1 Restaurant Program for the North County, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA13. Technical Services RES-2012-379

Declare the September 1, 2012, Labor Day Fair Parade a County Sponsored Event, Approve Issuance of a County Insurance Certificate to CalTrans, Approve the Application for a CalTrans Encroachment Permit in Support of Closing Hwy 140 11 AM- 12:30 PM, Between Hwy 49 North and Hwy 49 South, Saturday September 1, 2012, and Authorize the Board of Supervisors Chair to Sign a Letter Documenting the Board's Support and Approval

CA14. Sheriff's Office RES-2012-380

Approve Recruiting and Filling a Vacant Sheriff's Dispatcher Position Effective July 17, 2012

E. Presentations

1. Agricultural Commissioner RES-2012-381

Proclaim the Week of July 16 - 22, 2012, as " California Invasive Weed Awareness Week"

The proclamation was approved and presented to Cathi Boze, Agricultural Commissioner/Ayes: Unanimous. Board members commended Cathi Boze.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Departmental Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda.
None.

G. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda (Speakers Limited to Five Minutes). None.

H. Board Information

Supervisor Allen wished Supervisor Bibby a Happy Birthday. He advised that he attended the fire station meeting and things are happening in Midpines and Fish Camp, and advised that Don Pedro is looking good. He attended the Ponderosa Basin Fire Station ice cream social last Saturday; he recommended public attendance to enjoy the homemade ice cream. He met with Public Works in regards to Wawona, and reported that the Wawona Service District (WSD) budget provides garbage services, a pine needle pick up program, and a large item pick up program. He advised that the WSD funding for the last two years has been good and commended Greg Ollivier/Solid Waste Manager for taking care of the community.

Supervisor Stetson advised that he attended the El Portal Planning Advisory Committee last Tuesday, and the Gateway Partners meeting last Thursday relative to the celebration of the Park coming up over the next couple of years. He met with the Fire Chief and the County Administrative Officer last Friday relative to Midpines issues. He advised that Monday's YART's meeting was rescheduled to the following Monday in Merced at 10:00 a.m. He advised he will be attending the Midpines Planning Advisory Community meeting tonight and Thursday he will be in Yosemite West for issues relating to their burn piles.

Supervisor Cann advised that he has been working almost daily with the Planning Department, and Saint Joseph's Church and the owners of the Pizza Factory, relative to their projects and that he has been coordinating with all pertinent County departments. He advised that the Transient Occupancy Tax report shows that it is up in the last 10 of 11 months. He attended the Regional Council of Rural Counties and National Association of Counties hosted meeting in Pittsburg, Pennsylvania and will report next week as he only arrived home at 1:00 a.m. this morning. He advised that the Chamber of Commerce Expo will be held at the fairgrounds tomorrow from 3 to 7 p.m., and Dan Flemming will be presenting an assessment of our economy over the past 10 years on Thursday at Saint Joseph Catholic Church Hall from 3:30 to 5:30 p.m. He advised that he will be holding a town meeting regarding Congressman Jeff Denham's HR 3640 on Thursday from 6 to 8 p.m. in the Board Chambers, relative to the pros and cons of the bill to authorize the National Park Service to establish facilities in Mariposa for a visitor service center and additional office space.

Supervisor Turpin congratulated Sarah Zahn, new member to Coulterville Planning Advisory Committee, and advised that the first meeting

will be held on Thursday, August 2, at 7:00 p.m. at the Coulterville Community Club with a full committee. He advised that the Coulterville Community Club will be holding "The end of Summer Bash" and an item should be coming to the Board requesting County sponsorship soon. He advised that Caltrans is working on Highway 49 North prepping for an overlay. Bagby Recreation boat ramp is still open but the water is dropping fast with the warm weather. He advised that we are in a drought in California. He commended Cathi Boze for all her hard work in weed control. He advised that relative to the weekly bus to Sonora the ridership is up.

Supervisor Bibby advised that she attended the meet and greet session at the Catheys Valley Charter School, and that it was well attended, they have established a waiting list for registration, they are working very hard to coordinate their calendar with Mariposa County Unified School District, and their startup date is going to be the same day as Mariposa Unified County School District. She advised that there will be a Mount Bullion Citizen Group meeting on July 19th at the Mariposa/Yosemite Airport in Mount Bullion, located at the fire station, relative to updates and status reports in the mountain area. She cautioned the community to be very careful and courteous of all the road work in our county and surrounding counties. She encourage fair entry participation and advised that the entry forms can be found online or at the fairgrounds office.

I. Items removed from Consent Agenda

None

J. Regular Agenda Items

1. Board of Supervisors (ID # 1590)

Catherine "Cate" Cannon/Director; Presentation, Discussion and Possible Direction Relative to the Use of the Mariposa County Park Amphitheater (Chair Bibby)

Stephanie Evans thanked the Board, and expressed what the Mariposa Playhouse means to her family. She thanked Marvin Silver for putting together snippets of the "1776" performance. Portions of "1776" were presented for the Board's pleasure. Cate Cannon, founding Director of Mariposa Playhouse, thanked Marvin Silver, and advised that the Chrysalis Institute has taken on the Mariposa Playhouse as a group and she introduced Kevin Bowman, chairman of the Chrysalis Institute.

Kevin Bowman provided the background of Mariposa Playhouse from its induction and advised that they support the Mariposa Playhouse and look forward to a meaningful relationship with the County to secure a mutually beneficial ongoing use agreement for the Mariposa County Amphitheatre facility.

Julie Ransom, Merced High School theatre teacher, discussed a conservatory for kids in Mariposa that includes dance and theatre, and stated this is a theatre for the community that involves entire families as well as attracting tourists and members of surrounding communities. She commented that they want to give back to the community and need a home for the performances.

Angela Heiss stated that there is a long history of theatre in gold mining towns but this has been lost in Mariposa, and named theatres from surrounding counties as examples.

Fred Friedland, retired Merced College theatre professor, expressed support for the Mariposa Playhouse commenting on the Midsummer Night's Dream performance and complimented Cate. He advised that they can do things with this theatre to make it fully functional.

Cate Cannon explained what the Mariposa Playhouse members feel is needed in Mariposa. She advised that they have a theatre company and need to know that they have a home. She feels that with renting what is needed they can utilize the Amphitheatre during the summer and winter seasons. She expressed concern relative to what is happening to theatre and arts in schools due to budget cuts and feels they can fill the need and provide an education in arts. The Mariposa Playhouse is asking the Board to help them coordinate with Parks and Recreation to make it possible to use the Amphitheatre, and to coordinate with the Arts Council relative to other events going on in the community. She is looking forward to an ongoing relationship.

Discussion was held, and Supervisor Bibby suggested that two Board members be designated to work with the group, Parks and Recreation, and Public Works to work through the use agreement process. Supervisor Stetson advised that he would be pleased to be a designated Board member.

Input from the public was provided by the following:

Fax Sinclair spoke in support of theatre relative to tourism.

Debbie Bennett spoke in support of theatre relative to her family's involvement and the economic advantage to Mariposa County.

Jon Turner, retired Mariposa County High School Drama teacher/cattle rancher, spoke of the value of theatre in Mariposa and reflected on his experience in performing in "1776".

Briana Hanson spoke in support of theatre in Mariposa and expressed how her first time performing was in "1776" and that it was a dream come true that left her feeling confident.

Jon-Paul Solomon stated that his first time performing was in "1776" and that it was an enriching experience, and feels theatre in Mariposa is an economic advantage.

Eleanor Keuning spoke in support of theatre in Mariposa noting Cate's talent in casting.

Discussion was held relative to Board member participation. (M)Stetson, (S)Turpin, Supervisors Cann and Stetson were designated to work with the group, Parks and Recreation, and Public Works to create a use agreement and bring an item back to the Board for possible action. Discussion was held relative to designating an alternate. The motion was amended, agreeable with the maker and second, to designate Supervisor Bibby as an alternate. Ayes: Unanimous.

RESULT: DIRECTION GIVEN [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Public Works (ID # 1559)

Receive an Update on the Courthouse Restoration Project

Pete Rei, Public Works Director, provided an update of the progress on the Courthouse Restoration Project, and advised that substantial evaluations have taken place, concerns in the original report have been addressed with some additional work identified, and the Courthouse has been deemed safe for occupancy. He informed the Board that the Request for Proposals (RFP) are due by July 27, 2012.

Judge Walton responded to questions of the Board relative to the weight of the Law books, advising that each Law Library Trustee was contacted and it was determined to move the historic books to the vault, and the books that are not historical and are out of date are to be recycled. He requested help from the County to move the books and to remove the counter weights, and thanked Pete Rei for everything he has done. He advised that they are meeting with the Administrative Office of the Courts regularly and will work with the Board in any way to make it possible to stay in the Courthouse.

Supervisor Bibby encouraged Rick Benson, County Administrative Officer, to start identifying funding for the Courthouse Restoration Project now. Discussion was held.

3. Public Works RES-2012-382

Public Hearing to Adopt a Resolution Establishing a Fee Structure for County Service Area No. 1 (Road Maintenance Zone of Benefit), County Service Area No. 1-M (Lake Don Pedro Off-Season Fire Protection) and County Service Area No. 3 (Structural Fire Protection), and Authorize the Fees to be Placed on the Property Tax Roll for Fiscal Year 2012-13

Pete Rei, Public Works Director, presented a staff report and requested the Board approve the fees and authorize placement of the fees on the property tax

roll for fiscal year 2012-2013.

The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed and the Board commenced with deliberations.

Action was taken adopting a resolution approving the fees as requested and authorizing the fees to be placed on the property tax roll for fiscal year 2012-2013. The hearing was closed.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. **Public Works RES-2012-383**

Deny the Request to Abandon Pedestrian and Equestrian Trail Easements in Don Pedro Unit 2M by David and Mary Anne Taylor (Lot # 638) and Raymond and Eleanor Duste (Lots # 636 and 637)

Pete Rei, Public Works Director, presented the staff report and recommended the denial of the request to abandon Pedestrian and Equestrian Trail easements in Don Pedro Unit 2M.

David Taylor advised that Pete Rei incorrectly noted the location of the trail as being against the side of their property; it is at the back of their property. He addressed the letter that he had submitted for the packet and responded to a question of the Board stating that the hazards on this easement is the tendency to go to the dead end and not proceed to the golf course, there is no trail system beyond the golf course.

Input from the public was provided by the following:

Ellie Duste, neighbor of the Taylor's, stated that she has lived in Don Pedro for 20 plus years and hasn't seen consistent use of the trail and has never seen a horse on the trail. She advised that she believes in trail systems but doesn't see a use increase for this particular trail and thinks consideration should be given to the majority that do not use the trails. She requested consideration to grant the abandonment.

A member of the public, who lives in the area of the Taylors, spoke in support of abandoning the "hazardous" 7-acre portion of the easement.

Terry Booten, Don Pedro resident, founded the group "Trail Blazers," and advised that they work closely with both Mariposa and Tuolumne Counties to identify and revitalize the horse trails. She responded to a question of the Board stating Trail Blazers is an informal group.

Ray Loyola, spoke for denial of the request stating that when he purchased his property he accepted the easement and that it is the responsibility of the owner to research the property prior to purchase.

Brenda Nathaniel, Don Pedro home owner, member of the

Trail Blazers, described the work done on the trails and stated she feels this is one of the best trail systems in the state, and noted that the dead ends are cleaned up and it is ensured they are marked "dead end."

Merlin Jones (Supervisor Elect) expressed concern that once an easement is abandoned it is difficult to get it back, it is wrong to change the rules in the middle of the game, these trails are both pedestrian and equestrian and the safety is in the quality of person riding the horse. He supports denial of the abandonment.

Discussion was held relative to abandoning a portion of the trail encroachment, and relative to the process of working with Public Works to allow encroachment into the trail to allow the Taylor's to enlarge their shed. (M)Turpin, (S)Allen, the denial of request to abandon pedestrian and equestrian trail easements in Don Pedro Unit 2M was approved/Ayes: Unanimous.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

5. Human Services RES-2012-384

Review and Take Action on the Referral from the Mental Health Board Regarding the Mental Health Services Act Corrective Action Plan (MHSACAP) for Mariposa County Including: 1) Approving Submitting to the State for Approval Prior to the Board of Supervisors Taking Final Action on the MHSACAP; 2) Approving Inserting Language into the Corrective Plan that Gives the County the Ability to Modify the MHSACAP; 3) Approving that Any Excess Revenue Collections be Used to Repay the Improperly Expended Funds

Jim Rydingsword, Human Services Director, presented the staff report and responded to a question from the Board clarifying the recommended action/Ayes: Unanimous.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

6. County Counsel RES-2012-385

Approve the First Amendment to a Professional Services Agreement with Abbott and Kindermann, LLP, and Authorize the Board of Supervisors Chair to Sign the Amendment

Steve Dahlem, County Counsel, presented the staff report and requested the Board approve the agreement as presented. Discussion was held/Ayes: Unanimous.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

7. Personnel/Risk Management RES-2012-386

Extend the Existing Hiring Moratorium through December 30, 2012

Rick Benson, County Administrative Officer, presented the staff report and history of the moratorium, and recommended continuing the moratorium to the end of the calendar year. He responded to questions of the Board relative to open vacant positions and promotions being subject to approval of the Board, and recruitment issues, and clarified that the end of the calendar year was chosen to give the Board a chance to revisit the issue, the date could be changed at this time if so desired and directed.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

K. Adjournment

The Board adjourned at 12:07 p.m. in memory of Chauncey Haynes and Dianne E. Turner.

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board

By: TRACY GAUTHIER

Deputy Clerk of the Board

JANET BIBBY

Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

July 24, 2012

A. Call to Order and Roll Call

9:01 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:01 AM
Lyle Turpin	District II Supervisor	Present	9:01 AM
Janet Bibby	District III Supervisor	Present	9:01 AM
Kevin Cann	District IV Supervisor	Present	9:01 AM
Jim Allen	District V Supervisor	Present	9:01 AM

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for all of the victims in Aurora, Colorado.

C. Introductions

None

D. Approval of Consent Agenda (Items designated by "CA")

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

Supervisor Bibby commented on item 7 and the medical expenses in the jail, especially with AB 109.

Supervisor Turpin asked for clarification of the length of the road project in item 5 - Pete Rei/Public Works Director and Barbara Carrier/Assistant Public Works Director-Support Services responded.

All items were approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Human Services RES-2012-387

Authorize the Disposal of 30 Cell Phones to Mariposa Community Based Organizations through August 31, 2012, and Thereafter by Donation to the Charitable Organization "Cell Phones for Soldiers" for United States Military

CA2. Administration RES-2012-388

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

CA3. Administration RES-2012-389

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road

CA4. Administration/Economic Development RES-2012-390

Establish the Mariposa County Human Services Loan Advisory Board for the Revolving Loan Program and Appoint Jennifer Dickens, Pam Beery, and Cindy Larca to the Mariposa County Human Services Loan Advisory Board with Terms Expiring July 24, 2015.

CA5. Public Works RES-2012-391

Approve a Program Agreement with Caltrans for Bullion Street Project HPLUL 5940(067), and Authorize the Public Works Director to Sign the Program Agreement

CA6. Administration RES-2012-392

Approve the Continued Use of Secure Rural Schools and Community Self-Determination Act of 2000 Funds for Funding an Extra-Help Employee to Manage the Master Gardener Program for Fiscal Year 2012-13 in the Amount of \$19,000

CA7. Sheriff's Office RES-2012-393

Approve Budget Actions for Fiscal Year 2011-2012 Transferring Funds Within and Between the Sheriff and Jail Budgets (\$190,242).

CA8. Human Services RES-2012-394

Approve Budget Actions for Fiscal Year 2011-12 Increasing Revenue and Appropriations in the Mental Health Budget (\$110,013) and Transferring

Funding Within the Human Services Administration Budget (\$118,860) to Cover Year-End Expenses. 4/5ths Vote Required

CA9. Human Services RES-2012-395

Approve the Mental Health Advisory Board By-Laws Revision

CA10. Public Works RES-2012-396

Approve a Professional Services Agreement with Roger Stephens Engineering in the Amount of \$15,000 to Perform Map Checking, Legal Description Checking and General Surveying Document Checking and Executing Documents as the County Surveyor Under the Direction of the Public Works Director, and Authorize the Public Works Director to Sign the Agreement

CA11. Agricultural Commissioner RES-2012-397

Approve the Pesticide Use Reporting Activities Memorandum of Understanding (MOU) for the Period of July 1, 2012 - June 30, 2014, with the California Agricultural Commissioners and Sealers Association (CACASA), and Authorize the Board of Supervisors Chair to Sign the MOU

CA12. Human Services RES-2012-398

Approve an Agreement with Milhous Children's Services to Provide Intensive Youth Treatment Services for Mariposa County Behavioral Health in an Amount Not to Exceed of \$53,280, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA13. Human Services RES-2012-399

Approve an Agreement with Kings View Corporation to Provide Telepsychiatry Services for Mariposa County Behavioral Health in an Amount Not to Exceed of \$282,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA14. Human Services RES-2012-400

Approve an Agreement with John Muir Behavioral Health to Provide Inpatient Psychiatric Services for Mariposa County Behavioral Health in an Amount Not to Exceed of \$17,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA15. Administration/Economic Development RES-2012-401

Establish the Mariposa County Economic Development Loan Advisory Board (LAB) for the Revolving Loan Program and Appoint Christene Scott, Matt Foraker and Eric Oster to Serve on the LAB.

E. Departmental Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda

Pete Rei thanked all of his staff members, the Sheriff, Health Officer, and the Fire Chief and their staffs for assistance over the weekend with water system issues in Yosemite West; and he commented on the status of the infrastructure. Supervisor Stetson thanked Public Works for their response

and the Yosemite West community.

Doug Binnewies/Sheriff commended his department for their focus and efforts to bring justice to some of the criminal activities that have been occurring and he referred to the homicide and marijuana eradication; and he recognized their partner agencies at the federal, state and local levels.

F. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda (Speakers Limited to Five Minutes)

Mary Lou Tiner, former President of Mykleoaks Subdivision, commented on the status of maintenance of the roads in the subdivision, and she stated she feels that there needs to be maintenance on Lillian Lane. Supervisor Cann responded relative to the meeting he had with residents and the Public Works Director and the Road Superintendent.

Ruth Sellers questioned why Lillian Lane has had no attention; and stated she feels that it needs maintenance. Supervisor Cann asked the Public Works Director to respond on how road priorities are made. Supervisor Bibby commented on road maintenance issues. Pete Rei provided input in their prioritization of road maintenance, and he advised that there is a drainage issue on Lillian Lane and that it is on the list for repair.

Eleanor Keuning asked about the status of the sign ordinance; expressed concern that the sandwich board at the Red Fox is blocking an international bus sign; referred to hearing dates on the Merced River Plan; and she referred to an editorial relative to the historic bridges in Yosemite. Chair Bibby noted that the sign ordinance is scheduled to come back to the Board of August 7th.

G. Board Information

Supervisor Stetson advised that he attended the Midpines Town Planning Advisory Committee meeting on Tuesday evening; met with the Public Works Director and community members in Yosemite West on Wednesday relative to burn pile issues; met with the Bear Creek Trail Committee, and the Forest Service and the National Park Service representatives attended, on Thursday; met with Dr. Mosher and Supervisor Bibby on health issues on Friday; had several telephone conversations over the weekend relative to the Yosemite West issues, and he thanked everyone in Public Works for their assistance; and he attended the YARTS meeting in Merced on Monday. He plans to meet with Supervisor Bibby and the Public Works Director on Wednesday relative to waste disposal issues; will meet with Fire Chief Wilson and Guy Anderson relative to forest management; will meet with the Public Works Director on Midpines parking lot; and plans to attend the fire station meeting on Thursday.

Supervisor Cann provided input on the prioritization of road maintenance, and he noted the work plan/evaluation process of department heads; and he further noted that the County is one of the few counties that provides additional funding to the Road budget. He participated in a meeting with MID on Wednesday to continue discussion on the 1960 contract and its evolution in 2014. He thanked everyone who attended the town hall meeting on Thursday, and he commented on the legislation that would allow the Park Service to purchase land in Mariposa for visitor support services.

Supervisor Turpin extended special prayers to the victims and the responders to the Colorado tragedy. He plans to attend the Coulterville Town Planning Advisory Committee meeting on August 2nd. He noted there will be a major overlay project on Highway 49 North on the other side of the Bagby Bridge. He plans to meet this afternoon with the Public Works Director on road issues. He attended the meeting with MID. He noted that he passed the County transit bus this morning on its way to Sonora, and he passed two loads of logs. He received several call from constituents this past week on various issues. He noted that Coulterville was busy over the weekend, and that there is no Board meeting next week.

Supervisor Allen commented on the law enforcement and medical activities on Sunday. He advised that he met with Donn Harter/Chair of the Fish Camp Advisory Committee, and several issues were discussed. He met with Trish Gilger relative to bringing Junior Achievement into the County. He commented on the recent revelation that funding has been hidden in the State Parks budget. He plans to meet with the District Attorney on Wednesday relative to department heads. He plans to attend the fire station meeting on Thursday. He asked the County Administrative Officer to given an update on the status of the Garber house and the Assemblage Permits.

Supervisor Bibby advised that she attended the Mount Bullion citizens group meeting on Thursday, and she thanked the Public Works Director for attending and discussing road issues, and Deputy Fire Chief Middleton for attending. She commented on water problems in neighboring communities. She attended the meeting with Dr. Mosher on health issues, and she noted the need to expedite the recruitment for the Health Officer position. She attended a meeting on the landfill relative to the future and operations. She noted that there is no Board meeting next week as it is a fifth Tuesday. She referred to various loan programs and the two committees that were established in the Consent Agenda this morning, and she stressed the need for the Economic Development Coordinator, the County Administrative Officer, Auditor and the Human Services Director to monitor the programs and to provide the Board with an annual report. She thanked all of the responders to the Yosemite West water incident. She wished Supervisor Allen a happy birthday - his birthday is later this week.

Rick Benson/County Administrative Officer advised that the

contract has been signed for the removal of the Garber house and the 120-day meter started; and he advised that a meeting has been set for August 8th to discuss the Assemblage Permits. Supervisor Turpin commented on the Fish and Game fees for the Garber house removal.

H. Regular Agenda Items

1. Administration (ID # 1619)

Jay Johnson, American Indian Council of Mariposa County, Inc. (Also Known as the Southern Sierra Miwuk Nation, and the Wauhoga Committee), Presentation on the Status of the Traditional Ceremonial Roundhouse Currently Under Construction at Wauhoga Village in Yosemite Valley

Jay Johnson referred to their history in Yosemite Valley and he provided input on their work on the traditional ceremonial roundhouse, and of their efforts with the Park Service on this project. They want to be able to construct the roundhouse using traditional materials and construction techniques and methods; and the Park Service is imposing additional requirements. Johnny Dick/with the Tuolumne Band of Me-Wuks advised that they have a representative on the Wauhoga Committee; and he expressed concern with the lack of communication from the Park Service on their efforts to work with them on this project. Jay Johnson provided a copy of written information on the roundhouse project. A lady from the audience clarified that Fred Angel was an engineer that worked for the Park Service in the 1970s. Supervisor Cann advised of his discussions on this matter with Congressman Denham's Office concerning the Park Service's willingness to work with the Wauhoga Committee with an engineering firm that works on Native American issues. Bill Tucker provided input on their work with the Park Service on this project, and he noted that there are no written codes - the construction methods are passed down from each generation. Mr. Dick concurred with Mr. Tucker on the construction methods being passed down from each generation.

Input from the public was provided by the following:

Eleanor Keuning/Historic Sites and Records Preservation Commission member stated that as an individual she is affiliated with the History Center and conducts tours - she feels it is important to maintain the cultural heritage and traditions of the American Indians.

Chair Bibby commented on her willingness to make phone calls to try and help resolve the issues so that the project can proceed.

10:59 a.m. Recess

11:18 a.m. Reconvened

2. Planning ORD-2012-1089

Waive the Second Reading and Adopt an Ordinance Amending the Mariposa County Zoning Map Pursuant to Zoning Amendment No. 2011-192; the Ordinance Will Rezone APN 004-010-009 from the Mountain Home Zone to the General Forest Zone; Steve McCorkle and Alexandra North (Blackberry Inn Expansion), Project Applicants

Chair Bibby read the title of the Ordinance into the record. Damon Golubics/Senior Planner advised of the recommended action.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

3. Personnel/Risk Management (ID # 1588)

Approve the Accountant I/II Auditor Classification and Job Description and Assign the Classification to the Mariposa County Managerial and Confidential Organization (MCMCO); Designate the Position as Confidential; Set the Salary for the Accountant I-Auditor at \$39,745.88-\$48,314.15/Annually and Set the Salary for the Accountant II-Auditor at \$43,919.20-\$53,387.36/Annually; Allocate One Accountant I/II Position to the Auditor Budget; Delete One Accountant II-Auditor Position from the Auditor Budget; Authorize the Incumbent Accountant II-Auditor to be Placed into the New Classification Effective July 24, 2012

Rick Benson reviewed the request and advised of his recommendation, and clarified that the recommendation is to designate the position as Confidential. Bill Davis/Auditor provided input on the request and stated he feels that this is a unique position, and he asked for a higher salary range. Discussion was held. No action was taken.

4. Personnel/Risk Management (ID # 1618)

Deny an Equity Adjustment for the Assistant Auditor Position

Rick Benson reviewed the request and advised of his recommendation for denial of the equity adjustment; and he advised of recommendation for a comprehensive review of the confidential positions. Bill Davis provided input on the request and the history of salary adjustments for this position and for the Assistant positions in the Assessor and Treasurer/Tax Collector's offices. Discussion was held.

Input from the public was provided by the following:

Debbie Isaacs/Assistant Auditor noted that the safety members still receive longevity, and she has not seen longevity held against a position in the past when compensation was being reviewed.

Further discussion was held. No action was taken.

I. Items removed from Consent Agenda

None

J. Closed Session

1. County Counsel (ID # 1596)

CLOSED SESSION: Conference with Legal Counsel; Anticipated Litigation-Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9; 1 Case to Discuss

Supervisor Allen excused himself from the meeting for action to hold the closed session and for the closed session. The closed session was held at 12:33 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Lee Stetson, Lyle Turpin, Janet Bibby, Kevin Cann

EXCUSED: Jim Allen

12:54 p.m. Report from Closed Session:

Chair Bibby advised that information was received.

K. Adjournment

The meeting was adjourned at 12:55 p.m. in memory of Edis Jacobs, Nellie Folsom, and Carl Mertz.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

August 7, 2012

A. Call to Order and Roll Call

9:03 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:03 AM
Lyle Turpin	District II Supervisor	Present	9:03 AM
Janet Bibby	District III Supervisor	Present	9:03 AM
Kevin Cann	District IV Supervisor	Present	9:03 AM
Jim Allen	District V Supervisor	Present	9:03 AM

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our men and women serving in the military and for their families; and for the SCOPE members who have recently lost their lives.

C. Introductions

Supervisor Cann introduced Terry Selk, the new Executive Director for the Yosemite-Mariposa County Tourism Bureau; and he provided input on his background.

D. Approval of Consent Agenda (Items designated by "CA")

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

Chair Bibby advised that items 1 and 8 have been withdrawn; and she clarified that item 7 is from the FY 2011-12 budget.

Supervisor Allen excused himself from the meeting at 9:12 a.m. for action on item 3 due to a potential conflict of interest. (M)Stetson, (S)Turpin, item 3 was approved/Ayes: Turpin, Stetson, Bibby, Cann; Excused: Allen. Supervisor Allen returned to the meeting at 9:14 a.m.

Supervisors Cann and Bibby referred to items 7 and 13 and noted the need to be more controlling with the authorized budgets. The balance of the items was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

1. 1607 pulled from Consent

CA2. Human Services RES-2012-412

Approve Agreement 11-73023-000 Between the State Department of Mental Health and the State Department of Health Care Services Authorizing Mariposa County Behavioral Health to Provide Specialty Mental Health Services, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA3. Human Services RES-2012-402

Approve a Lease Agreement with Richard Roesch to Allow Human Services to Occupy the Coulterville Office Located at 5026 Broadway, Coulterville, California, in an Amount Not to Exceed of \$6,600, and Authorize the Board of Supervisors Chair to Sign the Lease Agreement

CA4. Human Services RES-2012-403

Approve an Agreement with Doctors Medical Center to Provide Inpatient Psychiatric Services for Mariposa County Behavioral Health in an Amount Not to Exceed of \$20,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA5. Public Works RES-2012-404

Authorize Adjusting the Due Date for the Annual Payment of Standby Fees from the End of June to the End of September for County Service Area (CSA) Customers

CA6. Agricultural Commissioner RES-2012-405

Approve Sudden Oak Death (SOD) Program Cooperative Agreement No. 12-0327-SF with the California Department of Food and Agriculture (CDFA), and Authorize the Board of Supervisors Chair to Sign the Agreement

CA7. Public Works RES-2012-406

Approve Budget Action Reducing General Fund Contingency and Increasing Funding in the Land, Buildings, and Improvements Fund to Complete Payment of All Costs for the 5085 Bullion Remodeling Project - New Health Building (\$15,000), 4/5ths Vote Required

8. 1627 pulled from Consent

CA9. Health RES-2012-407

Approve an Agreement with Burney Stephens for the Health Department Dental Hygienist Program (\$15,000), and Authorize the Board of Supervisors Chair to Sign the Agreement

CA10. Health RES-2012-408

Approve a Five-Year Agreement with Government Payment Service, Inc., to Allow Customers of the Health Department to Pay Fees by Credit Card, and Authorize the Health Officer to Sign the Agreement

CA11. Fire RES-2012-409

Approve Budget Action for Fiscal Year 2012-13 Transferring Funding from the Fire Budget to the Fire Vehicle Replacement Fund for the Vehicle Set Up Costs Associated with Rescue 22 (\$17,000); Approve a Change Order to the Vehicle and Approve the Total Cost of Vehicle in a Not to Exceed Amount of \$217,000 4/5ths Vote Required

CA12. Administration (ID # 1637)

Reschedule the Final Budget Hearing to Commence on Monday, August 27, 2012, at 6:30 P.M. to Take Input from the Public, and Continue the Hearing to August 28, 29, 30, and September 4, 2012, at 9:00 A.M. as Necessary Until Conclusion

CA13. Human Services RES-2012-410

Approve Budget Actions for Fiscal Year 2011-12 Transferring Funding from the 2011 Realignment Fund to the Alcohol and Drug Budget to Cover Year-End Expenses (\$30,000) 4/5ths Vote Required

CA14. Fire RES-2012-411

Approve a Mariposa County Volunteer Fire Fighter Using an Outdoor Area of Station 23 - Catheys Valley for Her Wedding

E. Minutes Approval

The minutes for July 10, 2012, were approved with the deletion of "the" on page 14.

1. **Tuesday, July 10, 2012**
2. **Tuesday, July 24, 2012**

F. Departmental Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda
Doug Binnewies/Sheriff advised of the passing of Bill Peters/SCOPE member, and he advised that they will be retiring his radio number.

G. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda
(Speakers Limited to Five Minutes)

Marvin Wells asked Supervisor Cann to provide a status report on AB 29/SRA (State Responsibility Area) fees, and he asked Supervisor Stetson to justify the SRA approval process. He asked Supervisor Cann about the status of obtaining an autograph from Smokey the Bear. Chair Bibby noted that CalFIRE is scheduled to give a presentation on the SRA fees on August 14th. Marvin advised of a story by a local resident/Grace Garmon in the *Country* magazine on Mariposa and a story on John Muir and Yosemite.

Kathy McCorry/Executive Director of the Chamber of Commerce and Visitor Centers advised of the recent visitor statistics, noted she will be report in two weeks on the move and changes in Coulterville, stated the trolley is popular, they are continuing with the Mariposa Experience Passport program, advised of the formation of a Chamber Business Alliance committee, and advised they met with Tourism Bureau and welcomed Terry Selk on Monday. Terry Selk noted he is looking forward to working with the Chamber.

H. Board Information

Supervisor Cann responded to input provided by Marvin Wells, and he noted that the previous Tourism Bureau Executive Director worked with writers to get these kinds of stories to advertise the County; and he provided an update from RCRC on the SRA fees - more information can be found at www.firepreventionfee.org. He noted that there wasn't a Board meeting last week as it was a fifth Tuesday. He and Supervisor Allen met with a cross section of department heads on various issues. He met with the neighboring property owners to the Pizza Factory on their conceptual design for development. He worked to help mediate traffic study requirements by CalTrans for the new True Value Hardware store. He attended the IRWMP meeting on Thursday, and noted the upcoming meetings on August 22 and 23rd. He attended the downtown merchants meeting. He attended a meeting with the Chamber of Commerce and the Tourism Bureau on Monday relative to operation of the visitor centers.

Supervisor Turpin commented on his trip to Mariposa this morning - he waited for a doe and her fawns to cross the road, passed three loads of logs and the County transit bus, there is a major overlay project on Highway 49 North, and he commented on the water level at Bagby. He attended

the Coulterville Planning Advisory Committee meeting on Thursday; and he attended a meeting with the Public Works Director on road issues. The Coulterville Community Club is meeting this evening. He referred to the Consent Agenda items and agreed with the need for careful budget monitoring.

Supervisor Allen commented on a memo from the County Administrative Officer relative to the status of the recommended budget, and he noted that the Final Budget hearing starts on August 27th. He and Supervisor Cann met with department heads and discussed items for the betterment of the County. He attended the Mt. Bullion Volunteer Fire Station breakfast on Saturday; and he commended the communities for what they do. He met with MPUD, County Fire and the Public Works Director last Monday relative to the new Squad 22. He plans to attend the Mountain Valley Emergency Medical Services Agency meeting in Copperopolis on Wednesday. He attended the fire station meeting a couple of weeks ago and commented on the status of the new stations. He noted that extreme water conservation measures have been implemented in Wawona.

Supervisor Stetson advised that he attended the open house at new Health Department Office on Friday. He plans to meet with the Public Works Director and residents of Yosemite West on Wednesday relative to jurisdictional burn pile issues; attend the fire station meeting and the Bear Creek Trail group meeting on Thursday. The Midpines Planning Advisory Committee is meeting next Tuesday at 7:00 p.m. He responded to Marvin Wells' question relative to the SRA approval process and advised that he joined the Board in opposition to this.

Supervisor Bibby advised that she attended a meeting on July 25th relative to the landfill operation. She complimented the Mariposa Playhouse on the Peter Pan play. She attended the Mental Health governing board meeting on August 2nd, the Health Department open house on August 3rd, and she plans to attend the First 5 meeting on August 13th.

I. 9:46 a.m. WATER AGENCY

(Chair - Commissioner Kevin Cann, Vice-Chair - Lyle Turpin)

Public Presentation: For Items within the Jurisdiction of the Water Agency and not on Today's Agenda (Speakers Limited to Five Minutes) - none

1. Board of Supervisors (ID # 1646)

Approve the Revised Water Agency Advisory Board Agenda Procedure

Chair Cann initiated discussion relative to the recommendation from the Water Agency Advisory Board. Discussion was held relative to the requested process; involvement of the County Administrative Officer, County Counsel and the Clerk of the Board; whether all items should be included or just those with a financial impact; clerical staffing for the Advisory

Board; including the Advisory Board's minutes in items submitted to the Agency; and consideration of using the MinuteTraq system.

Pete Rei/Public Works Director stated he has no problem with his staff taking the minutes for the Advisory Board. He suggested that MinuteTraq not be used for the Advisory Board at this time, and noted he is okay with routing items with financial impact to the Auditor.

Michael Martin/Water Agency Advisory Board member advised that the Chair and Vice-Chair were unable to be present today. He feels that what the Board is proposing in its discussion addresses the issues.

Further discussion was held. Steve Dahlem/County Counsel provided input, and he asked for clarification of routing items with financial impact to the Auditor before they go to the Advisory Board.

Chair Cann summarized the consensus of the Directors: we do not need to use MinuteTraq for the Advisory Board; the County Administrative Officer is to prepare a written policy as discussed and recognizing the Public Works Director's role and the flow of items through the County Administrative Officer and County Counsel for review, and the Auditor, if necessary. He further noted that he and Supervisor Turpin will take the policy back to the Advisory Board, and that he will discuss with the Advisory Board the issue of including minutes or draft minutes with the recommendation to the Agency. County Counsel asked for clarification of whether all items presented to the Advisory Board are to be handled through this process or just grant assignments or financial items. It was agreed that all items should be processed by routing through the County Administrative Officer and County Counsel.

10:35 a.m. Recess

10:47 a.m. Reconvened

2. Board of Supervisors (ID # 1647)

Discussion and Possible Direction to the Water Agency Advisory Board Regarding Taking a Position on HR 2578 - Amend the Wild and Scenic Rivers Act Related to the Segment of the Lower Merced River

Chair Cann initiated discussion relative to this legislation and its status. He advised of the suggestion that if action is to be considered that it be done at a joint meeting of the Water Agency and the Water Agency Advisory Board.

Input from the public was provided by the following:

Steve Smallcomb, representing himself and MERG, stated only a small percentage of the rivers are in the Wild and Scenic program and they should be protected. He noted that a portion of the Merced River is prime white water rafting, the River is an important tourist attraction and is an

important part of our economy, and they do not want to see flooding occur that would be allowed by this legislation. Understanding the situation, he suggested that the Agency not take any action on this legislation.

Discussion was held. (M)Stetson, (S)Allen, direction was given to advise the Water Agency Advisory Board that the Agency will not seek their direction on taking a position on HR 2578 and the Agency does not anticipate taking action on this legislation/Ayes: Unanimous.

J. 11:10 a.m. BOARD OF SUPERVISORS

Reconvene as the Board of Supervisors

K. Regular Agenda Items

3. Public Works RES-2012-413

PUBLIC HEARING Regarding the Report of Delinquent Fees and Approval to Add Delinquent Fees to the Appropriate Property Tax Roll for Collection

Pete Rei presented the staff report; and he responded to questions from the Board relative to interest and penalties occurring on the delinquent fees; whether any written information was received for this hearing; relative to notification of the fees; clarification of the total delinquent assessments for Coulterville; and relative to the history of delinquent accounts. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed and the Board commenced with deliberations. The recommended action was approved, and the hearing was closed.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. Planning ORD-2012-1090

Waive the Second Reading and Adopt an Ordinance Amending Chapters 17.66, 17.108, 17.148, 17.320 17.324, 17.334 and 17.336 of the Mariposa County Code Pursuant to General Plan/Zoning Amendment No. 2011-068; County of Mariposa, Proponent

Chair Bibby read the title of the Ordinance into the record. Sarah Williams/Planning Director advised of the recommended action, and she responded to a question from Supervisor Turpin relative to this action.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

5. Board of Supervisors RES-2012-414

Authorize an Additional \$10,000 Contribution to the Economic Development Corporation of Mariposa County (EDC) for the Services of the Townsend Group; Approve the First Amendment to the Agreement with EDC Increasing the Compensation to \$40,000 and Authorize the Chairman of the Board of Supervisors to Sign the Amendment.

Supervisor Cann initiated discussion relative to the request. Chair Bibby advised of the additional correspondence that was received.

Input from the public was provided by the following:

Roger Biery/President of the EDC (Economic Development Corporation) responded to the discussion on their use of the Economic Development Coordinator's time. Speaking as a taxpayer, he supports the expertise that Townsend provides; he noted the CSED projects; and he asked that the County fund the retainer for the entire year for next year.

Marilyn Saunders, speaking as a member of the crosswalk/sidewalk committee, commended everyone that was involved in obtaining the sidewalk grant; and she noted Townsend's assistance and that their funding for this project came from the Public Works budget.

Ron Iudice stated he is generally not in favor of consultants; but he feels the County should invest in retaining Townsend and should continue to fund the retainer for next year.

Discussion was held. County Counsel clarified the request for the contract extension; and Supervisor Cann clarified that the cost to retain Townsend is \$5,000 a month.

Pete Rei clarified that the \$10,000 for the sidewalk grant came from Transit funds.

(M)Stetson, (S)Cann, direction was given to provide the additional \$10,000 to Townsend. Rick Benson/County Administrative Officer provided input on the motion, suggesting that the amendment of the agreement with the EDC be approved and that \$10,000 be transferred from General Contingency for the FY 2011-12 budget. The motion was amended accordingly, agreeable with the maker and second. Further discussion was held. Mary Hodson/Deputy County Administrative Officer advised that action can not be taken to appropriate funds at this time as that was not a part of the request. The motion was withdrawn by the maker, agreeable with the second.

(M)Cann, (S)Stetson, the requested action was approved.

RESULT: ADOPTED AS AMENDED [4 TO 1]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen

NAYS: Janet Bibby

L. Items removed from Consent Agenda

F. Public Works (ID # 1607)

Appoint Michael Austin to the Airport Advisory Committee (AAC) with a Term Expiring on January 4, 2016

RESULT: WITHDRAWN

G. Health (ID # 1627)

Approve Budget Action for Fiscal Year 2011-12 Increasing Revenue and Appropriations in the Certified Unified Program Agencies (CUPA)

Underground Storage Tank (UST) Fund and Transferring the Funding to the Health Operating Budget (\$3,390), 4/5ths Vote Required

RESULT: WITHDRAWN

M. Closed Session

8. County Counsel (ID # 1654)

Closed Session Conference with Legal Counsel; Anticipated Litigation; Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9

RESULT: WITHDRAWN

9. Administration (ID # 1653)

CLOSED SESSION: Public Employee Employment Title or Position to be Filled: (Government Code Section 54957 (B) (1); Clerk of the Board

The closed session was held at 12:14 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

12:55 p.m. Report from Closed Session:

Chair Bibby announced that information was received as a result of the closed session.

N. 12:56 p.m. - Lunch

O. 2:01 P.M. Reconvened

10. Planning RES-2012-415

Adopt Resolutions of Intention to Initiate the Formal Sign Code Amendment Process. Sign Code Changes Are Proposed to Title 17 of the Mariposa County Code and to Sign Provisions in the Mariposa Town Plan, Specifically the Historic and Design Review Overlay Districts. Code Changes Include Regulations for Community Informational Signs, Way Finding and Temporary Signs, Size Limitations, and Enforcement

Damon Golubics/Senior Planner presented the staff report. Supervisor Turpin asked about the status of the signs off of Highway 49 North, signs for the Jeffrey Hotel and the Greeley Hill Market, use of sandwich board signs in Coulterville, off-site signs for churches and businesses in Greeley Hill, and the Forest Service fire prevention signs. Supervisor Bibby advised of a typographical error on page 312 in the packet - "of" should be "if"; and she asked for clarification of the language on page 314 relative to the additional 32-square feet when natural materials are not used - it was clarified that the language should be changed to reflect "shall not be allowed." Sarah Williams advised of a correction on page 303, item "g" wayfinding signs should be "gateway." Supervisor Cann responded to Supervisor Turpin's questions relative to signs that have been in place prior to 1991 and relative to using wayfinding signs versus off-site signs. Sarah Williams responded to Supervisor Turpin's remaining questions.

(M)Cann, (S)Allen, to approve the two resolutions with the noted corrections, was withdrawn by the maker, agreeable with the second, to allow for further discussion. Discussion was held relative to enforcement.

(M)Cann, (S)Allen, Res. 12-415a was adopted initiating the formal sign code amendment process to Title 17; and Res. 12-415b was adopted initiating the formal sign code amendment process to the Mariposa Town Plan; with the three corrections as noted/Ayes: Unanimous.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

P. Adjournment

The Board adjourned at 2:40 p.m. in memory of Lynne Robinson/former County Clerk, Delores Tuttle, and Bill Peters.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

August 14, 2012

A. Call to Order and Roll Call

9:02 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:02 AM
Lyle Turpin	District II Supervisor	Present	9:02 AM
Janet Bibby	District III Supervisor	Present	9:02 AM
Kevin Cann	District IV Supervisor	Present	9:02 AM
Jim Allen	District V Supervisor	Present	9:02 AM

B. Pledge of Allegiance

Chair Bibby noted that there are numerous fires occurring and she called for a moment of silence for the firefighters and their families, especially for the recent loss of a firefighter.

C. Introductions

None

D. Approval of Consent Agenda (Items designated by "CA")

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

Sarah Williams/Planning Director responded to a question from Supervisor Cann relative to item 6 and the zoning amendment for churches, and she advised that she is preparing a response to the Grand Jury Report.

Peter Rei/Public Works Director responded to a question from Supervisor Turpin relative to item 2 and consideration of what the next step will be.

Rick Benson/County Administrative Officer responded to a question from Supervisor Bibby relative to item 6 and the process for preparing the response.

Supervisor Bibby referred to item 9 and noted that the job description for the position describes the duties, and she suggested that there be an addition to reflect that supervision is under the County Administrative Officer.

All items were approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Planning RES-2012-416

Approve Recruitment and Filling of the Deputy Planning Director Position, Pursuant to Resolution 2012-386 Effective Immediately

CA2. Public Works RES-2012-417

Reject the One Response to the Request for Proposals (RFP) for Landfill Operations

CA3. Public Works RES-2012-418

Approve an Agreement with Cascade Software Systems, Inc. in the Not-To-Exceed Amount of \$11,496.71 for Maintenance and Support for Fiscal Year 2012-13, and Authorize the Public Works Director to Sign the Agreement

CA4. Human Services/Social Services RES-2012-419

Authorize the Human Services Department to Fill a Vacant Social Worker IV Position in the Social Services Budget Effective 8/21/2012

CA5. Public Works RES-2012-420

Approve the First Amendment with Palmer Tractor Extending the Contract Term to December 31, 2012, for Site Work Performed at the Midpines Fire Station; and Authorize the Public Works Director to Sign the Amendment

CA6. Administration RES-2012-421

Approve the Comments of the Board of Supervisors to the Findings Contained in the 2011-2012 Mariposa County Grand Jury Final Report that Were Directed to the Board of Supervisors and Authorize the Chairman of the Board of Supervisors to Sign the Cover Letter for the Comments

CA7. Board of Supervisors (ID # 1658)

Proclaim the Month of September, 2012, as "Childhood Cancer Awareness Month"

CA8. Administration RES-2012-422

Adopt a Resolution Electing to Receive the Full County Payment Under the Reauthorization of the Secure Rural Schools and Community Self-Determination Act and of the Full County Payment to Allocate 8-Percent to Title II Projects and 7-Percent to Title III Projects

CA9. Administration RES-2012-423

Approve the Description of the Economic Development Office Responsibilities

CA10. Administration RES-2012-424

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

CA11. Administration RES-2012-425

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road

E. Presentations

1. Child Support Services (ID # 1631)

Proclaim August, 2012, as "Child Support Awareness Month"

The Proclamation was presented to Debbie Walton/Child Support Services Director. Ginny Carpenter/Child Support Specialist gave a presentation on their programs, and discussion was held.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Minutes Approval

2. Tuesday, July 17, 2012

3. Tuesday, August 07, 2012

G. Departmental Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda

Peter Rei provided a status report on the water system in

Yosemite West and he formally announced that the boil order for the water has been rescinded. He thanked everyone who assisted in this matter. Supervisor Stetson thanked Public Works for the good communication with the residents.

Bob Brown/District Attorney announced his retirement effective November 1, 2012; and he advised of his recommendation that Thomas K. Cooke be appointed. He presented a letter of interest in the appointment from Mr. Cooke. Board members commended Bob for his service. Supervisor Allen asked that the County Administrative Officer schedule an item on the agenda for August 21st for the Board to discuss and/or take action on appointment/recruitment options.

H. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda (Speakers Limited to Five Minutes) - none

I. Board Information

Supervisor Turpin thanked Dr. Mosher for establishing the cooling centers with backup generators. He advised of the grind outs/maintenance work on Highway 132, and he noted that the Highway 49 North overlay project is almost complete. He advised that he had several phone meetings last week on issues ranging from fire sprinklers to County roads; and he urged everyone to use good judgment in this extreme heat. He plans to meet with Public Works this afternoon on various issues.

Supervisor Allen thanked the Public Works Director for fixing the dumpster problem in Wawona. He advised that he attended the Mountain Valley Emergency Medical Services Agency meeting in Copperopolis on Wednesday and they discussed fees and did an evaluation of their Director. He and Supervisor Stetson attended the fire station meeting on Thursday. He received a telephone call on Wednesday from the State Emergency Medical Services (EMS) asking him to be on a commission for EMS for the State and he has agreed.

Supervisor Stetson advised that he attended the fire station meeting and he commented on the activities on the Midpines station. He attended the Midpines trails group meeting. He noted that the Midpines Planning Advisory Committee meeting is scheduled for next Tuesday, but it may not occur due to difficulties in obtaining a quorum.

Supervisor Cann noted that a contractor working on rebuilding the Pizza Factory poured foundation on Friday - this is just three months after the fire, and he thanked all of the departments involved. He commented on the new State storm water run-off requirements that were applied to this project, and he noted that this is on the next RCRC (Regional Council of Rural Counties) agenda to discuss. He met with folks and Planning

on Parking District issues. He spoke at the Mariposa Democratic Club on Saturday on HR 3640 relative to moving Park administrative and visitor services to Mariposa; then he stopped at the new Prospector Brewing Company. He and Supervisor Allen participated in a telephone conference call on Monday with Townsend Public Affairs - they are going to do research and put together a strategic plan for the Courthouse rehabilitation and look for grants. He attended a meeting on Monday relative to the US Forest Service changing the way they cover costs for fires that emanate from National Forest land and threaten structures in the County; and he will discuss this issue further with RCRC. He plans to attend the RCRC meeting on Wednesday; he noted that Tulare County is joining the Council; and he advised that they will review the propositions for the November ballot and they will get an update on the SRA fees and the Transportation Act reauthorization.

Supervisor Bibby referred to the storm water run-off requirements and asked that RCRC consider the issues that agriculture face with these requirements. She attended the First 5 meeting on Monday. She plans to attend the Calaveras-Mariposa Community Action Agency meeting on August 17th. She urged citizens to prepare for power outages in the summer, to have water on hand, to watch the animals and to be aware of fire threats. She encouraged citizens to be courteous and to pull over for responding emergency personnel. She noted the Fair entries and tickets are available and she urged support of the Fair. She advised that she recently attended the Hayfork Fair.

Rick Benson advised that there will be an opportunity for the public to provide input on the FY 2012-13 Final Budget on Monday, August 27th at 6:00 p.m.

J. Regular Agenda Items

4. Board of Supervisors (ID # 1678)

Nancy Koerperich, Unit Chief/CalFIRE Madera-Mariposa-Merced Unit, Update on the Status of Implementation of the SRA (State Responsibility Area) Fees (Chair Bibby)

Nancy Koerperich gave a presentation and update on the SRA fees. Discussion was held.

Input from the public was provided by the following:

Marvin Wells asked for clarification of the fees.

Eleanor Keuning advised that she attended a community meeting on fire issues; and she asked about the postcard that CalFIRE mails out. Nancy Koerperich advised that the postcard does not have anything to do with the SRA fees - the postcard begins their Public Resources Code 4290 clearance inspection.

10:15 a.m. Recess

10:27 a.m. Reconvened**5. Human Services/Social Services (ID # 1655)****A Presentation by the Mariposa Chapter of the California Youth Connection (CYC) of the CYC Policy Recommendations that Are Developed at the 2012 CYC Summer Policy Conference.**

Youth that attended the CYC Summer Policy Conference provided input on their experience at the conference and on their work on policy recommendations. Tyson Wellcome, adult supporter, presented a video of the conference; and he advised that more information can be found on the following website: www.ethosmariposa.org.

Input from the public was provided by the following:

Marilyn Saunders asked how many members are in the Mariposa CYC Chapter; and she was advised that there are eight members and four adult supporters.

Discussion was held and the Board members commended the youth and the adults for their involvement, and the Human Services Director for his support.

6. Human Services/Behavioral Health & Recovery Services RES-2012-426**PUBLIC HEARING Regarding the Revised Mental Health Services Act (MHSA) Workforce Education Training (WE)T Plan and Approve Submission of the Revised MHSA WET Plan to the State; Authorize the Human Services Director to Sign the Agreement and Any Subsequent Amendments with the State Department of Mental Health (DMH) with Regards to the Revised MHSA WET Plan; and Authorize the Human Services Director to Implement the Activities Within the Revised MHSA WET Plan**

Jim Rydingsword presented the staff report; and he responded to questions from the Board as to whether any written correspondence was received for the hearing; status of the High School ROP program; relative to the stipend program and whether the stipends are reported to PERS as a benefit, what happen if a participant doesn't come back to work for the Department after completing the education, whether this program is a common practice throughout the State, and what happens if the conditions of the program are not met including the grade point average. Supervisor Bibby asked that the Board receive a status report on the program. The public portion of the hearing was opened and there was no input. The public portion was closed and the Board commenced with deliberations. The recommended action was approved. Supervisor Bibby asked that the stipends be monitored to determine if there is a continuing need. The hearing was closed.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

K. Items removed from Consent Agenda

None

L. Closed Session

7. Administration (ID # 1683)

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee: Service Employees International Union (SEIU) Local 521; Name of County Designated Representative: Richard J. Benson

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

8. Administration (ID # 1680)

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee: Mariposa County Managerial and Confidential Organization (MCMCO); Name of County Designated Representative: Richard J. Benson

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

9. Administration (ID # 1684)

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee: Sheriffs' Management Association (SMA); Name of County Designated Representative: Richard J. Benson

Supervisor Bibby excused herself from the meeting at 11:01 a.m. for action on this closed session and for the next closed session for DSA, and from the portions of the closed session on these matters, due to a potential conflict of interest as her spouse is a member of SMA.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen

EXCUSED: Janet Bibby

10. **Administration (ID # 1685)**

CLOSED SESSION: Conference with County Labor Negotiator; Name of

Employee: Deputy Sheriffs' Association (DSA); Name of County

Designated Representative: Richard J. Benson

The Board recessed at 11:02 a.m. and convened in closed session.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen

EXCUSED: Janet Bibby

M. 11:45 a.m. - Lunch

N. 2:02 p.m. Reconvened

Report from Closed Session

Chair Bibby advised that information was received as a result of item 7/labor negotiations with SEIU and item 8/labor negotiations with MCMCO.

Chair Bibby was excused from the meeting at 2:03 p.m. for the following report.

Vice-Chair Turpin advised that information was received and direction was given as a result of item 9/labor negotiations with SMA and item 10/labor negotiations with DSA.

Chair Bibby returned to the meeting at 2:04 p.m.

11. **Planning RES-2012-427**

PUBLIC HEARING to Adopt a Resolution Approving Certificate of Compliance No. 2012-073, Lot Line Adjustment No. 2012-074, Land Conservation Act Contract Modification No. 2012-075, and Land Conservation Act Contract Modification No. 2012-076; Finding that the Project is Exempt from the Provisions of the California Environmental Quality Act; Norah Corbett, Trustee and Dennis, Larry and Sandra Bunning, Applicants; Bob DeWitt, Civil Engineer, Agent. the Primary

Parcels Involved in the Certificate of Compliance and Lot Line Adjustment Application Include APN 017-170-016, 017-190-005, and 017-190-013. the Land Conservation Contract Modifications Involves APN 017-190-014, 017-200-003, 018-290-019, 018-290-020, and 017-190-009. Action is Based Upon the Planning Commission's Recommendation and County Resolution No. 10-150 Implementing the Williamson Act, and State Law.

Alvaro Arias/Associate Planner presented the staff report; and he advised of a recommended change to add another "whereas" clause to reflect language in the Government Code that allows a contract to be rescinded and a new contract to be simultaneously entered into. He responded to questions from the Board as to whether any additional written input has been received for this hearing; and relative to the location of inserting the additional "whereas" clause in the formal resolution. Sarah Williams responded to a question from the Board as to whether the 80-acre parcel would be eligible for a residence.

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

Bob DeWitt, representing the applicant, stated they have nothing further to add, and he thanked staff for their assistance.

Staff responded to Supervisor Turpin and clarified the recommended action. The public portion of the hearing was closed and the Board commenced with deliberations. The recommended action was approved, with the addition of the "whereas" clause as recommended by staff. The hearing was closed.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2:20 p.m. Recess

O. 3:00 p.m. Reconvened

1. County Counsel (ID # 1623)

Closed Session: Conference with Legal Counsel; Anticipated Litigation; Initiating of Litigation Pursuant to Subdivision (C) of Government Code Section 54956.9; Number of Cases to be Discussed: 1

The Board convened in closed session at 3:04 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4:55 p.m. Report from Closed Session

Chair Bibby announced that information was received as a result of the closed session.

P. Adjournment

The Board adjourned at 4:56 p.m. in memory of Beverly VanBibber, Edna Cico, and Elsie Mae McNally.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

August 21, 2012

A. Call to Order and Roll Call

9:06 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:06 AM
Lyle Turpin	District II Supervisor	Present	9:06 AM
Janet Bibby	District III Supervisor	Present	9:06 AM
Kevin Cann	District IV Supervisor	Present	9:06 AM
Jim Allen	District V Supervisor	Present	9:06 AM

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for all of our military personnel - those that serve as well as their families.

C. Introductions

None

D. Approval of Consent Agenda (Items designated by "CA")

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

All items were approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Human Services/Behavioral Health & Recovery Services RES-2012-428

Approve an Agreement with Joy McClure, LCSW, to Provide Counseling Services as an Independent Contractor for Mental Health Clients who Have Medicare And/Or Private Insurance in an Amount Not to Exceed of \$80,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA2. Human Services/Behavioral Health & Recovery Services RES-2012-429

Approve an Agreement with Orchid Interpreting, Inc. to Provide Translation/Interpretation Services for Mariposa County Behavioral Health in an Amount Not to Exceed of \$35,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA3. Human Services/Behavioral Health & Recovery Services RES-2012-430

Approve an Agreement with Mariposa Safe Families to Provide Parent Partner Program Services for Mariposa County Behavioral Health in an Amount Not to Exceed of \$43,650, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA4. Probation RES-2012-431

Approve an Agreement Between John C. Fremont Healthcare District and Mariposa County Probation Department for Routine Medical Screening of Detained Juveniles, and Authorize the Board of Supervisors Chair and the Chief Probation Officer to Sign the Agreement

CA5. Public Works (ID # 1677)

Adjust Ruth Sellers' Representation on the Airport Advisory Committee (AAC) from a Member in Category "C" (General Public) to Category "B" (Resides or Owns Property in the Airport Influence Area); Appoint Michael Austin to the Airport Advisory Committee Representing Category "C" with a Term Expiring on January 4, 2016

CA6. Administration/Economic Development (ID # 1679)

An Update on the Mariposa County Revolving Loan Program

CA7. Health RES-2012-432

Approve an Agreement with First 5 of Mariposa for the Health Department's Child Dental Health Program, and Authorize the Board of Supervisors Chair to Sign Agreement

CA8. Public Works RES-2012-433

Waive the Hiring Moratorium to Allow Public Works - Facilities Maintenance to Promote One Maintenance Worker I to a Maintenance Worker II, and Promote One Custodian to a Maintenance Worker I Effective Immediately; and Approve a Recruitment and Hiring of Two Custodian Positions

CA9. Health RES-2012-434

Approve a Grant Agreement with First 5 of Mariposa for the Health Department's Smart Start Nursing Program, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA10. Human Services/Fiscal RES-2012-435

Approve Budget Actions for Fiscal Year 2011-2012 in Various Human Services Budgets that Are Necessary to Close Out the Fiscal Year (\$263,689). 4/5ths Vote Required

CA11. Personnel/Risk Management RES-2012-436

Approve the Fourth Amendment to the Professional Services Agreement with Liebert Cassidy Whitmore to Amend the Not-To-Exceed Amount to \$250,000 and Authorize the Chairman of the Board of Supervisors to Sign the Amendment

CA12. Administration RES-2012-437

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

CA13. Administration RES-2012-438

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road

E. Minutes Approval

1. **Tuesday, August 14, 2012**

F. Departmental Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda

Dr. Mosher/Health Officer provided input on the recent media stories about the Hantavirus, and he noted the need to take precautions when dealing with areas where the deer mice have been and in cleaning up their dropping.

G. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda (Speakers Limited to Five Minutes)

Kathy McCorry, Mariposa County Chamber of Commerce Executive Director, advised that the new walking maps are available for

Coulterville and she thanked all of the volunteers who were involved in this project; and she advised that the Visitor Center in Coulterville was moved last Tuesday to the Hotel Jeffery and that there have been staffing changes. Supervisor Cann noted the meet and greet scheduled at the Hospital this evening, and Kathy extended an invitation for everyone to attend.

Eleanor Keuning advised that she attended the recycling presentation at a recent merchants meeting that was geared to the businesses, and she suggested that there be a presentation to the Board and to the general public. She referred to ongoing maintenance and cleaning issues with the Courthouse, and she stated she feels that there should be regular updates on what is happening with the Courthouse. She presented a newspaper article on "There is no California."

Rick Benson/County Administrative Officer, advised that Public Works is working on obtaining an inspection of the Courthouse and that a full report will be prepared for the Board, and he responded that there is about \$250,000 in a fund that can be used for Courthouse maintenance. Peter Rei/Public Works Director advised that they are reviewing the proposals they received from qualified historic building inspectors and they hope to be able to schedule a contract for the Board to approve in mid-September.

H. Board Information

Supervisor Allen commented on the suggestion of receiving regular updates on the Courthouse. He advised that he has been reviewing the proposed budget for FY 2012-13. He plans to attend the fire station meeting on Thursday, and he noted he invited the Building Director to attend this meeting to review what is needed to get a final on the Don Pedro station. He plans to meet with Supervisor Cann and the Human Services Director and John Lawless on Thursday relative to the DUI program in Mariposa.

Supervisor Stetson advised that he met with the Executive Director of the Arts Council on Wednesday; and then he met with Human Services. He noted the Midpines Planning Advisory Committee meeting has been cancelled for this evening. He plans to attend the fire station meeting on Thursday. He advised that he is rewriting the YARTS Advisory Committee's by-laws to reflect the change in the number of commissioners.

Supervisor Cann agreed with the public comment about getting regular updates on the Courthouse for the public, and he suggested that the updates be given monthly. He attended the RCRC (Regional Council of Rural Counties) meeting on Wednesday and he commented on the number of initiatives that are on the November ballot. Then he flew to Pennsylvania for a family wedding. He noted the IRWMP is meeting on Wednesday and Thursday, there will be presentations on various aspects of the process, and they were successful in obtaining a grant. He plans to meet with Congressman Tom McClintock on Wednesday in Granite Bay on the legislation that would allow

the Park Service to build a visitor center and expand administrative services in Mariposa. He plans to meet with the Executive Director of the Arts Council on Thursday, and then with the Human Services Director on the DUI program. He noted the Final Budget Hearing is scheduled for next week, with an opportunity for the public to provide input on Monday at 6:00 p.m.

Supervisor Turpin thanked the Chamber of Commerce for relocating the Visitor Center in Coulterville; and he noted the Coulterville Park has been busy and well used. He received several phone calls last week relative to various issues, including street lights, brush along the roads, and road improvements. As he crossed Bagby this morning, he noticed that the River is too low to launch boats. He referred to the crop report scheduled for today and he noted the importance of livestock and mining to the economy of this nation. He noted the importance of logging and that it is a renewal resource; that the materials that come from mining are being used on road projects such as the Highway 132 grind out/maintenance project. He referred to the report of problems with mountain lions attacking livestock in North County and noted the need for predator control. He advised that he looks forward to the Final Budget Hearing next week and he appreciates the work staff put into this. In closing, he stated he agrees with supporting tourism, but there are other parts of our economy that need to be remembered.

Supervisor Bibby advised that Public Works and the Health Department have been working to resolve the complaints relative to the odors at the landfill. She met with Supervisor Stetson and the Human Services on August 15th relative to providing clinician services. She attended the Calaveras-Mariposa Community Action Agency meeting on August 17th, and they discussed issues such as insufficient food, the inability of seniors to cover dental care and transportation concerns. She noted the Final Budget Hearing starts on Monday, and she asked the County Administrative Officer to provide an update. She plans to attend the Mother Lode Job Training meeting in Sonora on Monday. She plans to meet with County Fire on August 22nd relative to their budget, and she cautioned the public to be very careful due to the extreme fire danger. She plans to meet with the Executive Director of the Arts Council on August 22nd. She provided a reminder that school starts on Wednesday and for drivers to be cautious of the students, and for the students to be courteous to the drivers.

Rick Benson advised that the proposed Final Budget for FY 2012-13 is posted on the internet - www.mariposacounty.org.

I. Regular Agenda Items

1. Administration/Economic Development (ID # 1652)

Accept a Grant Award in the Amount of \$5,000 from Pacific Gas & Electric Company for the Repair/Upgrade of Lighting at the County's Tennis Court

Area, Senior Wood Delivery Program; Material for the Great River Clean-Up; And, Administrative Costs

Rick Benson advised of the correct breakdown of the grant funding for the projects: \$2,500/tennis court lighting, \$2,000 senior wood delivery program, \$100/Mariposa Creek Parkway cleanup, and \$400/administration.

Marilyn Lidyoff/Business Development Coordinator introduced Richard Dye/PG&E Public Relations representative. Board members thanked Mr. Dye and PG&E for the grant funds, for communication during power outages, and Supervisor Cann noted he has been working with PG&E on the lights in town.

(M)Cann, (S)Turpin, the grant funds were accepted/Ayes:
Unanimous.

2. Administration RES-2012-439**Appointment to the Office of the District Attorney Effective November 1, 2012**

Chair Bibby advised that after the agenda was published, a letter was received from Attorney Fagalde (supporting the appointment of Thomas "Tom" K. Cooke, and a letter was received from a prospective applicant (Kimberly "Kim" A. Fletcher). Rick Benson advised of Bob Brown/District Attorney's resignation effective November 1, 2012, and of Bob's recommendation for the appointment of Tom Cooke; of options for the Board to appoint or recruit; and he advised of the letter of interest in the appointment received from Kim Fletcher. Discussion was held. Steve Dahlem/County Counsel responded to questions relative to options for appointment and the General Election, and he advised of the registered voter requirement at the time of appointment. Discussion was held relative to options for proceeding, and the Board concurred with giving Mr. Cooke and Ms. Fletcher an opportunity to explain why they want the position and to provide information on their qualifications.

Tom Cooke advised that he has practiced criminal law for over 30-years and retired from the Merced County District Attorney's Office, and he reviewed his work history and community service, including involvement with the Rotary Club. He is pro-death penalty and second amendment rights, he is concerned with drug abuse - feels the District Attorney needs to be tough but fair and he supports the Drug Court program. He provided input on how he would deal with any potential conflict issues for cases he has dealt with as a defense attorney. He responded to questions from the Board relative to dealing with the conflict issues; relative to his personnel, AB 109, juvenile case, Brown Act and Grand Jury experience; and whether he plans to make any changes in the office.

Kim Fletcher expressed concern with this process, stating she does not feel that she has had the same opportunity as Mr. Cooke to apply for the appointment; and she asked the Board to continue this matter to allow her time to prepare and to get letters of support and for others to apply who may wish to. She expressed concern with the degree of conflict that Mr. Cooke may have with cases and with the possibility that the Attorney General's Office may charge the

County for cases it handles. She advised that she currently lives in Oakhurst but is prepared to become a resident of Mariposa County, and she advised of her work history and of her commitment to the District Attorney's Office where she has worked since 1995. She is a hard worker and supports law enforcement in taking cases to trial; and she is not political. She responded to questions from the Board relative to her personnel experience, relative to meeting residency and registered voter requirements, whether she would make any changes with AB 109 and any office changes, and relative to her juvenile case and budget experience.

The Board recessed at 11:04 a.m. and reconvened at 11:16 a.m. Chair Bibby advised that input from the public would be limited to five minutes each. Rick Benson advised of the requirements that this be a public process.

Input from the public was provided by the following:

Betty Williams stated Bob and Jo Ann Brown have been personal friends and she understands how much Bob cares who his successor will be. Since he has worked with both candidates for several years and recommending the appointment of Mr. Cooke, she supports that.

Ruth Sellers stated she is not acquainted with either of the applicants, but 90-percent of her work career was in management; and after listening to both, she feels that Mr. Cooke is qualified and strongly recommends his appointment. She does not feel that Ms. Fletcher is qualified as she is not a resident at this time. She feels that if Ms. Fletcher is passionate about wanting this position that she should prepare for the election.

Frank Dougherty, retired Merced County Superior Court Judge, reviewed his professional background. He advised that as District Attorney for Merced County, he hired both Bob Brown and Tom Cooke as Deputy District Attorneys in the 1980s. He feels that Mr. Cooke did an excellent job and was a great mentor.

Larry Morse, Merced County District Attorney, stated he has worked very closely with Tom Cooke since 1993, he is an experienced prosecutor, and he commented on his qualifications. He provided input on the conflict issues and his personal experiences as he comes from a family of lawyers; and he noted he has never been charged by the Attorney General's Office for handling a case. He has coordinated with neighboring counties when conflict cases arise, and he offered his assistance to Mariposa County. He responded to a question from the Board relative to the handling of conflict resolution in Merced County.

Tom Martin, retired Police Commander for Merced Police Department, stated he ranches in Mariposa County. He advised of his work with Tom Cooke and he supports his appointment.

Jim Baker, retired Lieutenant from Los Angeles Police Department, resident of Mariposa County, advised of his subsequent private investigator work with Bob Brown and Tom Cooke. He stated Mr. Cooke has integrity and he respects him.

Rob Carroll, Chief Deputy District Attorney in Merced, provided input on his family ties to Mariposa County. He commended Tom Cooke for his leadership skills and for his integrity, and he noted that he was President of the Attorneys Union in Merced, and he supports his appointment.

Marvin Wells provided input on his background in working with

attorneys as President of a large company, as a member of a city council and as a mayor. He advised that he worked with Bob Brown and Tom Cooke and he supports the appointment of Tom Cooke.

George Luczy, retired Los Angeles Police Officer, resident of Mariposa County, stated he is currently an independent firearms and explosives consultant. He advised of his work with Larry Morse and Judge Dougherty, and he advised that he has worked for and against Ms. Fletcher. He support the appointment of Tom Cooke based on his qualifications.

Bob Brown, Mariposa County District Attorney, provide input on his recommendation to appoint Tom Cooke to succeed him. He advised that they are not only friends, but they share the same philosophies. He advised of his research on the conflict issues, and he noted three other counties where the District Attorney previously served as a public defender. He noted the CHP Commander, the Sheriff, and Judge Walton were here to support the appointment of Mr. Cooke, but had to leave. He responded to a question from the Board as to why it is important not to wait to make a decision on the appointment.

Chair Bibby gave each of the candidates an opportunity to respond to the input.

Kim Fletcher stated she disagrees that the conflict issue is a small problem, and she provided further comment on this process.

Tom Cooke thanked everyone that appeared today to support him and who wrote letters of support. He provided additional input on the conflict issue.

Further discussion was held. Supervisor Bibby advised that she previously worked with Ms. Fletcher. Board members thanked both candidates.

(M)Allen, (S)Cann, Res. 12-439 was adopted appointing Thomas K. Cooke as Mariposa County District Attorney effective November 1, 2012/Ayes:
Unanimous.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

12:30 p.m. Recess

12:34 p.m. Reconvened

3. Agricultural Commissioner (ID # 1657)

Presentation of the 2011 Mariposa County Agricultural Crop & Livestock Report

Cathi Boze/Agricultural Commissioner presented the Report. Discussion was held.

4. *Items removed from Consent Agenda*

None

J. Items removed from Consent Agenda

12:45 p.m. Lunch

2:01 p.m. Reconvened

A. Personnel/Risk Management RES-2012-440

Authorize Filling and Recruitment of the Clerk of the Board Position; Correct the Title of the Position to Clerk of the Board; Adjust the Salary for the Position to Have Merit Steps and Set the Salary at \$46,160.23 - \$56,108.05 Annually and Designate the Position as Confidential and Overtime Exempt Effective Upon the New Appointment.

Rick Benson reviewed his recommendations, and discussion was held.

Action was taken to approve the recommendations, with the exception of designating the position as overtime exempt, effective upon the new appointment.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

K. Closed Session

1. Administration (ID # 1690)

CLOSED SESSION: Public Employee Employment Title or Position to be Filled: (Government Code Section 54957 (B) (1); Health Officer

The closed session was held at 2:40 p.m.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

L. 3:00 p.m. Report from Closed Session

Chair Bibby announced that information was received and direction was given to staff as a result of the closed session.

M. Continue Meeting

1. Administration (ID # 1638)

Continue the Meeting to Monday, August 27, 2012, at 6:00 P.M. for Public Input on the Final Budget

The Board recessed at 3:01 p.m. in memory of Jeanetta Wells and continued the meeting to Monday, August 27, 2012, at 6:00 p.m. for public input on the Final Budget for FY 2012-13.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

August 27, 2012

A. Call to Order on Monday at 6:03 PM

6:03 PM Continued Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	6:03 PM
Lyle Turpin	District II Supervisor	Present	6:03 PM
Janet Bibby	District III Supervisor	Present	6:03 PM
Kevin Cann	District IV Supervisor	Present	6:03 PM
Jim Allen	District V Supervisor	Present	6:03 PM

B. (Meeting Continued from August 21, 2012)

C. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our men and women serving in the military.

D. Public Portion

For Items within the Jurisdiction of the Board and not on Today's Agenda (Speakers Limited to Five Minutes) - none

E. Regular Agenda Items

1. Administration (ID # 1728)

PUBLIC HEARING to Receive Comments Regarding the Fiscal Year 2012-2013 Final Budget. NOTE: This Evening Session is Scheduled to Allow Members of the Public who Are Not Able to Attend Daytime Portions of the Hearings an Additional Opportunity to Comment on the Final Budget

Rick Benson/County Administrative Officer gave a brief staff report and advised that this is an opportunity for the public to provide input on the budget.

Input from the public was provided by the following:

Kat Vinzant expressed concern with the 2030 deadline for the hospital to rebuild to meet seismic safety requirements; and she stated she would like to see funding provided to help with this project.

Lester Bridges, past President of the Chamber of Commerce, used the Patriot's as an example of teamwork and noted that the Chamber does a lot of things for this community and supports the Tourism Bureau, and he listed some of their activities and events. He stated they would like to be able to replace the carpet at the Visitor Center/estimated cost of \$10,000, and requested that funding or service be provided for daily maintenance of the public restroom facilities at the Visitor Center/estimated cost of \$16,000.

Ruth Sellers stated she reviewed the budget and is concerned with the \$500,000 earmarked for tourism - she feels it should be applied to economic development, but not used to support the large business owners. She feels there should be something to bring businesses in to the County and to partner with UC Merced. She feels the BID tax should cover the tourism. She expressed concern with the large percentage of funds expended on public assistance and asked if anyone ever tries to come up with a solution. She feels that public protection is important and that more consideration should be given to providing better pay and circumstances.

Kris Casto thanked the Board for holding this evening meeting, and noted that she is present to learn. She asked about the percentage of reserve funds and whether they are sufficient. Rick Benson responded and advised that a reserve fund has been maintained in excess of two million dollars. Kris Casto stated she supports the Chamber of Commerce trying to increase the sales tax revenue. She referred to the funding for the Tourism Bureau and asked if there is a way to reserve a percentage of the funds to support events and ways to bring people to the whole County. She noted that she feels that the budget reflects the County's priorities.

Kathy McCorry, Executive Director of the Mariposa County Chamber of Commerce, echoed Lester's comments relative to the Visitor Centers and the needs, and she supports the efforts for restoration of the Courthouse.

Rick Benson referred to the request for daily maintenance of the public restroom facilities at the Visitor Center, and he advised of the previous agreement and commitment by the County. He referred to the pie charts showing the allocation of revenues and discretionary funds. He thanked and commended the department heads for their hard work and cooperation

with the budget process; and he especially thanked Mary Hodson/Deputy County Administrative Officer for her work. Supervisor Allen referred to the pie charts and what is included in the allocations, such as LAFCo and Planning in public protection. Supervisor Cann referred to the input about funding for local events, and he commented on the County's previous commitment to clean the public restrooms at the Visitor Center three times a week.

Ken Boche, stated he has the Yosemite Close Up Tours business at the Visitor Center, referred to his passion for the Park and his background. He stated he wants to see the County give the people who come here the best possible services and experience. He feels the Visitor Center is important as it creates the first impression and is a key to the Yosemite experience.

The final budget hearing was continued to August 28, 2012, at 9:00 a.m.

F. Adjourn

The meeting was adjourned at 6:40 p.m.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

August 28, 2012

A. Call to Order and Roll Call

9:01 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:01 AM
Lyle Turpin	District II Supervisor	Present	9:01 AM
Janet Bibby	District III Supervisor	Present	9:01 AM
Kevin Cann	District IV Supervisor	Present	9:01 AM
Jim Allen	District V Supervisor	Present	9:01 AM

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance in memory of Amber Thorson, Chris Jones, and Neil Armstrong.

C. Introductions

None

D. Approval of Consent Agenda (Items designated by "CA")

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

All items were approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-441

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road

CA2. Administration RES-2012-442

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

E. Minutes Approval

1. **Tuesday, August 21, 2012**

F. Departmental Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda

Dr. Mosher/Health Officer provided an update on the Hantavirus contracted by people who stayed in the Signature Tent Cabins in Curry Village in Yosemite; the CDC is now involved and notification is being made to those who stayed in the tent cabins. He again urged caution in handling mouse dropping, and he advised that the onset time for exposure to symptoms is one to two weeks and as long as six weeks.

G. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda (Speakers Limited to Five Minutes)

Eleanor Keuning referred to the status report on the Hantavirus and asked whether precautions are being taken for the staff in cleaning the tent cabins. Dr. Mosher advised of recommendations to use Lysol or a strong chloride bleach solution and he noted that information is available on their website: <http://www.mariposacounty.org/index.aspx?nid=237>.

Eleanor Keuning provided input on the Labor Day parade and advised that the Mariposa Symphony Orchestra is playing at the Fair.

H. Board Information

Supervisor Stetson noted that the budget hearing is scheduled, and that he has nothing to report.

Supervisor Cann advised that he attended the two IRWMP

(Integrated Regional Water Management Plan) meetings last week. He met with Congressman Tom McClintock and his staff last Wednesday in Granite Bay relative to the legislation that would allow the Park Service to acquire land in Mariposa for visitor services and administration. He met with the Executive Director of the Arts Council on Thursday, and he noted that she has also met with the other Board members. He attended other meetings in the course of business; noted the Labor Day Parade and Fair events this weekend, and that he is parking cars for Rotary at the Fair.

Supervisor Turpin advised that he had several telephone calls relative to County business. He saw the County's brushing crew headed to North County this morning and he thanked the Road crews for their work. He noted the Merced River is very low at Bagby. He expressed concern with the BSA (begin sensitive area) and ESA (end sensitive area) signs that CalTrans is installing as they are not able to put any materials on the shoulders of the highways where they are working due to changes in environmental regulations. He noted that he passed loads of cedar and fir logs headed to the mill this morning. He encouraged everyone to attend and support the Fair.

Supervisor Allen advised that he and Supervisor Stetson attended the fire station meeting last week, and he commented on the status of the Don Pedro, Midpines, Fish Camp and Bridgeport stations. He met with the Human Services Director relative to the DUI program; and he met with Cara Goger/Arts Council Executive Director.

Supervisor Bibby advised that she attended a meeting with County Fire on August 22nd relative to expenses and volunteers. She thanked Cara Goger for meeting with her and for the tour of their new office location. She wished everyone a wonderful and safe Fair.

I. Regular Agenda Items

2. Administration (ID # 1729)

PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2012-2013 (A Tentative Budget Hearing Schedule is Available at the County Administration Office and at [www.Mariposacounty.Org](http://www.mariposacounty.org) and is Subject to Change.)

Bill Davis/Auditor and Mary Hodson/Deputy County Administrative Officer were present to respond to questions and to track the budget changes. Rick Benson/County Administrative Officer presented the staff report with an overview of the budget; advised that the budget was developed utilizing an estimated fund balance of 2.1 million dollars; and he advised that for the first time the entire budget is available on the internet - <http://www.mariposacounty.org/index.aspx?NID=7>. Bill Davis provided input and he noted that they have until August 31st to post revenues that are received for FY 2011-12, and that there is in excess of \$350,000 that

departments still have outstanding, so they are showing a fund balance of \$1,965,633 at this time. Rick Benson advised that when the proposed budget was prepared it was assumed that a new agreement would be in place with MCMCO that included employee participation in the retirement plan - since the agreement was subsequently not approved, the payroll projections for department heads and non-safety management level employees will be corrected for printing of the final budget; advised that a list of unmet needs is included and that he feels the replacement of the County's financial system is the highest priority. Chair Bibby noted that items scheduled for Thursday may be taken on Wednesday depending on how the hearing progresses and that final adoption will occur on September 4th.

Chair Bibby called for public input and none was received.

Rick Benson provided a budget overview for each of the following budget units:

County Administrative Officer:

General Purpose Revenue - Discussion was held relative to the transient occupancy tax (TOT) revenues. Bill Davis advised that the actual TOT and sales tax revenues were incorporated into the fund balance. The Board concurred with this budget unit and with adding \$35,000 for Medicare Part D Subsidy to anticipated revenue.

Administration, Assessment Appeals, and Personnel - The Board concurred with these budget units.

Economic Development - Discussion was held. The Board concurred with this budget unit and with increasing revenues and appropriation by \$2,000 to recognize the PG&E grant, and with placing the Townsend agreement under this budget unit (vs. Board of Supervisors); and direction was given for a report to be provided to the Board of the revenues that are received.

Indigent Defense - Discussion was held and the Board concurred with this budget unit.

Economic Development Strategy, Microenterprise Assistance Grant and Microenterprise Assistance Loan - The Board concurred with these budget units.

Board of Supervisors:

Board of Supervisors - Discussion was held. The Board concurred with this budget unit as revised with adding \$10,000 to fund the Townsend agreement an additional two months and with moving the Townsend agreement to the Economic Development budget unit.

Fish and Game, Forest Reserve HR2389, and Tobacco Settlement - The Board concurred with these budget units.

County Counsel:

County Counsel - Steve Dahlem/County Counsel was present. The Board concurred with this budget unit.

Auditor:

Audits, Auditor, Government Center, and Debt Assessment CSA #3 - The Board concurred with these budget units, including the revision to the Auditor budget unit to reflect funding/\$1190 for the change that was previously approved in Account Clerk III to Account Technician I/II.

Assessor/Recorder:

Assessor/Recorder, Recorders Modernization, Recorders Cash Difference, Micro Conversion, Vital/Health Recorder, and Social Security Truncation - Brent Joseph/Assistant Assessor was present. The Board concurred with these budget units.

10:43 a.m. Recess

10:53 a.m. The Board reconvened.

Chair Bibby noted that a separate Board item will be scheduled in the future relative to CSA #3 and funding.

Technical Services Director:

Technical Services - Rick Benson advised of the department's request for a fixed asset purchase for a new AS400 system and backup equipment; and he advised of a change in the recommended budget to approve the addition of one Information Systems Specialist position and to delete one PC Technician position/\$15,825, effective September 1, 2012. Discussion was held with Rick Peresan/Technical Services Director. The Board concurred with this budget unit as revised with the recommended change in staffing.

Agricultural Commissioner:

Agricultural Commissioner - Discussion was held with Cathi Boze/Agricultural Commissioner. The Board concurred with this budget unit.

Farm Advisor:

Cooperative Extension - Discussion was held with Maxwell Norton/Interim Farm Advisor. The Board concurred with this budget unit.

County Librarian:

Library, and Library Private Donation - Discussion was held with Janet Chase-Williams/Librarian. The Board concurred with this budget unit.

Community Services Director:

Veterans' Services, Senior Services, Senior Nutrition, and Transit - Discussion was held with Terri Peresan/Community Services Director. The Board concurred with these budget units, and with the revision in Senior Nutrition budget unit for the restaurant voucher program/\$2,664.

J. Items removed from Consent Agenda

none

K. 11:34 AM Lunch**L. 1:30 PM Reconvene**

Administration (ID # 1729)

PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2012-2013 (A Tentative Budget Hearing Schedule is Available at the County Administration Office and at www.Mariposacounty.org and is Subject to Change.)

The Board continued with the final budget hearing. There was no public input.

Treasurer - Tax Collector:

Treasurer - Tax Collector, County Clerk, and Elections - Discussion was held with Keith Williams/Treasurer-Tax Collector-County Clerk. Direction was given for personnel to review the Deputy Treasurer/Public Administrator title and to adjust as necessary.

Yosemite West Bond Administration, Cash Difference - Tax Collector, Lake Don Pedro Bond Administration, Tax Collectors Cost, Vital/Health Clerk, Mariposa Parking Bond, Yosemite West Bond, Yosemite West Bond 2004, Yosemite West WWTP Reserve, Lake Don Pedro WWTP Bond, and Lake Don Pedro WWTP Reserve - The Board concurred with these budget units.

Child Support Services Director:

Child Support Services and Child Support Advance - The Board concurred with these budget units.

Health Officer:

Health/Air Pollution - Discussion was held with Dr. Mosher/Health Officer. The Board concurred with this budget unit.

Emergency Medical Services, Tobacco Cessation, Realignment Health, Public Health Emergency Program, Local Enforcement Agency, First Five Visiting Public Health Nurse, West Nile Virus, HRSA Bio-Terrorism, Pacific Bell Settlement, CUPA Programs, PHER Phase I, II, Pandemic Influenza - State, CDC PHEP Phase III, and CUPA-UST - Discussion was held with Dr. Mosher. The Board concurred with these budget units.

Human Services Director:

Behavioral Health, Alcohol and Drug, Social Services, Social Service Programs, Human Services Administration, and Employment & Community Services - Discussion was held with Jim Rydingsword/Human Services Director and Cindy Larca/Fiscal Officer. Supervisor Bibby asked about the status of the lease of the building, and staff advised that a lease amendment will be coming to the Board with final budget adjustments at the end of September. Bill Davis stated he would like an opportunity to see what the plan is on this before final action is taken on the inter-transfer of funds. The Board concurred with these budget units.

Family Preservation, Housing Development, Housing Authority Voucher, Energy Grant, Community Programs - CAA, TANF Incentives, Individual Education Plan, Youth Council, Incentives Social Services, Assistance Advance, Children's Trust, Drug & Alcohol Prevention, Welfare Trust, Alcohol Program, and Medi-Cal County Bounty - The Board concurred with these budget units.

Realignment - Mental Health, and Realignment - Social Services - Discussion was held with Jim Rydingsword. The Board concurred with these budget units.

Mental Health Services Act - Discussion was held with Jim Rydingsword. The Board concurred with this budget unit.

In-Home Supportive Services Public Authority - Discussion was held with Jim Rydingsword, and he advised of discussion of transferring this function from the counties to the State. The Board concurred with this budget unit.

Wraparound - Discussion was held with Jim Rydingsword. The Board concurred with this budget unit.

2011 Realignment - Discussion was held with Jim Rydingsword. The Board concurred with this budget unit.

The final budget hearing was continued to Wednesday, August 29, 2012, at 9:00 a.m.

2:49 PM Recess

3:04 PM Reconvened

M. 3:04 PM Closed Session

1. **County Counsel (ID # 1733)**

Closed Session, Public Employee Discipline/Dismissal/Release

The closed session was held at 3:05 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, Janet Bibby

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

6:34 PM Report from Closed Session

Chair Bibby announced that no action was taken as a result of the closed session.

N. Continue Meeting

1. **Administration (ID # 1639)**

Continue the Meeting and the Hearing to Wednesday/August 29, 2012, and to Thursday/August 30, 2012, and the Hearing to Tuesday/September 4, 2012, as Necessary at 9:00 A.M. for the Final Budget Hearing

The Board recessed at 6:35 p.m. in memory of Chris Jones and Amber Thorson and continued the meeting to Wednesday, August 29, 2012 at 9:00 a.m.

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board

JANET BIBBY

Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
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LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

August 29, 2012

A. Call to Order on Wednesday at 9:02 AM

9:02 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:02 AM
Lyle Turpin	District II Supervisor	Present	9:02 AM
Janet Bibby	District III Supervisor	Present	9:02 AM
Kevin Cann	District IV Supervisor	Present	9:02 AM
Jim Allen	District V Supervisor	Present	9:02 AM

B. (Meeting Continued from August 28, 2012)

C. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our men and women in the military.

D. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda (Speakers Limited to Five Minutes) - none

E. Regular Agenda Items

1. Administration (ID # 1730)

PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2012-2013 (A Tentative Budget Hearing Schedule is Available at the County Administration Office and at [Www.Mariposacounty.Org](http://www.mariposacounty.org) and is Subject to Change.)

The Board continued with the final budget hearing from

August 28, 2012. Bill Davis/Auditor and Mary Hodson/Deputy County Administrative Officer were present to respond to questions and to track the budget changes.

Chair Bibby called for public input and the following input was received:

Ron Loya/Historic Sites and Records Preservation

Commission member advised of and presented a written request for funding for updating the Mariposa County Historical and Cultural Resources Inventory. He responded to questions from the Board relative to the request.

Rick Benson responded to a question from the Board relative to handling new budget requests, and he suggested that the request from the Commission be added to the list for further consideration with the Community/Cultural Services budget. Mary Hodson clarified the requirement that request(s) must be submitted in writing to the Clerk of the Board before they are considered.

Rick Benson/County Administrative Officer provided a budget overview for each of the following budget units:

Planning Director:

Planning - Rick Benson advised of the request and of his support for transferring funds from salary savings for the Deputy Planning Director to Extra Help; and he advised of the request for a position for active countywide code enforcement. Discussion was held with Sarah Williams/Planning Director relative to the code enforcement function, status of funding for Title 17 update, and relative to the status of the Midpines Community Plan. The Board concurred with this budget unit as revised to include adding \$40,000 to the existing \$20,000 for the code enforcement function - details of the function to be worked out and a proposal to be brought back to the Board, and with transferring salary savings from the Deputy Planning Director to Extra Help/\$20,000.

SDA Camp EIR, South Shore Ranches LLC EIR, Yosemite Cascades EIR, Silvertip Resort EIR, Vallecito Specific Plan EIR, Microform, Local Agency Formation Commission (LAFCo), and Mariposa Aggregate -

Discussion was held relative the LAFCo budget. Bill Davis advised that a small negative fund balance has been carried over in anticipation that the revenue will increase; if that doesn't happen, it may reach the point where the County will have to cover the shortfall. Sarah Williams advised that staff is working on reviewing the accounts for the separate budget units to determine whether they need to continue in the budget. The Board concurred with these budget units.

Building Director:

Building - Mike Kinslow/Building Director was present for discussion relative to the status of the budget and contributions from the General Fund. Bill Davis advised of the accumulated negative fund balance and that with no indication of the economy getting much better to be able to repay this debt, he feels that the General Fund contribution that is provided on an annual basis will need to be written off. He recommended that the oldest year be written off this year and continue with the oldest year each succeeding year until the loan is at a zero balance. He provided further input on the previous General Fund contribution to the Solid Waste budget and options for handling that. Rick Benson suggested that these issues be included for consideration in the whole budget process next year. Discussion was held. Mike Kinslow provided input on his support for the code compliance officer function. The Board concurred with this budget unit.

Presiding Superior Court Judge:

Grand Jury and Law Library - Discussion was held, and it was noted that there is no General Fund contribution to the Law Library budget this fiscal year and that the extra help funding was moved to office expense to cover the cost of storage boxes for the historic books that are being moved to the History Center vault. The Board concurred with these budget units including the revision on the Law Library budget by transferring the extra help funding to office expense/\$1,000.

10:35 a.m. Recess

10:49 a.m. The Board reconvened.

District Attorney:

Vertical Prosecution Grants, District Attorney - Prosecution, Drug Enforcement Grant, Victim Witness, District Attorney Asset Forfeiture, Department of Justice, Sund-Pellosso Advance, and State Parole - Section 30027 - It was noted that the State Parole - Section 30027 is a new budget unit to account for funding included in the 2011 Realignment. The Board concurred with these budget units.

Sheriff-Coroner-Public Administrator:

Sheriff-Coroner-Public Administrator and Jail - Discussion was held with Doug Binnewies/Sheriff-Coroner-Public Administrator and he advised that he feels that the Proposition 172 sales tax revenue will be higher than anticipated; and he presented a request to fund a catastrophic inmate

medical insurance policy. The Board concurred with these budget units as revised and with increasing sales tax revenue and appropriation by \$80,000 and by funding the catastrophic inmate medical insurance policy/\$30,000.

Boating Safety - The Board concurred with this budget unit.

Asset Forfeiture, Sheriff Asset Forfeiture, SLESF, Rural County Crime Prevention, DNA Identification, County Inmate Welfare, Fingerprint ID, Animal Control, Public Administrator, Criminalistics Lab, Standards & Training Corrections Program, Automated Warrant System, Civil Matters, Sheriff - Civil GC26746, CalMMET, Drug Enforcement

Agency (DEA) Grant, and Bailiff - Court Security - It was noted that the CalMMET is a new budget unit to account for grant funding of the California Multijurisdictional Methamphetamine Enforcement Team; and that the DEA Grant and Bailiff-Court Security are being accounted for in separate budget units. The Board concurred with these budget units.

Chief Probation Officer:

Juvenile Detention and Probation - Discussion was held with Pete Judy/Chief Probation Officer relative to funding and staffing and maintenance needs. The Board concurred with this budget unit.

ADAPT Program, Juvenile Justice Crime Prevention Act, Domestic Violence, Probation - Drug Program, Revenue & Recovery, and Youthful Offender - The Board concurred with these budget units.

Community Corrections - It was noted that this budget unit was established to account for funding provided in conjunction with AB 109, and discussion was held with Pete Judy. The Board concurred with this budget unit.

Community Corrections - SB 678 - Pete Judy commended his officers assigned to adult supervision for going from a seven to a three percent failure rate last year; he thanked the District Attorney for his cooperation with these programs; and he thanked his staff for the successful revenue and recovery function. The Board concurred with this budget unit.

County Fire Chief:

Fire - Discussion was held with Jim Wilson/Fire Chief. The Board concurred with this budget unit.

Fire - Special Grants, Fire - SAFER Grant, and Disaster Recovery - Discussion was held with Jim Wilson relative to the status of the funding for the SAFER grant, and the request for maintaining the stipend for the volunteers. Discussion was held relative to the status of payment by the US Forest Service for federal responsibility fires for structure protection. Supervisor Cann advised that he will discuss this issue with RCRC.

F. 12:14 PM Lunch**G. 1:32 PM Reconvene**

Administration (ID # 1730)

PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2012-2013 (A Tentative Budget Hearing Schedule is Available at the County Administration Office and at www.mariposacounty.org and is Subject to Change.)

The Board continued with the final budget hearing. There was no public input.

Public Works Director:

Discussion was held with Peter Rei/Public Works Director and he advised of adjustments between the budget units for the Department, but that the net County cost is zero.

Facilities Maintenance - Discussion was held with Peter Rei, and the list of unmet needs was noted. The Board concurred with this budget unit as revised to include the funding/\$400 previously approved for the change of the Maintenance Shop Worker to the Senior Office Assistant.

Surveyor & Engineering - It was noted that this is a new budget unit, that this function was previously included in the Road budget. The Board concurred with this budget unit.

Public Works Administration - The Board concurred with this budget unit.

Regional Transit Services - The Board concurred with this budget unit.

Parks & Recreation - The Board concurred with this budget unit.

Local Transportation, State Transit Assistance and Transportation Planning - Discussion was held with Peter Rei, and he advised of possibly asking for staffing for transportation planner duties in the future. The Board concurred with these budget units.

Pedestrian Bikeway - The Board concurred with this budget unit.

Roads - Discussion was held with Peter Rei. The Board concurred with this budget unit.

Roads - Special Projects - The Board concurred with this budget unit.

County Service Area #3 and Lake Don Pedro Fire District - Bill Davis advised of an issue he has with the CSA #3 budget and funding for fire trucks and maintenance of the existing fire stations versus construction for the new stations; and he advised that an item will be brought to the Board. The Board concurred with these budget units.

Water Agency - Bill Davis referred to a large loan to MPUD that has been on the books, and stated he feels that it needs to be reviewed and addressed over the next year as it is significantly overstating the assets of the Water Agency. The Board concurred with this budget unit.

Coulterville Lighting, Coulterville Service Area, Don Pedro Service Area 1M, Don Pedro Sewer, Hornitos Lighting, Mariposa Lighting, Mariposa Parking, Mariposa Pines Sewer, Wawona Service Area, and Yosemite West Maintenance - The Board concurred with these budget units.

Hazardous Material Clean Up - Discussion was held with Peter Rei and he advised that the Public Works yard clean-up is nearing completion. The Board concurred with this budget unit.

Energy Efficiency Grant - Peter Rei advised that this project is nearing completion. The Board concurred with this budget unit.

Capital Improvement Projects - Rick Benson noted that the budget includes remodel work at the Courthouse and the fire stations. Discussion was held with Peter Rei and Mike Pardi/PWD-Administrative Analyst relative to the status of the infrastructure in Yosemite West. Supervisor Bibby asked for a report on the status of the EDU (equivalent dwelling unit) availability and fees. The Board concurred with this budget unit.

Solid Waste & Recycling - It was noted that there is no General Fund contribution being requested for this budget unit this fiscal year, and Rick Benson referred to previous discussion relative to dealing with the General Fund contributions that are on the books. Peter Rei commended Greg Ollivier/Solid Waste and Recycling Manager for his work. Supervisor Bibby asked for information on the estimate of the life of the landfill. Greg Ollivier responded to a question from the Board relative to the status of hauling from the transfer stations - the County will begin self-hauling after October. The Board concurred with this budget unit.

Airport Operations - Following discussion, the Board concurred with this budget unit.

Airport Project DTFA08, Airport Planning Grant, Special Aviation, Parallel Taxiway, and Airport Slurry Seal - The Board concurred with these budget units.

Fleet Maintenance - The Board concurred with this budget unit.

Fire Vehicle Replacement - Discussion was held. The Board concurred with this budget unit.

Vehicle/Heavy Equipment Replacement - The Board concurred with this budget unit.

Rick Benson recommended that the Board take a recess and reconvene at 3:00 p.m. to consider the budget units that were scheduled for Thursday.

2:40 p.m. Recess

3:10 p.m. The Board reconvened.

Input from the public was provided by the following:

Susan Bramson, President of the Board of Directors for the Northern Mariposa County History Center, referred to the letter she submitted requesting an increase in funding to \$10,400 to help cover the increased utility costs. She provided information on cost saving measures the History Center has implemented and on their activities. Discussion was held.

Terry Selk, Executive Director of the Yosemite/Mariposa County Tourism Bureau thanked the Board for its support of the Tourism Bureau, and he shared information on this year's allocation of funds. Discussion was held.

County Administrative Officer:

Community/Cultural Services (Tourism) - Rick Benson advised of a recommended adjustment to add \$43 for the Fair Parade based on the actual invoice; and the Board concurred with this adjustment. Rick Benson responded to questions from the Board and advised that nothing was received in writing from the Chamber of Commerce on their request for additional funding for carpet replacement, and he advised of the previous agreement for the County to clean the public restrooms at the Mariposa Visitor Center three times a week. Supervisor Cann presented a request for funding/\$20,000 for way-finding signs starting with the town of Mariposa, and he advised of work with PG&E to replace the light poles with gas lamp lights similar to those at the Government Center. Peter Rei responded to a question from the Board relative to the possible use of TEA funds. Further discussion was held on this budget unit after the following item.

PWD-Facilities Maintenance (Continued) -

Supervisor Bibby referred to the unmet facilities needs list and asked that the HVAC system for the District Attorney's Department be addressed as a safety issue. Peter Rei responded to questions relative to their review of this request, and he advised that the updated estimate for replacement of the HVAC system is \$17,000. The Board concurred with further considering funding for replacement of the HVAC system.

Community/Cultural Services (Tourism) (Continued) - Discussion was held relative to the funding request from the Northern Mariposa

County History Center, and the request from Ron Loya for updating the historical sites inventory. Supervisor Cann suggested that more information should be provided on the request for updating the historical sites inventory and that further consideration could be given at mid-year. Discussion was held relative to the status of balancing the budget. The Board concurred with further considering funding for the way-finding signs/\$20,000, Northern Mariposa County History Center/\$1,800, and with reducing the General Contingency to balance the budget.

Interfund Transfers - The Board concurred with this budget unit as revised to include the Senior Nutrition/Restaurant Voucher transfer/\$2,664.

Risk Management - Following discussion, the Board concurred with this budget unit.

Contingency - General - Discussion was held. The Board concurred with this budget unit as revised to balance the budget.

The Board recessed for staff to prepare a list of the budget adjustments that were concurred with for further review.

4:08 p.m. Recess

4:18 p.m. The Board reconvened.

Rick Benson advised that following adoption of the final budget at the end of the hearing today that any changes beyond that time will require a 4/5ths vote.

The Board reviewed the list of budget adjustments that were considered during the hearing. Supervisor Bibby asked for assurance that work will be done on the Courthouse. Supervisor Turpin clarified administration and tracking costs for the Townsend agreement with moving the funding to Economic Development. Supervisor Cann advised that he will come back to the Board on the way-finding signs before funds are spent. The Board concurred with increasing the total funding to the Northern Mariposa County History Center to \$7,000. Bill Davis noted that the budget adjustments for the anticipated agreement with MCMCO are still included in the budget, and that there will be a net gain when those costs are removed. Rick Benson provided a quick estimate of \$30,000 to \$40,000 that will go to the General Fund. The Board concurred with reducing General Contingency by \$23,922 to balance the budget.

4:32 p.m. Recess

4:36 p.m. The Board reconvened.

A list of the final budget adjustments that were discussed during the hearing was distributed, and the Board concurred with the list. Chair Bibby noted that the formal resolution adopting the final budget will be scheduled for September 4, 2012.

(M)Stetson, (S)Allen, the final budget was approved, including the revisions that were agreed to, with direction that the formal resolution be scheduled for September 4, 2012, for adoption/Ayes: Unanimous. The hearing was closed.

H. Continue Meeting

1. Administration (ID # 1739)

Continue the Meeting and the Hearing to Thursday/August 30, 2012, and the Hearing to Tuesday/September 4, 2012, as Necessary at 9:00 A.M. for the Final Budget Hearing

Since the final budget hearing was concluded, the August 30, 2012, meeting was not held.

The Board adjourned at 4:39 p.m.

Respectfully submitted,

MARGIE WILLIAMS

JANET BIBBY

Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

September 4, 2012

A. Call to Order and Roll Call

9:00 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:00 AM
Lyle Turpin	District II Supervisor	Present	9:00 AM
Janet Bibby	District III Supervisor	Present	9:00 AM
Kevin Cann	District IV Supervisor	Present	9:00 AM
Jim Allen	District V Supervisor	Present	9:00 AM

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our men and women serving in the military and for their families.

C. Introductions

none

D. Approval of Consent Agenda (Items designated by "CA")

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

Input from the public was provided by the following:

Merlin Jones, Supervisor-elect, thanked Rick Benson, Mary Hodson, the Board and the department heads for the time spent in putting together the budget.

Supervisor Stetson referred to item 1 and advised that he had several phone calls with the US Forest Service and CalTrans relative to the alternatives and environmental review status.

Supervisor Turpin referred to items 5, 6, and 8 and asked about the timeframes and costs; and Peter Rei/Public Works Director responded. Steve Dahlem/County Counsel suggested that authorization be given for the Public Works Director to sign the contract amendments for items 6 and 8 with the change to extend the term of the agreements to April 1, 2012, subject to County Counsel review.

Supervisor Cann referred to item 13 and asked for clarification of the take home vehicle assignment for Court security; and Doug Binnewies/Sheriff responded.

All items were approved, including the revision to the term of the agreements for items 6 and 8.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-443

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

CA2. Administration RES-2012-444

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road

CA3. Human Services/Behavioral Health & Recovery Services RES-2012-445

Authorize the Human Services Department to Fill a Vacant Mental Health Assistant I 50% Permanent Part-Time Position in the Behavioral Health and Recovery Services Budget on a Limited Term Basis Effective Immediately

CA4. Fire RES-2012-446

Authorize the Fire Chief to Apply for the 2012 Homeland Security Grant Program on Behalf of County Health, Fire and Sheriff Departments; and Authorize the Fire Chief to Sign the Security Grant Application

CA5. Public Works RES-2012-447

Approve the Second Amendment with Swift Lee Offices, Inc. Extending the Term of the Agreement to June 30, 2013, to Provide Additional Design and Engineering Services for the Bridgeport Fire Station; and Authorize the Public Works Director to Sign the Amendment

CA6. Public Works RES-2012-448

Approve the Third Amendment with Keith and Associates Extending the Term of the Agreement to June 30, 2013, to Provide Additional Design and Engineering Services for the Midpines Fire Station; and Authorize the Public Works Director to Sign the Amendment

CA7. Human Services RES-2012-449

Approve an Agreement with the County of Merced to Provide Inpatient Psychiatric Services to Mariposa County Behavioral Health in an Amount Not to Exceed of \$25,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA8. Public Works RES-2012-450

Approve the Second Amendment with Keith and Associates Extending the Term of the Agreement to June 30, 2013, to Provide Design and Engineering Services for the Fish Camp Fire Station; and Authorize the Public Works Director to Sign the Amendment

CA9. Human Services/Behavioral Health & Recovery Services RES-2012-451

Approve a Memorandum of Understanding (MOU) with Kings View Community Services to Provide Driving Under the Influence (DUI) Services for Mariposa County Residents, and Authorize the County Administrative Officer to Sign the MOU; Approve the Lay-Off of One Senior Alcohol and Drug Specialist from Behavioral Health Effective September 30, 2012

CA10. Administration RES-2012-452

Adopt a Resolution Supporting Additional Federal Judgeships to the Eastern District of California, Fresno Division

CA11. Administration RES-2012-453

Approve a Resolution Adopting the 2012-2013 Fiscal Year Budget and Authorizing Certain Actions in Order to Implement the Fiscal Year 2012-2013 Budget

CA12. Fire RES-2012-454

Authorize the Fire Chief to Sign for and Accept the 2012 Emergency Management Performance Grant (EMPG) through Cal EMA

CA13. Administration RES-2012-455

Approve the Assignment of County Vehicles and Take-Home Vehicles

CA14. Human Services RES-2012-456

Approve an Agreement with Capacity Consulting for Research of Grant Opportunities and Special Projects as Directed by the Human Services Department, and Authorize the Board of Supervisors Chair to Sign the Agreement

E. Presentations

1. Administration/Economic Development (ID # 1700)

Proclaim September 15, 2012, as the "Great Sierra River Cleanup"

Julie Bear/Mt. Whitney Area Manager and Autumn Hutchings/Administrative Technician of the Sierra Nevada Conservancy were present to receive the Proclamation and they invited everyone to the two clean-up events - Merced River and Mariposa Creek. Julie Bear extended an invitation to the Sierra Nevada Board meeting, reception and tour on Wednesday and Thursday.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Minutes Approval

1. Monday, August 27, 2012

G. Departmental Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda

Jim Wilson/Fire Chief, on behalf of the organizing Committee, invited the Board members and the public to attend the dedication of the 9-11 memorial on September 11th at 6:00 p.m. at the Mariposa Art Park; and he noted that over eighty people from the community were involved in this project.

Doug Binnewies/Sheriff gave a briefing from the public safety perspective of the holiday weekend activities, and he noted that of the 19 arrests, that only three were related to fair activities. He thanked their public safety partners and support groups.

Peter Rei/Public Works Director provided a status report on the following construction projects: Ben Hur Road slide, East Whitlock paving, phase I of the Mt. Bullion Cut-off Road project, Don Pedro Fire Station, Midpines Fire Station, and the Fish Camp Fire Station. Discussion was held.

H. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda
(Speakers Limited to Five Minutes)

Eleanor Keuning expressed concern with conflicting information on the shuttle bus schedule for the fair; and she noted the need to fix the clock at the Courthouse.

Merlin Jones, Supervisor-elect, noted that about five weeks ago the children in Greeley Hill did not have a school; and he thanked Public Works, Fire, Planning, Building, Health, and the volunteers for getting the building done for the students. He commended the Fair Board for the security and cleanliness of the fair.

Jessica Gauthier advised of a community project she was involved with to support the businesses and the church that lost their facilities in the May fire in town. She read a poem she wrote and advised that she had the community sign in their support of those businesses, and that banners were prepared and presented to the businesses.

I. Board Information

Supervisor Allen advised that he attended the final budget hearing last week, and he thanked staff and the department heads. He noted the Fair was a great event - it is a home-coming; and he commended the Sheriff, volunteers, SCOPE and SAR for their services. He attended the annual BBQ for the Fish Camp Fire Station on Sunday. He plans to attend the Area 12 Aging on Agency meeting in Sonora on Thursday, and to be back for the continued Board meeting in the afternoon. He plans to attend the Community Corrections Partnership - AB 109 committee meeting on Friday. He referred to the Mt. Bullion Cutoff Road project and noted that he hopes that the people do not drive faster.

Supervisor Stetson advised that he met with the Friends of the Bear Creek Trail Committee on Thursday. He plans to attend the Sierra Nevada Conservancy meeting and events on Wednesday and Thursday as a Director; and the Board meeting on Thursday afternoon for interviews for the Health Officer position. He plans to attend the 9-11 memorial dedication event next Tuesday, and the El Portal Planning Advisory Committee is meeting.

Supervisor Cann echoed the comments on the final budget hearing and noted the importance of tourism; he referred to the work with Townsend, and RCRC's discussion on pending legislation. He plans to attend the Business Association meeting on Thursday, commented on the rebuilding of the Pizza Factory and the other businesses, and he referred to Jessica Gauthier's poem. Then he plans to attend the Solid Waste Task Force meeting, participate in interviews with the Center for Collaborative Government on an assessment of the Forest Service's interactions; and attend the Board meeting for Health Officer interviews.

Supervisor Turpin thanked the Board and everyone that was involved in the budget process. He attended the Fair and Parade on Saturday

and he thanked those who put on these events. He participated in telephone calls relative to continued challenges with brush encroaching into the intersections, relative to a leaking oil barrel, and an abandoned camper shell. He plans to attend the Solid Waste Task Force meeting and the Board meeting for Health Officer interviews on Thursday. He commented on the status of legislation that would regulate "long guns." He encourages people to get involved in projects, no matter how small or large, and he thanked the departments for their assistance with projects.

Supervisor Bibby extended a special thanks to the Parade organizers and volunteers, and to the Fair Directors and Manager and staff and volunteers, as well as the Junior Livestock Auction Committee and supporters. She extended a special thanks to our State partners, Sheriff, CHO, CalFire, Public Works, and CalTrans for their support and assistance. She plans to attend the Mental Health governing board meeting on Thursday. She thanked everyone for their assistance and understanding on the budget.

J. Items removed from Consent Agenda

none

K. Closed Session

1. County Counsel (ID # 1737)

CLOSED SESSION: Conference with Legal Counsel; Anticipated Litigation, Initiating of Litigation Pursuant to Subdivision (C) of Government Code Section 54956.9; Number of Cases to be Discussed: 1

The closed session was held at 10:10 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. 10:33 AM Report from Closed Session

Chair Bibby announced that information was received.

L. Agenda Items

1. Administration (ID # 1752)

Continue the Meeting to Thursday/September 6, 2012, at 2:15 PM for Closed Session

The Board recessed at 10:34 p.m. in memory of Carl Tilton and Myrna Mae Thompson, and continued the meeting to Thursday, September 6, 2012, at 2:15 p.m.

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board

JANET BIBBY

Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

September 6, 2012

A. Call to Order and Roll Call on Thursday at 2:15 PM

2:15 PM Meeting Called to Order at the Mariposa County Government Center - continued from September 4, 2012.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	2:15 PM
Lyle Turpin	District II Supervisor	Present	2:15 PM
Janet Bibby	District III Supervisor	Present	2:15 PM
Kevin Cann	District IV Supervisor	Present	2:15 PM
Jim Allen	District V Supervisor	Present	2:15 PM

B. (Meeting continued from September 4, 2012)

C. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our men and women serving in the military.

D. 2:16 PM Closed Session

1. **Administration (ID # 1750)**

CLOSED SESSION: Public Employee Employment Title or Position to be Filled: (Government Code Section 54957 (B) (1); Health Officer

The closed session was held at 2:17 p.m.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

5:20 PM Report from Closed Session

Chair Bibby announced that interviews were conducted and no action was taken.

E. Adjournment

The Board adjourned at 5:21 p.m.

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board

JANET BIBBY

Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

September 11, 2012

A. Call to Order and Roll Call

9:06 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:06 AM
Lyle Turpin	District II Supervisor	Present	9:06 AM
Janet Bibby	District III Supervisor	Present	9:06 AM
Kevin Cann	District IV Supervisor	Present	9:06 AM
Jim Allen	District V Supervisor	Present	9:06 AM

B. Pledge of Allegiance

Jim Wilson/Fire Chief led the Pledge of Allegiance. Chair Bibby called for a moment of silence in honor of 9-11, for those who lost their lives on September 11, 2001, for those who bravely responded, for the families whose lives were changed forever, for those that serve and have served in the military, and for the United States of America - may we never forget, and may we grow stronger.

C. Introductions

None

D. Approval of Consent Agenda (Items designated by "CA")

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

Supervisor Bibby requested that items 5/MOU with DSA and 6/MOU with SMA be pulled for separate action so that she could excuse herself from the meeting for these items due to a potential conflict of interest as her spouse is a member of SMA. The items were pulled.

Supervisor Turpin referred to item 11/amendment to agreement with Matthew Freeman and asked that consideration be given to further extending the agreement.

Supervisor Bibby referred to items 7/MOU with SEIU and 8/MOU with MCMCO and provided input, expressing concern with the changes, and she asked for a separate motion on these items. The items were pulled for separate action.

The balance of the items was approved with the change in item 11 to extend the agreement to March 15, 2013.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-457

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

CA2. Administration RES-2012-458

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road

CA3. Human Services/Behavioral Health & Recovery Services RES-2012-459

Approve an Agreement with Community Regional Medical Center to Provide Inpatient Psychiatric Services to Mariposa County Behavioral Health in an Amount Not to Exceed of \$50,000 and Authorize the Board of Supervisors Chair to Sign the Agreement

CA4. Board of Supervisors RES-2012-460

Approve a Letter Requesting the Governor's Veto of SB 9 - California Fair Sentencing for Youth (Yee), and Authorize the Board of Supervisors Chair to Sign the Letter

CA5. Personnel/Risk Management RES-2012-468

Adopt a Resolution Amending the Memorandum of Understanding with the Deputy Sheriffs' Association by Modifying Section 6.4.1 Entitled "Insurance" Effective December 1, 2012

CA6. Personnel/Risk Management (ID # 1748)

Adopt a Resolution Amending the Memorandum of Understanding with the Sheriffs' Management Association by Modifying Section 6.4.1 Entitled "Insurance" Effective December 1, 2012 (Continued from September 11, 2012)

CA7. Personnel/Risk Management RES-2012-466

Adopt a Resolution Amending the Memorandum of Understanding with Service Employees International Union Local 521 by Modifying Section 6.4.1 Entitled "Insurance" Effective December 1, 2012

CA8. Personnel/Risk Management RES-2012-467

Adopt a Resolution Amending the Memorandum of Understanding with the Mariposa County Managerial and Confidential Organization by Modifying Section 6.4.1 Entitled "Insurance" Effective December 1, 2012

CA9. Human Services/Social Services (ID # 1749)

Re-Appoint Randy Brower to the Mariposa County First 5 Commission for a Term Expiring September 11, 2015

CA10. Health RES-2012-461

Approve an Amendment (A02) for Standard Agreement 10-95270 with California Department of Public Health HIV/AIDS Surveillance Program for Fiscal Years 2010-2013 for HIV/AIDS Surveillance Related Services in the Amount of \$9,466, and Authorize the Board of Supervisor Chair to Sign the Amendment

CA11. Administration RES-2012-462

Approve the First Amendment to the Agreement with Matthew Freeman Extending the Date for Removal of the Garber House to No Later Than January 15, 2013; Authorize the Chairman of the Board of Supervisors to Sign the Amendment

CA12. Auditor RES-2012-463

Adopt a Resolution Establishing the Tax Rate of 1% of the Cash Value of the Secured Tax Roll for the 2012-13 Fiscal Year

CA13. Auditor RES-2012-464

Adoption of This Resolution Designating the Method by Which the Appropriation Limits Will be Calculated for Fiscal Year 2011-12

CA14. Auditor RES-2012-465

Resolution Establishing and Adopting Appropriation Limits for the 2011-12 Fiscal Year

E. Items removed from Consent Agenda

Input from the public was provided by the following:

Codie Hart/President of SMA asked that item 6/MOU with SMA be continued for one week for further discussion and review. Rick Benson responded and discussion was held. Sandi Laird/Administrative Analyst-Administration provided input on the status of the negotiated agreements with

DSA and SMA. Supervisor Cann noted the Board's intent to protect the total amount of money for benefits for employees, but to adjust the allocation so that all County employees receive the same medical/health insurance benefit subsidy. Further discussion was held as to whether there would be an impact to PERS calculations for retirement or tax implications. Supervisor Allen noted that the health insurance premiums are increasing. The Board concurred with continuing the SMA MOU for one week.

Supervisor Bibby returned to the meeting at 9:37 a.m. after action was taken on items 5/DSA MOU and 6/SMA MOU.

Personnel/Risk Management RES-2012-466

Adopt a Resolution Amending the Memorandum of Understanding with Service Employees International Union Local 521 by Modifying Section 6.4.1 Entitled "Insurance" Effective December 1, 2012

RESULT: ADOPTED [4 TO 1]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen

NAYS: Janet Bibby

Personnel/Risk Management RES-2012-467

Adopt a Resolution Amending the Memorandum of Understanding with the Mariposa County Managerial and Confidential Organization by Modifying Section 6.4.1 Entitled "Insurance" Effective December 1, 2012

RESULT: ADOPTED [4 TO 1]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen

NAYS: Janet Bibby

Personnel/Risk Management RES-2012-468

Adopt a Resolution Amending the Memorandum of Understanding with the Deputy Sheriffs' Association by Modifying Section 6.4.1 Entitled "Insurance" Effective December 1, 2012

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen

EXCUSED: Janet Bibby

Personnel/Risk Management (ID # 1748)

Adopt a Resolution Amending the Memorandum of Understanding with the Sheriffs' Management Association by Modifying Section 6.4.1 Entitled "Insurance" Effective December 1, 2012 (Continued from September 11, 2012)

RESULT: CONTINUED Next: 9/18/2012 9:00 AM

F. Presentations

1. Board of Supervisors (ID # 1697)

Proclaim September 11, 2012, as "Patriot Day" (Connie Waldron and Andrea Summerlin, Ladies Auxiliary Veterans of Foreign War (VFW))

The proclamation was presented to Connie Waldron and Dick Hutchinson. Board members thanked Connie for bringing these events to the attention of the public.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Board of Supervisors (ID # 1763)

Proclamation in Remembrance of the Victims of the September 11, 2001 Attacks, Honoring First Responders and Commending Local Organizers of the Mariposa 9-11 Memorial (Chair Bibby)

The proclamation was read, and Chair Bibby advised of plans to frame it with a photograph of the monument to display in the Government Center. Chair Bibby reminded everyone of the dedication of the 9-11 memorial scheduled for this evening. Chief Wilson recognized the 9-11 memorial organizing committee members who were present: Lynn Wilson/Chair of the fundraising committee and donor of several pieces of jewelry, Donna Brownell/former Arts Council Executive Director, Floyd Davis/representing the Contractors' Association and project engineer, Lorie Setterberg/member of County Fire and Arts Council and donor of painting for the raffle, Charlene Hull/fundraising committee, Dick Hutchinson/active committee member, and Doug Binnewies/active committee member. He noted the following also served as committee members and were unable to be present this morning: Dennis Buck/fabricator for the memorial, Judith Burton/artist, Scott Cummings and his wife Monica/representing American Legion and fundraising committee, Dan Smith/member of County Fire, Tom Williams/representing VFW, and Karen Wilson/member of County Fire. Chief Wilson presented each Board member with a certificate of appreciation and a plaque for their support.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

10:06 a.m. Recess

10:20 a.m. Reconvened

G. Departmental Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda - none

H. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda (Speakers Limited to Five Minutes)

Ruth Sellers thanked the Board for getting the potholes filled in Mykleoaks.

Kathy McCorry, Executive Director of the Chamber of Commerce and Visitor Centers, provided information on the visitor statistics for July and August, and noted their participation with the educational efforts on the Hantavirus. She noted that the billboard/map at the Grizzly Gas Station is being repainted.

MaryAnn Huff thanked the Board on behalf of the citizens of North County, especially Supervisor Turpin, for perseverance in pursuing block grants for projects in the North County - road repair following the Telegraph Fire and Coulterville storm drainage project. She commended Marilyn Lidyoff for her work; and she noted the PG&E light project and thanked the Board for support of the Northern Mariposa County History Center. She advised that the Coulterville community approved planters to be installed.

I. Board Information

Supervisor Cann referred to the input on the grants (Community Development Block Grants) and noted the amount of work that is involved. He noted the work with PG&E on replacing the lights in Mariposa. He attended the Sierra Nevada Conservancy Board meeting last week. He met with Public Works and the Best Western owner on issues with the stairs to the Mariposa Park. He attended the following meetings last Thursday: Mariposa Business Association, Solid Waste Task Force and he commended the Solid Waste Manager for his work, crosswalk committee, and the Board meeting for Health Officer interviews. He attended the funeral service for Amber Thorson

on Saturday, and he noted there was also a service for Chris Jones. In the evening he attended a fundraiser by proponents of establishing Jr. Achievement in Mariposa County, and he thanked the Castos for hosting this event. He worked with DNC and the Park on Sunday on issues with the Department of Interior on potential Hantavirus exposure. He met with Planning and Public Works on Monday on various projects; and then he met with DSA. He plans to attend the Central Sierra Economic Development District on Thursday. He reminded everyone of the CASA fundraiser scheduled for Saturday.

Supervisor Turpin advised that he will be unable to attend the dedication of the 9-11 memorial this evening as he will be attending the annual 9-11 event at the Coulterville Park. He attended the Solid Waste Task Force meeting and the Board meeting for Health Officer interviews on Thursday. He participated in telephone calls relative to road issues and he thanked the Road crews for their work. He was unable to attend the Tuolumne-Mariposa RAC committee meeting, but relayed his preferences for projects. The meeting he had scheduled for this afternoon on a Coulterville project, was cancelled. He noted that as he came to the office this morning that Bagby is just trickle of water; the contractor is redoing problem areas in the paving project on Highway 49 North; and he passed three loads of logs and a load of chips and the County transit bus this morning. Supervisor Bibby referred to the North County 9-11 event and extended her appreciation and best wishes.

Supervisor Allen noted that he has attended the North County 9-11 event in the past and he expressed appreciation that they hold this event annually. He attended the Area 12 Agency on Aging meeting in Sonora last week, and he noted that there will be a MediCare Part D workshop at the Library on October 31, 2012. He attended the Board meeting for the Health Officer interviews on Thursday. He attended the Community Corrections Partnership meeting on Friday, and he noted that the day-reporting center is open, and that there was a change by the State and the Superior Court Judge is not a part of this Committee membership. He and Supervisor Cann plan to meet with the DSA President later today on issues. He noted the CASA (Court Appointed Special Advocates) dinner is scheduled for this Saturday.

Supervisor Stetson advised that, as a Director, he attended the Sierra Nevada Conservancy meeting on Wednesday and toured the Stockton Creek area preserve with Mark Rowney, toured the Casto Winery, attended the reception at Mariposa Park; and on Thursday, he attended the quarterly meeting of the Board at the Fairgrounds. He plans to attend the 9-11 memorial dedication and will try to attend the El Portal Town Planning Area Advisory Committee meeting afterwards. The YARTS meeting that was scheduled for Monday has been cancelled. He commended Public Works for their persistence in following through with the East Whitlock Road repairs. He referred to the affect the Hantavirus issue is having on the NatureBridge program and staffing.

Supervisor Bibby referred to the CDBG grant projects and

noted the need to meet targeted income groups for these grants. She attended the fire station meeting. She met with Planning on Monday relative to the mine item on today's agenda, and she commended the Planning Director for her work on this matter. She plans to attend the public hearing with the State Mining and Geology Board on Thursday with the Planning Director. She stressed that everyone is welcome to attend the 9-11 memorial dedication this evening. She thanked Dr. Mosher for helping with the interview process for the Health Officer position, and for his work on the Hantavirus response. She referred to the maintenance work that is occurring on Highway 140 and provided a reminder of the "move over" campaign.

J. Regular Agenda Items

1. Planning (ID # 1757)

Discussion and Possible Direction to Staff Relative to the Department of Conservation (DOC) Office of Mine Reclamation's (OMR) Lead Agency Review Team Report, the State Mining and Geology Board's (SMGB) 45-Day Notice to Correct Deficiencies, Mariposa County's Response to the 45-Day Notice, and SMGB's Potential Action on September 13, 2012

Sarah Williams/Planning Director presented the staff report, reviewing the Surface Mining and Reclamation Act (SMARA) requirements, advising of the DOC OMR Lead Agency Review Team Report and the SMGB 45-day Notice to Correct Deficiencies, Mariposa County's response and Action Plan to the 45-day notice, and of SMGB's potential action on September 13, 2012. She advised of the plan to work with Public Works and of the request for the County to continue to have Lead Agency responsibilities. She and Chair Bibby plan to attend the hearing on September 13th. She advised of her communications with the State Mining and Geology Board Executive Officer. Discussion was held. Supervisor Cann asked about working with Mono and Madera Counties on this issue. Steve Dahlem/County Counsel responded to a question from the Board relative to taking action on this matter today.

Input from the public was provided by the following:

Cezanne Baker stated she works for Mark Long helping with the permit processing paperwork for the two mine sites that he operates. She provided input on the fees they pay to DOC for the annual report and the fees for the storm water program and testing, expressing concern with the increases in the fees and the lack of assistance they receive from the State. She expressed concern with how the fees are determined for the "multi-sites" and "low gross" - she noted that Mark Long is one owner with two mine sites and is charged much more in fees than the fees for one owner with one mine site that makes under \$100,000. They feel that the new fees will put them out of business.

Mark Long stated he operates two mines in Mariposa. He feels that the only benefit of the State taking over this program is to receive the fees to "keep their people employed." He commented on the impact with removing this program from the County. He thanked Sarah Williams for caring about the people in this County and their livelihoods.

(M)Allen, (S)Stetson, direction was given that the Board agrees with the County's response to the 45-day notice as a collective position of the

County; and the Planning Director is asked to attend the September 13, 2012, hearing before the SMGB/Ayes: Unanimous.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Personnel/Risk Management RES-2012-469

Approve a Side Letter of Agreement with the Mariposa County Managerial and Confidential Organization to Extend the Current Memorandum of Understanding to October 31, 2013; Authorize the Chairman of the Board of Supervisors to Sign the Agreement.

Rick Benson provided input on the recommendation.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

K. 11:40 a.m. LUNCH

L. 3:03 PM Reconvene

M. 3:03 PM Closed Session

1. County Counsel (ID # 1762)

Closed Session Conference with Legal Counsel; Anticipated Litigation; Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9; 1 Case

The closed session was held at 3:07 p.m.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. 3:55 p.m. Report from Closed Session

Chair Bibby announced that information was received.

N. Adjournment

The Board adjourned at 3:56 p.m. in memory of Leslie Gilmer, Jr., and Herman Wackerman.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

September 18, 2012

A. Call to Order and Roll Call

9:05 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:05 AM
Lyle Turpin	District II Supervisor	Present	9:05 AM
Janet Bibby	District III Supervisor	Present	9:05 AM
Kevin Cann	District IV Supervisor	Present	9:05 AM
Jim Allen	District V Supervisor	Present	9:05 AM

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our men and women serving in the military and for their families.

C. Introductions

None

D. Approval of Consent Agenda (Items designated by "CA")

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

Supervisor Bibby pulled item 8/SMA MOU for separate action due to a potential conflict of

interest as her spouse is a member of SMA, and she excused herself from the meeting for action on this item.

Input from the public was provided by the following:

Eleanor Keuning referred to item 3/Response to Grand Jury Final Report relative to the investigation of the Human Services Department.

Supervisor Bibby pulled item 3 and discussion was held with Jim Rydingsword/Human Services Director relative to the section on "Oversight - Human Services" in the response. Supervisor Bibby suggested that the bullet in this section be replaced with two separate bullets, and she read her recommended language; and suggested that "concur with his response" be deleted from the paragraph preceding the bullets.

Eleanor Keuning stated she agrees with the suggested changes to item 3.

Items 1 through 7 were approved, with the suggested changes to item 3/Response to the Grand Jury Final Report.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Treasurer-Tax Collector-County Clerk RES-2012-470

Adopt a Resolution: (1) Consolidating Mariposa County Unified School District Election, Lake Don Pedro Community Service District and the John C Fremont Healthcare District with the November 6, 2012 General Election, Pursuant to EC 10401; (2) Directing County Clerk to Canvass Returns of Said Election Pursuant to EC 10411 and 15301; (3) Directing County Clerk to Bill in Full for Cost of Services Performed in the Conduct of the Portion of the Election Relating to Each of the Respective Districts

CA2. Treasurer-Tax Collector-County Clerk RES-2012-471

Approve an Agreement with Pitney Bowes for Upgraded Postage Machine and Software, and Authorize the Board of Supervisors to Sign the Agreement

CA3. Administration RES-2012-472

Approve the Response of the Board of Supervisors to the 2011-2012 Mariposa County Grand Jury Final Report and Direct the County Administrative Officer to Transmit the Response to the Presiding Judge of the Mariposa County Superior Court

CA4. Administration RES-2012-473

Approve the First Amendment to the Legal Services Agreement Replacing Attorney Thomas K. Cooke with Neil D. Douglass Effective October 1, 2012, and Authorize the Board of Supervisors Chair to Sign the Amendment

CA5. Human Services/Behavioral Health & Recovery Services (ID # 1761)

Appoint Roberta Lindman to the Alcohol and Drug Abuse Advisory Board for A Term Expiring September 18, 2015

CA6. Administration RES-2012-474

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road

CA7. Administration RES-2012-475

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

8. 1796 pulled from Consent

E. Items removed from Consent Agenda

Personnel/Risk Management RES-2012-476

Adopt a Resolution Amending the Memorandum of Understanding with the Sheriffs' Management Association by Modifying Section 6.4.1 Entitled "Insurance" Effective December 1, 2012

Supervisor Bibby was excused at 9:10 a.m. for action on item 8. Supervisor Cann advised that he and Supervisor Allen met with the representative for SMA following the continuance of this item from last week, and he commended Supervisor Allen for his knowledge of these issues. Item 8 was approved. Rick Benson/County Administrative Officer advised that SMA agreed to the terms of the MOU (vs. imposition of the terms) and the item has been changed accordingly, and he thanked SMA for their efforts. Supervisor Bibby returned to the meeting at 9:21 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen

EXCUSED: Janet Bibby

F. Minutes Approval

1. **Tuesday, August 28, 2012**
2. **Wednesday, August 29, 2012**
3. **Tuesday, September 04, 2012**
4. **Thursday, September 06, 2012**

G. Presentations

5. **Board of Supervisors (ID # 1696)**

Proclaim September 17 - 23, 2012, as "Constitution Week" (Connie Waldron and Andrea Summerlin, Merced River Chapter, National Society of the Daughters of the American Revolution)

The Proclamation was presented to Connie Waldron and Judie Huffman.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

H. Departmental Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda

Dr. Mosher/Health Officer provided an update on the Hantavirus situation and discussion was held. Supervisor Cann commented on his meeting with the Park Service and Delaware North Corporation on Monday on this matter. Supervisor Stetson noted that the implications of this situation extend beyond the Park itself.

I. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda
(Speakers Limited to Five Minutes)

Marilyn Saunders, on behalf of the Mariposa Community Foundation, advised that the Foundation was established about a decade ago, and she provided input on their activities and grant awards. Discussion was held.

Eleanor Keuning asked about the status of the Courthouse repairs. Peter Rei/Public Works Director responded that they are reviewing five proposals from historical structure specialists and he hopes to be back to the Board in two to three weeks with a contract. Supervisor Allen advised that he met with the Superior Court Judge on Saturday and was advised that work is going on now. Peter Rei advised that the current work is for winterizing the Courthouse, and he thanked the Court and the AOC (Administrative Office of the Courts) for their cooperation in this process.

Marvin Wells encouraged the Board to be involved and to watch their Ps & Qs with MID, and he encouraged a reserve account to be established for dealing with the contract after the next fifty years.

J. Board Information

Supervisor Turpin commented on the 9-11 remembrances and he advised that he attended the 9-11 service in Coulterville. He met with

Public Works staff in the field on Thursday relative to road issues. He met with a concerned property owner in the field on Friday relative to road issues. He received several telephone calls from the Don Pedro area on the Community Services District issues, relative to the third assessment North County residents are receiving for fire services - SRA, Amador Plan, and CSA No. 3. He noted that he passed three loads of logs and a load of chips as he came to the office this morning and he commended the private enterprise for getting through the environmental regulations. He plans to meet with the Public Works Director this afternoon on road issues. On Monday he plans to meet with the County Administrative Officer and Tuolumne County to discuss the future of the SWIFT program.

Supervisor Allen advised that he attended the 9-11 memorial dedication and he thanked all of the volunteers and the Fire Chief for a great monument. He met with the President of SMA last Thursday, and he commended the Sheriff for his cooperation. He met with the Sheriff relative to contracts and communication issues. He referred to his meeting with SMA and DSA relative to extending the MOUs and he commended both sides for their leadership. He attended the CASA dinner on Saturday. He attended the funeral service for Herman Wackerman on Sunday. He referred to the SRA fees and the notice that a bill will be forthcoming. He plans to attend the fire station meeting on Wednesday, and he noted that the Building Permit has been issued for the Midpines station and they are working on the Permit for the Fish Camp station this week.

Supervisor Stetson commended Sarah Williams/Planning Director and Supervisor Bibby for the outcome of the hearing before the State Mining and Geology Board. He advised that he met with the Chief Probation Officer on Tuesday and he attended the 9-11 memorial dedication. He plans to meet with the Public Works Director this afternoon on Yosemite West issues, and he plans to meet with the Yosemite West residents on Wednesday. He noted that there are challenges in Yosemite West and an item will be brought to the Board. He attended the fire station meeting on Wednesday and he thanked the Building Director for keeping everything on schedule. He noted the CalTrans construction project on Highway 140 resulting in traffic delays, and he noted the planned closure of Highway 120 and the Pohono Bridge on Wednesday for work.

Supervisor Cann stated he was very impressed with the community committee for the 9-11 memorial and he urged citizens to visit the memorial. He noted that it was a nice and touching service. He advised that he received his SRA fee notice and that this matter will be discussed at the RCRC (Regional Council of Rural Counties) annual meeting on Wednesday and Thursday. He commented on other issues that will be discussed at the RCRC meeting. He noted the Hospital Foundation Blazin' Hog and Zydeco Music Festival will be held on Saturday. He plans to attend a meeting with

CalTrans/District 10 in Stockton on Wednesday with the Public Works Director and Assistant Director to review their studies on the crosswalks. He advised that he asked the Resource Conservation District to give the Board an update on the grant for the IRWMP (Integrated Regional Water Management Plan). He advised that he received an urgent request from Assemblywoman Olsen for the County to urge the Governor to veto legislation regarding fish hatcheries, and he will let County Counsel, Chair Bibby and the County Administrative Officer work on responding. He referred to the Hantavirus and the SMA issues. He advised that he met with the Central Sierra Economic Development District. He suggested that the Public Works Director schedule regular updates to the Board on the Courthouse repairs.

Supervisor Bibby referred to the work by CalTrans on the sidewalk and crosswalk issues and trying to accommodate individuals with disabilities, and she noted the sidewalk project at the Monarch Inn - she asked that if individuals have ADA concerns that they contact the Board. She extended a special thanks to all who participated in the 9-11 memorial dedication, including the fly-over. She met with the Chief Probation Officer on several issues, including the possibility of using revenue and reimbursement staff to help Human Service on their outstanding collections. She reported on the public hearing she attended in Sacramento before the State Mining and Geology Board and she extended her appreciation to the Planning Director for a fantastic job, and to the Public Works Director for being present. She attended the funeral service for Herman Wackerman on Sunday. She noted there are traffic delays on Highway 140 and 99 and in other locations due to road construction work. She noted that letters have been received relative to odors at the landfill.

K. Regular Agenda Items

6. Human Services/Behavioral Health & Recovery Services RES-2012-477

Approve the Proposed Client Services Policy for Mental Health Clients Effective November 1, 2012

Discussion was held with Jim Rydingsword/Human Services Director; and he advised that they are working with County Counsel on cases where people have not paid for services, and he noted they are okay with Supervisor Bibby's suggestion of working with the Probation revenue and recovery on collections. Supervisor Bibby requested that Human Services bring back a report on the status of potential recovery on collections. Supervisor Turpin expressed concern with the lack of services for veterans; and he asked that staff keep track of needs that are not covered.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Jim Allen, District V Supervisor
SECONDER: Lee Stetson, District I Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen

L. Closed Session

1. Administration (ID # 1791)

CLOSED SESSION: Public Employee Employment Title or Position to be Filled: (Government Code Section 54957 (B) (1); Health Officer

The closed session was held at 10:52 a.m.

RESULT: **HOLD CLOSED SESSION [UNANIMOUS]**
MOVER: Lee Stetson, District I Supervisor
SECONDER: Kevin Cann, District IV Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen

11:42 a.m. Report from Closed Session

Chair Bibby announced that information was received and direction was provided to staff.

11:43 a.m. Recess

M. 12:02 PM The Board reconvened.

1. County Counsel (ID # 1788)

CLOSED SESSION: Conference with Legal Counsel; Existing Litigation; Merced Irrigation District V. County of Mariposa; Merced County Superior Court Case No. CV002888

The closed session was held at 12:03 p.m.

RESULT: **HOLD CLOSED SESSION [UNANIMOUS]**
MOVER: Lee Stetson, District I Supervisor
SECONDER: Lyle Turpin, District II Supervisor
AYES: Stetson, Turpin, Bibby, Cann, Allen

1:23 p.m. Report from Closed Session

Chair Bibby announced that the closed session and the meeting is continued to Wednesday, September 19, 2012, at 4:00 p.m.

N. Recess

The Board recessed at 1:24 p.m. in memory of Russell Caperon, Wilma Jean Velliot, Patricia Ann DeLong, Yvonne Helgeson-Waldrup, and Jack L.

Saulsbury, and continued the meeting to Wednesday, September 19, 2012, at 4:00 p.m.

Respectfully submitted,

MARGIE WILLIAMS,
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

September 19, 2012

A. Call to Order and Roll Call at 4:10 PM

4:10 PM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	4:10 PM
Lyle Turpin	District II Supervisor	Present	4:10 PM
Janet Bibby	District III Supervisor	Present	4:10 PM
Kevin Cann	District IV Supervisor	Excused	
Jim Allen	District V Supervisor	Present	4:10 PM

B. (Meeting Continued from September 18, 2012)

C. 4:12 PM Closed Session Continued from September 18, 2012)

1. County Counsel (ID # 1807)

CLOSED SESSION: Conference with Legal Counsel; Existing Litigation; Merced Irrigation District V. County of Mariposa; Merced County Superior Court Case No. CV002888

The closed session was held at 4:13 PM.

4:45 PM Report from Closed Session

Chair Bibby announced that information was received.

D. Adjournment

The Board adjourned at 4:46 PM.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

By: TRACY GAUTHIER
Deputy Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

September 25, 2012

A. Call to Order and Roll Call

9:02 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:02 AM
Lyle Turpin	District II Supervisor	Present	9:02 AM
Janet Bibby	District III Supervisor	Present	9:02 AM
Kevin Cann	District IV Supervisor	Present	9:02 AM
Jim Allen	District V Supervisor	Present	9:02 AM

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our men and women serving in the military and for their families.

C. Introductions

Chair Bibby introduced Rich Drozen/CalFire Division Chief, and Kevin Smith/CalFire Assistant Chief. Kevin Smith advised the Board that Rich Drozen was appointed on July 23, 2012, and is responsible for managing CalFire's Mariposa Division and Mount Bullion Conservation Camp. He informed the Board that Rich is a long time Mariposa County resident and Mariposa County High School graduate. He brings an extensive background of fire suppression and fire management and will be one of the three points of contact if the Board or others have business with CalFire. Rich Drozen stated he appreciates the warm welcome and looks forward to working with the Board and partners at Mariposa County Fire and Mariposa Public Utility District.

D. Approval of Consent Agenda (Items designated by "CA")

NOTE: The Consent Agenda consists of items that are generally viewed as non-controversial and routine by the department. If the Board wishes to discuss an item, it will be removed from the Consent Agenda and moved to the end of the timed agenda; or at the Chair's discretion, may be taken in conjunction with another item scheduled by the respective department. Otherwise, the Consent Agenda items are generally approved in one single motion. This is the appropriate time for the public to advise the Chair of any comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

Chair Bibby advised that CA2 will be for consideration of approval of one additional full-time secretary allocation only and the budget action will come back to the Board on October 9th due to approval of the requested budget action not being included in the wording of the item. She advised of the following correction to CA10/change the termination date to September 30, 2012. Supervisor Turpin referred to CA3 requesting a review of accomplishments completed with the grant funds. Peter Rei/Public Works Director responded advising that four buildings received new air handlers and air conditioning units, there were a number of lights and motion detectors installed in the Hall of Records, and a number of lights were replaced with lower wattage light fixtures. Supervisor Turpin referred to CA8 expressing concern with the accountability and asked when we can expect performance from the contractor. Peter Rei advised that the original scope of work was required to be completed in 90 days per CDBG, when in fact it usually takes 2 to 4 years to complete a road project. There were several issues such as running into historical culverts that were over 50 years old that were hand built which had to be studied to obtain National Environmental Policy Act (NEPA) and other documents to continue the project. Other issues were the Native American sites that were found and some plants of concern along the sides of the roads, in which the law states they must be studied. Marilyn Lidyoff/Business Development Coordinator, responded to Peter Rei advising that she spoke to Analytical Environmental Services (AES) and they have indicated that services for the North County would be completed within 3 weeks and once that is completed the information will be submitted to the Sacramento/CDBG, once reviewed and approved we can move forward. Peter Rei advised that the project has been separated into two projects, West Whitlock and the North County. Supervisor Allen pulled CA7. The balance of the items was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Personnel/Risk Management RES-2012-478

Approve an Amendment to the Information Systems Specialist Job Description by Revising the Minimum Qualifications to Add a Substitution Clause

CA2. Health RES-2012-479

Approve One Additional Full-Time Secretary Allocation at the Health Department, Which Will be Supported with 100% Grant Funding, and Authorize Filling the Position Effective October 1, 2012

CA3. Public Works RES-2012-480

Accept the Energy Efficiency Equipment Project as Complete, and Authorize the Public Works Director to Record the Notice of Completion and Release the Retention

CA4. Administration RES-2012-481

Ratify a Letter Signed by the Chairman of the Board of Supervisors Requesting the Governor to Sign Senate Bill 1294 (Berryhill). This Bill Will Allow the

Mariposa County Board of Supervisors to Revamp the Health Benefits for Current Employees Without Negatively Impacting Those Employees who Have Already Retired

CA5. Administration RES-2012-482

Approve Two 3-Year Agreements with LexisNexis for On-Line Legal Access/Updates for the Law Library and the Adult Detention Facility, with a First Year Cost of \$8,220, and Authorize the Board of Supervisors Chair to Sign the Agreements

CA6. Public Works RES-2012-483

Approve Mariposa County Employees to Donate Vacation Time And/Or Compensatory Time for an Employee in the Roads Division of Public Works for a Period of Up to Three (3) Months After Approval

7. 1787 pulled from Consent

CA8. Public Works RES-2012-484

Approve the First Amendment with Analytical Environmental Services (AES) to Increase the Compensation in the Not-To-Exceed Amount of \$37,224 to Perform Environmental Assessment of Disaster Recovery Initiative (DRI) Roads Project, and Authorize the Board of Supervisors Chair to Sign the Amendment

CA9. Administration/Economic Development RES-2012-485

Approve a Professional Service Agreement with the Alliance Small Business Development Center (SBDC) in the Amount of \$32,500 to Provide Workshop/Training for Mariposa Businesses, and Authorize the County Administrative Officer to Sign the Agreement

CA10. Administration/Economic Development RES-2012-486

Approve the First Amendment to a Subrecipient Agreement with the Community Service Employment Training (CSET) to Provide Underwriting Services to Clients Under the County's Microenterprise Business Assistance Program, Extending the Expiration Date to September 30, 2013, and Authorize the County Administrative Officer to Sign the Amendment

CA11. Health (ID # 1755)

Accept the Resignations of Roscoe Rowney as Cal Fire Representative and Steve Leonard as Cal Fire Alternate to the Emergency Medical Care Committee (EMCC); Appoint Rich Drozen as Cal Fire Representative and Jeff Isaccs as Alternate to the EMCC

CA12. Health RES-2012-487

Approve an Agreement with Marie Moran, DDS, for Specialized Dental Services Supporting the Children's Dental Health Program in an Amount Not to Exceed of \$20,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA13. Health (ID # 1681)

Accept the Resignation of Todd Wiechers for His Service as California Highway Patrol (CHP) Alternate to Emergency Medical Care Committee (EMCC). Approve Moving Officer Sam Arrington from CHP Representative to CHP Alternate Position, and Appoint Officer Chris Michael as CHP Representative to the EMCC

CA14. Administration RES-2012-488

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road

CA15. Administration RES-2012-489

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park

E. Items removed from Consent Agenda

Public Works (ID # 1787)

Waive Encroachment Fee of \$140.00 for the Closure of 7Th Street to Hold Prospectors Brewing Company and River Rock Cafe Oktoberfest Street Party; the Event Will be Held on Saturday, September 29, 2012, from 3:00 P.M. to 10:00 P.M.

Supervisor Allen advised this application was submitted by a "for profit" business, and that it was clarified by Alcohol Beverage Control (ABC) that alcohol is not permitted outside the establishment, a nonprofit can get a one day license to serve alcohol outside but a "for profit" cannot. Peter Rei/Public Works Director advised that the item was prepared in his absence to ensure placement on the agenda prior to the date requesting the encroachment and that he does not recommend approving waiving the fee for a "for profit" business. Supervisor Cann suggested rejecting the request to waive the encroachment fee. (M)Allen, (S)Cann, the Board rejected the request to waive the encroachment fee/Ayes: Unanimous.

F. Minutes Approval

1. **Tuesday, September 11, 2012**

G. Presentations

1. **Board of Supervisors (ID # 1811)**

Proclaim October 1 - 6, 2012, as "Habitat Awareness Week" and October 1, 2012, as "World Habitat Day" (Bob Pickard, Delores Hahn, and Beth Tomsick, Habitat for Humanity)

The Proclamation was presented to Bob Pickard, Habitat for Humanity President.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

H. Departmental Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda.

Peter Rei/Public Works Director provided an update regarding a Notice of Violation from the State Water Control Board regarding the sewer system in Yosemite West. He advised that he met with Mr. Wass from the Fresno office and identified the issues of concern and noted a series of plans of how Public Works intends to address the key issues is required. The key issues discussed were a high biological oxygen/algae growth, suspended solids are too high, and a possible rodent infestation in some of the leach fields. After discussion with consultants, a letter will be sent to the State Water Control Board requesting deadlines be extended one month to November 1st and December 1st to allow consultants time to prepare the necessary paperwork. Public Works will bring an item to the Board on October 9th requesting approval of an agreement for a consultant. He feels that if more maintenance had been done in the past some of the issues could have been prevented, and advised of an item coming to the Board in the future for discussion relevant to the cost and budget for maintenance and repairs of the issues. Supervisor Cann advised that once the County completes the Integrated Regional Water Management (IRWM) process we will be eligible to apply for grant money for projects such as this. Supervisor Bibby expressed concern regarding the fees needed to maintain the system. Further discussion was held relative to Proposition 218, and having the consultants review the systems in Coulterville, Don Pedro, and Mariposa Pines, and provide a status of needs and costs for repair and maintenance. Peter Rei explained that the basis of the Notice of Violation is a cease and desist order that was issued in 2003 and never rescinded. Peter Rei clarified that it was noted that rodents are one of the causes of effluent not staying in the leach field, and will require a more aggressive approach on rodent control.

I. Public Presentation

For Items within the Jurisdiction of the Board and not on Today's Agenda (Speakers Limited to Five Minutes)

Ron Loya provided information regarding the grass roots community group of the Friends of Bear Creek Midpines, relative to creating a multi use recreational trail along Bear Creek near Midpines Community Park to provide a safe route for hiking, jogging, biking, and horseback riding. This recreational trail could range along Bear Creek from Stockton Creek in Mariposa to Briceburg in Midpines. He advised that they are at the

beginning phase of the project and focusing on what it will take to fund a feasibility study to provide information on the practicality of such an effort. He advised that on October 13th, they would be holding their first cleanup day at Midpines Community Park from 7:30 a.m. to 12:00 p.m. with a barbecue after the event. The Board congratulated Ron Loya for the comprehensive idea, proposal and game plan, the Midpines community for their energy and enthusiasm, and Public Works for their creative participation.

Eleanor Keuning addressed the Board regarding the Merced River Plan relative to the five concepts being considered and advised the public that the plan should be available at Mariposa County Library or can be ordered from Yosemite National Park and delivered the next day. She advised of the 90 day public comment period, and provided a copy of a letter to the editor published in the Yosemite Gazette.

J. Board Information

Supervisor Allen advised that he attended a fire station meeting last Wednesday; the Don Pedro fire station was signed off as complete on Monday, and around October 31st the Midpines fire station building will be up, with expected completion time of the remaining three fire stations in March of 2013. He advised last Sunday he attended a benefit for Jay Posey who is suffering from cancer and noted that Holly of Castillo's donated 100% of her proceeds to him for that day, the event was well attended and he gave special thanks to Holly for going above and beyond to help someone else. He advised this Sunday is the Annual Firefighter Appreciation Picnic; and advised that Dr. Mosher is setting up flu shot clinics and including Fish Camp this year on October 4th for one hour then he will set up in Wawona in the afternoon on the same day.

Supervisor Stetson advised that last Tuesday he attended the Midpines Planning Advisory Committee meeting; Wednesday he attended the fire station meeting; and Thursday he attended the Yosemite West Planning Advisory Committee meeting. He plans to attend the Children's Fair at Mariposa County Park on Saturday.

Supervisor Cann advised that the Board has spent a good deal of time on the Merced Irrigation District and will continue to do so for the next year or so; last week he attended the Regional Council of Rural Counties (RCRC) meeting and reported on three issues, the first was regarding the position on Proposition 30 for Schools and Local Public Safety Act of 2012, and advised that it is polling at 52% in support and 48% against. He stated there were handouts at the back of the room regarding this Proposition. The second was regarding Proposition 31 for Government Performance and Accountability Act, which requires that State Legislation, including the Budget Act, be public for three days before the legislature is permitted to vote on it. This is to stop bills from being passed after the sessions are closed. Proposition 31 also requires that each state program be reviewed at least every five years. He advised that RCRC is in support of Proposition 31. The third was an update on the State Responsibility Area (SRA)

fees, and advised that there will be a hearing in Sacramento on December 5th on the Board of Forestry relative to the SRA fees. Tomorrow he plans to attend a meeting with CalTrans to work on a report on crosswalks and will try to obtain a preliminary assessment on their Americans with Disabilities Act (ADA) assessment that was completed three or four months ago; and Thursday he plans to attend an Integrated Regional Water Management (IRWM) meeting; and advised that Saturday and Sunday is the Tomato Fest, and Sunday is the Annual Firefighter Appreciation Picnic.

Supervisor Turpin thanked Public Works for working with local residents on road issues and advised that there are some concerned citizens regarding weight limits for the bridge on Bondurant Mine Road, and noted the fire department won't cross this bridge. He is getting a lot of calls regarding the SRA fees issue from residents in Coulterville and Don Pedro, and noted they are getting hit a 3rd time for fees. He advised that CalFire has a brochure available for the public. Yesterday he met with the Tuolumne County Administrative Officer (CAO), Rick Benson/Mariposa CAO and Supervisor Elect Merlin Jones regarding South West Interface Program (SWIFT). He advised that the complaints regarding fees at the Don Pedro transfer station have dropped; Tuolumne County has discontinued paying a stipend to Mercy Ambulance and that has not been an issue; the fire Memorandum of Understanding (MOU) between Tuolumne, Mariposa and Pine Mountain Lake District has been working well. He noted that he passed five loads of cedar and several loads of pine recently.

Supervisor Bibby advised that relative to the SRA fees it is important to have accurate documentation at the Assessor's office to avoid possible issues such as individuals who have not gone through the transfer process, titles that are not completed and deeds that are not accurately recorded, DMV registrations relative to the age of mobiles that may be registered through HCD, and additional residences where permits were not obtained. She encouraged the public to access the CalFire website for information regarding the requirements and review the online form to file a petition within 30 days of receiving the bill. She attended a meeting with the Mount Bullion Citizen Group in which she gave special thanks to Sarah Williams/Planning Director and Jim Wilson/Fire Chief for their updates on the community. She advised that there is a vacancy on the Mother Lode Job Training Work Force Investment Board and asked that anyone with interest in serving contact her; she noted a meeting on September 26th at 10:30 a.m. for anyone who would like to check in to this Board. She announced the Ribbon Cutting Ceremony at Catheys Valley Charter School on September 27th; and the Annual Firefighter Appreciation Picnic on September 30th, extending her thanks and appreciation to all firefighters. She advised that if individuals are being contacted by their insurance companies with potential cancellations or questions associated with volunteer fire units or fire coverage to please contact your Board of Supervisor or her to help the Board with the

issues of concern. She encouraged the community to watch AB 109, advising that it is relative to sex offenders, also known as 290 registrants, who are failing to register, and due to overcrowded jails, once they are charged with failure to register they are being placed back on the streets. She anticipates that not having new prison commitments and with individuals who are not serving time but instead participating in the home surveillance and monitoring programs, that crimes on paper will appear that we do not have new violations. She encouraged the public to let the Governor know how this is affecting their community; she does not support AB 109. She advised that there is a vacancy on Commission on Aging for District III and anyone that lives in District III with interest should contact her.

K. Regular Agenda Items

2. Fire (ID # 1798)

Board Presentation and Placing in Service of Rescue 22

Chair Bibby announced that Rescue 22 is parked in the parking lot and the Board will take a recess after the item is heard to view the new fire vehicle; she advised that no Board action would take place during this time.

Jim Wilson/Fire Chief advised that this was a joint project between County Fire and Mariposa Public Utility District (MPUD) Fire and introduced Fire Chief Jim Dulcich of MPUD. Chief Wilson advised that Rescue 22 was manufactured by the largest manufacturer of beverage delivery trucks; he noted the commonality between the load distribution in beverage delivery trucks and emergency response trucks. Chief Wilson complimented Chief Dulcich and his crew for the hundreds of hours spent on defining the best fit for the necessary specialized equipment on Rescue 22. Chief Dulcich provided the history of the first three rescue vehicles that were placed in service prior to this new Rescue 22 and offered to answer questions of the Board. The Board commended Chief Dulcich, Dennis Buck, and Fleet Maintenance for their contributions in getting the rescue vehicle in service as soon as possible. Discussion was held relative to the final cost of Rescue 22 and the safety specifications that have been met beyond requirement.

10:41 AM Recess

11:12 AM Reconvene

L. Closed Session

3. Administration (ID # 1810)

CLOSED SESSION: Public Employee Employment Title or Position to be Filled: (Government Code Section 54957 (B) (1); Health Officer

The Board convened in closed session at 11:12 AM.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. **Administration (ID # 1803)**

CLOSED SESSION: Public Employee Employment Title or Position to be Filled: (Government Code Section 54957 (B) (1); Clerk of the Board

The Board convened in closed session at 11:13 AM.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

M. 12:10 PM Reconvene

5. **County Counsel (ID # 1809)**

CLOSED SESSION: Conference with Legal Counsel; Existing Litigation; Merced Irrigation District V. County of Mariposa; Merced County Superior Court Case No. CV002888

The Board convened in closed session at 12:10 PM.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

N. 12:52 PM Report from Closed Session

Chair Bibby reported that information was received and direction was provided for items L3, L4, and M5 as a result of the closed sessions.

O. Adjournment

The Board adjourned at 12:54 PM in memory of Helen E. Knobles, David "Jereme" Montoya, and Cecil Banks.

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board

By: TRACY GAUTHIER
Deputy Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors